



SANDY SPRINGS

GEORGIA

THE CITY OF SANDY SPRINGS

Employee Handbook



SANDY SPRINGS

CITY MANAGER'S OFFICE

Dear Employee,

Welcome to the City of Sandy Springs!

We are excited to have you as part of our highly motivated customer service team. You were hired because we believe you can contribute to the achievement of our goals and to the bottom line of our success.

The City of Sandy Springs is committed to developing creative solutions that will result in a model of government for the 21st century. As part of the team, you will discover that the pursuit of excellence is truly a rewarding aspect of your career with the City of Sandy Springs. As a team member, you must "own" the results of your productivity.

This employee handbook contains the key policies, goals, benefits, and expectations of the City of Sandy Springs and other information you need as part of our team.

Welcome aboard, and we look forward to your contribution.

Sincerely,

John McDonough,
City Manager



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DISCLAIMER – IMPORTANT NOTICE

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

Nothing in this Handbook or in any of the City’s personnel policies shall be deemed to constitute a contract of employment and all employees of the City are employees-at-will who may quit at any time for any reason and who may be terminated at any time for any or no reason. No one other than the City Manager may make any promises or assurances or enter into any contract, whether oral or written, that in any way is contrary to or inconsistent with an at-will employment relationship, and any such promises, assurances, or purported contracts shall be invalid and not binding on the City unless adopted, endorsed, and agreed to in writing by the City Manager.

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




ADMINISTRATION OF POLICIES AND PROCEDURES

CITY MANAGER

The City Manager shall be responsible for establishing personnel policies and procedures for the City. The City Manager shall also be responsible for administration of the personnel policies and procedures of the City and for interpreting the various provisions contained therein.


AMENDMENTS

Any section or provision of the personnel rules, regulations and policies of the City can be amended or changed by the City Manager at any time with or without notice.

	EEO Policy	
	<i>Chapter: 1 – General Policies & Procedures</i>	<i>Section: 1.01</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revision 01/11/2011</i>	<i>Forms:</i>

POLICY

The City provides equal opportunity to all employees and applicants for employment without regard to race, color, religion, sex (including pregnancy), sexual orientation, gender, national origin, age, disability, genetic information, or military or veteran status, or any other status or classification protected by applicable federal, state and local laws. This policy applies to all terms and conditions of employment, including but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

	Employees and Applicants with Disabilities	
	<i>Chapter: 1 – General Policies and Procedures</i>	<i>Section: 1.02</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revision 01/11/2011</i>	<i>Forms:</i>

POLICY

The City fully supports and is committed to complying with all applicable provisions of the Americans with Disabilities Act (ADA) of 1990, the Rehabilitation Act of 1973, and the Georgia Equal Employment for People with Disabilities Code, all as amended, to ensure equal opportunity in employment for qualified employees and applicants with physical and mental impairments. As such, this policy applies to all practices, decisions, and actions affecting the terms, conditions, or privileges of employment, including, but not limited to, application procedures, hiring, classification, assignments, scheduling, training and advancement opportunities, discharge or discipline, compensation, and benefits. All employment decisions are based on the merits of the situation in accordance with established criteria and, except as provided below, are made without regard for an employee or applicant’s disability or his/her need for accommodation.

This policy is neither exhaustive nor exclusive, and the City reserves the right to take any other actions deemed necessary to ensure equal opportunity in employment for qualified individuals with disabilities in accordance with the ADA and all other applicable federal and state laws.

DEFINITIONS

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

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

“Reasonable accommodations” are modifications made to the workplace or to the manner or circumstances in which the job customarily is performed that allow an individual with a disability to perform all essential functions of the job.

REASONABLE ACCOMMODATIONS

The City will provide a reasonable accommodation to any qualified individual with a disability who has made the City aware of his/her disability, provided (a) that such accommodation does not impose an undue hardship on the City and (b) that the individual does not pose a direct threat to the health or safety of him/herself or others in the workplace. The City encourages individuals with disabilities to come forward and request reasonable accommodations when they believe that such an accommodation is necessary to the performance of their essential job functions.

- A. *Contact Human Resources.* Employees and applicants with a disability who believe they need a reasonable accommodation to perform the essential functions of the job should contact Human Resources. Managers and supervisors who receive such requests or inquiries from employees or applicants should direct them to Human Resources.

- B. *Interactive Process.* While not required in each instance, any employee or applicant who requests a reasonable accommodation under this policy may be asked to provide additional information and documentation relating to the disability and any proposed accommodation to facilitate proper evaluation of the request. The employee or applicant is also expected to cooperate in a dialogue with the City in order to determine the nature of the disability, the need for accommodation, and available accommodation options. The individual's manager and/or supervisor should also anticipate participating in this process, particularly with regard to the essential functions of the job at issue.
- C. *Identifying a Reasonable Accommodation.* Accommodations will be determined on a case-by-case basis, and possibly may include, among other things, reallocation of non-essential job functions, reasonable modification of work schedule, obtaining or modifying equipment or devices, reassignment to another vacant position for which the individual is qualified, or a reasonable leave of absence. Essential job functions will not be eliminated as an accommodation, however, nor can the City lower performance standards and expectations as an accommodation. If more than one reasonable and effective accommodation exists, the City may choose the accommodation that best suits the needs of the City. There is no guarantee that the City will be able to accommodate every request.
- D. *Review of Decisions Regarding Reasonable Accommodations.* Individuals will be notified once a decision is made regarding their accommodation requests. Any individual who believes that his/her request for accommodation was improperly denied or who disagrees with the sufficiency or appropriateness of the accommodation provided may seek review of the decision through the City's grievance procedure.

PRE-EMPLOYMENT INQUIRIES AND POST- EMPLOYMENT MEDICAL EXAMINATIONS

No inquiries regarding an applicant's physical or mental impairment, need for accommodation, use of medication, or similar disability-related matters will be made at any time prior to his/her receipt of a conditional offer of employment. Exception: an applicant may be asked whether he/she will require a reasonable accommodation if the applicant voluntarily discloses, or it is otherwise obvious or highly likely, that he/she has a disability that may require accommodation.

Pre-offer inquiries regarding an applicant's ability to perform the essential functions of the job are permissible, provided the same inquiry is made of all applicants for the position.

Post-offer medical examinations are required for public safety positions and any other positions in which there is a bona-fide job-related physical requirement. An employee will not be required to submit to a medical examination, including a psychological examination, until after he/she has received a conditional job offer from the City.


Physical agility tests, physical fitness assessments, drug screens, and polygraph examinations are not medical examinations and therefore may be conducted either before or after a conditional offer is made.

CONFIDENTIALITY

Medical records will be confidential and maintained separately from other personnel records. Medical information will not be disclosed unless needed in order to identify a reasonable accommodation or to meet an employee's work restrictions, for insurance purposes, for emergency treatment or assistance, or for other legally permissible reasons. Such authorized disclosures should be made on a "need to know" basis only.

RETALIATION PROHIBITED

The City will not tolerate any retaliation against an employee or applicant requesting an accommodation pursuant to this policy. Any individual who believes that he/she may have experienced discrimination or retaliation in violation of this policy should immediately report the situation to Human Resources or through the complaint procedure of the City's policy regarding discrimination, harassment and retaliation, or through the grievance procedure.

	Dress Code	
	<i>Chapter: 1 – General Policies and Procedures</i>	<i>Section: 1.03</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revision 01/11/2011</i>	<i>Forms:</i>

POLICY

The City’s objective in establishing a business dress code is to allow staff to work comfortably in the workplace, yet still project a professional image for customers, potential employees, and community visitors.

The general standard requires Business Appropriate Attire, as defined below; however, for meetings or other high-profile activities, such as staff and City council meetings, public hearings, city board meetings, presenting at professional conferences, representing the City of Sandy Springs at business or civic events, or attending community meetings, Business Professional Attire would be more appropriate (which includes ties, dress pants and jackets, for men , and suits or businesslike dresses or separates for women). Business Attire should always be neat, clean, and presentable, and reflect a conservative, professional image. Staff members are expected to exercise good judgment in dressing to meet the particular demands of day-to-day business responsibilities and interactions. If an employee experiences uncertainty about acceptable, professional formal business attire for work, he/she should consult with the supervisor or Human Resources staff.

BUSINESS APPROPRIATE ATTIRE

“Business Appropriate Attire” means choosing your attire each day to ensure that you will be professional and presentable in any reasonably anticipated situation. The City, through its staff members, strives to maintain a professional atmosphere and project a positive image to its customers and visitors. This image is affected by the way staff members dress, whether they work in an office environment, a field or technical support position, or in less formal environments. City of Sandy Springs staff members must appear neat, clean and appropriately dressed at all times.

“Business Professional Attire” includes ties, dress pants and jackets for men, and suits or businesslike dresses or separate so for women.

Slacks, Pants, and Suit Pants

Slacks that are similar to Dockers and other makers of cotton or synthetic material pants, wool pants, flannel pants, pants that match a suit jacket, and nice looking dress synthetic pants are acceptable.

Inappropriate slacks or pants include any that are too informal. This includes jeans (without prior approval by the City Manager or his/her designee), sweatpants, exercise pants, Bermuda shorts, short shorts, shorts, bib overalls, leggings, leather or leather simulated pants and any spandex or other form-fitting pants such as people wear for exercise or biking.

Skirts, Dresses, and Skirted Suits

Dresses, skirts, skirts with jackets, dressy two-piece knit suits or sets, and skirts that are split at or below mid-thigh are acceptable. Dress and skirt length should be at a length at which you can sit comfortably in public.

Short, tight skirts that ride halfway up the thigh are inappropriate for work. Mini-skirts, skorts, sundresses, beach dresses, backless dresses and spaghetti-strap dresses are inappropriate for the office.

Shirts, Tops, Blouses, and Jackets

Shirts, dress shirts, sweaters, tops, and turtlenecks are acceptable attire for work if they contribute to the appearance of formal, professional dress. Most suit jackets or sports coats are also desirable attire for the office. Inappropriate attire for work includes: tank tops; tube tops; midriff tops; clothing with see-through material; shirts with potentially offensive words, terms, logos, pictures, cartoons, or slogans; halter-tops; backless tops; tops with bare shoulders or plunging necklines; sweatshirts; and t-shirts.

Shoes and Footwear

Conservative walking shoes, dress shoes, oxfords, loafers, boots, flats, dress heels, and backless shoes are acceptable for work. Not wearing socks is inappropriate. Athletic shoes, tennis shoes, thongs, flip-flops, slippers, and any casual shoe with an open toe are not acceptable in the office.

FIELD APPROPRIATE ATTIRE

While the demands of the field rarely warrant traditional business dress, fieldwork should also not be viewed as an excuse for inappropriate or extremely casual attire. Field staff should keep in mind that they are representing the City in the field and should maintain a professional appearance appropriate to those field activities. Field staff should also consider safety and avoid excessively loose, draping, or floppy clothing that could be hazardous on an active construction site or any site involving machinery. It should also be realized that in many situations it is not possible for staff performing fieldwork to change attire prior to returning to the office.

Uniforms

Staff whose jobs require the use of uniforms and/or whose attire must meet prescribed safety standards must follow their department guidelines. Such staff must present a professional image by ensuring that uniforms are complete, clean and in good condition. Uniforms should not be excessively worn or faded. Shirrtails should be tucked into pants. Uniform issue shorts may be permissible with City Manager approval. Modifications to uniforms (e.g., unauthorized logos on hats or wearing t-shirts) are not permitted. Uniforms should be worn during work hours only. All staff members must carry or wear the City of Sandy Springs identification badge at all times while at work.

JEWELRY, PIERCINGS AND TATTOOS

Professional appearance can also be affected by jewelry, piercings, tattoos, and the like. Jewelry (including ear piercings) is permissible if kept to a minimum, if tasteful, if not a source of distraction, and if it does not impair job performance or safety. Other facial or visible body piercings are prohibited.

Tattoos, scarification, or branding are to be covered at all times.

Any employee who contends that this policy interferes with his/her sincerely held religious beliefs should contact Human Resources to inquire into whether he/she may be eligible for an exemption.

PERSONAL GROOMING

Professional appearance also includes an emphasis on standards of personal hygiene and good grooming. No staff member shall have an odor generally offensive to others when reporting to work. An offensive body odor may result from lack of good hygiene, from an excessive application of fragrance or from some other cause. Remember that some employees are allergic to the chemicals in perfumes and makeup, so wear these substances with restraint.


GENERAL PROVISIONS

Any staff member who does not meet these standards will be subject to corrective action and may be asked to leave the premises to make necessary changes.

Supervisors are ultimately responsible for ensuring that employees are in compliance with this policy and all applicable safety standards. Supervisors may use discretion in granting limited exceptions to accommodate special circumstances, e.g., pregnancy or wearing athletic shoes following a foot injury. Departments experiencing difficulty interpreting these guidelines for particular situations should refer their concerns to the City Manager for final determination.

The above guidelines are not intended to be all-inclusive. Rather, the guidelines are intended to help set general parameters for appropriate business attire and allow staff members to make intelligent judgments about items that are not specifically addressed. Rather than focusing on individual items of clothing, the staff member should consider the overall image that he or she represents. The overriding rule is that Business Appropriate Attire should always reflect professionalism.


** Guidelines are subject to change at the discretion of the City Manager. **

	Workplace Privacy	
	<i>Chapter: 1 – General Policies and Procedures</i>	<i>Section: 1.04</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revision 01/11/2011</i>	<i>Forms:</i>

The workplace is intended to be a place of work. An important part of the work is communications and record keeping. No employee is at work twenty-four (24) hours a day, seven (7) days a week, and there are times when management needs access to communications or records maintained by employees in their individual workplaces. Each employee must understand that personal items and personal communications received and/or stored on City premises or City equipment are not entitled to a guarantee of privacy.

Management reserves the right to search City property and documents in employee desks, lockers, file cabinets, and other areas that are a part of an individual’s workspace. As such, employees should have no expectation of privacy with respect to such areas.

The City provides its employees with electronic and telephonic communication devices and, when necessary, computers, as well as related systems and networks. Although assigned to or made available for use by the employee, these items, systems, and networks belong to the City. Similarly, any electronic files created or stored on any City equipment or systems belong to the City. Unauthorized programs and files may not be used on City computers without the written permission of the City. The City reserves the right to review voice mail, electronic mail, computer files, and other electronic information generated by or stored in the City’s equipment or systems. Employees should have no expectation of privacy with respect to such devices, computers, or other equipment, such systems or networks, or such voice mail, electronic mail, computer files, or other electronically created, stored, or transmitted information.

	Media Communications Policy	
	<i>Chapter: 1 – General Policies and Procedures</i>	<i>Section: 1.05</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/27/2018</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i>	<i>Forms:</i>

PURPOSE

To ensure that the public is informed by maintaining positive media relations, encouraging media coverage, and responding to the general public and media with accurate and timely information.

NEWS MEDIA

The news media play an important role in the City’s ability to communicate with and serve the public.

Inquiries from the news media are a high priority and should be directed to the Communications Department as quickly and efficiently as possible. Every effort will be made to meet media deadlines and to ensure that all information released is accurate. The City will respond consistently regardless of the type of media outlet and/or reporter.

All media inquiries received by any City staff should be referred immediately to the Communications Department. Efforts should be taken to obtain the reporter’s name, media outlet, phone number, topic of story, and any relayed details and deadline if provided.

COMMUNICATIONS DEPARTMENT

The City’s Communications Department is responsible for the coordination of citywide media relations and for ensuring accuracy, consistency, and quality in the City’s overall responses to media. In order to maintain accuracy and consistency, all inquiries for positions, statements or direction on matters related to the City of Sandy Springs shall be directed to the Communications Department.

The Communications Department shall determine the extent of the presentation of the City’s position on all matters. The Communications Department will refer news media inquiries it receives to the appropriate department and will assist departments as necessary in responding to and aiding news media. The Communications department is available for advice and consultation with departments on media relations matters. The City’s policy is to treat all media outlets and reporters consistently in providing information permissible under applicable law. The City shall not require a staff member to conduct interviews with any reporter or media outlet.

PROACTIVE MEDIA RELATIONS

It is the goal of the City of Sandy Springs to keep the public informed.

OPEN GOVERNMENT

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

PUBLIC RECORDS REQUESTS

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

The Communications Department should be notified by the City Clerk's Office when the media files an open records request.

SOCIAL MEDIA POSTING, ON-LINE MONITORING, AND RESPONSE

The Communications staff will proactively post to and actively monitor social media, online news, and commentary sites relevant to City issues and operations. When online commentary becomes inaccurate or unhelpful for customers and public, the Communications staff will work to determine when or whether it is appropriate to participate in an online discussion or submit a correction or develop a response suitable for the specific discussion site and issue.

The City's Social Media Policy establishes general standards and responsibilities for the acceptable use of social media.

NEWS CONFERENCES/EVENTS PLANNING

News conferences or other efforts to attract media attention about a departmental issue or event should be coordinated with the Communications Department.

CORRECTIONS, COMMENTARY, LETTERS

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

MAYOR AND COUNCIL

In accordance with the City Charter, the Mayor shall serve as the official spokesperson for the city.

Media inquiries are frequently directed to the Mayor or Councilmembers. When such a request involves operational issues, it should be referred to the City's Communications Department to ensure uniformity and consistency.

PUBLIC SAFETY AND CRISIS INFORMATION

During a public safety incident, crisis, or major emergency, the City Manager or designee is the primary spokesperson. All media inquiries during this time will be directed to the City's Communications Office.

Department Heads, working with the Communications Office, are responsible to ensure that departmental emergency operations plans address the essential communications component. Plans should address who speaks for the department in an emergency, off-hour availability, and contact information of key staff, and training. Departmental plans also should include the development of fact sheets and similar materials on operations, issues, and services that are likely to be of concern in an emergency.

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	Harassment, Discrimination, and Retaliation Prohibited	
	<i>Chapter: 2 – Harassment, Discrimination, and Retaliation Prohibited</i>	<i>Section: 2.01</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References: Previous revision 01/11/2011</i>	<i>Forms:</i>

POLICY

It is the City’s policy that discrimination and harassment will not be tolerated. Complainants and those who participate in investigations into complaints will be protected from retaliation. Employees and non-employees are encouraged to come forward to discuss situations that make them uncomfortable and to learn about their options, and all such inquiries will be handled as discreetly as possible. Those found to have engaged in harassment or retaliation in violation of this policy will be subject to corrective or disciplinary action, up to and including discharge.

DEFINITIONS

Employment Discrimination Defined

“Employment discrimination” occurs when an employee or applicant is subjected to an adverse employment action or decision or any other form of job-related disparate treatment based, in whole or in part, on his or her protected status or classification such as race, color, religion, sex (including pregnancy), sexual orientation, gender, national origin, age, disability, genetic information, political affiliation, military or veteran status, or any other status or classification protected by applicable federal, state and local laws.

Sexual Harassment Defined

The City defines the term “sexual harassment” more broadly than the Equal Employment Opportunity Commission (EEOC) or the courts. Consequently, it is important for employees and other covered individuals to understand that conduct falling short of meeting the legal definition of sexual harassment may still violate this policy.

The City recognizes two forms of sexual harassment: (1) hostile work environment, and (2) quid pro quo.

1. Hostile Work Environment. For purposes of this policy, sexual harassment based on hostile work environment is defined primarily as including verbal or physical conduct that explicitly insults, mocks, ridicules, demeans, denigrates, or abuses or that expresses hostility, disrespect, contempt, or aversion toward an employee or other covered individual because of his/her sex. The term also includes other unwelcome verbal or physical conduct of a sexual nature, such as sexual advances, requests for sexual favors, sexual remarks, sexual jokes, sexual innuendo or propositions, sexually suggestive gestures or facial expressions, sexual remarks about a person’s clothing or body (including those intended as compliments), exhibiting sexually explicit publications or materials, kissing, touching, and other forms of physical contact.
2. Quid Pro Quo. For purposes of this policy, quid pro describes a situation when submission to, or rejection of, such conduct is used as a basis for employment decisions such as raises or promotions, or affects public services. Examples include conditioning a promotion on an employee’s agreement to perform a sexual favor or denying a promotion to an employee who rejects a request for such a favor.

