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COOK COUNTY



POLICIES AND PROCEDURES MANUAL

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Cook County Board of Commissioners
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Adel, Georgia 31620

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Section 1. Introduction

A. Purpose

The purpose of these personnel policies, rules, and general procedures, together with the position classification and pay plan, is to provide the fundamental features for an effective system of personnel administration for Cook County, Georgia.

B. Administration. The County Administrator is responsible for administering these policies.

C. Employees Covered

a. These personnel policies and procedures apply to all employees of the Cook County Commission and county elected officers unless specifically excluded by these policies and procedures or by other county ordinance.

b. **Sections 6-Appointments, 7-Probationary Period, 8-Promotions and Transfers, 10-Separations, 11-Disciplinary Actions, 12-Grievance and Appeal Procedures, 17-Nepotism, 18-Equal Opportunity and Non-Discrimination, and 19-Political Activities** of these personnel policies and procedures do not apply to applicants to positions under the jurisdiction of county elected officials or to employees of county elected officials (i.e., Sheriff, Tax Commissioner, Probate Judge, and Clerk of Superior Court).

However, this exclusion does not exempt elected officials from fair employment practices that may be mandated by state or federal laws. Nothing in these personnel policies and procedures should be construed as allowing employees of county elected officials to attain a property interest in their positions.

Elected officials may opt to include their employees under the coverage of the above sections of these policies and procedures in a manner consistent with the Official Code of Georgia Annotated 36-1-21(b).

Section 2. - Definitions

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

Appeal - The right of an applicant or employee to appear before the county commission to be heard on matters of discrimination, unfair practices or other grievances of such person in the manner prescribed in these policies and procedures.

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

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

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

Demotion - Demotion means a change in the rank of an employee from a position in one class to a position in another class having a lower minimum starting salary and less discretion and/or responsibility.

Department Head - The position, whether appointed or elected officials, with overall administrative responsibility for a department.

Dismissal - The termination of a regular employee for just cause.

Elected Official - The persons filling the offices of Sheriff, Tax Commissioner, Probate Judge, and Clerk of Superior Court are considered to be elected officials. Persons employed by these officials do not have a property interest in their positions.

Eligible - A person who has made a passing score on any examination required under these regulations and who has qualified to be employed by the county.

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

Grievance - Any dispute concerning the interpretation or application of these personnel policies and procedures or any decision relative to any disciplinary action, dismissal, demotion or charge of discrimination.

Lay-Off - The separation of an employee from the classified service due to lack of work, lack of funds, abolishment of the position, or for other material changes in duties or organization.

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

Overtime - Time worked in excess of the regular work schedule for the position in accordance with the Fair Labor Standards Act.

Part-time Employee - An employee who works on a continuing basis, but does not work a full or normal work period.

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

Probationary Employee - An employee serving the first six months of his or her appointment, promotion, re-employment, or reinstatement to any position in the classified service. A probationary employee is not a regular employee until completion of six-month probationary period. Employees of elected officials do not serve a probationary period.

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

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

Provisional Employee - An employee appointed to a position without competition pending the establishment of an eligibility list. Such employee may serve for a limited time only and must compete with other applicants to qualify for a probationary appointment (if applicable).

Public Hearing - A meeting of the County Commission, open to the public, at which any interested party may appear and be heard.

Regular Employee - An employee who has completed the probationary period. Employees of elected officials do not serve a probationary period and cannot attain regular employee status as defined by these policies and procedures.

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

Resignation - The termination of an employee at the employee's request.

Salary Increase - An increase in salary within the salary range prescribed for the class by the classification and pay plan.

Suspension - An enforced leave of absence for either a disciplinary purpose or a pending investigation of charges against an employee.

Section 3. Position Classification and Pay Plan

- A. Establishment. The County Administrator shall be responsible for developing, maintaining and administering a position classification and pay plan covering all employees in the classified service of Cook County, Georgia. Such plan shall be approved and amended by recommendation of the County Commission, and shall constitute the official approved system of grouping positions into appropriate classes and pay scales.
- B. Definitions. For the purpose of this section, the following words shall have the meanings respectively ascribed to them below.
1. To "allocate" a position shall mean assigning the position to an appropriate class on the basis of the similarity of work performed and level of responsibility inherent in the position.
 2. A "class" shall mean a group of positions (or one position) that:
 - a. has similar duties and responsibilities;
 - b. requires like qualifications; and
 - c. can be equitably compensated by the same salary range.
 3. The "class title" shall be the official designation or name of the class as stated in the job description. It shall be used on all personnel records and actions. Different working or office titles may be used for purposes of internal administration.
 4. A "position" shall mean a group of currently assigned duties and responsibilities requiring the full or part-time employment of one person. A position may be occupied or vacant.

5. "Reclassification" shall mean the assignment of an existing position from one class to a different class due to a significant change in duties or responsibilities.

C. Allocation of Positions.

1. Initial Allocation. The County Administrator shall be responsible for the initial allocation of the position of every employee of the county to one of the classes in the plan.
2. New Positions. When a new position is established and approved by the County Commission, the department head involved shall complete a position description covering the duties and responsibilities of such new position. The County Administrator shall allocate the position to one of the classes in the classification plan, unless a suitable class does not exist, in which case the County Administrator shall recommend that the County Commission establish a new class. Upon the recommendation and approval of such new class by the County Commission, the County Administrator shall allocate the new position to it.
3. Allocation Appeals. If an employee has reason to believe that his or her position has been improperly allocated, such employee may, with the knowledge of the department head, request the County Administrator to review the allocation of such position. Any such request must be submitted in writing and contain a statement of justification. If not resolved to the employee's satisfaction, the employee may appeal to the County Commission in the manner provided in Section 12.

D. Maintenance of Plan.

1. Vacancies. Each time a vacancy occurs, the department head shall submit a description of the vacant position to the County Administrator for a review of the allocation of the position. The County Administrator may waive this requirement for cases in which he/she has determined that no material changes have occurred.
2. Departmental Reorganization. Each time a department or division under the jurisdiction of a department head is significantly reorganized, such department head shall submit to the County Administrator new position descriptions for all affected positions.

3. Changes in Duties of Position. The County Administrator may require departments or employees to submit position descriptions on a periodic basis or at any time the County Administrator has reason to believe that there has been a change in the duties and responsibilities of one or more positions.
 4. New and Abolished Positions. Each time a new position is established, a position description shall be written and incorporated into the existing plan. Likewise, an abolished position shall be deleted from the classification plan.
- E. Interpretation of Job Descriptions. The job descriptions are descriptive and not restrictive. The use of a particular description as to duties, qualifications or other factors shall not be held to exclude others of similar kind or quality.
 - F. Official Copy of the Plan. The County Administrator shall be responsible for maintaining an official copy of the Position Classification and Pay Plan. The official copy shall include a list of class titles and job descriptions, plus all amendments. A copy of the official plan shall be available for inspection by the public under reasonable conditions during business hours.
 - G. Amendments to the Plan. When there is a need for the establishment of new positions or the abolition of current positions, the County Administrator shall submit findings and recommendations to the County Commission, which shall take such action as deemed appropriate.

All changes in the position classification and pay plan shall be in the form of amendments to the plan approved by the County Commission.

Section 4. Rate of Pay

A. New Appointees. New employees shall be paid the minimum rate of pay for the class to which they are assigned, subject to the following exceptions, which require the approval of the County Administrator and/or the County Commission.

1. If an appointee to a particular position does not meet the minimum qualifications stated in the job description or if certain classes of work require a formalized training period which is of unusual duration, and the needs of the county can best be met by placing an individual in a training capacity, the County Administrator may designate such position as a "trainee" position. Appointment to a "trainee" position shall be at a salary range below the minimum rate established for the classification at a rate not more than 10 percent below the minimum rate.
2. If an appointee exceeds the minimum qualifications for the position, such employee may be started at a rate up to 25% above the starting salary for the classification. Written approval of the County Administrator is required in such instances.
3. If an employee to be appointed possesses special qualifications, or extenuating circumstances exist, the department head may recommend to the County Administrator a rate higher than 25% above the starting salary for the classification. In such cases, the County Commission must grant final approval.