Non-Fraternization

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

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

Workplace Harassment Defined

The City also defines the term "workplace harassment" more broadly than the EEOC or the courts. Employees and other covered individuals must therefore bear in mind that conduct that falls short of the legal definition of workplace harassment may still violate this policy.

While sexual harassment is a form of workplace harassment, the term also extends to harassment based on other protected status or classifications, including race, color, religion, sex (including pregnancy), sexual orientation, gender, national origin, age, disability, genetic information, military or veteran status, or any other status or classification protected by applicable federal, state and local laws.

For purposes of this policy, workplace harassment includes verbal or physical conduct that explicitly insults, mocks, ridicules, demeans, denigrates, or abuses or that expresses hostility, disrespect, contempt, or aversion toward an employee or other covered individual because of one or more of the above-stated status or classification.

Workplace harassment is also defined as including conduct having the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment because of any such protected status or classification, regardless of whether the conduct itself explicitly references such status or classification. This can include yelling, using expletives, or directing any other conduct of an insulting, mocking, ridiculing, demeaning, abusive, or otherwise hostile nature toward an employee or other covered individual because of such status or classification, even if the conduct itself includes no references thereto.

Retaliation Defined

"Retaliation" is defined as any conduct or action taken against an employee or other covered individual because that person has made a complaint or otherwise opposed any action or conduct prohibited under this policy or under federal, state or local law, or because that person has participated in any manner in an investigation or proceeding under this policy or under federal, state or local law. In accordance with Title 45, Article 1 of the Georgia Code, this policy also prohibits retaliation against any employee or other covered individual because that person disclosed an alleged violation of, or non-compliance with, any federal, state or local law, rule or regulation. Retaliation is prohibited by all employees and covered individuals, not just the accused person. Retaliation includes interference, intimidation, threats, coercion, isolation or exclusion, or any other form of discrimination or harassment directly or indirectly related to that person's protected activity as described above. Conduct or

action is generally deemed retaliatory if it would tend to deter a reasonable person in the same circumstances from engaging in such protected activity.

COMPLAINT AND INVESTIGATION PROCEDURES; CORRECTIVE ACTIONS

Complaint Procedures

Any employee, applicant, or other covered individual who feels that he/she is being or has been subjected to, or that he/she has witnessed others being subjected to, an employment action, policy, or practice or other terms or conditions of employment constituting discrimination, harassment, or retaliation in violation of this policy should promptly report the alleged violation to his/her supervisor, manager, or department head.

Any supervisor, manager, or department head who receives a complaint or report of an alleged violation of this policy or who otherwise has reason to believe that such a violation may have occurred or may be occurring, shall impose any interim remedial measures deemed warranted under the circumstances to ensure that the alleged policy violation cannot continue or resume. Thereafter, the supervisor, manager, or department head shall promptly report the alleged violation to the Human Resources Director or to the City Manager, as appropriate.

Any employee, applicant, or other covered individual who is unable to report, or who does not feel comfortable reporting, an alleged violation of this policy to his/her supervisor, manager, or department head may instead make the report to the Human Resources Director or directly to the City Manager if necessary.

IMPORTANT

Complaints of alleged violations of this policy should be made as soon as possible after the alleged violation(s) has occurred and, where possible, should include completion of the Discrimination/Harassment/Retaliation Incident Report form which is included in the Appendix of this Employee Handbook. The Discrimination/Harassment/Retaliation Incident Report form is also available through the Human Resources Department.

Investigation Procedures

All complaints of discrimination, harassment, or retaliation will be investigated promptly, fairly and completely. The facts and circumstances of the complaint shall determine how and by whom the investigation will be conducted.


Each situation will be handled as discreetly as possible. All employees have a responsibility both to cooperate fully with the investigation and to keep the matter confidential, whether the employee is the accused person, the complaining person, or a potential witness. Except as expressly authorized by the City Manager, the Human Resources Director, or the department head, or as otherwise permitted by applicable law, persons who are interviewed shall not discuss the matter at all with co-workers, friends, or management. The City will keep the information it gathers as confidential as possible, consistent with state and federal laws and the needs of the investigation. Nothing in this policy is intended to prohibit or discourage an employee from reporting incidents of alleged discrimination, harassment or retaliation to any appropriate governmental authority.

Disciplinary, Corrective, and Remedial Action

If an investigation reveals facts or conclusions supportive of a complaint or report of discrimination, harassment, or retaliation, appropriate corrective and/or disciplinary action will be taken by City management. Appropriate corrective and/or disciplinary action will be designed to discontinue and prevent a reoccurrence of the action or behavior determined to be violative of this policy. Depending on the nature of the policy violation and the circumstances of the complaint or report, appropriate corrective and/or disciplinary action may also be designed to facilitate restoration of effective working relationships between the complaining/reporting party and the accused party or any other parties affected by the complaint, report, violation, investigation, or remedial measures taken.

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

In appropriate cases, remedial action will also focus on the complainant or others adversely affected by the policy violations in question. Among other things, the resources of the City's Employee Assistance Program (EAP) may be made available.

	Categories of Employment	
	<i>Chapter: 3 – Categories of Employment</i>	<i>Section: 3.01</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revision 01/11/2011</i>	<i>Forms:</i>

POLICY

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

FAIR LABOR STANDARDS ACT JOB CLASSIFICATIONS

Exempt

Exempt employees are generally executives or managers or professional, administrative salaried employees who are exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (“FLSA”). Exempt employees hold jobs that meet the standards and criteria under the FLSA established by the U.S. Department of Labor. These employees include all senior level City employees and senior level public safety employees.

Non-Exempt

Non-exempt employees are those employees whose work is covered by the FLSA. They are not exempt from the law’s requirements concerning minimum wage and overtime. These employees generally include hourly paid employees including Police Department employees below the rank of Captain and Fire Department employees below the rank of Battalion Commander.

CITY OF SANDY SPRINGS JOB CLASSIFICATIONS

The City has established the following categories for both non-exempt and exempt employees:

Regular Full-Time

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

Regular full-time police officers are not in a temporary status and are regularly scheduled to work a full-time schedule as determined to be in compliance with FLSA standards. Generally, they are eligible for the full benefits package, subject to the terms, conditions, and limitations of each benefit program.

Regular full-time firefighters are not in a temporary status and are regularly scheduled to work a full-time schedule as determined to be in compliance with FLSA standards. Generally, they are eligible for the full benefits package, subject to the terms, conditions, and limitations of each benefit program.

Regular Part-Time

Regular part-time employees are not in a temporary status and are regularly scheduled to work less than the full-time schedule. Benefits are not offered to part-time employees.


Temporary/Seasonal Full-Time Employees

Temporary and seasonal full-time employees are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and are temporarily scheduled to work the City's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

Temporary/Seasonal Part-Time Employees

Temporary and seasonal part-time employees are hired to temporarily supplement the workforce or to assist in the completion of a specific project and are temporarily scheduled to work less than a full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

Benefits are not offered to temporary and seasonal employees (whether full-time or part-time).

	Employment	
	<i>Chapter: 4 – Employment</i>	<i>Section: 4.01</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References: Previous revision 01/11/2011</i>	<i>Forms: Request for Dual Employment (see Appendix)</i>

POLICY

In order to effect full utilization of its available human resources, the City has established a policy to select the most suitable person for the task to be performed, with appropriate attention to such factors as educational and training background, previous experience, demonstrated skills, and character traits.

EXAMINATIONS

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

PHYSICAL EXAMINATIONS

Some job positions require that applicants complete a medical and/or fitness for duty examination. After a conditional offer has been made to an applicant entering a designated job category, a medical examination will be performed at the City’s expense by a health professional designated by the City. Public Safety applicants may also be subject to psychological testing depending on the position applied for. The offer of employment and assignment to duties is contingent upon satisfactory completion of these exams.

Current employees may be required to take medical examinations to determine fitness for duty. Such examinations will be conducted only when determined to be job-related and consistent with business necessity, and will be scheduled at reasonable times and intervals and performed at the City’s expense.

FINAL SELECTION OF NEW EMPLOYEES

The final selection of the person to fill each vacancy shall be made by the City Manager or his/her designee based upon the recommendation of the appropriate department head.

PROBATIONARY PERIOD

Each employee receiving employment, promotion or demotion to a position in the City shall serve a probationary period of six (6) months. Public Safety employees will be placed on a twelve (12) month probationary period. During the employee’s probationary period, the employee’s work habits, abilities, attitude, promptness and other pertinent characteristics will be observed and evaluated by the supervisor and department head.

An employee’s probationary period does not end until the department head and the City Manager have approved same on a personnel change notice. An employee who transitions from probationary status does not thereby gain a contractual or property right or interest in his/her continued employment with the City. The City is an at-will employer.

The City Manager’s approval is required in order to dismiss probationary employees.

In the event that a promoted regular employee fails at any time to meet required standards of performance for the new position, he/she may be restored to the position from which he/she was promoted, or to a comparable position, or terminated if, in the City Manager's sole discretion, neither alternative is considered practical.

NEPOTISM

Two (2) or more members of a family shall not be employed within the same department. If two (2) members of a department should become married, or enter into a similar civil union, one (1) member will be required to resign from City service.

The term "family" shall include spouse, mother, father, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandmother, grandfather, grandchild, uncle, aunt, nephew, niece, stepparent, stepchild or member of a family by the remarriage of a parent.

This policy shall apply to all persons employed by the City regardless of date of hire. There shall be no exceptions to this policy except for couples who have had written acknowledgement of the grandfathered status of their relationship from the City Manager prior to June 16, 2008.

DUAL EMPLOYMENT

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

Requests for Approval / Annual Renewal Required

The request and approval for outside employment must be in writing. Each change in outside employment shall require a separate written request and approval. Furthermore, any employee whose request for outside employment is approved must resubmit the request, in writing, on an annual basis and certify therein that there have been no material changes to the outside employment. Copies of all such written requests and approvals must be promptly forwarded to Human Resources for inclusion in the employee's personnel file.

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

Standards for Approval


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

Suspension of Approval

Outside employment approval is suspended for employees who are serving disciplinary suspensions or who are on any type of approved leave of absence due to their own health condition (including but not limited to sick leave or FMLA leave) for the period they are on such leave. With the approval of the City Manager or his/her designee, a department head may grant an exception where the outside employment is not inconsistent with the reason for the leave and suspension of approval would result in undue hardship to the employee.

Off-duty Only

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

	Termination, Resignation and Layoffs	
	<i>Chapter: 5 – Termination, Resignation and Layoffs</i>	<i>Section: 5.01</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revision 01/11/2011</i>	<i>Forms:</i>

VOLUNTARY TERMINATION

An employee who desires to resign from employment should notify his/her supervisor at least two (2) calendar weeks in advance of the last day of work. The City encourages employees to submit a letter of resignation stating the reason for the resignation.

An employee who resigns from employment with the City will be paid for all accrued vacation leave hours (up to the maximum allowed) provided the employee has completed the required probationary period, submitted a written notice at least two (2) weeks before his/her termination date, and worked during the entire notice period. Pay for vacation leave shall be calculated at the employee’s regular rate of pay in effect for his/her regular job on the payday immediately preceding the employee’s separation date.

Provided doing so would not adversely affect the department, the department head may accept an employee’s resignation and waive notice, in which case the resignation will become effective immediately upon acceptance and the employee’s failure to work during the notice period will not disqualify him/her from being paid, up to the maximum allowed, for accrued vacation leave hours.

If it is determined to be in the best interest of the City, the City Manager may grant the employee “pay in lieu of notice,” in which case the resignation will become effective immediately upon acceptance and the employee’s failure to work during the notice period will not disqualify him/her from being paid for accrued vacation leave hours, up to the maximum allowed.

After receiving written notice of resignation, the department head shall notify the Human Resources Department and schedule an exit interview for the employee.

Employees who miss three (3) or more days of work without notice and/or prior supervisory authorization will be terminated effective as of the last day worked as a voluntary termination (no call, no show) unless there are substantial mitigating circumstances. For Fire Department employees, one (1) or more days of no call, no show on a twenty-four (24) hour shift will be cause for termination unless there are substantial mitigating circumstances. Such employees will be treated as having resigned without notice which, unless waived as provided above, will disqualify him/her from being paid for accrued vacation leave hours.

USE OF ACCRUED LEAVE DURING NOTICE PERIOD

An employee who is terminated, resigning, retiring or leaving the City under circumstances requiring that he/she provide notice to the City cannot use accrued vacation leave, sick leave, or holiday time off for any part of his/her notice period unless, in the case of sick leave, a physician statement is provided. Neither accrued sick leave nor holiday time off is payable upon separation.

INVOLUNTARY TERMINATION

An employee terminated for disciplinary reasons will not be paid for accrued leave. The department head will notify the Human Resources Department of the intended termination and schedule an exit interview. An

employee who elects to resign in lieu of accepting disciplinary action will not be paid for accrued leave unless such payment is approved by the City Manager. An employee's separation due to layoff will not disqualify him/her from being paid for accrued vacation leave hours, up to the maximum allowed, provided he/she complies with any notice requirement.


LAYOFFS

The City reserves the right to separate employees via layoff due to lack of work or funding or for any reason determined to warrant a reduction in force. Employees may also be separated via layoff if positions are eliminated due to City-wide reorganization, departmental or divisional restructuring, privatization, or other circumstances. The determination of who is to be separated is within the sole discretion of the City Manager.

CITY PROPERTY

All City property assigned to an employee is considered an advance of wages and must be returned in good, working condition before a terminating employee receives a final pay check. If not returned, the value of the items will be deducted from the employee's final check. By reporting for duty the day following issuance of this policy, an employee consents to and authorizes this deduction.

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

	Vacation Leave	
	<i>Chapter: 6 – Leaves of Absence</i>	<i>Section: 6.01</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References: Previous revision 01/11/2011</i>	<i>Forms: Leave Request Form (see Appendix)</i>

POLICY

It is the policy of the City to provide paid vacation for its regular employees. Employees are not entitled to “cash out” accrued leave except as provided in the Termination/Resignation section of this Employee Handbook.

Regular full-time employees will continue to accrue vacation leave credits while on authorized paid vacation leave. Vacation leave will not be advanced before accrual unless approved by the City Manager.

ELIGIBILITY

Annual vacation leave is accrued and granted to regular, full-time employees.

ACCRUAL RATE FOR EMPLOYEES

All regular full-time City employees hired from December 1, 2005 through January 31, 2007 will receive credit for years of experience based on previous employment and this will be retroactive back to the date of hire.

Without the prior written approval of the City Manager, employees hired after January 31, 2007 will accrue vacation based on their hire date with the City.

Note: Years of service is defined as any job related experience that is directly related to the employee’s job description.

All regular full-time City employees (including police officers on all shifts) accrue vacation leave credits on the following basis, with the exception of employees working twenty-four (24) hour shifts. The accrual rate increases on the employee’s anniversary date.

Years of Service	Hours Per Pay Period	Hours Per Year	Days Per Year
0 - 3 years	3.0769	80	10
4 - 9 years	4.6154	120	15
10 - 14 years	5.2308	136	17
15 - 19 years	5.8462	152	19
20 - 24 years	6.4615	167	21
25+ years	7.0769	183	23

Firefighter employees on twenty-four (24) hour shifts accrue vacation leave credits on the following basis:

Years of Service	Hours Per Pay Period	Hours Per Year	Days Per Year
0 - 3 years	4.3077	112	5
4 - 9 years	6.4615	168	7
10 - 14 years	7.3462	191	8
15 - 19 years	8.1923	213	9
20 - 24 years	9.0385	235	10
25+ years	9.9231	258	11

All regular full-time City employees may accrue up to a maximum of three hundred and sixty (360) hours unless otherwise modified by written agreement or contract. All regular full-time firefighter employees may accrue up to a maximum of five hundred and four (504) hours unless otherwise modified by written agreement or contract. Hours accrued in excess of stated maximums will automatically be transferred from vacation accrual to sick leave accrual each pay period.

USE AND SCHEDULING OF VACATION LEAVE


Except in special circumstances, vacation leave should be authorized by the supervisor by using the Employee Leave Request Form, which is included in the Appendix of this Employee Handbook, or by requesting leave via the online time and attendance system, at least five (5) working days prior to the requested vacation date. Special circumstances will be determined at the sole discretion of department heads and the City Manager.

When possible, employees will be allowed to take vacation at times most convenient to them, subject to staffing and scheduling needs. However, in order to ensure continued smooth operation and maintenance of a high level of quality in the delivery of service to the citizens of Sandy Springs, the City reserves the right to limit the number of employees that may be absent from a given department at any one time. Where there is a conflict in the vacation choices of two (2) or more employees who cannot be spared at the same time, the department head will determine who will take leave.

No employee who is terminated, resigning, retiring or leaving the City for any reason for which notice is required may use vacation leave for any part of his/her notice period without the prior approval of the City Manager or his/her designee.

CHARGING OF VACATION LEAVE HOURS

- A. All City employees, with the exception of those indicated below, shall be charged eight (8) hours of vacation leave for each day of vacation absence.
- B. City employees working a ten (10) hour shift shall be charged ten (10) hours of vacation leave for each day of vacation absence.
- C. Fire Department employees working twenty-four (24) hours shifts shall be charged twenty-four (24) hours of vacation leave for each day of vacation absence.
- D. Police Department employees working twelve (12) hours shifts shall be charged twelve (12) hours of vacation leave for each day of vacation absence.
- E. Vacation leave is used and charged in units of one (1) hour.
- F. When a holiday occurs during the period an employee is on authorized vacation leave with pay, vacation shall not be charged for the holiday.

	Sick Leave	
	<i>Chapter: 6 – Leaves of Absence</i>	<i>Section: 6.02</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References: Previous revision 01/11/2011</i>	<i>Forms: Leave Request Form (see Appendix)</i>

ELIGIBILITY

-) All regular full-time City employees.
-) Employees hired to fill a position designated by the City Manager as a full-time temporary position to last one (1) full year and who have served a minimum of six (6) months’ service.

ACCUAL RATE FOR EMPLOYEES

- A. All regular full-time City employees, except those who work a twenty-four (24) hour shift, accrue 2.15 hours of sick leave per pay period for a total of fifty-six (56) hours per year. Employees working twenty-four (24) hour shifts accrue sick leave at the rate of 3.01 hours per pay period for a total of seventy-eight (78) hours per year. Excess vacation hours (see Section 6.02 herein) automatically transfer to the sick leave accrual account.
 - a. Sick leave can be taken at any time within the policy outlined in this Employee Handbook.
 - b. Accrued, unused sick leave may be carried forward from year to year up to a maximum permissible accrual of 1,040 hours for regular full-time employees, except those who work 24-hour shifts, and 1,378 hours for employees who work 24-hour shifts.
 - c. Notwithstanding the foregoing, any employee who, as of January 1, 2017, has accrued sick leave in excess of the applicable maximum may retain such excess leave; provided, however, that he/she will not accrue any further leave until his/her leave balance falls below the applicable maximum.
- B. New employees in their probationary period are eligible for accrued sick leave.
- C. An employee continues to accrue sick leave while on authorized paid sick leave until the conclusion of FMLA eligibility (as defined below).

USE OF SICK LEAVE

It is the policy of the City to provide sick leave with pay for regular full-time employees. Sick leave with pay, however, is a privilege and may be used only when the employee or immediate family member that is residing in the employee’s home is incapacitated due to personal illness or injury or has a medical/dental appointment or when the employee or immediate family member residing in the employee’s home is exposed to a contagious disease, diagnosed by a licensed physician, and the employee’s presence in the workplace may endanger the health of other employees or members of the public.

Whenever possible, appointments for medical or dental examinations or treatment should be scheduled during non-working hours. When such an appointment cannot reasonably be scheduled during non-working hours, the use of sick leave with pay to attend the appointment must be requested in advance and approved at least one (1) work day prior to the appointment, by the supervisor. Leave should be requested and approved by using an Employee Leave Request Form, located in the appendix of this Employee Handbook, or by requesting sick leave via the online time and attendance system.

In any case in which the necessity for sick leave is foreseeable, based on planned medical treatment or supervision, the employee shall request leave no less than thirty (30) days before the date the leave is to begin and should make efforts to schedule the leave to minimize disruption to City operations. If it medically necessary for the leave to begin in less than thirty (30) days, the employee shall provide notice as soon as he/she is aware of the need for leave.

In all other cases, in order to be eligible for sick leave with pay, an employee must report to his/her supervisor at least thirty (30) minutes in advance of the scheduled starting time the reason for the absence. Police officers must report sick leave at least four (4) hours and firefighters at least two (2) hours in advance of the scheduled shift starting time.

An employee who fails to so notify his/her supervisor may not be paid for the time taken prior to notification. If an employee has used all available sick leave, then time requested, if approved, will be leave without pay.


No employee who is terminated, resigning, retiring or leaving the City for any reason for which notice is required may use sick leave for any part of his/her notice period.

CHARGING OF SICK LEAVE HOURS

- A. All City employees, with the exception of those indicated below, shall be charged eight (8) hours of sick leave for each day of sick absence.
- B. Fire Department employees working twenty-four (24) hour shifts shall be charged twenty-four (24) hours of sick leave for each day of sick absence.
- C. Police Department employees working twelve (12) hour shifts shall be charged twelve (12) hours of sick leave for each day of sick absence.
- D. Sick leave is used and charged in units of one (1) hour.
- E. When a holiday occurs during the period an employee is on authorized sick leave with pay, sick leave shall not be charged for the holiday.

LINE OF DUTY INJURIES

The City Manager may approve additional paid time off benefits for sworn police officers and firefighters injured in the line of duty.

	Family Medical Leave Act	
	<i>Chapter: 6 – Leaves of Absence</i>	<i>Section: 6.03</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revision 01/11/2011</i>	<i>Forms:</i>

The Family and Medical Leave Act (FMLA) entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

Eligible employees are entitled to:

- A. Twelve (12) workweeks of leave in a rolling twelve (12) month period, measured backwards from the date the employee's leave commences, for the following qualifying events:
 -) the birth of a child and to care for the newborn child within one year of birth;
 -) the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
 -) to care for an employee's spouse, son, daughter, or parent with a serious health condition;
 -) a serious health condition that makes the employee unable to perform the essential functions of his or her job;
 -) any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty"; or
- B. Twenty-six (26) workweeks of leave during a single twelve (12) month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin ("military caregiver leave").

Eligible employees are normally granted leave for the period of the serious health condition or other qualifying event, up to a maximum of twelve (12) weeks of family and medical leave, or twenty-six (26) weeks of military caregiver leave, in a rolling twelve (12) month period measured backwards from the date the employee's leave commences.

COORDINATION OF LEAVE BENEFITS WHEN ON FMLA LEAVE

An eligible employee must apply available accrued leave to FMLA leave (or any other form of approved absence where his/her normal base salary would otherwise be unpaid). Thus:

- A. *If an eligible employee is on an approved leave of absence for a reason that also constitutes a qualifying event under FMLA, then FMLA leave will be designated to run concurrently with such leave.*
- B. If an eligible employee is on FMLA leave for a reason that also qualifies for the use of sick leave with pay but the employee has no accrued sick leave available, then accrued vacation leave and/or accrued holiday time will be designated to run concurrently with his/her FMLA leave.
- C. If an eligible employee is on FMLA leave for a reason that does not qualify for the use of sick leave with pay, then accrued vacation leave and/or accrued holiday time will be designated to run concurrently with his/her FMLA leave.

- D. If an eligible employee is on FMLA leave for a reason that does not qualify for the use of sick leave with pay but the employee has no accrued vacation leave or accrued holiday time available, then the employee may elect to have his/her accrued sick leave designated to run concurrently with his/her FMLA leave.

COORDINATION OF LEAVE BENEFITS WHEN ON OTHER FORMS OF LEAVE

An eligible employee must apply FMLA leave to any available accrued leave taken for a reason that also constitutes a qualifying event under FMLA. Thus:

- A. If an eligible employee is on an approved leave of absence for a reason that also constitutes a qualifying event under FMLA, then FMLA leave will be designated to run concurrently with such leave.
- B. If an eligible employee is granted donated leave for a reason that also constitutes a qualifying event under FMLA, then FMLA leave will be designated to run concurrently with his/her period of donated leave.
- C. If an eligible employee is granted an unpaid leave of absence for a reason that also constitutes a qualifying event under FMLA, then FMLA leave will be designated to run concurrently with his/her unpaid leave of absence.

If FMLA leave is designated to run concurrently with an eligible employee's approved leave relating to a Workers' compensation-qualifying and/or short-term disability-qualifying injury or illness, the employee may request to have paid leave applied on a pro-rated basis to keep his/her gross earnings at or near 100%. For example, since short-term disability pays 60%, 40% of standard wages can be paid from accrued leave. The employee may choose whether to apply vacation, sick or holiday accrued time off for this purpose.

If FMLA leave is not designated to run concurrently with an employee's absence relating to a workers' compensation-qualifying and/or short term disability-qualifying injury or illness or any other form of approved leave where all or a portion of his/her normal base salary would otherwise be unpaid, the employee's accrued leave, if any, must be applied on a prorated basis to keep his/her gross earnings at or near 100%. Although the prorated application of accrued leave is mandatory in such a non-FMLA situation, the employee may choose whether to apply vacation, sick or holiday accrued time off for this purpose.

ELIGIBILITY

To be eligible for FMLA leave, an employee must have been working for the City for at least twelve (12) months and must have worked at least one thousand two hundred fifty (1,250) hours during the twelve (12) month period prior to the request for leave. Exceptions may be made for employees having served on military duty.

BASIC CONDITIONS OF FMLA AND PROCEDURES

Employees must follow specific procedures to request a family or medical leave. These procedures are as follows:

- A. In any case in which the necessity for leave under the FMLA is foreseeable, based on an expected birth or placement of a child or based on planned medical treatment or supervision, the employee shall provide Human Resources with written notice and request for leave no less than thirty (30) days before the date the leave is to begin and should make efforts to schedule the leave to minimize disruption to City operations. If it medically necessary for the leave to begin in less than thirty (30) days, the employee shall provide notice as soon as he/she is aware of the need for leave.
- B. The Human Resources Department will provide a Notice of Eligibility and Rights and Responsibilities to the employee, either orally or in writing, informing the employee whether he/she is eligible for FMLA leave. If it is determined that the employee is not eligible for FMLA leave, at least one reason for this determination will be set forth in the Notice. The Notice will be provided to the employee within five (5) business days of the initial request for leave or of learning that an employee's leave may be for an FMLA-qualifying reason, unless there are extenuating circumstances.
- C. The City may require medical certification:

1. When an employee requests or is designated for FMLA leave for his/her own serious health condition, in which case the certification must state:
 - a. That the employee is unable to perform the essential functions of his/her position because of a serious health condition;
 - b. The date on which the condition commenced;
 - c. The probable duration of the condition; and
 - d. The appropriate medical facts regarding the condition.
 2. When an employee requests or is designated for FMLA leave for the serious health condition of his/her child, spouse, or parent, in which case the certification must state:
 - a. That the employee is needed to provide care;
 - b. The date on which the condition commenced;
 - c. The probable duration of the condition; and
 - d. The appropriate medical facts regarding the condition and an estimate of the time needed to care for the individual involved (including any recurring medical treatment).
 3. At the conclusion of FMLA leave lasting three (3) days or more, when taken by an employee due to his/her own serious health condition, the employee will be required to provide a medical release/fitness-for-duty certification as a prerequisite to returning to the job.
- D. At its discretion, the City may require a second medical opinion, and periodic recertification at its own expense. If the first and second medical opinions differ, the City, at its own expense, may require the opinion of a third health care provider, approved by both the City and the employee. This third opinion is binding.
- E. Certification will not be required for leave to bond with a healthy newborn child or a child placed for adoption or foster care; however, employers may request documentation to confirm the family relationship.
- F. If medically necessary for a serious health condition of the employee or his/her spouse, child, or parent, FMLA leave may be taken on an intermittent or reduced leave schedule. If leave is required on this basis, however, the City may require the employee to transfer temporarily to an alternative position that better accommodates recurring periods of absence or a part- time schedule, provided the position has equivalent pay and benefits. To request intermittent or a reduced leave schedule, the employee must provide the following additional information from the healthcare provider:
1. For leave for the employee, the employee must provide a statement of medical necessity for his/her intermittent or reduced leave, the expected duration of the schedule, a listing of the dates of his/her planned medical treatment(s) and the duration of the treatment(s);
 2. For leave to care for a child, spouse, or parent, the employee must provide a statement attesting to the necessity of intermittent or reduced leave for the employee to provide care or to assist in the person's recovery, and an estimate of the expected duration and schedule of his/her intermittent or reduced leave.
7. If both spouses are employed by the City, they are entitled together to a total of twelve (12) weeks of leave (rather than twelve (12) weeks each) for the birth or placement of a child, or to care for a sick parent. Leave for the birth or placement of a child must take place within twelve (12) months after the event. Leave may begin prior to birth or adoption as circumstances dictate. A combined leave request is to be made by any employee who is requesting leave and whose spouse also works for the City.

8. In cases of illness, the employee will be required to report periodically on his/her leave status and intention to return to work.

STATUS OF EMPLOYEE BENEFITS DURING LEAVE OF ABSENCE

Any employee who is granted FMLA leave may continue his/her group insurance coverage by arranging to pay his/her portion of the premium contributions during the period of unpaid absence.

An employee requesting leave must complete an insurance premium recovery authorization form, which is available in the City's Human Resources Department. This form certifies that an employee acknowledges the City's legal right to recover the cost of any premiums paid by the City to maintain the employee's coverage in group health benefits during any period of unpaid leave except under the following conditions:

- A. the continuation, recurrence, or onset of a serious health condition that entitles the employee to leave to care for a child, parent, or spouse with a serious health condition;
- B. if the employee is unable to perform the functions of the position due to his/her own serious health condition;
or
- C. other conditions beyond the employee's control that prevent the employee from returning to work.

If an employee fails to return to work upon completion of approved FMLA leave, any benefit entitlement based upon length of service will be calculated as of the last paid work day prior to the start of FMLA leave.

An employee on FMLA leave will not lose any employment benefits accrued prior to the leave, unless any such benefits are used by the employee during leave as provided above.


An employee on FMLA leave (or any other unpaid leave of absence) accrues no additional seniority or employment benefits during the leave period.

EMPLOYMENT RESTORATION

Any eligible employee who takes FMLA leave will be entitled, upon his/her return from such leave, to be restored either (a) to the same position of employment that he/she held when the leave began, or (b) to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Notwithstanding the foregoing: Restoration may be denied to an employee upon the conclusion of his/her FMLA leave if the City Manager or his/her designee determines that holding the position (or an equivalent position) open for restoration purposes would subject the City to substantial economic injury; provided, however, that this exception to the restoration rule shall only apply in the case of a key employee who is salaried and among the highest paid ten percent (10%) of the City's employees.

Key employees will be notified in writing of their status as key employees and the potential impact of that status on their entitlement to employment restoration. This notice will be provided when the key employee gives notice of the need for FMLA leave (or when his/her FMLA leave commences, if earlier).

If the City Manager determines that employment restoration must be denied to a key employee to prevent substantial economic injury to the City, the key employee will receive written notice of this determination and an explanation of the reason(s) for the determination and will be afforded a reasonable opportunity to return to work. If the key employee is unable or fails to return to work following receipt of this notice, his/her entitlement to group health plan benefits will continue unless or until (a) the key employee advises the City that he/she does not desire restoration at the conclusion of his/her FMLA leave or (b) the key employee's FMLA leave is exhausted.

	Holidays	
	<i>Chapter: 6 – Leaves of Absence</i>	<i>Section: 6.04</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revision 01/11/2011</i>	<i>Forms:</i>

The City observes the following holidays:

- New Year’s Day
- Martin Luther King Day
- President’s Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

When a holiday falls on a Saturday, the preceding Friday shall be declared a holiday for City employees. When a holiday falls on a Sunday, the following Monday shall be declared a holiday for City employees.

A regular full-time employee who is required to work on an official holiday shall be credited with eight (8) hours of vacation time in lieu of time off; however, for overtime purposes, a non-exempt employee required to work on a holiday will have that time recorded as time worked.

HOLIDAY ACCRUALS – PUBLIC SAFETY


Effective January 1, 2010, public safety employees will accrue holiday time off for each holiday as follows:

Police officers will accrue holiday time off at the rate of 8.0 hours each holiday, or eighty (80) hours per year. The maximum accrual is seventy-two (72) hours. Amounts in excess of seventy-two (72) hours will be forfeited. (Note: Special exceptions may be made by the City Manager in emergencies.) Unused holiday accrued time off is not payable upon separation.

Firefighter employees will accrue holiday time off at the rate of 11.2 hours each holiday, or one hundred and twelve (112) hours per year. The maximum accrual is seventy-two (72) hours. Amounts in excess of seventy-two (72) hours will be forfeited. (Note: Special exceptions may be made by the City Manager in emergencies.) Unused holiday accrued time off is not payable upon termination.

CHARGING OF HOLIDAY TIME OFF ACCRUALS – PUBLIC SAFETY

- A. Fire Department employees working twenty-four (24) hours shifts shall be charged twenty-four (24) hours of holiday leave for each day of absence.
- B. Police Department employees working twelve (12) hours shifts shall be charged twelve (12) hours of holiday leave for each day of absence.
- C. Police Department employees working eight (8) hour shifts shall be charged eight (8) hours of holiday leave for each day of absence.

	Donation of Paid Leave Time	
	<i>Chapter: 6 – Leaves of Absence</i>	<i>Section: 6.05</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revision 01/11/2011</i>	<i>Forms:</i>

Regular full-time employees with one (1) or more years of service are eligible to receive donations of paid leave time once they have exhausted all forms of accrued personal leave (such as vacation, sick and holiday). Donated leave time is limited to medical emergencies constituting serious health conditions under the Family Medical Leave Act (FMLA) for the employee and employee’s family members.

A qualified employee wishing to receive donated leave time must submit a “Request for Donated Leave” form to his/her department head. If the employee is unable to submit the request personally, the employee’s supervisor may do so on his/her behalf. The department head will review the request and, if it meets the standards of a medical emergency, will recommend the request to the City Manager for approval. There is no assurance (implied or otherwise) that any given request for leave time will be approved, even if recommended for approval by the department head.


Approved requests for donated leave are valid for ninety (90) days from date of approval by the City Manager. Requests may be renewed by submitting a new Request for Donated Leave form up to three (3) additional times for a total of four (4) ninety (90) day periods.

Once approved, a donating employee who wants to transfer accrued personal leave time may do so by completing a Donation Transfer Form available in the Human Resources Department. An employee may not donate leave to his/her supervisor or normal chain of command personnel. Limitations on transfers are as follows:

-) Accrued vacation time – No limitations
-) Accrued sick time – Donations of up to eighty (80) hours may be made; however the donating employee must maintain a sick leave accrual of at least eighty (80) hours in his/her personal account
-) Holiday accruals – No limitations

The HIPAA and confidentiality rights of the requesting employee will be maintained according to City policy. The City cannot award additional leave time beyond normal City policy. The City makes no assurances that once a donation request is approved, an employee will donate accrued time to the requesting employee.

Donated leave time is administered separately from all other forms of leave. An employee does not accrue leave time while utilizing donated leave time. Employee leave time is granted based on normal City policy and procedure, and whether or not an employee receives donated leave time has no impact on whether or not a leave of absence is approved or extended. Donated leave time will be applied as needed. If leave time is donated in excess of time actually needed by the receiving party, such excess time shall not be deducted from or forfeited by the donating party or held by the City.

	Leave of Absence without Pay	
	<i>Chapter: 6 – Leaves of Absence</i>	<i>Section: 6.06</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revision 01/11/2011</i>	<i>Forms:</i>

Under certain circumstances, a regular full-time employee may be granted leave of absence without pay at the discretion of his/her department head and/or the City Manager as provided herein.

Leave of absence without pay for a period of less than fifteen (15) calendar days may be granted by the department head. Leave of absence without pay for periods of fifteen (15) calendar days or greater, up to a maximum of six (6) months, may be granted by the City Manager upon the recommendation of the department head.

EFFECT OF LEAVE OF ABSENCE WITHOUT PAY ON LEAVE ACCRUALS

-) Leave of absence without pay is not intended to enable an employee to avoid utilizing accrued annual or sick leave or FMLA leave for any absence to which such leave is applicable.
-) No annual or sick leave shall be accrued by an employee during the time he/she is on leave without pay status, nor shall he/she be paid for any holidays occurring while on such status.

REQUEST PROCEDURE

-) Except as provided below, any request for leave of absence without pay shall be submitted in writing by the employee to the employee’s immediate supervisor stating (a) the reason for requesting leave and (b) the approximate length of time off being requested.
-) Where the reason for requesting leave relates to the employee’s medical condition, the request shall be submitted directly to the department head.
-) Requests should be submitted as far in advance of the first day of leave as possible.
-) Where the circumstances are determined to so warrant, the City Manager, upon the recommendation of the department head, retains the discretion to plan an employee on leave of absence without pay status without the employee submitting a written request.

WHEN LEAVE OF ABSENCE WITHOUT PAY MAY BE GRANTED

Except as otherwise noted herein, leave of absence without pay is not an entitlement; rather, it is a conditional benefit made available at the City’s discretion in cases of justifiable absences wherein it is determined that separating the employee would not be in the City or department’s best interest. Examples include, but are not limited to, the following:

-) A long-term employee with a history of excellent job performance, an excellent disciplinary record, or other demonstrated contributions,
-) An employee who possesses a unique skill set, provides a unique service or has unique qualifications required for the position, or
-) An employee in whom the City or department has a substantial investment in training, education, etc.
-) The City likewise retains the discretion to approve a request for leave of absence without pay in cases of justifiable absences where extraordinary circumstances are otherwise found to exist.

Notwithstanding the foregoing, if an employee, who is a qualified individual with a disability within the meaning of the Americans with Disabilities Act, requests leave of absence without pay for reasons relating to such disability, the following will apply:

-) The request will be treated as a request for reasonable accommodation and immediately forwarded to Human Resources.
-) Upon receipt of such a request, Human Resources will promptly interact with the employee and the affected department to obtain information and/or documentation relevant to determining the feasibility of providing the requested leave as a reasonable accommodation without causing an undue hardship to the City or the department.
-) Any employee requesting leave as a reasonable accommodation is expected to cooperate with Human Resources and work with his/her health care provider to obtain requested information and/or documentation as quickly as possible.
-) Such requests will be evaluated on a case-by-case basis and, in appropriate cases, will be granted as a reasonable accommodation (a) provided or (b) for so long as the leave does not create an undue hardship for the City or the department with respect to its operations, finances, or otherwise.

EMPLOYMENT RESTORATION

When the City grants a request for leave of absence under this policy, it does so with the expectation that the employee, upon conclusion of leave, will return to the same position he/she held at the time of the request. Nevertheless, this policy should not be construed as guaranteeing or creating a right or entitlement to employment restoration. If determined to be in its best interests or otherwise warranted or appropriate, and except as otherwise provided by law, the City may in its discretion fill, eliminate, or modify the position in question.


BENEFITS WHILE ON LEAVE ABSENCE WITHOUT PAY

Employees must contact the City's Human Resources Department prior to going on an approved leave of absence without pay regarding benefits that will be affected while on leave. Employees may continue, at their expense, their group health and dental insurance coverage while on leave of absence without pay in accordance with the Consolidated Omnibus Budget Reconciliation Act ("COBRA"), Public Law 99-272, Title X. Employees must contact the City's Human Resources Department and the Finance Department to arrange for documentation and payment of insurance premiums. Employee and family coverage costs must be paid in advance on a monthly basis.

RETURN TO WORK


When an employee is on leave for medical reasons, the City reserves the right to require a statement from the employee's healthcare provider to the effect that the employee is able to resume his/her normal duties before allowing the employee to return to work.

An unapproved leave of absence or a failure to return to work following expiration of an approved leave constitutes unauthorized absence from assigned duties and, as such, is grounds for disciplinary action up to and including termination of employment.

	Military Leave	
	<i>Chapter: 6 – Leaves of Absence</i>	<i>Section: 6.07</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revision 01/11/2011</i>	<i>Forms:</i>

Employees are entitled to military leave in accordance with state and federal law. An employee going on military leave should present a copy of his/her orders to the department head as soon as received or fill out a Verification of Military Duty form, which is included in the Appendix of this Employee Handbook. A copy of his/her muster sheet is also acceptable as documentation of military leave.