B. Promotion.

1. An employee shall be promoted when:
 - a. The employee is transferred to a position classified in a higher pay range.
 - b. The employee's position is reclassified to a classification having a higher pay range.

2. Promotions may occur within a department or between departments.
3. Pay upon promotion.

At the time an employee is promoted to a previously established position in a classification with a higher pay range, a salary increase may be granted:

- a. Up to 10 percent above the employee's current salary; or
- b. Up to the minimum of the new classification, whichever is greater.

C. Demotion.

1. An employee shall be demoted when:
 - a. The employee is placed in a different classification having a lower pay range.
 - b. The employee's position is reclassified to a classification having a lower pay range.
2. When an employee receives a demotion of the type stated in 1-a above, such employee's pay may remain unchanged or may be reduced at the discretion of the County Commission.

In the case of an employee's position being reallocated to a lower classification, an employee's salary shall not be reduced. The employee shall be permitted to continue at the present rate of pay, but shall not be entitled to a salary increase until salary ranges for the employee's performance level exceeds the present salary.

- D. Reinstated Employees. A reinstated employee shall be paid at a salary rate within the approved salary range for the position to which the employee is reinstated. The rate of salary at appointment shall be in accordance with Section 4, A-2 and A-3.
- E. Part-time and Temporary Employment. Pay for part-time and temporary employment in a position shall be equivalent to the hourly rate of pay for full-time employment in the beginning level of similar positions.
- F. Overtime. Overtime is work beyond the normal hours of any scheduled workweek as authorized by the department head, subject to the approval of the County

Administrator. Compensation for overtime will be in accordance with the provisions of the Fair Labor Standards Act as amended. Sick and Annual Leave will not be used to calculate overtime hours.

See Section 16 for overtime pay for holidays for EMS and Sheriff's Departments.

G. Increases in Salaries. Increases in pay for county employees shall be governed by the following principles.

1. Any employee shall be initially employed for a probationary period not to exceed (6) six months.
2. The pay plan consists of a various number of job categories. The County Commission may add or delete categories as deemed necessary.
3. After an employee reaches the maximum rate within a pay level, such employee shall only be entitled to across-the-board salary adjustments and merit payments in bonus form.
4. Each department head shall file an annual performance evaluation report on each employee within that department. This report shall become a permanent part of each employee's personnel file.
5. In order for an employee to receive a merit increase, the following are required:
 - a. performance evaluation for current fiscal year;
 - b. recommendation by the department head; and
 - c. recommendation by the County Administrator.
6. In order to move to a higher pay category, an employee must apply for a new position within a higher pay category or be an incumbent in a position which has been reclassified to a higher pay category.
7. Annually, the County Commission will consider increasing the salaries within all pay grades on an equal percentage basis. During budget hearings, the County Commission shall determine what percentage increase, if any, will be allotted for increases to employee salaries. The percentage for cost-of-living pay increases will change the entry rate, steps, and maximum rate for each pay grade of the salary schedule.

8. Merit increases may be granted upon the recommendation of the department head, administrative approval of the County Administrator, and budgetary approval of the County Commission. Employees shall be eligible for merit increases annually until the maximum pay rate for the classification has been reached.

Section 5. Applications and Examinations

1. Announcement of Vacant Positions. Except as otherwise provided below, all vacancies in the classified service shall be publicized by posting announcements in the office of the County Administrator or on the official bulletin board or in other places and by such other means as the County Administrator deems advisable. The announcements shall specify the titles and salary ranges of the vacant positions, qualification requirements, manner of making application and other pertinent information, and shall specify the date, time, and place of examinations (if required) for the positions. The County Administrator will accept applications for at least 10 days following the announcement.
2. Application Forms. All applicants for positions in the classified service of Cook County shall submit an application with the County Administrator on forms provided by the County Administrator. All applicants shall provide proof of citizenship as required by federal law. Such forms shall require information concerning training, experience, and other pertinent information, and shall be signed by the applicant.

The county shall employ no person unless and until such person has made application with the County Administrator.
3. Employment Requirements. All positions in the classified service shall be open only to persons who meet such requirements as are listed on the public announcement of the examination. Such requirements may include but are not limited to the following factors: experience, education and training.
4. Receipt and Duration of Applications. Applications from all persons desiring employment with the county shall be accepted during regular business hours and placed on file. Applicants must complete a new application for each announced position vacancy.
5. Rejection of Applications. The County Administrator may reject an application, which indicates that the applicant is deficient in any or all of the requirements as specified in the public announcement of the vacancy. An applicant may also be rejected for fraud or deception in the completion of the application, or if his or her past record of employment is determined to be unsatisfactory by the County Administrator.

a. PHYSICAL EXAMINATIONS/ DRUG TESTING

When an offer of employment has been extended to an individual, the individual selected shall submit to a physical examination prior to reporting for duty. The examination shall be performed by a physician selected and paid by the County. The examination shall include a medical history questionnaire.

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If, in the opinion of the examining physician, there are no medical disabilities that would impair or hinder the functions of the individual's ability to satisfactorily perform the essential functions of the job for which he or she has been selected, and there is no history of medical problems which would affect the applicant's ability to perform such essential job requirements, the examining physician shall certify same to the Personnel Officer in writing. At such time as certification is received, the individual may be permitted to begin employment.

If the physical examination and/or medical history indicates that the individual cannot perform the essential physical requirements of the job for which the or she has been selected, the offer of employment will be withdrawn unless the County is able to employ the individual by making reasonable accommodations. Under such circumstances, the selected individual and his or her medical care providers will be permitted to suggest any such accommodations for County's consideration.

If the selected individual falsifies any statements on the job application or makes a false statement regarding his or her physical condition or medical history, either to the examining physician or to the Personnel officer, the individual shall be subject to dismissal.

b. Drug Testing of New Employees

The County strongly adheres to the Drug Free Workplace policy set forth in these Personnel Policies. The County has determined that the use of illegal drugs and/or controlled substances by County employees presents a clear and present danger to the public, other County employees, and public and private property. The County intends to use all lawful means to prevent the use of illegal drugs and/or controlled substances by County employees. While these statements apply equally to all County employees, public safety demands that persons hired for certain 'high-risk' positions must be tested for illegal drugs and/or controlled substances before they may begin employment with the County. Accordingly, any and all persons selected for employment in any of the following positions shall submit to a drug test as a part of the physical examination requirement set forth in this section: Drivers or operators of any County vehicles, including automobiles, trucks, tractors, motor graders, backhoes, street sweepers, forklifts, or any other vehicle used for transportation, construction or maintenance; all law enforcement officers having the authority to carry firearms; all employees assigned to the Fire Department whose duties require them to be physically present at the scene of a fire or emergency personnel to emergency scenes, or who receive calls and/or dispatch emergency personnel to emergency scenes; mechanics responsible for the maintenance and upkeep of safety devices on county vehicles and/or equipment; public safety dispatchers; operators of outdoor power equipment; sanitation truck operators (including employees responsible for operating mechanized equipment thereon). The County has determined that the duties and responsibilities associated with these positions are such that inattention to duty or errors in judgment while on duty presents a significant risk of harm to the employee, other employees, and the general public. Failure to pass the drug test shall disqualify the individual for the position and will result in a withdrawal of the offer of employment.

For purposes of this Section, the terms "illegal drug and "controlled substance" shall mean marijuana, as defined in paragraph (16) of O.C.G.A. §16-13-21, as amended; a controlled substance, as defined in paragraph (4) of O.C.G.A. § 16-13-21, as amended; a dangerous drug, as defined in O.C.G.A. §16-31-71, as amended or any other controlled substance or dangerous drug that persons are prohibited from using under Georgia or Federal law. These terms shall not apply to any drug an individual is authorized to take pursuant to a valid medical prescription or when used as otherwise authorized by State or Federal law, provided the physical examination indicates such usage will not interfere with the employee's performance of essential job functions and safety responsibilities. The term "drug test" shall mean the collection and testing of bodily fluids administered in a manner equivalent to that required by the Mandatory Guidelines for Federal Workplace Drug Testing Programs (HHS Regulations 53 Fed. Reg. 11979 et seq.), as amended, or any other professionally valid procedures approved by the Georgia Department of Human Resources.

- c. Maintenance of Records. The County Clerk shall be responsible for the maintenance of all records pertinent to examination programs. Applications and other necessary examination records shall be kept for one year unless either Federal or State law requires retention for a longer period of time, or otherwise specified.
6. Open Competitive Appointments. Positions to be filled by recruitment from outside the classified service shall be filled through a competitive process open to the public. This process may include, but shall not be limited to, ratings of training and experience; job-related tests; or any combination of these as determined by the County Administrator. Factors such as education, job-related qualifications, and experience may be taken into account in making employment decisions. The County Administrator may require the applicant to submit proof of education and military service or any other such documentation as is deemed necessary.
7. Promotional Appointments. Promotional appointments shall be open to all employees who meet the training and experience requirements included in the position description or who have an equivalent combination of experience and training which provides the required knowledge, skills and abilities.

Section 6. Appointments

- A. Initial Appointments. All employees of the county shall be appointed upon the recommendation of the appropriate department head and approval of the County Administrator. *Regardless of type of appointment all employees shall serve a six-month probationary period unless otherwise approved by the Board of County Commissioners upon the recommendation of County Administrator and Department head.* Department heads whose positions are elected officials have approval authority for their respective departments.
- B. Types of Appointments. When initially hired, the County Administrator shall give persons employed by the County Commission one of the following types of appointment.
1. Probationary. A probationary appointment is an appointment to a position in the classified service. An employee serving a probationary period may be discharged or returned to his or her previous position at the discretion of the department head and shall not have the right to utilize the grievance and appeal procedure set forth in this policy.
 2. Provisional. A provisional appointment may be made only after applications for the position have been taken and no qualified applicant has been found.
 - a. When there is need to fill a vacancy and no qualified applicant is available, a provisional appointment may be made.
 - b. No provisional appointment shall be continued for more than three (3) months from the date of appointment, unless, due to extenuating circumstances, an extension is approved by the County Commission.
 - c. An employee may not attain "regular employee" status while serving on provisional appointment.
 3. Temporary. Temporary appointments may be made to fill positions, which are authorized and established for a specified period of time, when the work of a department requires the services of one or more employees on a seasonal or intermittent basis, or in cases of emergency. Temporary appointments shall not exceed 120 calendar days; however, extensions to such appointments may be granted by the County Commission.
 4. Regular Appointments. A classified employee given an initial probationary appointment shall be given a

regular appointment upon completion of the probationary period.

Section 7. Probationary Period

- A. Objective. The probationary period shall be (6) months in duration and no employee shall have a property interest in his or her position during the probationary period. During an employee's probationary period, the employee may be released or returned to his or her previous position without notice.
- B. Duration. The probationary period shall be (6) months in duration.
- C. Promotional Appointments. The probationary period shall be used in connection with promotional appointments in the same manner as it is used for initial appointments. If a person is removed during the probationary period following a promotion, such person shall be entitled to general reemployment rights in his or her former class.
- D. Interruption of Probationary Period. If an employee is laid off during a probationary period and such person is subsequently reappointed in the same department, he or she may be given credit for the portion of the probationary period completed before the lay-off.
- E. Demotion During Probationary Period. A department head may demote an employee during the probationary period. A written report of such demotion must be filed with the County Administrator within three days after the effective date of the demotion.

- F. Probationary Period Reports. Prior to the expiration of the employee's probationary period, the department head shall notify the County Administrator in writing of whether or not the employee has completed the probationary period. Failure to send such a notice within five working days of the expiration date of the probationary period shall be construed as completion of the probationary period.

Section 8. Promotions and Transfers

- A. Policy. It shall be the policy of the county to fill vacancies in the classified service, as far as practicable, by promotion. To this end, closed examinations may be held at the call and under the direction of the County Administrator.
- B. Political or Partisan Endorsement Prohibited. Promotions to positions in the classified service shall be based upon merit and fitness for promotion only. No consideration shall be given to political or partisan endorsement.
- C. Inter-Departmental Transfers. A transfer of an employee from one department to another shall require the approval of both department heads concerned and the County Administrator. Requests for such transfer shall show how the employee concerned meets the qualification requirements of the class to which the transfer is proposed.
- D. Pay Grade After Transfer. An employee who is transferred shall continue at the same rate of pay unless otherwise provided.

Section 9. Employee Performance Evaluation

- A. Objective. The purpose of the employee performance evaluation shall be primarily to inform employees of how well they are performing their work and how they can improve their work performance. Such performance evaluation may also be used in determining merit raises or bonuses, as a basis for training, promotion, demotion, transfer or dismissal, and for such other purposes as set forth in these policies.
- B. Period of Evaluation. All employees except temporary workers shall be evaluated annually. An employee shall not be eligible for a merit pay raise until the performance evaluation form has been completely processed. Employees shall also be evaluated at the time of separation.
- C. Evaluations. Evaluations shall be prepared by the immediate supervisor of each employee and reviewed by the Board of Commissioners or department head. An employee in a supervisory position who is leaving the position shall be required to submit performance evaluation forms on all the employees under his or her supervision who have not been evaluated within the previous six-month period.
- D. Review with Employees. The evaluator shall discuss each performance evaluation with the employee being evaluated. If an employee disagrees with statement(s) in an evaluation, such employee may submit, within ten days following the conference with his or her supervisor, a written statement, which shall be attached to the evaluation form and forwarded to the County Administrator.
- E. Performance Evaluations Confidential. Performance evaluations shall be confidential and shall be made available only to the employee evaluated, the employee's department head, the County Administrator, and the County Commission.

Section 10. Separations

- A. Types of Separation From the Classified Service. Separations and/or terminations from positions in the classified service shall be designated as one of the following:
1. Resignation
 2. Abandonment of job
 3. Lay-off or reduction in force
 4. Inability to perform the essential functions of the position even with reasonable accommodation
 5. Loss of a job requirement necessary to perform the essential functions of the position
 6. Dismissal or discharge
 7. Retirement
 8. Death
- B. Resignation. An employee shall submit to the department head written notice of resignation at least 14 days in advance of the date of resignation. Immediately upon receipt of such notice of resignation, the department head shall forward the same to the County Administrator. Failure to comply with this rule shall be entered on the service record of the employee.
- C. Abandonment of Job. An employee not on authorized leave of absence who fails to report for work for three (3) consecutive days may be terminated from the service of the county for job abandonment in accordance with Section 11.C.4.

Any employee terminated for job abandonment shall have the right of appeal to the County Commission in the manner set forth in Section 12 of these policies and procedures.

D. Lay-off or Reduction in Force. Any involuntary separation not related to an employee's conduct shall constitute a lay-off or reduction in force.