Employees are entitled to eighteen (18) paid days off with continued benefits for military service each calendar year for regularly scheduled drill periods or under orders. Continued benefits coverage is contingent on the employee paying all required benefits premiums. Note: The City Manager may approve additional coverage for military deployments of ninety one (91) days or longer. Most benefits continue to be available for employees on long-term military leave. (Note: See Human Resources for details.)


	Bereavement Leave	
	<i>Chapter: 6 – Leaves of Absence</i>	<i>Section: 6.08</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revision 01/11/2011</i>	<i>Forms:</i>

Employees may be granted up to three (3) workdays of bereavement leave (leave of absence with pay) upon the death of a member of the employee’s immediate family. Employees working a twenty-four (24) hour shift will be granted a twenty-four (24) hour period of bereavement leave.

The immediate family is defined for bereavement purposes as: parent, step-parents, spouse, child, brother, step-brother, sister, step-sister, mother-in-law, father-in-law, aunt, uncle, grandparents, son-in-law, daughter in-law, and grandchild.

An employee must request bereavement leave by contacting his/her supervisor before going on leave. The supervisor may require an employee to submit an obituary and other evidence of relationship to the deceased along with the request for bereavement leave or upon return to work.

There is no accrual of bereavement leave days and no payment upon separation from City employment. The three (3) workdays do not have to be taken simultaneously.


	Training	
	<i>Chapter: 7 - Training</i>	<i>Section: 7.01</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revision 01/11/2011</i>	<i>Forms:</i>

The City seeks, within the limits of available resources, to offer training to all employees to increase their skills, knowledge and abilities that directly relate to the City’s needs. Additionally, the City may provide employees training to obtain or maintain required licenses and certifications and to develop staff resources. Opportunities may include, but are not limited to: on-the-job training; in-house workshops; and seminars sponsored by other external agencies or organizations.

The Human Resources Director shall work in conjunction with department heads to identify and establish areas and timing of required training for each department.

In addition, the Human Resources Director shall be responsible for developing and promoting in-service training, e.g., new employee orientation, non-harassment/sexual harassment, diversity, ADA, workplace violence, etc.


Each department may maintain internal training records for its employees; however, all training records must be transmitted to Human Resources for placement in employees’ personnel files.

	Discipline - General	
	<i>Chapter: 8 - Discipline</i>	<i>Section: 8.01</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revision 01/11/2011</i>	<i>Forms:</i>

The City recognizes the need for a fair and equitable procedure for processing disciplinary actions that become necessary because of poor performance, inappropriate actions by employees, violations of law by employees, or other incidents involving employee misconduct.

The standards of conduct and disciplinary procedures set forth herein reflect the belief that the best form of discipline is self-discipline. When self-discipline fails, however, the City must and will impose appropriate disciplinary sanctions as a corrective measure designed to motivate the involved employee to improved performance or behavior or, in certain cases, to sever the employment relationship altogether. Thus, disciplinary actions may vary depending on the severity and frequency of the employee's poor performance or misconduct.

The City is an "at-will" employer. The voluntary adoption of the standards and procedures set forth herein does not create any contractual or property interests or due process rights in continued employment, nor does it impose any substantive restrictions or limitations on the City's right to impose disciplinary action or to otherwise modify or terminate the employment relationship.

	Standards of Conduct, Gifts and Gratuities	
	<i>Chapter: 8 - Discipline</i>	<i>Section: 8.02</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revision 01/11/2011</i>	<i>Forms:</i>

STANDARDS OF CONDUCT

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

- A. Insubordination, including willful failure or refusal to follow oral or written instructions.
- B. Inefficiency or lack of application in the performance of duties.
- C. Careless, negligent or improper use of City property or equipment or damage or destruction of City property or equipment.
- D. Conduct that endangers others or results in property damage.
- E. Failure to maintain satisfactory and/or harmonious working relationships with the public or fellow employees.
- F. Failure to report for duty at the assigned time and place.
- G. Unexcused absence.
- H. Creating or contributing to unsafe or unsanitary conditions.
- I. Failure to obtain or maintain a current license or certificate required for performing the job.
- J. Failure to use safety equipment or to comply with safety requirements.
- K. Gambling on City property or City work sites.
- L. Improper use of sick leave.
- M. Violation of the City’s anti-discrimination, anti-harassment, or anti-retaliation policies.
- N. Conduct unbecoming of a City employee, including any conduct which affects the employee’s reputation or which reasonably could undermine public confidence or otherwise create concern on the part of fellow employees, residents, or other agencies with which the City interacts.
- O. Misappropriation of City funds.
- P. Falsification or misrepresentation of information in City records or destruction or removal of City records other than in accordance with applicable retention schedules.
- Q. Participation in any action that disrupts or disturbs the operation of the City or any segment of City government.
- R. Visiting without invitation or trespassing at the home of any City official or employee for the purpose of harassing or for the purpose of discussing job-related matters.
- S. Committing an act that endangers the personal well-being and/or property of others while on the job.

- T. Possession of unauthorized firearms or weapons on the job.
- U. Possession and/or use or being under the influence of alcohol, drugs or other intoxicants while on the job.
- V. Release of confidential information from official records without proper authority.
- W. Engaging in incompatible outside employment or other activities which creates a conflict of interest or gives the appearance of a conflict of interest.
- X. Using or attempting to use personal or political influence to secure promotion, leave of absence, transfer, change of pay rate, disciplinary action or in any manner related to one's work.
- Y. Violating any of the provisions or policies of this Employee Handbook.
- Z. Violating departmental policies, procedures, standard operating procedures ("SOP"), directives, etc., by an employee of that department.
- AA. Violating an ordinance of the City or a law of the State of Georgia.
- BB. Engaging in any conduct that constitutes a felony under federal or state law or a misdemeanor involving dishonesty or moral turpitude.
- CC. Any other reason, which in the City's sole discretion, warrants disciplinary action.

GIFTS AND GRATUITIES POLICY


In addition to the above-stated standards of conduct, and whether or not specifically prohibited by this Employee Handbook or any ordinance or policy of the City, each employee of the City shall avoid any action which might result in or create the appearance of:

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

No employee shall solicit or accept rewards of any kind, whether direct or indirect, for the performance of duties, or request any gratuities, or use his or her position, relationships, or contacts with the City to seek favors or preferential treatment of any kind. Further, an employee shall not accept gratuities of any kind, whether direct or indirect, in the course of his/her duties with the City, or from any person or entity where the relationship was established in the course of his/her duties with the City, with a value in excess of one hundred dollars (\$100.00) without the express written permission of the City Manager. Nothing in this section shall prohibit an employee from: (1) receiving any occasional food or beverage of nominal value; or (2) receiving any promotional item or items generally distributed to the general public, provided that the acceptance of such item or items will not influence his or her performance or failure to perform any official action.

SELF-REPORTING

An employee who is the subject of a criminal investigation, or has been arrested, indicted, or convicted of any federal, state, or local offense, other than a minor traffic offense, must promptly notify their immediate supervisor.


	Non-Disciplinary Administrative Leaves of Absence	
	<i>Chapter: 8 - Discipline</i>	<i>Section: 8.03</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective:</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revision 01/11/2011</i>	<i>Forms:</i>

NON-DISCIPLINARY ADMINISTRATIVE LEAVES OF ABSENCE

When an employee is the subject of an internal investigation or disciplinary proceeding, is arrested or is the subject of a criminal investigation, or when the circumstances otherwise warrant, a department head may place the employee on a non-disciplinary leave of absence. The employee may be maintained in this status for as long as deemed reasonably necessary to enable the department head to determine what other action, if any, is necessary or appropriate.

Non-disciplinary administrative leave normally will be with pay; however, leave without pay may be imposed when maintaining the employee on the active payroll for an extended period of time would impose a hardship on the City or when the circumstances are otherwise deemed to warrant.

Any non-disciplinary administrative leave exceeding three (3) work days must be approved by the City Manager or his/her designee.

	Initiation of Disciplinary Action	
	<i>Chapter: 8 - Discipline</i>	<i>Section: 8.04</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective:</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References: Previous revision 01/11/2011</i>	<i>Forms:</i>

INITIATION OF DISCIPLINARY ACTION

Any supervisor may issue a verbal counseling under appropriate circumstances to a subordinate employee. Any supervisor may initiate other forms of disciplinary action against an employee via recommendation, as long as the recommended disciplinary action concerns an employee who is subordinate to the initiating supervisor. In such instances, the procedure set forth below will be followed. The failure to comply with this procedure, however, will not invalidate any otherwise appropriate disciplinary action taken against an employee, but may warrant an inquiry into the reasons for the non-compliance.

Documentation

Recommendations of disciplinary action should be accompanied by written documentation prepared at the level of supervision that first becomes aware of the performance issue or misconduct. Recommendations may be documented using the Disciplinary Action Recommendation Form included in this handbook for that purpose. The form should include a description of the performance issue or misconduct for which disciplinary action is being recommended, as well as any other information useful to the reviewing supervisor in understanding the relevant facts and circumstances underlying the recommendation.

Review of Recommended Disciplinary Action

Once completed, the Disciplinary Action Recommendation Form will be forwarded for review and approval to each higher level of supervision within the relevant department. At each level of supervision, the reviewing supervisor may concur with the recommended disciplinary action, reject the recommended action altogether, or recommend a modified version of the recommended disciplinary action or alternative disciplinary action (which may be more, less, or equally severe). Whenever a recommended disciplinary action is rejected altogether, it must nevertheless be submitted to the next level of supervision for review, in which case the reviewing supervisor likewise may reject the recommended disciplinary action, concur with the previous recommended action, or recommend a modified or alternative action.

Meeting with Employee and Employee Response

Before a Disciplinary Action Recommendation Form is submitted to the Department head or his/her designee for a decision, the initiating supervisor or a supervisor or manager reviewing the form at a subsequent level should meet with and discuss the recommended disciplinary action with the employee. The employee may attach a written statement concerning his/her version of the relevant facts and circumstances to the form before it is forwarded to the Department head or his/her designee, who will consider the employee’s statement in connection with his/her review of the Disciplinary Action Recommendation Form.

The department head may initiate disciplinary action notwithstanding the foregoing: the department head retains the discretion to initiate and take disciplinary action as appropriate without a recommendation or written statement from the employee. In such instances, however, the Department head or his/her designee normally should meet with and discuss the matter with the employee prior to taking action.

Department Head's Decision


The department head or his/her designee will make the final determination of the disciplinary action to be imposed; provided, however, that any demotion or termination should first be discussed with the Human Resources Director and the City Attorney's Office.

In reviewing the Disciplinary Action Recommendation Form, the department head or his/her designee may approve the initial recommendation or any subsequently-modified version or alternative recommendation, reject the recommendation(s) altogether, or impose his/her own modified version of the recommended disciplinary action or alternative disciplinary action (which may be more, less, or equally severe). The department head or his/her designee may also return the recommendation with instructions for further investigation, for further consideration, or for any other purpose designed to facilitate a final decision.

After the department head or his/her designee makes a decision regarding the disciplinary action to be imposed, the completed Disciplinary Action Recommendation Form will be presented to the employee. The employee should sign or otherwise acknowledge the form to confirm receipt and not as an indication that he/she agrees with the action taken or the facts and circumstances underlying the action. If the employee refuses to sign or otherwise acknowledge receipt of the form, that refusal should be noted on the signature line and witnessed by two (2) supervisors. The employee will be provided with a copy of the completed form.

In the case of demotions and terminations, the department head or his/her designee will prepare a disciplinary notice or memorandum containing: (a) a description of the facts and circumstances upon which the demotion or termination is based; (b) an indication of the City policy or departmental rule, SOP, directive, etc., violated; and (c) the effective date of the demotion or termination.

The City's grievance procedure provides the exclusive means by which an employee may seek further administrative review of disciplinary action within the City.

	Disciplinary and Corrective Actions	
	<i>Chapter: 8 - Discipline</i>	<i>Section: 8.05</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective:</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References: Previous revision 01/11/2011</i>	<i>Forms:</i>

DISCIPLINARY AND CORRECTIVE ACTIONS

Any supervisor may issue a verbal or written counseling under appropriate circumstances to a subordinate employee. In addition, listed in order of severity, the following types of disciplinary actions may be recommended:

- A. Verbal Counseling
- B. Written Counseling
- C. Written Reprimand
- D. Suspension with Pay
- E. Suspension without Pay
- F. Transfer
- G. Demotion
- H. Termination

If an employee’s absence during any period of suspension would impose a hardship on the department due to staffing issues or other circumstances, a department head, with the prior approval of the City Manager or his/her designee, may require the employee to report for duty during the suspension period or any portion thereof, in which case the employee will forfeit an equivalent amount of accrued vacation leave.

In suspending an employee without pay, a department head, with the prior approval of the City Manager or his/her designee, may require or permit the employee to utilize his/her accrued vacation leave while serving the suspension.

When any of the above-listed disciplinary actions (other than termination) are taken against an employee, the department head may also place the employee on a disciplinary probation period of up to six (6) months. Disciplinary probation may be extended for an additional six (6) months with the approval of the City Manager or his/her designee.

Depending on the facts and circumstances of a given situation, a supervisor may recommend and/or the department head may impose, various forms of corrective action in conjunction with, or in lieu of, disciplinary action. Corrective action includes, but is not limited to, placement on performance probation/performance improvement plan, mandatory training, referral to Employee Assistant program (“EAP”) (e.g., for anger management), or reassignment.

PROGRESSIVE DISCIPLINE

The City advocates progressive discipline – a process in which disciplinary action is taken in degrees of increasing severity – when appropriate. The action taken remains discretionary with the department head, however, and will depend on the nature, severity, and other relevant circumstances of the violation or performance issue. One or more levels or forms of discipline therefore may be omitted depending on the facts and circumstances of a given

situation, as determined on a case-by-case basis. For example, progressive discipline will not be applied to situations where immediate dismissal, removal of managerial or supervisory authority, or transfer is determined to be warranted and in the best interest of the City.

While this policy sets forth eight (8) available levels or forms of discipline culminating in termination, this should not be construed to require seven (7) incidents of misconduct or poor performance before the employee is subject to termination. Furthermore, if an employee engages in different types of misconduct or poor performance, each incident can provoke increased levels or forms of discipline, even if the incidents of misconduct or poor performance are in different areas or otherwise unrelated to other previous incidents.

The department head also retains the discretion to include corrective action with any disciplinary action taken against an employee (e.g., mandatory training or performance probation/performance improvement plan). Because it is generally regarded as non-disciplinary, corrective action may be imposed without regard for the progressive discipline policy.


Other forms of disciplinary action not expressly referenced in this policy may be utilized in the discretion of the department head with the approval of the City Manager or his designee.

DOCUMENTATION AND RECORD-KEEPING

All references in this Chapter to the Disciplinary Action Recommendation Form or other specific form shall include any equivalent method of documentation, whether in physical or electronic format, so long as it records all required information and is approved by the Human Resources Director.

All such documentation and attachments thereto, including documentation relating to self-reporting, non-disciplinary administrative leave, recommendations of disciplinary action, employee responses to recommended disciplinary action, final decisions regarding disciplinary and/or corrective action (other than counseling), acknowledgments of disciplinary action, resignations in lieu of disciplinary action, or any other matter under this Chapter shall be promptly transmitted to the Human Resources Department for placement in the employee's personnel file. The method of transmission shall be agreed upon by the department head and the Human Resources Director and shall be designed to comply fully with the requirements of this Chapter while avoiding duplication of effort or unnecessary administrative burden.

Copies of any documentation transmitted to the Human Resources Department may also be maintained by the department; provided, however, that unless otherwise determined by the City Manager or his/her designee, the documentation maintained by the Human Resources Department shall be regarded as the official record.

	Grievance Procedure	
	<i>Chapter: 9 – Grievance Procedure</i>	<i>Section:</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References: Previous revision 01/11/2011</i>	<i>Forms:</i>

STATEMENT OF POLICY

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

The purpose of this policy is to allow for the expeditious and equitable resolution of Grievances. It is therefore the policy of the City that every Grievance properly presented through the procedure detailed herein be thoroughly considered and every reasonable effort made to achieve a resolution.

All City employees may utilize the procedures as provided herein.

GRIEVABLE AND NON-GRIEVABLE MATTERS

For purposes of this policy, a Grievable matter is an action, event, or condition in the workplace which negatively affects and is otherwise meaningful to the employee and which is not specifically designated herein as non-grievable. Grievable matters may be either disciplinary or non-disciplinary. Except as otherwise provided, the following matters are non-grievable:

- A. Written or verbal counseling, referrals to EAP, informal discipline or corrective action.
- B. Separation, furlough, demotion, transfer, reduced work hours, or other changes to the employee’s terms and conditions of employment due to layoff, reduction-in-force, reorganization or restructuring of the department, or other economic or budgetary considerations.
- C. Resignations (unless based on an alleged failure to follow or apply established policies and procedures).
- D. Level of compensation or benefits (unless based on an alleged failure to pay overtime compensation or an alleged improper deduction).
- E. Position classification (unless based on an alleged misclassification as exempt from overtime compensation).
- F. Performance reviews.
- G. Duties, responsibilities, or assignments if within the relevant position description or a reasonable extension thereof.
- H. Transfers, shift changes, or work schedule changes (unless not based on an alleged failure to follow or apply established policies or procedures).
- I. Ordinances, resolutions, budgets, or any other action taken by the City Council or which are otherwise not within the jurisdiction or control of the City Manager.

- J. Failure to promote not based on an alleged failure to follow or apply established promotional policies or procedures.
- K. Security measures, including decisions made and actions taken based on reasonable security considerations.
- L. Temporary or short term changes to the employee's terms and conditions of employment due to emergency or other exigent circumstances.

Notwithstanding the foregoing, any of the above-stated non-grievable matters are considered grievable if within the jurisdiction or control of the City Manager and alleged to be the result of unlawful discrimination, harassment, or retaliation.

GENERAL CONSIDERATIONS

An employee may be entitled to such time off from regular duties to process a Grievance as may be necessary and reasonable with approved leave without pay or vacation leave. The City's Human Resources Department is available to answer questions regarding the Grievance procedure and will assist the employee in preparing the Grievance in the proper format if requested.

All Grievance appeals and decisions must be in writing and issued within prescribed time limits.

All employees are encouraged to seek and obtain answers, through normal, day-to-day supervisory contacts and channels, to questions or problems regarding the administration of policies and procedures as they relate to their employment.

GRIEVANCE PROCEDURE

Step One: Informal / Departmental Process

Employees are encouraged to discuss their Grievances with their immediate supervisor on an informal basis in an effort to resolve the Grievance at that level. If no resolution is achieved, the employee must submit his/her Grievance, in writing, to his/her immediate supervisor within five (5) work days from the date on which (i) the event giving rise to the Grievance occurred or (ii) the employee reasonably became aware of the event.

Except as otherwise provided herein, the employee must follow the chain of command in his/her department, submitting the Grievance to each successive level of supervision. In each instance, the supervisor should respond to the Grievance within two (2) work days. The employee must submit his/her Grievance to the next level of supervision within two (2) work days of his/her receipt of an unsatisfactory response. If a supervisor at a particular level is unavailable or otherwise fails to respond to the Grievance within the prescribed time, the Grievance is considered denied and must be submitted to the next level of supervision within two (2) work days of the date on which the response would have been due. Any Grievance not presented in compliance with these deadlines will be considered resolved.

If the Grievance involves a supervisor in the employee's chain of command, the employee may bypass that supervisor and submit his/her Grievance to the next level of supervision.

Supervisors shall acknowledge receipt of the Grievance at each level of the process by noting the date, time, and the person receiving the Grievance. Responses should be in writing and contain an explanation of the supervisor's decision.

For purposes of all steps of the Grievance procedure, "work days" are considered to be Mondays through Fridays (excluding holidays).

Grievances based on a demotion or termination of employment must be initiated at Step Three.

Step Two: Formal Process / Department Head

If the Grievance is not satisfactorily resolved in Step One or if the supervisor fails to respond within the time specified, the employee may submit a written Grievance directed to the Department Head and Human Resources through the appropriate supervisor within two (2) work days of the final Step One response date.