1. Reasons for. Any employee may be laid off because of shortage of funds or work, abolishment of the position, material changes in the duties organization, or related reasons beyond the employer's or the employee's control that do not reflect dissatisfaction with the service of the employee. The duties previously performed by any laid-off employee may be reassigned to other employees holding positions in appropriate classes.
2. Notice to Department Head. Whenever the lay-off of any employee shall become necessary, the County Commission shall notify the department head at least 30 calendar days in advance of the intended action, of the necessity for such lay-off and the reasons therefore. The department head shall thereupon furnish to the County Administrator the names and job titles of the employees to be laid off and the order in which such lay-off shall be affected.
3. Order of Lay-off. Should it become necessary to reduce the number of employees within a given class in any department, such employees shall be laid off on the basis of the following two factors to be weighted equally: length of service in class and length of service with the county. If an employee believes that an error has been made in determining lay-off order, he or she may request an administrative review by the County Administrator.
4. Special Cases. Should a department head determine that the retention of a certain employee is essential to the effective operation of the department because of the fact that such employee possesses special skills or ability, and should the department head wish to retain such employee in preference to another with a higher rating, then the department head shall submit a written request to the County Administrator. Such notification shall set forth in detail the specific skills and abilities possessed by the employee and the reasons why such employee is essential to the effective operation of the department. With the approval of the County Commission, the individual may be retained.
5. Notice to Employees. Regular employees to be laid off shall be notified in writing by the County

Administrator at least fourteen calendar days prior to the effective date of the lay-off.

6. Demotions. Any regular employee scheduled to be laid off shall have the right to be demoted to a lower classification, provided that a vacancy exists and such employee is qualified to fill the position in the lower classification.
7. Reemployment List. Former employees who were separated from the county service by lay-off and desire to be considered for reemployment with the county will be placed on the reemployment list. Such persons may remain on the reemployment list for a period not to exceed one (1) year.

Former employees will be listed by seniority in terms of service as defined in Section 10.D.3, and will be offered reemployment for the first vacancy that becomes available in the same classification in which they were employed at the time of separation. All employees appointed to a position in this manner will serve the stated probationary period for that position; if said employee does not complete the probationary period he or she will be separated from the county service without the right of appeal.

A person on the reemployment list may voluntarily accept a position at a lower classification level than his or her former position, in doing so all provisions pertaining to the reemployment list apply, including being removed from the reemployment list.

If a person placed on the reemployment list does not accept the first offer for reemployment in a position having the same classification as the one held at the time of separation, he or she will be removed from the reemployment list. Such persons will no longer have guarantee of reemployment rights when a vacancy occurs, but may be considered for reemployment on the same basis as other applicants.

- E. Inability to Perform. If an employee suffers from a physical or mental disability, which prevents him or her from performing the essential functions of the position, even with reasonable accommodation, the employee is subject to termination for inability to perform the job. The employee will cooperate with the employer to determine the limitations imposed by the disability and to design accommodation for the essential functions of the job. Termination due to an inability to perform

essential functions shall be subject to an appeal pursuant to Section 12, Grievance and Appeal Procedure.

- F. Loss of Job Requirements. Any employee who is unable to perform the essential functions of his or her job adequately because of loss of a necessary license or other necessary requirement shall be separated by lay-off from employment in that position until such license or requirement is re-obtained. The license or requirement should be reacquired within a reasonable length of time or the employee will be dismissed.
- G. Dismissals. Dismissals shall constitute discharges or separations for just cause, and shall be governed by the provisions of Section 11 of these policies and procedures as hereinafter set forth.
- H. Retirement. The retirement of an employee shall consist of the voluntary separation of an employee who has met the requirements of age and length of service under the laws governing any applicable pension fund of which such employee may be a member.
- I. Death. Separation shall be effective as of the date of the death of the employee. All compensation, including annual leave pay, due to such employee, as of the effective date of separation, shall be paid to the beneficiary of the employee, the surviving spouse of such employee, or to the estate of such employee, as may be determined by law or by the applicable executed documents in the personnel folder of such employee.
- J. Pre-Termination Hearing. The pre-termination hearing procedures outlined in Section 11.C.4 apply to abandonment of job, inability to perform the essential functions of the position, loss of a job requirement necessary to perform the essential functions of the position, and dismissal or discharge as defined in this section of these policies and procedures.

11. DISCIPLINE PROCEDURES

Supervisors are responsible for ensuring that County policies, procedures are followed and for applying disciplinary action when the policies and procedures are not followed. Disciplinary action taken depends on the severity of the violation as stated under the section on Standards of Conduct. Disciplinary actions generally follow a progressive disciplinary process. This process includes an Oral Correction for a first violation of the Standards of Conduct, a Written Warning for the second violation, a Final Notice for the third violation, and Termination for the fourth offense. Disciplinary action for violations of County policies and procedures are compounded while the discipline is in effect.

That is to say if a Written Warning for excessive absenteeism is followed by an act of insubordination the result would be a Final Notice. Disciplinary Action is generally in effect for one continuing year period. If for example: a Written Warning is given in February, a violation in July of that same twelve (12) month period could result in a Final Notice. However, if a Written Warning is given in February and another violation does not occur until after February of the following year, the original Written Warning will not result in a Final Notice for the subsequent violation. Note, however; that discipline may be accelerated and an employee may be terminated for a first violation depending on the severity of the conduct. In addition, all employees of the County are employees at will and this policy is not intended to change that relationship.

The County generally adheres to the concept of "progressive discipline." However, the County is not required or obligated to follow this concept, and disciplinary action of any severity, including dismissal, may be imposed at any time, including upon a "first offense," where the circumstances justify such an action.

To ensure consistent treatment, all disciplinary action is subject to review pursuant to the Grievance Procedure. Should an employee feel that he/she has been disciplined unjustly or too harshly, the employee may follow the Grievance Procedure stated in this handbook to appeal such discipline.

The County Administrator may demote, suspend, dismiss or lay off employees with or without cause, as all employment with the County is at-will and no right to expected continuation of employment exists.

GRIEVANCE PROCEDURES

Good communications with all employees is desired. A healthy organization requires that employees freely and openly discuss problems with their supervisors and management.

The County is no different than any other company in that occasional mistakes and/or misunderstandings will inevitably occur. When a problem arises, employees are encouraged to come forward and discuss their views with their supervisor. An employee shall notify their immediate supervisor, in writing, of any grievance no later than three (3) days after the incident occurs. In most situations, employees should receive a timely answer from their supervisor.

If a problem occurs, please discuss the matter with your supervisor first. If you are not satisfied with the response from your supervisor, you should present your concerns in writing and submit them to your supervisor. Generally, your supervisor should respond within five working days. If your supervisor's written response is not satisfactory, then you should submit an appeal of your supervisor's action or determination in writing to the County Administrator within five working days of receiving the supervisor's response. The County Administrator may investigate the matter independently and shall inform you in writing of his/her determination within five working days. If you remain unsatisfied with the response you have received, you should submit a written appeal to the County Administrator within five working days of receiving the response. Once the County Administrator makes a decision on the matter at hand this is the final step in the grievance procedure. Employees are encouraged to use this procedure when they have complaints or misunderstandings regarding any employment practice, including performance reviews and payroll issues.

STANDARDS OF CONDUCT

The County endeavors to employ responsible individuals and believes that the vast majority of employees are responsible citizens who understand and respect the rights and property of their fellow employees and that of the County. However, when large groups work together, reasonable rules are necessary for the orderly conduct of the operation. To this end, the County has in effect and will establish from time to time such reasonable rules as it considers necessary to ensure the orderly and efficient conduct of its business, to assure the safety of its employees and property, and to comply with applicable laws. During working hours employees are expected to comply with rules established by the County. Failure to do so may result in discharge or other appropriate disciplinary measures.

The violation of any of these rules will result in disciplinary action ranging from an oral correction to discharge:

1. The conviction of a felony, or of a misdemeanor involving moral turpitude.

2. Excessive absenteeism.
3. Absence without leave, or failure to report after the expiration of a leave of absence.
4. Excessive tardiness.
5. Abuse of sick leave.
6. Insubordination or serious breach of proper discipline.
7. Inefficiency or incompetence.
8. Abuse or theft of county property.
9. The borrowing of county equipment for personal use without prior official permission.
10. The loss of a job requirement, such as the loss of a necessary license, which prevents the adequate performance of the essential functions of the position.
11. The willful making of false statements to supervisors, officials, the public, boards, commissions, or agencies.
12. The violation of county ordinances, administrative regulations, departmental rules, or these rules and regulations.
13. The consumption, sale, or possession of alcoholic beverages and/or illegal substances while at work, or being intoxicated on the job, or being otherwise affected on the job because of the prior use of some illegal substance.
14. The discovery of a false statement in an application.
15. Acceptance of gratuities in conflict with state law or county ordinance.
16. Political activity in conflict with Section 19 of these Policies and Procedures.
17. Engaging in offensive conduct or using offensive language toward the public, supervisory personnel, or fellow employees.
18. Harassment on the basis of race, color, sex, religion, national origin, citizenship, age, or disability.
19. Failure to report immediately to the supervisor any job-related accident or injury or unsafe working condition.

- 20.Failure to report an off-the-job accident or injury which may affect the performance of your job.
- 21.Use of tobacco products on/in county property including equipment and vehicles
- 22.Gambling during work hours or on county property.
- 23.Conducting personal business or projects working hours.
- 24.Creating or contributing to unsanitary or disorderly housekeeping conditions.
- 25.Failing to notify the county promptly when you will be absent from work or late for work
- 26.Conduct which endangers you or another employee.
- 27.Failure to use safety equipment required by the County or to comply with safety rules.
- 28.Remaining on or coming onto County work premises during off-duty hours for purposes other than to work without advance approval. (Employees may report early and/or leave late due to transportation arrangements.)
- 29.Sleeping, loafing on the job, engaging in horseplay, throwing anything that may harm another, playing jokes or otherwise distracting or startling others, acting in a disorderly manner or being away from your work station unnecessarily
- 30.Insubordination-Refusal or failure to carry out instructions or refusal or failure to perform work assignments as required by supervisory personnel.
- 31.Gross negligence or abuse resulting in the damage or destruction of tools, machinery, equipment, products, materials, or other property belonging to the County or to others.
- 32.Operating or tampering with County equipment which you have not been authorized to use or repair.
- 33.Restricting work production, encouraging or persuading others to restrict work production or supporting an interruption of work.
- 34.Failure to supervise subordinates.

The first violation of the following may result in immediate discharge.

- A. Obtaining materials or tools on fraudulent orders or misrepresentations.
- B. Bringing and or consuming or possessing alcohol, drugs, or narcotics at work or working on the job under the influence of alcohol, drugs or narcotics,
- C. Carrying explosives or unauthorized weapons on a work site.
- D. Deliberate action causing damage or destruction or waste of tools, machinery, equipment, product, materials or other property belonging to the County, a County official or to a fellow worker.
- E. Giving false information in making application for employment or pursuant to any County inquiry or investigation.
- F. Immoral or indecent conduct on a work site, including abusive or threatening language to any employee and the making of false or malicious statements or defaming another employee, County official or the County.
- G. Fighting or attempting bodily injury to others on a work site except in clear cases of self-defense.
- H. Stealing or hiding any property of other employees, persons or County officials.
- I. Failure to return to work from an authorized leave-of-absence.
- J. Being absent three (3) consecutive working days without calling in.
- K. Divulging confidential information to an unauthorized person or making any disclosure of confidential information regarding the County to any person, agency, publication, radio or television station without authorization from the County. (See Confidential Information.)
- L. Abusive conduct toward a fellow employee, County official or member of the public.

Please remember these are only examples of violations which may result in disciplinary action or immediate discharge. Other situations of a similar nature may arise and these too may result in various degrees of discipline or discharge.

*****Employees or Department Heads are not allowed to circumvent the chain of command. All employees are expected to follow it. If you need anything, are dissatisfied, have problems with fellow employees or your supervisor, you are expected to speak with your supervisor first. If the problem is not resolved, you may then speak to the County Administrator or his/her designee.***

ONCE REPREMANDS ARE ISSUED THEY BECOME A PERMANENT DOCUMENT IN THE PERSONNEL FILE.

Section 12. Employee Development

- A. In-Service Training. The County Administrator shall be responsible for fostering and promoting in-service training of employees for the purpose of improving the quality of service and to assist employees in preparing themselves for advancement.
- B. Travel Expenses. When a county employee is required to attend a training or certification seminar or conference, he/she shall be reimbursed for fair and reasonable expenses incurred for registration, food and lodging.
 - 1. Employees will be paid mileage for the use of their personal vehicle at the rate determined by the County Commissioners.
 - 2. Employees will not be reimbursed for alcoholic beverage expenses.
 - 3. Employees must utilize appropriate "Expense Reimbursement and Hotel/Motel Tax Exemption" forms.

Section 13. Records and Reports

- A. Personnel Transactions. All appointments, separations, and other personnel transactions shall be recorded on forms provided by the County Administrator. A separate file folder shall be prepared and maintained for each employee and shall contain the original or a copy of all pertinent documents.
- B. Public Inspection. Information relative to employees and former employees shall be available for public inspection at reasonable times and in accordance with Title 50, Chapter 18 Official Code of Georgia Annotated.
- C. Destruction of Records. Employee service records shall be kept in accordance with state and federal regulations after termination of employment. Such records may be kept in their original form or in any other duplicate form the County Administrator deems appropriate. All other records, including correspondence, applications, and examinations may be destroyed after two years.
- D. Attendance Records. Regular attendance reports shall be prepared and submitted by each department head as requested by the County Administrator and in the form designated by the County Administrator.

Section 14. Payroll

- A. Initial Appointments. Upon the appointment of any employee to the classified service, the County Administrator shall submit to the County Commission such information as is necessary to certify the employment status, title or position, and salary or wage of such employee.
- B. Payroll Adjustments.
 - 1. Each department head shall be responsible for immediately notifying the County Administrator of any occurrences or actions taken which require an adjustment in the salary or wage of any employee or employees under the supervision of such department head.
 - 2. Upon the receipt of such notice, or upon the taking of any action by the County Commission which requires an adjustment in the salary or wage of any employee or employees, the County Administrator shall make such payroll adjustments for such employee or employees as may be required.
- C. Recovery of Salaries Improperly Paid. Officers and employees may be held liable for the return of salaries improperly, accidentally or illegally paid to employees.
- D. Voluntary Deductions. Upon the request in writing of any employee, the county shall be authorized to provide for automatic payroll deductions for such employee, in such amount as the employee shall specify, for the purpose of contributing to personal savings plans, pensions or other personal financial investment plans.
- E. Issuance of Paychecks. Paycheck will be normally issued every other Friday for the pay period ending the two (2) weeks preceding the Wednesday before pay day.

Section 15. Attendance and Leave

A. Hours of Work. The established work week and the hours of work shall, insofar as practicable, be uniform within occupational groups and shall be determined in accordance with the needs of the county and the reasonable needs of the public who may be required to do business with various county departments. The department head with the advice and approval of the County Administrator shall establish the work schedule for each department.

B. Attendance. Each department head shall be responsible for the attendance of all persons in his or her department. The County Administrator shall keep complete attendance and other records on each employee, including annual leave, sick leave, overtime, and others, as provided in Section 14.

C. Holidays. All full-time employees shall be eligible for holiday leave for the following days and other days as designated by specific action of the County Commission:

New Year's Day	Columbus Day
MLK, Jr. Day	Veteran's Day
Good Friday	Thanksgiving Day
Memorial Day	Day after Thanksgiving Day
Independence Day	Christmas Eve
Labor Day	Christmas Day

1. Whenever a holiday falls on a Saturday, the preceding Friday shall be designated a substitute holiday and observed as the official holiday for that year. When the holiday falls on a Sunday, the following Monday shall be designated as the official holiday for that year. An employee who is not on approved leave and fails to report on his or her scheduled work day before or after a holiday shall not be paid for the holiday.
2. Holidays, which occur during annual or sick leave, shall not be charged against annual or sick leave. Full-time employees shall be paid for holidays based on the number of hours they normally work each day up to 8 hours, exclusive of overtime. Temporary employees will not be paid for holidays not worked.
3. Any essential employee in the Sheriff's Department or EMS scheduled to work on an official county holiday shall be paid at a rate of one times the regular rate for each hour worked during the actual holiday and 8 hours for the holiday.