The Grievance must include:

- A. A written statement of the Grievance and the facts upon which it is based;
- B. A written allegation of the specific wrongful act and harm done;
- C. A written statement of the relief or remedy sought; and
- D. Significant dates and times of events should be included.

As soon as practicable upon receipt of a timely Grievance, the Department Head and Human Resource Director will meet with the employee to review and discuss the Grievance. The Department Head should render a decision and comments in writing to the grievant within ten (10) work days of the meeting.

If a Grievance not based on a demotion or termination of employment relates to the Department Head, the employee may submit the Grievance to the Human Resources Director who, after reviewing the Grievance and discussing it with the employee, will decide whether it should nevertheless be submitted to the Department Head or whether the employee may proceed directly to Step Three.

The decision of the Department Head is final as to any Grievance brought by a probationary employee.

Step Three: Assistant City Manager / Personnel Hearing Officer

If a Grievance unrelated to demotion or termination of employment is not satisfactorily resolved in Step Two or if the Department Head fails to meet with the employee or to respond to the Grievance within the time specified, a non-probationary employee may submit a written Grievance directed to the Assistant City Manager and Human Resources Director within five (5) work days of the Step Two response date.

Except as provided below, the Step Three Grievance must include:

- A. A statement of the purpose of the Grievance and the desired outcome;
- B. A statement that the chain of command has been followed (or an explanation of each instance in which the chain of command was not followed); and
- C. Copies of all previous versions of the Grievance submitted by the employee through Steps One and Two, including all written responses, associated correspondence, and any other documentation relevant to the Grievance.

Notwithstanding the foregoing, when a Grievance based on a demotion or termination of employment is initiated at Step Three, the Grievance must include the items enumerated above for Step Two Grievances.

When the Step Three Grievance does not involve the employee's demotion or termination of employment, it will be reviewed and decided by the Assistant City Manager.

In so doing, the Assistant City Manager, at his/her discretion, will determine the method he/she considers appropriate for reviewing the Grievance and arriving at an appropriate resolution. The Assistant City Manager may base his/her decision solely on the record presented or he/she may, among other things, meet with and/or interview the employee, meet with and/or interview the supervisors and/or department head involved in the

decision or action being grieved and/or other witnesses, consult with outside parties, etc., or any combination thereof as he/she deems appropriate.

If the Assistant City Manager was directly involved in the decision or action being grieved or is otherwise unavailable, the City Manager or his/her designee may appoint a department head or other suitable individual to serve in his/her place and review and consider the Step Three Grievance.

Upon completion of his/her review, the Assistant City Manager (or any department head or other individual serving in his/her place) will respond to the Step Three Grievance within fifteen (15) calendar days.

When the Step Three Grievance involves the employee's demotion or termination of employment, it will be heard by the City's Personnel Hearing Officer. The Personnel Hearing Officer will preside over a personnel hearing and issue written findings and conclusions regarding the Grievance, as well as a recommended decision, to the City Manager or his/her designee.

1. Upon receipt of a compliant Step Three Grievance relating to the employee's demotion or termination of employment, the Assistant City Manager shall arrange for the Human Resources Director to notify the Personnel Hearing Officer of the Grievance and the need for a hearing within ten (10) workdays.
2. The Human Resources Director shall also cause to be provided to the Personnel Hearing Officer a copy of the Grievance and all attachments thereto.

PERSONNEL HEARINGS

Personnel Hearing Officer

A. Appointment

1. The Personnel Hearing Officer is appointed by the City Manager for the purpose of hearing Grievance appeals relating to demotions and terminations of employment and serves at the City Manager's pleasure. The City Manager may also appoint two (2) alternate Personnel Hearing Officers who will serve in the event the Personnel Hearing Officer is unable for any reason to serve.
2. The Personnel Hearing Officer shall enter into an agreement with the City Manager pursuant to which the terms and conditions of the Personnel Hearing Officer's service to the City and compensation are established.

B. Qualifications. The Personnel Hearing Officer shall not be an employee or other agent or representative of the City and shall have the following qualifications:

1. A law degree;
2. Admission to the State Bar of Georgia;
3. A working knowledge of, and the ability to understand, the provisions of the City's Employee Handbook and personnel policies, the City's Code of Ordinances, the City Charter, the laws of the State of Georgia (including local government law) and regulations pertaining thereto, and legal interpretations thereof by Federal and State courts;
4. A working knowledge of administrative hearings and procedures;
5. The ability to analyze and interpret laws, rules and policies and logically apply them to cases under review; and
6. The ability to prepare organized and concise written material utilizing technical and legal terminology.

Personnel Hearing Procedure

A. Scheduling and Notice of Hearing

1. Within ten (10) workdays of his/her receipt of a Step Three Grievance relating to the employee's demotion or termination of employment, the Personnel Hearing Officer shall schedule a hearing and notify the employee, the Human Resources Director and the Assistant City Manager.
2. Such notice shall be provided at least thirty (30) calendar days prior to the scheduled hearing date.

B. Attendance at Hearing; Legal Counsel

1. Attendance is limited to the Personnel Hearing Officer, the employee, the department head or other individual(s) responding to the alleged Grievance ("respondent"), the Assistant City Manager, and the City's legal counsel.
2. The employee shall have the right to retain and consult with his/her own legal counsel at his/her own expense; however, for Grievances not involving termination, the employee's legal counsel shall not be present at the hearing.
3. For Grievances involving termination, the employee's legal counsel may be present for the hearing and consult with the employee, but shall not respond for the employee before the Personnel Hearing Officer, examine witnesses, or otherwise actively participate in the hearing.
4. Witnesses may only be present while testifying.
5. For Grievances involving termination of employment, if the Assistant Manager or his/her designee determines that a name-clearing hearing is warranted in light of the reason or grounds for termination, the Step Three Grievance hearing may be open to the public to serve this dual purpose.

C. Witness Lists

1. Not later than ten (10) workdays prior to the hearing, each party will provide the Personnel Hearing Officer with a list of witnesses (if any) to attend the hearing on the party's behalf. The Personnel Hearing Officer will provide each party with a copy of the other party's witness list within two (2) workdays of receipt.
2. Each party may add names to his/her original witness list based on the other party's witness list, but any additions must be submitted to the Personnel Hearing Officer and the other party not later than three (3) workdays prior to the hearing. The Personnel Hearing Officer may exclude the testimony of any witness who is not disclosed in accordance with this paragraph, absent good cause for the party's non-compliance.

D. Hearing Format

1. The Personnel Hearing Officer will preside over the hearing and rule upon all procedural matters.
2. An audio recording of proceedings will be made. Upon commencement of the hearing, the Personnel Hearing Officer will state the date and introduce him/herself, the parties, and any other attendees for the record. Copies of the audio recording may be obtained, upon request and payment of copying expenses, after the Personnel Hearing Officer has forwarded his findings, conclusions, and recommendation to the City Manager or his designee.
3. The Personnel Hearing Officer will swear in each party and any other witness providing testimony during the hearing by requiring him/her to respond affirmatively to the following: "Do you swear or affirm that the testimony you are about to give will be the truth, the whole truth and nothing but the truth?"

4. After the employee gives an opening statement not to exceed fifteen (15) minutes, the Personnel Hearing Officer will have thirty (30) minutes to ask questions of the employee. The respondent will then have an opportunity to make an opening statement not to exceed fifteen (15) minutes. If the employee seeks relief against more than one respondent, each respondent will have an opportunity to make an opening statement. After hearing each respondent, the Personnel Hearing Officer will have thirty (30) minutes to ask questions.
5. After the opening statements and questions have been completed, the employee will call each of his/her witnesses. The employee will have twenty (20) minutes to ask questions of each witness. If the Personnel Hearing Officer determines that the testimony of a witness may require additional time because the testimony is particularly involved, the employee may be allowed additional time for questioning. Following the employee's questioning, the Personnel Hearing Officer will have thirty (30) minutes to ask questions of the witness.
6. After the employee has called all of his/her witnesses, each respondent will then have the chance to call witnesses. Each respondent will have twenty (20) minutes to ask questions of each of its witnesses. If the Personnel Hearing Officer determines that the testimony of a witness may require additional time because the testimony is particularly involved, the respondent may be allowed additional time for questioning. Following the questioning by each respondent of each of its witnesses, the Personnel Hearing Officer will have thirty (30) minutes to ask questions of the witness.
7. If provided to the Personnel Hearing Officer and the other party at least five (5) workdays in advance of the hearing, the Personnel Hearing Officer may consider the sworn statement of a witness who cannot or will not appear at the hearing; provided, however, that the statement must affirmatively explain the reason for the witness's non-appearance. The Personnel Hearing Officer may decline to consider any statement which he/she determines fails to adequately explain the witness's non-appearance.
8. After each side has called all of their witnesses, the employee and each respondent will have fifteen (15) minutes to make a closing statement.

E. Evidence; Burden of Proof; Hearing Record

1. The Personnel Hearing Officer will base his/her findings, conclusions, and recommendations solely on the record made in accordance with the procedure outlined herein.
2. The burden of proof at the hearing shall be on the employee. To satisfy the burden of proof, the employee must establish by a preponderance of the evidence that he/she was wrongfully demoted or terminated as alleged in the Grievance.
3. The Personnel Hearing Officer will decide what testimony or other evidence to admit and is not required to follow state or federal rules of evidence (including those pertaining to hearsay). Testimony or evidence may be excluded if it is cumulative, immaterial, irrelevant, offered for improper purposes, if its harm outweighs its potential value, or for any other good and sufficient reason. While the Personnel Hearing Officer should exercise reasonable flexibility so that he/she receives sufficient information on which to base his/her findings, conclusions, and recommendation, he/she nevertheless must ensure that the scope of the hearing remains confined to the issue(s) presented in the Grievance.
4. The Personnel Hearing Officer will determine when the hearing record is closed. Upon closure of the record, the Personnel Hearing Officer work with the Human Resources Director to include that both have complete and accurate copies of the hearing record, including the audio recording thereof.

F. Post-Hearing Procedures; Final Decision

1. The Personnel Hearing Officer will prepare a written report consisting of his/her findings of fact and conclusions regarding the application of any federal, state, or local law, rule, or regulation, any Charter provision, ordinance, policy, or procedure of the City, or any departmental SOP, directive, or order, or any other proper source of authority implicated by or relevant to the events precipitating the Grievance. The report should also include a summary of the testimony and other evidence admitted during the hearing upon which the Personnel Hearing Officer's findings and conclusions are based. Finally, the report should include the Personnel Hearing Officer's recommendation(s) as to whether the Grievance should be sustained or denied.
2. The Personnel Hearing Officer will transmit his/her written report and the hearing record to the City Manager within twenty (20) workdays of the closing of the record. For purposes of this requirement, the hearing record includes the audio recording of all testimony, opening statements, and closing arguments, the Grievance itself and all attachments thereto, and all other documentary and other forms of evidence accepted into the hearing record. The Personnel Hearing Officer shall not provide copies of his/her written report to the parties at this time.
3. Upon receipt of the Personnel Hearing Officer's written report and the hearing record, the City Manager, in the exercise of his sole discretion, may either (a) proceed to make a final decision on the Grievance based on his/her review and consideration of the report and hearing record or (b) delegate the task of making the final decision on the Grievance to the Assistant City Manager or other qualified individual.
4. In considering the written report of the Personnel Hearing Officer, the City Manager or his/her designee shall have the right, but not the obligation, to request that the Personnel Hearing Officer reopen the hearing record to receive additional testimony or other evidence when the City Manager or his/her designee deems such a request necessary.

G. Final Decision

1. If the City Manager or his/her designee approves the Personnel Hearing Officer's recommendation(s), copies of the written report shall be transmitted to the employee, the respondent(s) involved, legal counsel, and the Human Resources Director as the final decision on the Grievance.
2. If the City Manager or his/her designee rejects the Personnel Hearing Officer's recommendation(s), he/she shall make his/her own decision without further hearing. Upon being reduced to writing, the decision of the City Manager or his/her designee shall be final. Copies of the Personnel Hearing Officer's written report and the written decision of the City Manager or his designee shall be provided to the employee, the respondent, the Human Resources Director, and any legal counsel involved in the Level Three Grievance.

GRIEVANCE ADMINISTRATOR; DISCLAIMER

A. Coordinator; Custodian

1. The Human Resources Director shall act as coordinator of the Grievance process, including any personnel hearings that may be conducted as provided herein, throughout and following the process.
2. The Human Resources Director shall act as the City's official custodian of all records comprising each Grievance, including any attachments thereto, as well as the entire record from any personnel hearing conducted on a Grievance, including the audio recording of the hearing and all documentary and other evidence admitted into the record during the hearing, the Personnel Hearing Officer's

written report and any written decision issued by the City Manager or his designee on the Grievance. The Human Resources Director shall establish and maintain a file of all such Grievances and related materials, which file shall be maintained in a secure area within Human Resources.

3. The Human Resources Director shall conduct, or cause to be conducted, an annual analysis of formal Grievances to serve as a management tool in determining potential problem areas within City which may need to be addressed. The annual report of the completed analysis shall be forwarded to the City Manager.
- B. Disclaimer. The City is an "at will" employer, and no aspect of this Grievance Procedure is intended or should be interpreted or applied so as to impose any restrictions or limitations on the City's right to terminate or otherwise modify any employment relationship at any time, with or without cause or with or without notice.



Classification, Compensation Plan and Payroll Practices

<i>Chapter: 10 – Classification, Compensation Plan and Payroll Practices</i>	<i>Section:</i>
<i>Approved: John McDonough, City Manager</i>	<i>Effective:</i>
<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
<i>References: Previous revision 01/11/2011</i>	<i>Forms:</i>

CLASSIFICATION

The City Manager and the Human Resources Director may establish policies for maintaining and classifying a complete inventory of all positions in the City’s service and accurate descriptions and specifications for each grade of employment.

COMPENSATION

The City Manager and Human Resources Director may establish policies to provide equal pay for equal work and to provide a pay range for each grade of positions which will enable the City to recruit and retain qualified employees as well as compete in the job market with other public employers.

OVERTIME

Overtime is actual hours worked by an employee which exceeds the regular work week. Paid leave such as vacation, sick, military, civil, education, bereavement, family medical, jury duty and holiday time taken shall not be considered as hours worked. Any additional work time exceeding the regular work week must be approved by the supervisor or department head.

DEDUCTIONS FROM PAY / SAFE HARBOR

The City of Sandy Springs does not make improper deductions from the salaries of exempt employees and complies with the salary basis requirements of the Fair Labor Standards Act (FLSA). Employees classified as exempt from the overtime pay requirements of the FLSA will be notified of this classification at the time of hire or change in position.

Permitted deduction

The FLSA limits the types of deductions that may be made from the pay of an exempt employee. Deductions that are permitted include but are not limited to:

- A. Deductions that are required by law, e.g., income taxes;
- B. Deductions for employee benefits when authorized by the employee;
- C. Absence from work for one or more full days for personal reasons other than sickness or disability;
- D. Absence from work for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; or
- E. Unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.

During the week an exempt employee begins work for the City or during the last week of employment, the employee will only be paid for actual hours worked. In addition, an employee may be paid only for hours worked during a period when the employee is using unpaid leave under the Family and Medical Leave Act (FMLA).

Improper deductions

If an employee classified as exempt believes that an improper deduction has been taken from his/ her pay, the employee should immediately report the deduction to the Human Resources Department. The report will be promptly investigated and if it is found that an improper deduction has been made, the City will reimburse the employee for the improper deduction.

Benefits-Related Deductions

Changes in authorized benefits-related deductions may be made through the Human Resources Department and must be requested in writing. Employees are responsible for carefully reviewing their paycheck stubs to ensure that the proper deductions are being made for the benefits they have selected.

CHANGES IN PERSONAL INFORMATION

Employees are responsible for informing the Human Resources Department of any changes in personal status such as:

- A. Contact and location information change;
- B. Emergency contact change;
- C. Beneficiary change;
- D. Error; and
- E. Change in marital status, number of children, and other information needed for benefits purposes.

The City is not responsible for any loss of benefits or other harm incurred by an employee due to his/her failure to report such changes.


PAY ADVANCES

The City will not make personal loans or payroll advances to employees.

ADMINISTRATIVE PAY CORRECTIONS

The City takes reasonable steps to ensure that employees receive the correct amount of pay in each paycheck, and that employees are paid promptly on the scheduled payday.

In the event that there is an error in a paycheck, the employee should promptly bring the discrepancy to the attention of the Human Resources Department so that adjustments in pay and/or deductions can be corrected as quickly as possible. In the event of an overpayment, the Payroll Department will work with the employee to determine a feasible repayment schedule.

	Employee Performance	
	<i>Chapter: 11 – Employee Performance</i>	<i>Section:</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective:</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References: Previous revision 01/11/2011</i>	<i>Forms:</i>

PURPOSE

The purpose of the performance appraisal system is to provide a formal means for communicating information to the employee concerning his/her work related strengths and weaknesses. A performance appraisal will be used as a factor in determining promotions, performance pay increases, and disciplinary actions.

EMPLOYEES SUBJECT TO EVALUATION

Performance evaluations are conducted for all regular full-time employees in the classified service of the City. Performance evaluations are conducted annually for the twelve (12) previous months. The performance evaluation should be completed, reviewed with the employee and signed, and forwarded to the Human Resources Department to be included in the employee’s personnel record.

Probationary employees may be evaluated three (3) months and five (5) months from the start of the probationary period. Performance evaluations may be conducted at any other times that the City deems appropriate.

METHODS OF APPRAISAL

The City does not utilize a single method of performance appraisal. Each department has created an appraisal form based on various classes of jobs.

PERFORMANCE EVALUATION CONDUCTED BY SUPERVISOR

Evaluations are conducted by the immediate supervisor and discussed with the employee. After the evaluation report has been discussed, the employee must sign the report indicating he/she has seen and discussed the evaluation with his/her supervisor. The employee’s signature does not indicate agreement with the rating. If the employee refuses to sign, it will be so noted by the supervisor.

REVIEW BY DEPARTMENT HEAD

The department head should review all evaluations prior to the supervisor’s discussion with the employee. The employee may make any comments upon the evaluation form.



Purpose / Administration of Benefits Program

<i>Chapter: 12 – Employee Benefits</i>	<i>Section: 12.01</i>
<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
<i>References: Previous revision 01/11/2011</i>	<i>Forms:</i>

PURPOSE

The City of Sandy Springs recognizes the value of benefits to employees and their families. The City supports employees by offering a comprehensive and competitive benefits program.

ADMINISTRATION OF BENEFITS PROGRAM

The primary responsibility for the day to day administration of the benefits program shall rest with the Human Resources Department within the limits of these policies and procedures.

The City provides covered employees with Summary Plan Descriptions and other materials relating to its plans. In the event of a conflict, the insurance contract or plan documents will prevail over other documents including the Summary Plan Descriptions and this handbook. Assistance or additional information regarding these programs may be obtained from the Human Resources Department. All benefits are subject to change at the discretion of the City, including termination, and employees may be responsible for paying future increases in premiums or other costs associated with benefits.



Life, Accidental Death and Dismemberment, and Disability Insurance

<i>Chapter: 12 – Employee Benefits</i>	<i>Section: 12.02</i>
<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
<i>References: Previous revision 01/11/2011</i>	<i>Forms:</i>

LIFE INSURANCE AND ACCIDENTAL DEATH AND DISMEMBERMENT (AD&D) INSURANCE

The City of Sandy Springs currently provides life insurance for full-time employees who work a minimum of forty (40) hours per week. Employees are eligible for this benefit on the first of the month following thirty (30) days of service. The life benefit is equal to 4 times (4x) an employee’s annualized base rate to a maximum of \$1,000,000. The cost of this coverage is paid for in full by the City.

In addition, employees may choose to purchase additional, voluntary life insurance for themselves, their spouse and dependent children.

DISABILITY INSURANCE

Short-Term Disability

The City of Sandy Springs currently provides short-term disability for full-time employees working a minimum of forty (40) hours per week. Employees are eligible for this benefit on the first of the month following thirty (30) days of service. Short-term disability is meant to bridge the period of time, currently ninety (90) days, before long-term disability can cover an employee. If an employee becomes disabled and cannot work for a short period of time, this coverage currently pays sixty percent (60%) of the employee’s salary, up to the policy limits. The cost of this coverage is paid for in full by the City.