Employees who are scheduled to be off on an official county holiday shall be paid 8 hours for the holiday.

Example: Deputy works 12 hours on a holiday
 Paid for 12 hours at regular rate and
 8 hours holiday pay at regular hours

EMT works 24 hours on a holiday
 Paid for 24 hours at regular rate and
 8 hours holiday pay at regular rate

E. Annual (Vacation) Leave.

1. General. Vacations are for the purpose of rejuvenating both physical and mental faculties and all employees are urged to avail themselves of vacation periods.
2. Eligibility. All full-time employees in the classified service shall be entitled to earn and accrue annual leave. Regular part-time employees and Temporary employees shall not be eligible for annual leave.
3. Rate of Leave Accrual. Full-time employees begin to accrue annual leave immediately upon employment. Employees under temporary, provisional, or emergency appointments, and employees not deemed to be in the classified service, will not be granted annual leave under these policies.

Annual leave shall be accrued according to the following schedule:

Number of Normal Hrs Per Work Day	Number of Hrs Accrued per payroll	Years of Cont. Employment	Days
7 hours	2.42 hrs	0-5 yrs.	9 days
8 hours	2.77 hrs	0-5 yrs.	9 days
8.6 hours	2.98 hrs	0-5 yrs.	9 days
12 hours	2.98 hrs	0-5 yrs.	9 days
24 hours	3.32 hrs	0-5 yrs.	9 days
7 hours	3.23 hrs	5-15 yrs.	12 days
8 hours	3.69 hrs	5-15 yrs.	12 days
8.6 hours	3.97 hrs	5-15 yrs.	12 days
12 hours	3.98 hrs	5-15 yrs.	12 days
24 hours	4.43 hrs	5-15 yrs.	12 days
7 hours	4.04 hrs	15-25 yrs.	15 days
8 hours	4.62 hrs	15-25 yrs.	15 days
8.6 hours	4.96 hrs	15-25 yrs.	15 days
12 hours	4.97 hrs	15-25 yrs.	15 days
24 hours	5.54 hrs	15-25 yrs.	15 days

7 hours	4.85 hrs	25 yrs.	18 days
8 hours	5.54 hrs	25 yrs.	18 days
8.6 hours	5.95 hrs	25 yrs.	18 days
12 hours	5.82 hrs	25 yrs.	18 days
24 hours	6.65 hrs	25 yrs.	18 days

Employees hired after the adoption to these Personnel Policies and Procedures will accrue annual leave at the rate stated above. Employees hired prior to the adoption of these policies will continue to accrue annual leave at the previous rate.

4. Notice of Leave.

- a. A request for annual leave shall be submitted to the employee's immediate supervisor. Annual leave may be taken only after approval by the appropriate department head so that, insofar as practicable, the department can function without the hiring of additional temporary help. Annual leave shall be authorized in units of days or hours only. Employees may not take annual leave during the first six months of employment.

5. Maximum Allowable Accumulation. Unused annual leave not exceeding 30 days may be carried into the next calendar year. It is the intent of these rules to have employees take their annual leave yearly. Therefore, no payment shall be made for non-use of annual leave except as provided in paragraph 6 below unless approved by the Board of Commissioners.

6. Payment for Unused Leave. After one year, when an employee is separated from the service, such employee shall be paid for all unused annual leave (up to 30 days) unless he or she fails to give proper notice of resignation as provided in Section 10.

F. Sick Leave.

1. General. Sick leave shall be allowed to an eligible employee:
 - a. in the case of actual sickness or disability of the employee or for medical, dental or eye examination or treatment for which arrangements cannot be made outside of working hours; and
 - b. when the employee is required to care for a sick or injured spouse, child, or member of the immediate family. The employee shall report the illness prior to his or her scheduled work time if possible. If not, the employee shall see that the illness is reported within 30 minutes after the time he or she is scheduled to have reported for work.

2. Eligibility. Those employees entitled to earn annual leave shall also be eligible to earn sick leave. Employees will not be paid for sick leave taken during the initial probation period of employment.
3. Rate of Leave Accrual. Full-time employees begin to accrue sick leave immediately upon employment at the rate of one day (hours per day determined by each department's regularly scheduled day) per month.
4. Certification by Physician. A medical certificate signed by a licensed physician is required when an employee is absent from work for more than a three-day period. A medical certificate signed by a licensed physician may be required at any time by a department head to substantiate a request for sick leave.
5. Maximum Allowable Accumulation. Unused sick leave shall accumulate from year to year.
6. No Payment of Unused Sick Leave. When an employee is separated from the service, no payment shall be made for any unused sick leave.
7. Shared Sick Leave. Upon written request sick leave may be contributed to another employee only for the employee's own illness, after recommendation by the Department Head and approval of Commissioners. Upon approval of Commissioners employee contributing the leave hours must authorize the contribution by submitting appropriate documentation to payroll clerk.

G. Other Types of Leave.

1. Military Leave.
 - a. Any regular employee who leaves the classified service to join the military forces of the United States during time of war or other national emergency, or is inducted by Selective Service, may, upon written request, prior to induction into the military, be placed on military leave without pay, such leave to extend through a date 90 days after which such service terminates. Such employee shall be entitled to be restored to the vacated position, or a comparable position, provided the employee makes application to the County Administrator within 90 days of the date of discharge under honorable conditions, and is physically and mentally capable of performing the essential functions of the position with or without reasonable accommodation.
 - b. The returning employee shall be entitled to any increases in salary (including cost-of-living increases) or any advancement in grade, which would

normally be accorded to the incumbent of the position, with the exception of any increases or advancement in grade, which would normally be dependent on meritorious performance of the duties of the position.

- c. In the event a position vacated by a person entering the military service as stated above no longer exists at the time he or she qualifies to return to work, such person shall be entitled to be re-employed in another position of the same status, class and pay in the classified service, provided such re-employment does not necessitate the laying off of another employee.
 - d. Any regular employee who is a member of the National Guard or an organized military reserve of the United States will be allowed leave of absence with pay not to exceed 15 calendar days (or in compliance with state law) during any calendar year to attend training camps upon presentation of orders concerning such training. Such leave shall not be charged to annual leave.
- 2. Funeral Leave. Sick or annual leave may be used for up to three working days for employees absence from duty due to the event of death in the immediate family. Immediate family shall mean spouse, child, father, mother, father-in-law, mother-in-law, brother, sister, brother-in-law, sister-in-law, grandparents, grandchildren, or any relative who is domiciled in the employee's household.
 - 3. Workers' Compensation. An employee who is temporarily disabled because of an injury or illness sustained directly in the performance of his or her work may be covered by the provisions of the State Workers' Compensation Act.
 - 4. Temporary Disabilities Not Covered by Workers' Compensation. An employee who becomes temporarily disabled shall be allowed to exhaust his or her accrued sick and vacation leave. After all sick and vacation leave have been used, further extension of leave (either with or without pay) must be specifically authorized by the County Commission upon recommendation of the department head and approval of the County Administrator.
 - 5. Civil Leave. An employee shall be given necessary time off, without loss of pay, when performing jury duty, or when required by proper authority to be a witness in legal proceedings, provided such call to duty is reported in advance to the employee's Department Director.

All monies received as compensation from the County, unless jury duty was served totally outside of regular working hours, shall be turned over to the County.

In order to receive such pay the employee must present their summons or subpoena to their Department Head as soon as practical prior to their court service.

6. Maternity Leave.

- a. Maternity leave is a period of approved absence for incapacitation related to pregnancy and confinement. Maternity leave may be charged to sick leave or any combination of sick leave, annual leave, and leave without pay.
- b. The employee desiring maternity leave should report the pregnancy to the department head. Such notification shall include a written statement from the attending physician specifying the approximate date of birth.
- c. An employee will be permitted to continue work, with reasonable accommodation, so long as the conditions of the pregnancy do not adversely impair work performance or health.
- d. An employee shall be granted leave without pay for maternity purposes in accordance with Section 16-7.

7. Leave of Absence Without Pay. A department head, with the approval of the County Administrator, may grant a regular employee a leave of absence without pay for a period not to exceed six (6) months. Leave of absence without pay for a period exceeding six months and not more than one year may be granted with the approval of the County Commission. All departments are required to adhere to the following regulations.

- a. Leave without pay shall be granted only when it will not adversely affect the interests of the county service.
- b. Failure of an employee to return to work at the expiration of approved leave shall be considered as absence without leave and grounds for disciplinary action.
- c. Any employee who has been granted leave of absence and who wishes to return before the leave period has expired shall be required to give his or her department head at least a one week notice. Upon receipt of such written notice, the employee shall be permitted to return to work.

- d. No sick leave or annual leave will be earned by an employee for the time that such employee is on leave without pay.
 - d. An employee may elect to have health insurance continue to be provided, with the employee paying the total amount of the premium.
 - e. An employee shall return from leave without pay to the same salary grade as at the time of commencement of leave.
 - g. An employee who obtains either part-time or full-time employment elsewhere while on an authorized leave of absence without pay is required to notify his or her department head in writing within three days of accepting such employment.
 - h. An employee returning from a leave of absence without pay shall be entitled to employment in the same department in the same or equivalent class wherein employed when said leave commenced.
- 8. Absence Without Leave. An absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by a specific grant of leave of absence under the provisions of these regulations shall be deemed to be an absence without leave. Any such absence shall be without pay and shall be cause for disciplinary action.
 - 9. Family and Medical Leave. Family and medical leave shall be granted in accordance with the Family and Medical Leave Act of 1993 (PL. 103-3).
 - 10. Administrative Leave. An employee may be placed on administrative leave with pay at the discretion of the department head and approval of the County Administrator when such action is deemed to be in the best interest of the county.
 - 11. Blood Donation. All regular full-time and part-time employees are encouraged to donate blood. Time off with pay may be granted for volunteering provided time off has the prior approval of the Department Head. Employees will be paid for time off for volunteering up to 2 hours.
 - 12. Notification to County Administrator. When an employee has taken leave of any kind or is absent without leave, his or her department head shall notify the County Administrator in writing within the same pay period in which the leave is taken or the absence without leave occurs. Such notification may be by notation on a time card or attendance sheet or by memo, giving specific

information covering type of leave, dates, hours, and other pertinent data.

Section 16. Nepotism

It is hereby declared to be the policy of Cook County that no department head, member of the County Commission, or County Administrator shall appoint or employ any person to any regular classified position in the county who is a member of the immediate or extended family of such officer if such appointment or employment would cause a relative of such officer to come under the direct supervision of such officer.

The county does not prohibit the employment of relatives as long as none of the related persons are employed in a supervisory role in which they might have an effect on a relative's progress, performance, or welfare as an employee.

An employee may not be promoted into a position in which they would have supervisory responsibility over a relative, unless the relative can be transferred to another position that would not be under the supervision of the relative that is being promoted.

For this nepotism policy, "relatives" are defined as spouse, mother, father, stepmother, stepfather, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, stepson, stepdaughter, brother, brother-in-law, sister, sister-in-law, half brother, half sister, grandchild, grandparent, and grandparents of spouse.

This section does not apply to persons employed by the county prior to the adoption of these policies and procedures.

Section 17. Equal Opportunity and Non-Discrimination

- A. Policy. All applicants for positions and employees of the county shall be assured of fair and equitable treatment in all aspects of personnel administration, including training, promotion, and disciplinary action, without regard to political affiliation, race, color, national origin, sex, age, disability, or religious creed and with proper regard for their privacy and constitutional rights as citizens.
- B. Publicity. The County Administrator shall see that information about job opportunities and the equal employment policy of the county is readily available to all citizens of the county and especially to all potential job applicants.
- C. Appeals Based on Alleged Discrimination. Any applicant or employee who believes that he or she has been discriminated against shall have the right to counsel with the County Administrator and to avail himself or herself of the Grievance Procedure outlined in Section 12.
- D. Affirmative Action Plan. The County Commission may adopt an affirmative action plan to formulate actions to correct employment practices, which have, or potentially could have, a negative impact upon minority groups or females.
- E. While applicants to positions under the jurisdiction of county elected officials and employees of county elected officials are not specifically covered under this section, they are covered by any applicable state or federal laws governing equal opportunity and non-discrimination.
- F. Americans with Disabilities Act. Cook County is committed to complying with the Americans with disabilities Act from the application stage through employment. As part of its commitment to compliance, Cook County shall not automatically exclude from employment any applicant merely because the applicant has a medical and/or physical condition, including, but not limited to, obsessive compulsive disorder. Cook County shall only withdraw a conditional job offer if an individual assessment of the job applicant's present ability reveals that the Applicant is not able to perform the essential functions of the job. Any such individual assessment shall be based on a reasonable medical judgment that relies on the most current medical knowledge and/or on the best available objective evidence.

Section 18. Political Activities

No employee in the classified service shall engage in political activities at the work place or during business hours.

Section 19. Policy Changes

These policies shall reflect, and be superseded by, any changes mandated by state or federal legislation.

Section 20. Retirement

- A. The Cook County Board of Commissioners established in 1984 a Deferred Compensation *Plan* for qualified County personnel in accordance with Section 457 of the United States Internal Revenue Code of 1954, as amended.
- B. Maximum Limitation: The maximum amount deferred shall not exceed the lesser of \$7,500 or 33-1/3% of includible compensation.
- C. Normal Retirement Age 70, unless the participant has elected an alternative normal retirement age by written instruction delivered to the employer at separation from service.
- D. Retirement: The first date upon separation of service **and** attainment of normal retirement age.
- E. Separation From Service: A participant shall be deemed to have severed his employment with the employer when either party has terminated the employment.
- F. Eligibility/Contribution: When an Employees who is hired after the adoption of these Personnel Policies and Procedures has completed three (3) years of continuous, full-time employment, the employee shall become eligible to receive a County paid contribution of 3% of the Gross Salary. The County will match up to 3% of an employees own contribution into the retirement plan not to exceed six (6%) percent of the Gross Salary up to a maximum of \$7,500 per year.

When an employee who was hired prior to the adoption of these policies has completed three (3) years of continuous, full-time employment, the employee shall become eligible to receive a County paid contribution not to exceed twelve (12%) percent of the Gross Salary up to a maximum of \$7,500.00 per year.

- G. Compensation: All benefits associated with this plan shall be made in the manner selected by the employee and the retirement vendor currently approved by the Cook County Commissioners. The Company will contact the employee on the exact system of compensation.

Section 21: Non-Harassment Policy

Cook County's general policy is to maintain a work environment free of harassing conduct from other employees, guest and others in the workplace.

Harassment is Prohibited: Cook County absolutely forbids all employees, including management, from engaging in harassing conduct of any type. Cook County also will make all reasonable efforts to ensure that its employees are not subjected to harassment by members of the public.

What is Harassment? Harassment is a pattern of physical or verbal conduct which a reasonable person would regard as undesirable or offensive and which is both severe and extensive enough to actually interfere with the employee's work performance. It may include, but is not necessarily limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature. Harassment can also include, for example, offensive conduct which is based on such characteristics as an employee's race, national origin, age, or disability. Harassment may also include a supervisory person discussing a circumstance or situation with another county employee in a threatening or abusive manner.