Short Term Disability does not establish an independent basis for leave of absence. Therefore, an employee who is eligible to receive Short Term Disability due to a qualifying injury or illness and who is off work/absent due to such injury or illness must utilize available leave (i.e., sick leave, vacation leave, FMLA leave and, if approved, leave of absence without pay) during such absence.

Long-Term Disability

The City also currently provides long-term disability benefits for full-time employees working a minimum of forty (40) hours per week. If an employee becomes totally disabled and cannot work for more than ninety (90) days, this coverage currently pays 60 percent (60%) of the employee’s salary, up to the policy limits.

To keep long-term disability premiums post-tax (so that benefits will be paid tax-free), premiums must be paid by the individual. The City currently elects to gross up those payments and pay the taxes withheld. The net effect of “grossing up” is to minimize or eliminate the cost of long-term disability insurance payment for the employee. Eligible employees who receive as a benefit long-term disability agree to their premiums being grossed up.

Long Term Disability does not establish an independent basis for leave of absence. Therefore, an employee who is eligible to receive Long Term Disability due to a qualifying injury or illness and who is off work/absent due to such injury or illness must utilize available leave (i.e., sick leave, vacation leave, FMLA leave and, if approved, leave of absence without pay) during such absence.



Medical, Dental, and Vision Insurance, Health Savings (HSA) and Flexible Spending (FSA) Accounts, and Other Payroll Deduction Programs

<i>Chapter: 12 – Employee Benefits</i>	<i>Section: 12.03</i>
<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
<i>References: Previous revision 01/11/2011</i>	<i>Forms:</i>

MEDICAL, DENTAL, AND VISION INSURANCE

Regular full-time employees are currently eligible to enroll in medical, dental, and vision insurance plans effective the first of the month following employment. Employees shall make a contribution toward the total cost for each benefit.


The City provides health insurance coverage for eligible employees and their dependents in accordance with the terms of the current health insurance plan. Enrolling a person who does not meet the definition of dependent in the plan is considered fraud and may result in dismissal and/or legal action. All employees should familiarize themselves with the health plan definitions. Employees may be asked to prove that a person listed as a dependent actually meets the definition. This may mean providing marriage and birth certificates or other proof. Any questions regarding this definition may be directed to the Human Resources Department.

HEALTH SAVINGS ACCOUNT (HSA) AND FLEXIBLE SPENDING ACCOUNT (FSA)

The City currently offers a Health Savings Account (HSA) for employees participating in the High Deductible Health Plan and Flexible Spending Accounts that allows employees to setup accounts to pay for certain health, dental, vision, and dependent care expenses on a pre-tax basis. Employee contributions for the City-sponsored plans may be paid on a pre-tax basis under this plan.

OTHER PAYROLL DEDUCTION PROGRAMS

The City may offer such programs as it sees fit to its employees through the payroll deduction system. The cost of participating in such programs shall be borne by the individual employee. Examples of programs which may be available include: life insurance, disability insurance, savings plans, retirement plans and dependent care plans.

	Benefits Continuation / COBRA	
	<i>Chapter: 12 – Employee Benefits</i>	<i>Section: 12.04</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References: Previous revision 01/11/2011</i>	<i>Forms:</i>

BENEFITS CONTINUATION/COBRA


The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City’s health plan when a “qualifying event” would normally result in the loss of eligibility. Some common qualifying events are:

- A. Resignation, termination of employment, or death of an employee.
- B. A reduction in an employee’s hours or an unpaid leave of absence.
- C. An employee’s divorce or legal separation.
- D. A dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or qualified beneficiary pays the full cost of coverage at the City’s group rates plus an administrative fee established by the City.

The Human Resources Department provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City’s health insurance plan. The notice contains important information about the employee’s rights and obligations.

Generally, COBRA benefits are limited to a period of eighteen (18) months from the date of the qualifying event.

	Workers' Compensation	
	<i>Chapter: 12 – Employee Benefits</i>	<i>Section: 12.05</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References: Previous revision 01/11/2011</i>	<i>Forms:</i>

WORKERS' COMPENSATION

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


An employee who is eligible to receive workers' compensation benefits due to a job related injury or illness is entitled to sixty-six and two-thirds percent (66 2/3%) of his/her gross wages during such period of eligibility up to the current maximum weekly compensation set by law.

The first seven (7) days following a job related injury or illness are not reimbursable unless the employee is unable to work for more than twenty-one (21) days. If the employee is unable to work for more than twenty-one (21) days, the first seven (7) days are usually paid at the end of the compensable period.

The employee must use accrued sick or vacation leave during the initial seven (7) days of absence to supplement his/her weekly workers' compensation wages to maintain full pay.

If an employee sustains a job-related injury or illness, it is important to notify the supervisor and the Human Resources Department immediately. The supervisor will complete an injury report with input from the employee and submit the form as per the instructions on the First Report of Injury, copying the Human Resources Department. In cases of true medical emergencies, employees should report to the nearest emergency room.

Workers compensation does not establish an independent basis for leave of absence. Therefore, an employee who is eligible to receive workers' compensation benefits due to a job-related injury or illness and who is off work/absent due to such injury or illness must utilize available leave (i.e., sick leave, vacation leave, FMLA leave and, if approved, leave of absence without pay) during such absence.

	Employee Assistance Program (EAP)	
	<i>Chapter: 12 – Employee Benefits</i>	<i>Section: 12.06</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References: Previous revision 01/11/2011</i>	<i>Forms:</i>

EMPLOYEE ASSISTANCE PROGRAM

The Employee Assistance Program (EAP) is a resource designed to provide confidential and experienced help for employees in dealing with issues that affect their lives and the quality of their job performance. The City of Sandy Springs wants employees to be able to maintain a healthy balance of work and family that allows them to enjoy life. The EAP is a confidential counseling and referral service that can help employees successfully deal with life’s challenges.

This free, comprehensive counseling service offers employees and their dependents a predetermined number of visits per issue each year, and a 24-hour hotline answered by professional, certified counselors. The cost of additional services, beyond the specified number of free sessions, is the responsibility of the employee.

The EAP provides confidential short-term intervention, assessment, and referral services for employees. Employees may self-refer to the EAP, or a referral may be made by a supervisor or manager as an information recommendation or as a mandatory requirement.

The City encourages employees to use this valuable service whenever they have such a need. Employees who choose to use these counseling services are assured the information disclosed in their sessions is confidential and not available to the City, nor is the City given any information on who chooses to use the services. For questions or additional information about this program, employees may contact the Human Resources Department or the City’s EAP provider for more information

EAP and Disciplinary Action

Department heads, managers, and supervisors are expected to deal appropriately with employee performance, conduct deficiencies, risk assessment and fitness for duty issues, and to utilize the disciplinary process when necessary and appropriate. Appropriate disciplinary policy and procedure should be applied, if necessary, to encourage acceptable levels of job performance and personal conduct even if the employee is an active participant in EAP. Participation in EAP does not necessarily shield an employee from further disciplinary action up to and including dismissal if unacceptable job performance or personal conduct persists or warrants immediate dismissal. Referral to the EAP shall not be considered a substitute for, nor a formal step in any disciplinary action imposed for commission of an offense or to otherwise address performance or productivity issues.

Procedures

1. *Employee Self-Referral.* Employees who select to use the EAP at their own initiative may contact the EAP directly. An EAP counselor will work with the employee confidentially to assist in identifying the cause of the problem, resolving the problem or, when appropriate, securing other treatment or counseling. The EAP counselor may refer the employee to community resources for the treatment of problems which are beyond the scope of the EAP. No aspect of the referral or treatment is shared with the City of Sandy Springs unless authorized by the employee.
2. *Supervisory Recommendation.* A supervisory recommendation can be made when a member of management becomes aware of patterns of behavior that are out of the norm for a given employee and which may indicate

heightened stress, anxiety, depression, etc., that is beginning to have an impact on performance and/or productivity. It is not the supervisor's job to attempt to diagnose personal problems that the employee may be having; however, a reminder of the availability of the EAP and encouragement to take advantage of the services may be appropriate.

Supervisors are encouraged to consult in advance with the Human Resources Department on appropriate ways to approach the conversation and address the issue with the employee. A supervisory recommendation is an encouragement for the employee to utilize all available means to correct his/her performance, but the final decision to use the services of the EAP remains with the employee. No aspect of the referral or treatment is shared with the City of Sandy Springs unless authorized by the employee.

3. *Supervisory Mandatory Referral.* In extreme cases of deteriorating job performance or unacceptable personal conduct, a referral to the EAP may be a condition of continued employment. A mandatory referral should be made only when the process of progressive, corrective discipline has been used and thus far proven unsuccessful, or unless the presenting problem is of an urgent or emergency nature.

The EAP is a resource for resolving or mitigating the underlying factors which may result in some on-the-job problems; it is not a formal step in the disciplinary process. In the event that an employee's job performance or productivity continues to decline, the full range of discipline remains available. Progressive discipline may always be considered in addition to an EAP referral for an employee with performance or conduct difficulties.

A supervisor considering a mandatory EAP referral must first consult with the Human Resources Director and the City Attorney's office to determine an appropriate course of action up to and including mandatory referral to the EAP. Consultation with the EAP provider may be helpful in making such a determination.

Information on the reason for referral including but not limited to, documented performance and/or behavioral concerns, current and prior disciplinary action(s), and appropriate background information will be provided to the EAP using the proper forms.

The employee will be asked to sign a HIPAA-compliant form authorizing the use or disclosure of personal health information so that the counselor can communicate back to the City whether the employee is in compliance or not in compliance with the terms of the mandatory referral and the subsequent treatment plan outlines for the employee, and whether recommended treatment will interfere with reporting to work. That information is retained by the Human Resources Department in a file separate from the employee's personnel file. Absolutely no private information discussed in the actual counseling sessions will be shared with the City of Sandy Springs unless the employee expressly indicates on the HIPAA release form his/her permission for the counselor (or any staff member) to do so, or unless the employee makes a threat of violence.

The specific reason for the referral shall be conveyed to the employee. The employee must also be informed that refusal to accept the referral and comply with any subsequent recommendations made by the EAP counselor will result in application of disciplinary policies and procedures, up to and including dismissal.

4. *Fitness for Duty / Risk Evaluation.* The fitness-for-duty/risk evaluation is a means to address extraordinary situations where an employee may pose a hazard or risk to self or others in the workplace. It may also be used to determine an employee's physical or psychological fitness to perform his/her essential job functions. The EAP is available to facilitate the evaluation and consult with medical or psychological professionals to determine an appropriate course of action.

This type of referral may be considered when an employee:

- A. Is unable to perform essential duties of the job at an acceptable level; or

- B. Exhibits behavior that is reasonably seen as having the potential to endanger the safety and security of the employee, other persons or property; or
- C. Creates a serious disruption in the workplace; or
- D. Has been directly involved in certain critical workplace incidents that resulted in a death or major traumatic injury.

Consultation with the Human Resources Department and the City Attorney's Office concerning a possible fitness-for-duty evaluation is required; Human Resources may also consult with the EAP provider to discuss options appropriate to the case. No fitness-for-duty evaluation should be conducted unless approved in advance by the department head after consultation with the Human Resources Director and City Attorney's Office.

If the situation is critical, dangerous, or so severe that immediate action is necessary, the supervisor must immediately contact the Human Resources Department and the Police and/or Fire Chief. Where circumstances warrant, and an immediate threat to life or bodily injury is perceived, 911 should immediately be called, with the Human Resources Department advised promptly thereafter or once the threat has been contained by emergency responders.


The employee should be informed of the specific reasons for the required evaluation, expectations for compliance in resolving the concern(s), and the consequences for failure to undergo the evaluation, failure to comply with recommendations or conditions of the evaluation, or failure to make the required improvements in performance or conduct. Disciplinary action up to and including dismissal may be taken for such failures.

In the case of fitness-for-duty / risk evaluation, the cost of the evaluation shall be the responsibility of the City, and the City is considered the client. The evaluative summary is provided to the City. The report shall be retained by the Human Resources Department as part of the employee's medical records file, not as part of the employee's personnel file. The cost associated with treatment recommended as a result of the fitness-for-duty / risk evaluation shall be the employee's responsibility.

Time Off

The City of Sandy Springs considers normally scheduled work hours spent conferring voluntarily with an EAP counselor as personal leave and the time away from work shall be charged against the employee's available leave balance or taken as leave without pay. Should an employee be referred by the EAP for extended treatment beyond the EAP counseling, working hours spent away from work shall also be handled as personal leave.

In the event of a mandatory supervisory referral or a fitness-for-duty / risk evaluation, normally scheduled work hours spent with an EAP counselor for the initial assessment or with the assigned mental health provider for the purpose of completing the fitness-for-duty / risk evaluation shall be considered time worked for payroll purposes and the employee compensated at his/her standard rate of pay. Should an employee be referred by the EAP for extended treatment beyond the initial assessment or evaluation, working hours spent away from work shall be handled as personal leave and shall be charged against the employee's available leave or taken as leave without pay.

	Educational Assistance Program	
	<i>Chapter: 12 – Employee Benefits</i>	<i>Section: 12.07</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revisions 01/11/2011, 07/01/2014</i>	<i>Forms:</i>

POLICY

It is the policy of the City of Sandy Springs to encourage employees to pursue self-development and expand their educational credentials to support their career and performance at the City of Sandy Springs. The City supports a learning environment and the voluntary participation of regular, full-time employees in educational courses outside their regular working hours to further their formal education through accredited colleges and universities. To facilitate these goals, the City currently offers an Educational Assistance Program.

Eligibility

Any full-time City employee (a) who has been employed by the City in a regular, full-time capacity for at least (12) twelve consecutive months prior to the beginning of the course for which educational assistance is sought and (b) who has exhibited satisfactory job performance over that time period may apply to participate in the program. Employees on disciplinary probation are not eligible to participate. Contract, temporary and part-time employees are not eligible to participate in the Educational Assistance Program.

Assistance Amount

Under the current program, an employee who takes an approved course during off-duty hours may be reimbursed one hundred percent (100%) up to a maximum of three thousand dollars (\$3,000) per fiscal year for eligible expenses that meet the reimbursement guidelines.

Expenses in excess of \$3,000 cannot be carried over to a new fiscal year. The City will reimburse an employee’s eligible expenses if he/she obtains an acceptable grade, as defined herein, in a course from an approved educational institution.

Expenses

Eligible expenses are tuition, books, registration, and application fees, lab fees, technology fees and other course related fees. Ineligible or excluded expenses include, but are not limited to, athletic fees, activity fees, health and wellness fees, recreation fees, transportation fees, the cost of supplies, parking, gasoline, student activity cards, and other related fees and items.

Criteria for Approval

Initial approval of a course of study does not obligate the City of Sandy Springs to future or continued approval of courses in that course of study. Approvals are only valid for the course and quarter/semester given. Each new course/additional expense must be applied for separately.

The course(s) for which the employee applies will ordinarily be eligible for approval if:

- A. The City determines the course is related to enhancement of the employee’s ability to perform his/her present job or one to which the City reasonably foresees the employee being assigned or promoted in the future; and
- B. The course is offered by an educational institution that is accredited by one of the six (6) regional accreditors. These regional agencies are recognized by both the United States Department of Education (USDE) and the Council for Higher Education Accreditation (CHEA); and

- C. The course is required to attain the approved degree (remedial courses are not eligible); and
- D. Funds for reimbursement have been approved in the department budget; and
- E. Reimbursement is not being received from any other sources; and
- F. The employee is in good standing, not on probation, and has exhibited acceptable levels of performance.

EDUCATIONAL ASSISTANCE APPROVAL PROCESS

An eligible employee must:

- A. Prior to course registration, complete an Educational Assistance Program Application for Approval Form, and provide a course description or course syllabus, a statement estimating the amount of reimbursement and description and list of all courses for the program of study; and
- B. Submit the completed form and supporting documents to his/her department head or designee, the Human Resources Department, and the Finance Department to obtain written approval; and
- C. Register for courses and pay, up front, for tuition.
- D. Keep all applicable receipts for reimbursement.

Individual courses within a degree program which have been approved are interchangeable on the same Educational Assistance Reimbursement Form provided the cost of the course is the same. Once an Educational Assistance Application for Approval Form has been submitted, Human Resources must be notified of any course substitutions.

In order to qualify for reimbursement, the employee must obtain a grade of "B" or better. In the case of technical programs that do not issue grades, the employee must demonstrate that he/she has received a passing grade in the course.

APPLYING FOR REIMBURSEMENT


After the completion of the approved course, the employee shall submit a completed Education Assistance Reimbursement Request Form to the Human Resources Department within fourteen (14) days after the end of the academic term, with the following attachments:

- A. Receipts showing amounts paid for tuition and other approved, eligible expenses; and
- B. Copy of the grade report. (If the grade report is not available within the fourteen (14) day request period, the employee must still submit the form and receipts to the Human Resources Department within the request period and may then submit the grade report immediately upon receipt.)

Once the completed Education Assistance Reimbursement Form has been approved by the Human Resources Department, reimbursement will be paid on the following payroll.

REPAYMENT AGREEMENT

If an employee voluntarily leaves the City's employment for reasons other than medical disability or is involuntarily terminated for reasons other than by layoff, the employee will be required to repay the City the full amount for any expenses reimbursed under the Educational Assistance Program within the twelve (12) month period preceding the date of separation. The terms and conditions of the of the City's Educational Assistance Program in no way limit the employee's ability to seek other employment.

	Health Insurance Portability and Accountability Act (HIPAA) Medical Privacy Policy	
	<i>Chapter: 12 – Employee Benefits</i>	<i>Section: 12.08</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References: Previous revision 01/11/2011</i>	<i>Forms:</i>

Objective

The City is committed to ensuring the privacy and confidentiality of protected health information (PHI) whenever it is used by or otherwise in the possession of City representatives. The private and confidential use of such information will be the responsibility of all individuals with job duties requiring access to PHI in the course of their jobs.

Protected Health Information Defined

PHI refers to individually identifiable health information received by the City’s group health plans and/or received by a health care provider, health plan or health care clearinghouse that relates to past or present health of an individual or for payment of health care claims. PHI includes, but is not limited to, medical conditions, health status, claims experience, medical histories, physical examinations, genetic information and evidence of disability.

The HIPAA Compliance Officer

The Human Resources Department bears the responsibility of ensuring the City’s compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Any questions or issues regarding HIPAA should be addressed to the Human Resources Department.

The City has designated the Human Resources Director as the City’s HIPAA Privacy Officer (HPO), and any questions regarding PHI should be presented to the HPO for resolution. The HPO is responsible for the development and implementation of PHI confidentiality procedures to ensure that the following employee PHI rights are protected:

- A. The right to request a restriction on specific uses and disclosures of PHI.
- B. The right to request access to his/her health information maintained in the designated record.
- C. The right to request an amendment of his/her health information in the designated record.
- D. The right to request an accounting of disclosures related to the City uses of PHI not authorized by the employee.

Activities Necessitating Use of PHI

Annually or as necessary, the City performs enrollment, changes in enrollment and payroll deductions, provides assistance in claims problem resolution and explanation of benefits issues, assists in coordination of benefits with other providers, and performs other necessary tasks which may require the use or transmission of PHI. Thus, all information related to these processes will be maintained in confidence. Employees will not disclose PHI from these processes except as provided by administrative procedures approved by the HPO. General rules follow:

- A. Disclosures that do not qualify as PHI-protected disclosures include:
 - 1. Disclosure of PHI to the individual to whom the PHI belongs.
 - 2. Requests by providers for treatment and/or payment.
 - 3. Disclosures requested to be made to authorized parties by the individual PHI holder.

4. Disclosures to government agencies for reporting or enforcement purposes.
 5. Disclosures to workers' compensation providers and those authorized by the workers' compensation providers.
- B. Information regarding whether an individual is covered by a plan for claims processing purposes may be disclosed.
 - C. Information external to the health plan is not considered PHI if the information is being furnished for claims processing purposes involving workers' compensation and/or short-term or long-term disability and medical information received to verify ADA or FMLA status.
 - D. The City may without authorization disclose PHI to authorized federal officials for the conduct of lawful intelligence, counter-intelligence, and other national security activities authorized by the National Security Act (50 U.S.C.401, et. Seq.) and implementing authority (e.g. Execution Order 12333)
 - E. The City may without authorization disclose PHI to authorized federal officials for the provision of protective services to the President or other persons authorized by 18 U.S.C. 3056, or to foreign heads of state or other persons authorized by 22 U.S.C. 2709 (a)(3), or for the conduct of investigators authorized by 18 U.S.C. 871 and 879.

The City will not disclose or use PHI of an employee without a signed authorization of the employee. An "Authorization to Disclose Employee Health Information" form can be obtained from the City's Human Resources Department. When an employee wishes to have PHI disclosed to another person or entity the following procedures will be followed:

- A. The employee will complete and sign the authorization form.
- B. The employee will send the authorization form to the HPO.
- C. The HPO will verify with the employee that the authorization form was received and notify the employee appropriately when the information will be sent.
- D. The HPO will initial the authorization form when the requested PHI is sent and return a copy to the employee.

In rare circumstances, as in a medical emergency, when an employee cannot give an authorization form to disclose medical information, the HPO or the Human Resources Department, at their discretion, may disclose PHI to appropriate medical personnel or to an individual designated by the employee in his/her personnel record as an emergency contact person.

The City will grant an employee access to his/her PHI file upon written request submitted to the HPO. The request must include the employee's name, social security number, and the time the employee is available to review the PHI file. The HPO will make arrangements for the employee to review the file in a private, secure location. The HPO will allow the employee to make copies of all or part of the PHI file at the employee's expense.

Upon presentation of proper medical documentation, the HPO will allow the update or correction of information in the employee's PHI file. In the absence of proper medical documentation, the HPO may accept the information supplied by the employee and enter that information in the employee's PHI file without changing the existing information.

If an employee of the City believes that any agent, manager, or other employee has violated the PHI policy and procedure, this violation should be reported to the employee's immediate supervisor or the HPO. The HPO will immediately notify the City Manager and an investigation of the complaint or violation will be conducted in a timely manner. Following completion of the investigation, the HPO will submit a report of findings to the City Manager and include, when appropriate, recommendations for changes in the City's privacy policy, sanctions

applied to individuals found to be in violation if the policy and remediation actions designed to avoid future violations of confidentiality. Upon review of findings and recommendations, the City Manager will issue the necessary directives to the HPO. The HPO will ensure that the directives of the City Manager are implemented and monitored as necessary.


Any incident involving failure of the City employees/consultants to maintain confidentiality of PHI will be carefully reviewed by the HPO. If the allegation is substantiated, the employee/consultant will be subject to corrective action up to and including termination of employment or contract. Furthermore, if any breach of confidentiality of information results in a claim of damages against the City, the City will seek indemnification for damages that are related to an employee's/consultant's negligence.

Confidentiality of complaints and the investigation thereof will be maintained to the greatest extent possible. Information obtained from the complainant will not be discussed with other employees except as necessary to investigate and resolve the complaint.

It is unlawful to retaliate against or harass any individual filing a complaint or who may cooperate in the investigation of a complaint. Any employee who is found to have engaged in retaliation or harassment will be subject to disciplinary action, up to and including termination of employment.

Records Retention

Personnel records and disclosures of PHI will be maintained for a period of six (6) years as required by federal law, unless a state law requires a longer retention period.

	Retirement	
	<i>Chapter: 13 – Retirement</i>	<i>Section:</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 06/15/2019</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References: Previous revision 01/11/2011, 08/14/2017</i>	<i>Forms:</i>

DEFINED CONTRIBUTION PLAN – 401a

The City currently contributes twelve percent (12%) of the employee’s annual earnings to the defined contribution plan. The contribution is made into a 401(a) plan, owned by the employee. The employee shall have the ability to direct the City’s contribution into the investment choices offered by the external defined contribution plan administrator.

Employees are eligible to participate in the defined contribution plan on the first day of the month following three (3) months of service. Contributions made by the employer shall be vested at a rate of 20% per year for the first five years of employment and shall be portable based upon regulations defined in the City’s plan document and guidelines defined by the Internal Revenue Service (IRS).

DEFERRED COMPENSATION – 457b

Employees currently can elect to contribute to a 457(b) plan up to the federally authorized legal contribution limit per calendar year. The City will match the employee’s 457 plan contribution on a percent by percent basis to a maximum of five percent (5%). The City’s match will be made into a 401(a) plan. The employee shall have the ability to direct his/her contribution into the investment choices offered by the external defined contribution plan administrator.

Contributions made by the employee shall be vested immediately upon the employee’s eligibility date for benefits and shall be portable based upon regulations defined in the City’s plan document and guidelines defined by the IRS.

AUTOMATIC ENROLLMENT

To encourage participation in the City’s retirement plans and to help ensure a secure retirement for employees, enrollment in the City’s retirement plans is automatic.

Upon obtaining eligibility to participate, employees will be automatically enrolled in the plans. This will result in five percent (5%) of each biweekly paycheck being deducted and contributed on a pre-tax basis into the 457(b) plan.

The City will provide matching contributions in accordance with plan provisions. Employees may elect to increase, decrease or eliminate employee contributions to the plan.

Employees should be aware that Internal Revenue Service (IRS) limits on annual deferrals apply and that contributions to this plan, when combined with other plans in which the employee may participate, may not exceed one hundred percent (100%) of those IRS limits. Employees may contact the Human Resource Department for information on the current IRS limits and for information about other plans subject to these limitations.

AUTOMATIC DEFERRAL INCREASE

The automatic deferral increase option is designed to increase the amount an employee defers from his/her paycheck on a periodic basis. Small incremental increases of one percent (1%) annually have a limited impact on take home pay, but over time may make a significant difference in savings come retirement.

All eligible employees contributing less than ten (10%) pre-tax will be subject to automatic deferral increase. Each April 15, the employee contribution rate will be automatically increased in one percent (1%) increments up to a maximum deferral rate of ten percent (10%). Employees subject to automatic enrollment will not be subject to automatic deferral increase until the second full plan year after the enrollment occurs. Employees will receive notification of their pending automatic deferral increase approximately thirty (30) days prior to the deferral increase date.

Any employee who does not want his/her deferral automatically increased may opt out of the automatic deferral increase option at any time by submitting a written request to the Human Resources Director.



Computer Use and Social Media

<i>Chapter: 14 – Computer Use and Social Media</i>		<i>Section:</i>
<i>Approved: John McDonough, City Manager</i>		<i>Effective: 08/14/2017</i>
<i>Personnel Affected: All Personnel</i>		<i>Revised:</i>
<i>References: Previous revision 01/11/2011</i>		<i>Forms:</i>

SOCIAL MEDIA POLICY

This policy applies to all City employees without regard to whether their social media or networking activity is conducted in or outside the workplace, while on or off-duty, or anonymously or through the use of pseudonyms. This policy applies to all employees without regard to job title, position or rank; however, with the approval of the City Manager or his/her designee, any department having special or unique concerns pertaining to its employees' social media and networking activity may adopt and implement more restrictive procedures designed to address such concerns.

All employees 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 and networking activity that may be tolerated or even acceptable in the private sector may nevertheless constitute a violation of this policy.

COMPUTER USE POLICY

City of Sandy Springs information technology resources are tools to be used to facilitate the execution of official City business. The use of such resources imposes certain responsibilities and obligations on users and is subject to City policies and applicable state and federal laws. Users of City information technology resources shall refrain from inappropriate use (as defined in Terms and Definitions) of such resources at all times, including breaks or outside of regular business hours. Users are responsible for exercising good judgment regarding the reasonableness of personal use while utilizing City information technology resources so as not to expose the City's resources to cyber-threats and data loss. All users shall sign a User Agreement acknowledging that they have read and understand appropriate information technology resources use policies and standards for behavior.



Drug and Alcohol Policy: Purpose and Scope

<i>Chapter: 15 – Drug and Alcohol Policy</i>	<i>Section: 15.01</i>
<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
<i>References: Previous revisions 01/11/2011, 05/01/2013</i>	<i>Forms:</i>

PURPOSE


The City is committed to providing a safe workplace for its employees, and to establishing programs that promote high standards of employee health, performance, and productivity. The City will not tolerate drugs and alcohol in the workplace. In keeping with the spirit and intent of this commitment, the City has established a drug and alcohol policy (the “Drug and Alcohol Policy”) consistent with the provisions of Title 34, Chapter 9, Article 11 of the Official Code of Georgia Annotated (OCGA § 34-9-414(a)(2)).

SCOPE

This policy explains in detail the steps necessary for pre-employment, post-accident, reasonable suspicion, and random drug testing. All employees of the City are required to review this Drug and Alcohol Policy and to sign the Employee Acknowledgement form which is included in the Appendix of this Employee Handbook pursuant to which he/she acknowledges receipt and reading of the Drug and Alcohol Policy and that he/she understands, accepts and agrees to comply with the provisions of the Drug and Alcohol Policy.

The Drug and Alcohol Policy applies to all City employees while on duty, while on City property or property that the City operates, or while operating City-owned, rented, or leased vehicles, whether on or off City property, or while operating a personal vehicle while conducting City-related business. The City prohibits all unlawful drug use, possession, sales or purchases whether on or off duty. The Chief of Police may grant a waiver to this Drug and Alcohol Policy when warranted (i.e. special investigations).

The use, possession, sale, or purchase of illegal drugs or other controlled substances for which the employee has no valid prescription is strictly prohibited at all times. Reporting for work under the influence of alcohol, illegal drugs, or other controlled substances for which the employee has no valid prescription is strictly prohibited. The City retains complete discretion to take whatever actions are necessary to protect the health and safety of all its employees.

	Drug and Alcohol Policy: Testing and Reporting	
	<i>Chapter: 15 – Drug and Alcohol Policy</i>	<i>Section: 15.02</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revisions 01/11/2011, 05/01/2013</i>	<i>Forms:</i>

APPLICANTS

All job applicants being considered for employment will be tested, except when it may be prohibited by law, for the use of illegal drugs or controlled substances prior to their first day of employment. Pre-employment drug testing will take place only after an offer of employment has been made but before employment actually commences.

Applicants who do not successfully pass pre-employment drug testing are eligible to reapply for employment two (2) years after their initial testing date, providing they submit written proof of successful completion of a state certified substance abuse rehabilitation program.

Any applicant who has successfully completed a pre-employment drug test and is otherwise determined by the City to qualify for employment must be hired and begin work within thirty (30) days. In the event an applicant is unable to begin work and thirty (30) days has lapsed since successfully completing a pre-employment drug test, he/she must be re-tested prior to beginning work with the City. In such occurrences, the City reserves the right to rescind any offers of employment made to the applicant.

POST-ACCIDENT AND SUSPICION-BASED TESTING

A City employee is subject to testing for the use of alcohol, illegal drugs or controlled substances (a) if he/she is involved in an at-fault accident, or (b) if there is reasonable suspicion to believe that such employee is under the influence of drugs and/or alcohol during assigned work hours, while otherwise on duty or in control of City property, whether on or off City property, while operating City-owned or leased vehicles, or while operating a personal vehicle while conducting City-related business. An employee involved in an accident where the employee is not at fault may be tested at the discretion of the supervisor or department head. If required to submit to post-accident testing, the employee must take the test within five (5) hours of the incident as per the vehicle and road safety policy.

The following are examples of circumstances which may support a finding of reasonable suspicion to require testing. This list is not exclusive:

- A. The employee’s involvement in an on-the-job personal injury that may, in the opinion of City management, require medical attention or loss of work time;
- B. Observable symptoms of possible drug or alcohol use by a reliable individual, such as direct observation of drug use, the smell of drugs or alcohol emanating from an employee or his/her personal belongings, or the physical symptoms of drug or alcohol consumption including, but not limited to, slurred speech, the smell of alcohol on a person’s breath, loss of balance, disorientation, bloodshot eyes, and dilated pupils;
- C. One (1) or more reports that an employee has been using drugs or alcohol in the workplace; or
- D. Evidence that an employee tampered with a previous drug test or has submitted a specimen and the temperature measurement indicated possible adulteration or substitution.

Employees ordered to submit to drug testing as a result of an accident or reasonable suspicion are prohibited from transporting themselves to the alcohol/drug testing site. A supervisor or administrative employee will

provide transportation. Upon being ordered to submit to post-accident or suspicion-based testing, the employee will be removed from duty and placed on leave with pay and will be prohibited from operating a City- owned, leased or rented vehicle until the drug test results are returned with a negative result.

SAFETY-SENSITIVE POSITIONS

Employees in all positions designated as safety or security sensitive or holding positions involving drug interdiction, collectively referred to as Safety-Sensitive Positions, shall be required to submit to a drug and alcohol test at random.

Safety-Sensitive Positions are those positions of employment with the City where a lapse of judgment or impaired physical/mental ability in performing any essential job function could reasonably result in a significant threat of harm to the employee, fellow employees, citizens, inmates, or others. Safety-Sensitive Positions include, but are not limited to, those which, as a part of the essential job functions:

- A. Require the performance of law enforcement duties as a POST-certified law enforcement officer;
- B. Require or involve possession of a firearm;
- C. Require or involve providing emergency medical, rescue, or fire suppression services;
- D. Require or involve interacting with incarcerated persons;
- E. Require or involve interacting with persons who are on probation for drug charges;
- F. Directly involve the enforcement of drug laws;
- G. Directly involve access to, the handling of or the testing of illegal drugs that have been seized by, confiscated by or taken into custody by law enforcement;
- H. Require or involve performing duties essential to drug interdiction;
- I. Primarily require or involve maintenance or operation of a City owned or leased motor vehicle, motorized equipment, heavy machinery or heavy equipment;
- J. Require the holding of a commercial driver's license; and
- K. Require or involve performing duties which directly affect public health, safety or security.

To facilitate such testing, a safety-sensitive employees' identifying data is placed in a testing pool from which a random selection is made. The selection is computer generated to ensure the most random distribution possible.

The dates of testing will be unannounced and will be reasonably spread throughout the calendar year. The Human Resources Department will notify the appropriate department head when one (1) or more of its employees have been selected through the random process. The department head or his/her designee will inform the employee(s) individually that they have been selected for testing, and require them to test within five (5) hours of the time they are notified. The employee must take an authorization form, provided by the Human Resources Department, to the testing facility.

Any City employee who fails to report for testing within five (5) hours of notification without reasonable and satisfactory explanation, as determined by the department head, may be terminated.

If a department head is selected to test, the Human Resources Department will contact the City Manager who will then notify the department head that he/she has been selected. Once a department head has been notified that he/she has been selected, he/she is required to test within five (5) hours of the time he/she is notified. The

department head must take an authorization form, provided by the Human Resources Department, to the testing facility.

Employees who are absent from their jobs for any reason when randomly selected to be tested will be advised, upon their return to duty, to report for testing immediately.

If the testing agent or facility notifies the City that an employee has produced a non-negative sample, the employee will be removed from duty and placed on leave with pay pending the receipt of confirmed results. The Human Resources Department will contact the appropriate manager or personnel with the results.

PRESCRIPTION DRUG USE

An employee using any prescribed medication or controlled substance as part of a medical treatment program must immediately report this treatment to the Human Resources Department if the medication may impair job performance. Although the use of medications or controlled substances as part of a prescribed medical treatment program is not grounds for disciplinary action, failure to report the use of such medication will subject employees to disciplinary action, including potential termination. If there is a question regarding an employee's ability to safely perform assigned duties, clearance from a physician may be required.

SELF-REPORTING

Any employee of the City who at any time following the effective date of this policy, is arrested, charged, tried, convicted or incarcerated or who pleads guilty or is subjected to parole/probation terms that involve (a) buying, selling, transporting, manufacturing, cultivating, possessing, or consuming any unlawful drug or controlled substance, or (b) driving under the influence ("DUI") while operating a City-owned, leased, or rented vehicle or while driving a personal vehicle while on City-related business, must promptly disclose such information directly to a manager or supervisor.

TESTING PROCEDURES

The City will pay for the drug test and select a qualified professional to conduct the testing.

All specimen collection and testing will be conducted in accordance with the provisions of OCGA § 34-9-415. Testing for the presence of alcohol will be conducted by analysis of breath, blood, or urine. Testing for illegal drugs or controlled substances will be conducted by analysis of blood or urine to include, without limitation, testing for the presence of:


- A. Amphetamines;
- B. Cannabinoids (marijuana);
- C. Cocaine;
- D. Opiates; and
- E. Phencyclidine (PCP).

If an employee or applicant produces a negative dilute, he/she will be allowed one (1) re-test, upon which he/she must produce a negative result. Any employee or applicant re-testing due to a negative dilute must re-test the next day possible, first thing in the morning, and avoid excess fluids before testing.

If an employee or applicant's drug test is non-negative, the professional conducting the testing will contact the employee or applicant directly to ask a series of questions to determine if he/she is taking any legally prescribed medication that could have contributed to the non-negative result. If the employee or applicant claims he/she does have a valid medical explanation, he/she will be given seventy-two (72) hours to submit the necessary documentation before the results of the test are released to the City's Human Resources Department. If the employee or applicant is able to provide the necessary documentation and it is determined to be valid, the result

will be reversed and reported to the Human Resources Department as a negative result. If the employee or applicant is unable to provide the necessary documentation within seventy-two (72) hours, the result will be released to the Human Resources Department as a positive result.

All information received by the City as a result of any testing procedure is considered confidential, but may be entered into evidence or disclosed in any civil or administrative proceedings when the information is relevant to any issue raised in the proceedings.

	Drug and Alcohol Policy: Disciplinary or Corrective Action	
	<i>Chapter: 15 – Drug and Alcohol Policy</i>	<i>Section: 15.03</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References: Previous revisions 01/11/2011, 05/01/2013</i>	<i>Forms:</i>

DISCIPLINARY OR CORRECTIVE ACTION

In the event that an applicant or employee produces a positive test result or is otherwise determined to have engaged in conduct that violates this policy, the City will take action as it deems appropriate. This may include, but is not limited to, one or more of the following:

- A. Disqualification from consideration for employment with the City;
- B. Mandatory referral to EAP or substance abuse program approved by the City;
- C. Suspension; or
- D. Termination.

Public safety employees producing positive results on drug tests for which there is no valid prescription and/or alcohol will be referred to the Chief of the appropriate public safety department with a recommendation for termination.

An employee or applicant will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process in such a way that interferes with the testing procedure in any significant way.

SEARCHES

The City provides offices and other workspace, desks, file cabinets, vehicles, and various other items for the use of its employees in the performance of the their jobs. Although assigned or otherwise made available to the employee, these items belong to, or are leased by, the City and, for purposes of this policy, are regarded as the property of the City. As such, employees have no expectation of privacy with respect to these items. The City reserves the right to open, search, and inspect any item of any kind on City property including, but not limited to, City-owned or leased vehicles or equipment, desks, lockers, file cabinets, offices, and other areas that are a part of an individual’s workspace, at any time and with or without notice to or the consent of the employee.

The City also reserves the right to conduct searches on any other City property in possession of or assigned to an employee when, in the City’s view, there is a reasonable basis to suspect that the employee is engaging or has engaged in conduct prohibited by this policy.

Refusal to submit to or cooperate with such a search may result in immediate discipline up to and including discharge.

RESPONSIBILITY


Every employee of the City is responsible for complying with this Drug and Alcohol Policy and the related procedures.

ASSISTANCE

The City recognizes that alcoholism and drug addiction are treatable illnesses. The City also realizes that early intervention and support improve the success of rehabilitation. To support its employees, the City's Drug and Alcohol Policy:

- A. Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- B. Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- C. Ensures the availability of a current list of qualified community professionals.

Treatment for alcoholism or other drug use disorders may be covered by employee benefit plans; however, the ultimate financial responsibility for recommended treatment belongs to the employee.

	Travel and Subsistence	
	<i>Chapter: 16 – Travel and Subsistence</i>	<i>Section:</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/14/2017</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revisions 01/11/2011, 09/01/2014</i>	<i>Forms:</i> <i>Request from Finance Department</i>

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

APPROPRIATION

In conjunction with the annual budget process, the City Council shall authorize department appropriations for travel and meal expenses consistent with the annual adopted operating budgets. Departments shall not incur travel expenditures unless an appropriation is available or budget amendment has been completed.