What Cook County expects from you. Cook County expects that you will not simply suffer through undesirable or offensive conduct in silence, or permit other employees to suffer through such conduct without report it. Whether or not you are certain that another person's behavior really constitutes "harassment," it is your responsibility to report it as soon as possible after the incident or incidents occur. Reports will be kept CONFIDENTIAL to the extent practical.

Retaliation is Prohibited. Cook County will not tolerate any type of retaliation, direct or indirect, against any employee or other person who, in good faith, reports a violation of this policy, opposes a violation of this policy, or participates in an investigation of harassment or discrimination.

When to make a report? Cook County can only remedy harassment which you bring to our attention. To give Cook County the opportunity to take prompt action which will prevent future occurrences, we ask that you immediately report any conduct which you believe might be harassment.

How to Report Harassment: Because Cook County takes the occurrence of offensive or undesirable conduct in its work place seriously, you should make any reports directly to the County Administrator. In the event that you are not

comfortable in reporting such conduct to the County Administrator, it should be reported to the County Clerk.

Section 22: ELECTRONIC MAIL - INTERNET POLICY

INTRODUCTION:

Cook County provides E-mail and Internet access to employees in an effort to give its employees a tool to communicate easily and efficiently. Employees must be mindful that use of the electronic communications systems should be limited to County business. The sole exception to the above sentence being that employees may make incidental and occasional personal use as long as such use does not interfere with an employee's performance of his or her job responsibilities or the business use of such systems by other employees. The County has a right to the access of E-mail and all information on County-provided computers. No individual should have any expectation of privacy with messages sent or received. Since confidentiality is not readily attainable when using E-mail and because many E-mail communications are public records, employees should never use E-mails for making harassing or threatening statements or expressing personal opinions on non-county related matters.

DEFINITIONS:

1. E-mail means an electronic message transmitted between two or more computers or electronic terminals, whether or not the message is converted to hard copy format after receipt and whether or not the message is viewed upon transmission through a local, regional, or global computer network.
2. Electronic Communications means each of the County's electronic communications systems, including, without limitation, E-mail, the Internet and any Intranet established by or on behalf of the County. This does exclude voice telephone communications, i.e. 911 telephone call taking/dispatching.
3. Internet means the global computer network accessed via modem, ISDN, DSL, cable modem or T-1 line, whether directly or through an Internet service provider.
4. Public Record means 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 County office or agency. Public record also means such items received or maintained by a private person or entity on behalf of a County office or agency which are not otherwise subject to protection from disclosure.

SCOPE

All E-mail communications and associated attachments transmitted or received over the Cook County network/or any computer equipment owned by Cook County and all use of the electronic communications system of the County are subject to the provisions of this policy. In addition and without limiting the generality of the foregoing, since Georgia Law provides that E-mail communications written in the course of operation of a public office are generally considered to be public records, all E-mail communications written and set in the conduct of public business by Cook County employees and/or representatives are subject to the provisions of this policy or privately owned personal computer.

E-MAIL IS COUNTY PROPERTY

The electronic communications systems hardware and software are County property, and all messages composed, sent or received on the electronic communications systems are and remain the property of the County. They are not the private property of any individual.

Use of the electronic communications systems is reserved solely for the conduct of County business. They may not be used for personal business or gain. Personal use is limited to incidental and occasional use that does not interfere with the employee's performance of his or her job responsibilities or the business use of e-mail by other employees.

No Expectation of Privacy in Messages; Lack of Confidentiality

The County reserves and intends to exercise the right to review, audit, intercept, access and disclose all messages created, received or sent over the electronic communications systems for any purpose. The contents of electronic communications may be disclosed within or outside the County without the consent of any individual.

The confidentiality of any message should not be assumed. Even when a message is erased by the user, it is still possible to retrieve and read that message. Furthermore, the use of passwords for security does not guarantee confidentiality. All passwords must be disclosed to the County upon request.

Prohibited Uses

The electronic communications systems may not be used to solicit, recruit for, conduct business for, or manage any commercial ventures, religious or political causes or outside organizations.

The electronic communications systems shall not be used to create send or forward any chain E-mails, advertisements, solicitations or non-business related message.

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The electronic communications systems shall not be used to create, send or forward any offensive or disruptive messages. Among those messages which are considered offensive or disruptive are any messages which contain profanity, sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, gender, race, religious or political beliefs, national origin or disability.

The electronic communications systems shall not be used to search or "surf" for, or visit or receive (download) any sites containing any written, pictorial, audio or other depiction of information that might be considered offensive or disruptive as discussed above. Among the prohibited sites which cannot be visited using the electronic communications systems are sites containing sexually-related material or any other sites portraying information not reasonably calculated to be of use for the County.

For materials copyrighted by third parties, the electronic communications systems should not be used to receive (download) or transmit (upload) such copyrighted materials unless the third party owner/author has granted an express right for the County and/or the user to download and/or upload. In no event shall any individual attempt to receive or download any so-called "hacker" software or other software whose purpose is to aid the user in improperly accessing secure materials, circumventing security measures or copying or downloading copyrighted material, whether such material is on an internal or external network.

The electronic communications systems shall not be used to breach or attempt to breach any other network containing any protected information from a third party.

The electronic communications systems should not be used to transmit or discuss information that currently is or could be the subject of a lawsuit involving the County, including conclusions or opinions as to the existence, absence or enforceability of a grievance, claim or contract or the activities of any individual on behalf of the county. The above statement shall not be used to limit or restrict the use of 911 computer aided dispatch system or mobile data computers, which can be the subject of lawsuits.

The electronic communications systems shall not be used to establish web sites or home pages without prior approval of the County Administrator.

The electronic communications systems shall not be used to post any message to an Internet message board or chat room or other public electronic forum.

Misrepresenting, obscuring, suppressing or replacing a user's identity on any electronic communication, including but not

limited to the practice of "spoofing" (i.e., constructing electronic mail address, organizational affiliation, time and date of transmission, and related information included with any electronic message posting must always reflect the true originator, time, date and place or origination of posting or message.

APPLICATION OF PUBLIC RECORDS STATUTES TO E-MAIL

E-mail messages are subject to many of the same statutes and legal requirements and disclosure as other forms of communication, such as the Inspection of Public Records Statute (OCGA 50-18-7- through 50-18-76). This statute treats computer based or generated information in the same manner as paper documents. All such documents are generally considered to be public records and are subject to public inspection unless they are covered by a specific statutory exemption. E-mail messages, which are public records, must be retained in either paper or electronic format. An open records request received via e-mail shall be deemed legally received at the time of opening the message; therefore, the recipient shall document the date and item of receipt for compliance purposes.

E-mail messages that are not public records should be deleted after viewing.

UNAUTHORIZED RECEPTION OR REVIEW

Although the county has the right to retrieve and read any messages sent over the electronics communication systems, messages should be treated as confidential by individual users and accessed only by the intended recipient or his/her designee. Individual users of the county's electronic communications systems are not authorized to retrieve or read any messages that are not sent to them, unless authorized in advance by the County Administrator or unless they have obtained in the permission of another individual user to access and/or read that other user's messages.

Unauthorized use of another person's (or group's) password, or knowingly giving passwords to others not authorized to use such password is prohibited.

Circumventing security measures or trying to gain unauthorized access to systems, resources, programs or data is prohibited.

Any attempt to destroy the integrity of computer based information is also prohibited.

Falsifying your identity on the Internet, or any malicious attempt to harm or destroy resources or data is prohibited. This includes deliberately unloading downloading, or creating computer viruses.

COMPLIANCE

Any individual who discovers a violation of this policy shall notify his or her supervisor.

Any individual who violates this policy or uses the electronic communications systems for improper purposes shall be subject to discipline, up to including termination of employment, and possibly other legal remedies.