EXPENDITURE APPROVAL

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

SETTLEMENT OF DISPUTED REIMBURSEMENT CLAIMS

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

TRAVEL EXPENSES

The City shall reimburse/pay expenses incurred by elected officials and employees for travel relating to official business of the City. Official business shall be deemed that which has been approved prior to the expenditure being incurred on a City travel authorization form. Travel authorization forms are required for any travel exceeding fifty (50) miles from the employee’s place of work.

The City Manager, Assistant City Manager, department heads and management of the City shall be allowed to conduct official City business while on travel. The submission of expenses related to such official business will be required in order to receive reimbursement. Such items may include expenses associated with meetings or business meals outside of the scope of the purpose of travel.

Lodging

Hotel/motel charges shall qualify for reimbursement when they exceed a fifty (50) mile radius from the employee’s place of work. All traveling personnel shall minimize the expense associated with hotel/motel costs by procuring a government rate for qualified stays. Lodging expense shall be benchmarked against the U.S.

General Services Administration (GSA) approved per-diem rate of reimbursement. When the GSA rate is exceeded by twenty percent (20%) or more, additional justification shall be required from the traveler, which may include conference agendas or other proof of a negotiated room rate. When traveling in the State of Georgia, all travelers must use the hotel/motel tax-exempt status form. Sales and occupancy taxes charged for lodging within the State of Georgia do not qualify as eligible reimbursable travel expenses under this policy. Per diem rates can be found at <http://www.gsa.gov/portal/category/100120>.

Hotel accommodations for travel less than a fifty (50) mile radius from the City must be approved by the employee's department head. Elected officials, the City Manager, Assistant City Manager, department heads, and management of the City shall be allowed hotel accommodations for travel less than a fifty (50) mile radius from the City, based upon meeting schedules and attendance needs.

Transportation

Approved modes of transportation include vehicle, air, rail, taxi, or public transportation. The method selected by the traveler shall be subject to the most economically feasible, taking into consideration the value of time. If a City vehicle is available, it should be used in lieu of a personal vehicle. The City will not reimburse for the use of a personal vehicle within ten (10) miles of an employee's official headquarters and/or residence. Any expenses related to the use of the vehicle such as parking fees, tolls, etc. will be reimbursable as long as receipts are provided.

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

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

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

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

D. *Taxi/Shuttle.* Expenses associated with local transportation will be deemed eligible expenses as long as receipts are provided with point to point explanations for this mode of transportation. Such documentation should accompany receipts.

Meals/Incidentals

Expenses associated with meals (breakfast, lunch and dinner) and incidentals (snacks, tips, miscellaneous) shall be administered on a per diem basis by the City. Per diem amounts will be derived from the U.S. General Services Administration (GSA), which can be found at their website: <http://www.gsa.gov/portal/category/100120>. When an employee does not have a City P-Card, per diem will be advanced to the employee prior to travel via a travel P-card. Receipts will be required on incidental or meal expenses. Any overages of meal expenses will be the responsibility of the employee, while any savings will be retained by the City on the travel P-card as of the travel date expiration.

Alcoholic beverages are not allowed as reimbursable expenses, and will not be reimbursed pursuant to the City's personnel policies. Expenses incurred for meals when travel has not included overnight stay shall be reimbursed as provided below.

Program/Seminar/Conference Fees

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

Telephone/Long Distance

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

Laundry/Dry Cleaning

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

Dependents/Spouses

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

On-the-Job Injuries

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

NON-TRAVEL MEALS


Expenses related to the furnishing of meals, snacks, or food should be limited to the following circumstances:

- A. A meeting hosted by the City Council, City Manager, or Assistant City Manager;
- B. A meeting during regularly scheduled business hours required by law or authorized by a department head which is anticipated to last more than four (4) hours and which, is scheduled through normal meal times;
- C. A business meal in order to discuss a specific item of City business; and
- D. A meal that is an integral part of a scheduled meeting at which the individual is required to attend.

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

SUBMISSION OF EXPENSES

All expenses relating to travel shall be submitted to the Finance Department no later than ten (10) days after return from the trip or receipt of monthly Travel Expense Statement. In the case where direct reimbursement of travel is necessary, expenses will be reimbursed based on approved Travel Authorization Forms with appropriate supporting documentation, including required receipts. Itemized receipts are required to be submitted in support of a request for reimbursement of expenditures or as support to an Travel Expense Statement. If there is not an itemized receipt for a particular expenditure, a Purchase Card Missing Receipt Form must be completed as to why the receipt is unavailable, including a description itemizing and confirming the expenses. All travel related receipts, submitted for support or reimbursement, should indicate either the name of the traveling employee, the department, or the City. In the event that an individual submits an expense statement or reimbursement without an itemized receipt more than twice in a calendar year, the individual will be responsible for those expenses directly.

	Safety Procedures	
	<i>Chapter: 17 – Safety Procedures</i>	<i>Section: 17.01</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective:</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised: 08/27/2018</i>
	<i>References: Previous revisions: 08/14/2017</i>	<i>Forms:</i>

The City is committed to maintain a safe work environment. Employees are expected to cooperate by working in a safe manner and encouraging others to work in a safe manner to prevent accidents. Employees have an obligation to report immediately any unsafe conditions that might result in an accident or safety hazard. All such reports should be given to the employee’s supervisor who in turn will notify the Director of Human Resources and Risk Management.

ACTIVE SHOOTER SAFETY

The City places the highest priority on the preservation of the lives of our employees and customers. If an active shooter event should occur, our employees shall use the Avoid | Deny | Defend™ model.

If it is safe for them to do so, employees should exit the facility immediately to AVOID the shooters.

If employees are unable to safely exit the facility, they should lock themselves in their current location and barricade the door to DENY the shooters' access.

In the event that employees are unable to utilize the AVOID and DENY strategies successfully, they should DEFEND themselves using whatever means are available.

Regardless of the options utilized, employees shall call emergency services (911) as soon as it is safe to do so.

SMOKING AND TOBACCO USE


The City is committed to providing a safe and healthy environment for our staff and customers. In accordance with the Georgia Smokefree Air Act of 2005, smoking and the use of other tobacco products, such as chewing tobacco or eCigarettes, are prohibited in all City buildings, vehicles, and other City facilities.

Smoking is not permitted on City premises in:

- A. Areas through which employees are required to enter a City building or facility.
- B. Areas where an air ventilation system would cause air to be re-circulated through or infiltrate parts of the building.
- C. Any enclosed areas such as elevators, hallways, restrooms, lobbies, stairways, conference and meeting rooms, private offices, employee lounges, common work areas, classrooms, and breakrooms.

Ashtrays and other extinguishment receptacles are not permitted inside City buildings, in major thoroughfares, or at/near the entrance or intake system of a City building or in any area(s) positioned with “NO SMOKING” signage.

Employees may smoke or use other tobacco products ONLY during official work breaks; “smoke breaks” are not authorized. Employees who smoke or use other tobacco products during their official work breaks must avoid such activity in prohibited areas.

	Vehicle and Road Safety Policy	
	<i>Chapter: 17 – Safety Procedures</i>	<i>Section: 17.02</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/27/2018</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i> <i>Previous revisions: 01/11/2011, 09/20/2016, 08/14/2017</i>	<i>Forms:</i> <i>Vehicle and Road Safety Policy Acknowledgment form (see Appendix)</i>

PURPOSE

The City of Sandy Springs is committed to promoting road safety and responsible driving by all of its employees and contractors operating City vehicles (“Staff”). To ensure that this commitment is carried through, the City has adopted a Vehicle and Road Safety Policy that requires all Staff who operate City owned, or leased/rented vehicles to do so in a lawful and safe manner. The aforementioned vehicles will be used strictly during the performance of work for the business of the City and will by no means be considered available for personal use.

All City employees, will receive and review the City’s Vehicle and Road Safety Policy. It is the employee’s responsibility to read through this document and understand the safety policies and procedures that are in place. New employees will be asked to return a signed acknowledgement form stating they have read the document in its entirety and will comply with all policies and procedures.

POLICY

Vehicles owned, titled to, leased or otherwise controlled by the City (“City Vehicles”) are authorized for use in the performance of all approved travel and essential duties for which transportation is required. Use is not authorized for unofficial travel duties or tasks, the transport of unauthorized persons or items, or the performance of tasks outside the rated capabilities of the vehicle.

Since the City has the sole discretion in determining who may operate City Vehicles, the City has the right to review any appropriate documents including driving records and proof of a valid driver’s license.

BACKGROUND CHECKS

To ensure that any Staff who drives a City Vehicle in the course of his or her job duties maintains a valid driver's license (see Driver Responsibility), the City will check both criminal and motor vehicle records (“MVR”) of all applicants prior to making offers of employment, and all current staff at least once each year. As part of the hiring process, applicants are required to sign a written consent form allowing the City to check their criminal and MVRs at any time prior to or during employment. All Staff must have a valid driver’s license. If a Staff member’s license is misplaced or revoked, his or her supervisor shall be notified immediately.

REPORTING OF TRAFFIC INCIDENTS

Any Staff who drives a City Vehicle as any part of his or her job with the City shall report to his or her supervisor any citations, DUI violations, or accidents (“Incidents”) received at any time after he or she becomes employed/contracted with the City, including Incidents occurring while on or off duty and/or in personal vehicles. Failure to report such Incidents within forty-eight (48) hours of occurrence (i.e., accident or receipt of citation, not conviction on the charges) may result in discipline up to and including immediate discharge.

AUTHORIZED USE OF CITY VEHICLES

City Vehicles may be utilized for the following authorized purposes:

- A. For City business;
- B. When on official travel status between place of business and place of temporary lodging;

- C. When on official travel status and not within reasonable walking distance, between place of business or place of temporary lodging and:
 - a. Places to obtain meals, and
 - b. Places to obtain medical assistance, including a drugstore;
- D. To transport officers, officials, Staff, clients or guests of the City;
- E. To transport consultants, contractors, or commercial firm representatives when in the direct interest of the City of Sandy Springs;
- F. To transport materials, supplies, equipment, parcels, baggage or other items belonging to or serving the interest of the City;
- G. To transport any person or item in an emergency situation;
- H. To commute between place of performance of official business and personal residence when specifically authorized by provisions stipulated herein.
- I. "Take home" City Vehicles are allowed only by explicit approval of the City Manager or his designee, provided that the individual's place of residence is within a twenty (20) mile radius of the City limits. Persons serving in an on-call capacity are allowed to drive City Vehicles to their place of residence if it is outside of the twenty (20) mile radius, with prior approval from the City Manager. During times of emergency, the City Manager may approve additional City Vehicles for use in a "take home" capacity.
- J. If a Staff member assigned a "take home" vehicle is on sick, annual, personal, administrative leave, or any combination thereof, in excess of five (5) working days, the immediate supervisor will ensure that the assigned City Vehicle is placed in a secure environment on the premises of the City. The immediate supervisor will ensure that the vehicle's keys are readily available for City use.
- K. "De minimis" personal use such as lunch or an occasional stop for a personal errand on the way between a business location and the Staff member's home that would extend the normal commute by an amount insufficient to constitute an additional unapproved trip or travel; and
- L. Other circumstances not anticipated herein where the City Manager or his designee so authorizes in writing.

UNAUTHORIZED USE

All use of a City Vehicle other than as described above is considered unauthorized use.

DEPARTMENT POOL ASSIGNMENT

City Vehicles not assigned to a specific person/position are designated as pool assignment vehicles ("Pool Vehicles"). Pool Vehicles are to be utilized by department personnel as directed by the Department Director or designee. Pool Vehicles may be used by personnel for out of town travel within the State of Georgia on City business, or as eight (8) hour assignment vehicles on a temporary basis (less than a week). Pool Vehicles must be reserved for use by notifying the Fleet Services Manager, City Clerk or designee. Individuals driving Pool Vehicles shall complete the required vehicle log, including miles driven and destination.

FUEL CARDS

Each City Vehicle will be assigned a fleet fuel card and each Operator will be assigned a unique, 4-digit PIN for fueling. Fuel cards shall only be used for the vehicle to which an Operator is assigned and shall not be removed from the vehicle except for conducting transactions. Only fuel may be purchased on the fuel card and Operators shall make all reasonable efforts to fuel at service stations with reasonable fuel costs. Unless otherwise indicated or directed, only 87 octane gasoline shall be utilized. Vehicle operators shall enter accurate odometer readings when prompted to at the fuel pump. If a fuel card is missing or lost, the Operator shall immediately notify his or her supervisor, who shall notify the City Clerk and Fleet Manager to deactivate and replace the card.

Please refer to the City of Sandy Springs' City Fleet Vehicle Use and Maintenance guide for specific information regarding current, approved vendors and where to fuel assigned vehicles.

NO IDLING

The purpose of this provision is to establish guidelines to eliminate the unnecessary idling of City Vehicles as part of an ongoing effort to reduce fuel consumption and reduce the City's environmental footprint. This will clarify City policy to reduce fuel consumption and describe departmental relationships, responsibilities and participation in the NO Idling section of this policy.

- A. Appropriate use of City Vehicles includes the following:
 - a. City Vehicles shall not be parked with the engine operating for more than thirty (30) seconds, unless it is essential to the performance of work.
 - b. Initial "warm up" idling shall be minimized. If a City Vehicle's windows are clear, driving shall be started no more than thirty (30) seconds from the start of idling.
 - c. Initial "warm up" for diesel vehicles shall be limited to 3-5 minutes, or as otherwise recommended by the vehicle's manufacturer. If a City Vehicle will be stopped for more than thirty (30) seconds, except as required while operating the vehicle in routine traffic, the engine shall be turned off, as idling for more than ten (10) seconds uses more fuel than it takes to restart the vehicle.

- B. Exceptions: Due to the diverse nature of the City's vehicle fleet, exceptions are needed to this No Idling provision. Consequently, the provisions of the policy do not apply to:
 - a. Emergency vehicles, such as Public Safety or Public Works vehicles, while engaged in emergency operational activities.
 - b. Vehicles that are required to idle in order to power ancillary equipment mounted on the vehicle without risking damage to the battery.
 - c. Public Works vehicles performing emergency operations, but only when such vehicles must be operating for the warning devices or emergency systems to function.
 - d. Vehicles equipped with temperature sensitive equipment.
 - e. The primary propulsion engine of a motor vehicle providing a power source necessary for mechanical operation of equipment required for job performance.
 - f. Vehicles forced to remain motionless because of traffic conditions over which the Operator has no control.
 - g. The primary engine of a motor vehicle being operated for maintenance or diagnostic purposes.
 - h. The primary engine of a motor vehicle when necessary to operate defrosters, heaters, air conditioners or even other equipment to prevent a safety or health emergency, but not solely for the comfort of the driver or passengers.
 - i. The City's Public Safety departments shall follow their respective no idling policies.

DRIVER RESPONSIBILITY

All drivers who operate vehicles owned by, titled to or otherwise controlled by the City are responsible for the proper care, use and safety of those City vehicles. Drivers must adhere to the following minimum responsibilities:

- A. Possess and maintain a valid state-issued driver's license approved for the class appropriate for the vehicle being operated.
- B. Practice safe driving by observing all public safety laws and driving courteously.
- C. Wear seatbelts (drivers and passengers) at all times.
- D. Ensure that vehicles are used for authorized purposes only.
- E. Adhere to vehicle operation control procedures.
- F. Ensure that vehicles are maintained within manufacturer's safe operation standards. (Please refer to the City of Sandy Springs' City Fleet Vehicle Use and Maintenance guide for preventative maintenance vendor information.)
- G. Use City approved facilities for fuel, oil and related services (regular unleaded fuel and/or propane only).

- H. When fueling dual fuel vehicles, complete the mileage log located in the vehicle (the goal is to operate these vehicles on propane almost all of the time).
- I. Report to the fleet services manager and the immediate supervisor any accidents, damages or breakdown of vehicle equipment immediately.
- J. Follow established accident reporting procedures.
- K. Shall not use a cell phone, smart phone or other electronic device while the vehicle is in motion, except with a hands free device. Except when,
 - a. Reporting a traffic crash, medical emergency, fire, criminal activity or hazardous road conditions.
 - b. An employee or contractor of a utility service provider acting within the scope of their employment while responding to a utility emergency.
 - c. A first responder (law enforcement, fire, EMS) during the performance of their official duties.
 - d. When in a lawfully parked vehicle—this DOES NOT include vehicles stopped for traffic signals and stop signs on the public roadway.
- L. Refrain from transporting excessive loads of unsecured luggage, equipment, or other moveable items.
- M. Accept legal responsibility for violations and fines resulting from actions of the driver.
- N. Pay for parking of City vehicles in situations where reserved spaces are not provided. Violators are personally responsible for tickets and other fines resulting from illegal parking or storage of vehicles, and any other reason for being ticketed.
- O. Ensure that the vehicle is clean and presentable at all times.
- P. Keep track of all vehicle keys and remote access devices. If keys or remote access devices are lost, personnel will be charged for the cost of their replacement.
- Q. Intoxicated or otherwise impaired individuals may not operate City vehicles.
- R. Smoking or drinking alcoholic beverages is explicitly prohibited in City vehicles.

ACCIDENT REPORTING PROCEDURE


Should the driver of a vehicle covered by this policy be involved in a collision, regardless of fault, the operator shall immediately contact 911 so a police officer and, if needed, medical aid can be dispatched. The operator should contact his/her supervisor and/or the department head. The department head or his/her designee will notify the fleet services manager of the collision. The driver involved in the collision *shall not admit fault* to the investigating officer.

- A. Obtain case card and case number from responding officer.
- B. All City vehicles that have been rendered non-drivable from a collision will be towed, using the current, approved vendor.
- C. It will be the responsibility of the person assigned the vehicle or the department head (or designee) to obtain a damage estimate from the current, approved vendor. The estimate should be forwarded to the fleet services manager.
- D. Drivers will make themselves available for statements in the event insurance companies need additional information.
- E. All drivers involved in a preventable accident are required to take a drug test within five (5) hours of the incident.
 - a. Driver will be transported to the drug test by a supervisor or their designee.
 - b. Driver may not operate a City-owned, leased or rented vehicle until the drug test results are returned with a negative result.
- F. Any driver involved in a preventable accident, may face disciplinary action. See Preventable Accident Disciplinary Action Guidelines for recommended action.

A preventable vehicle accident is defined as an unintentional vehicle collision occurring between one or more vehicles, a fixture or fixed object, which results in identifiable damage or injury and is the direct result of a driving infraction or violation of traffic law. Weather related incidents may not be held against the driver if the vehicle was being operated with reasonable care and caution.

PREVENTABLE ACCIDENT DISCIPLINARY ACTION RECOMMENDATION GUIDELINE

OFFENSE:	<u>ACTION RECOMMENDED</u>
First Accident within Two (2) Years	Written Warning and Deductible payment of up to \$300
Second Accident within Two (2) Years	One (1) Day Suspension, Deductible payment of up to \$300 and loss of take home car for up to one (1) month.
Third Accident within Two (2) Years	Three (3) Day Suspension, Deductible payment of up to \$500 and loss of take home car for up to three (3) months.
Fourth Accident within Two (2) Years to Five (5) years	Up to termination of employment.
Failure to report an accident	Minimum One (1) Day Suspension.

	Fleet GPS Policy	
	<i>Chapter: 17 – Safety Procedures</i>	<i>Section: 17.03</i>
	<i>Approved: John McDonough, City Manager</i>	<i>Effective: 08/27/2018</i>
	<i>Personnel Affected: All Personnel</i>	<i>Revised:</i>
	<i>References:</i>	<i>Forms:</i>

POLICY

It is the policy of the City to promote employee safety and the productive and efficient delivery of public services, to ensure compliance with federal and state laws, local ordinances and City policies, to preserve City assets by ensuring their proper utilization, and to reduce waste of City resources.

PURPOSE

- A. In accordance with the Statement of Policy, the City, in its discretion, may install, activate, and utilize GPS-based automatic vehicle location systems (“**GPS Equipment**”) on vehicles owned, leased, or otherwise used by the City (“**City Vehicles**”). In the case of contractor and subcontractor owned vehicles utilized in the service of contracts with the City, the written permission of the vehicle’s owner will be obtained prior to the installation, activation, or utilization of such GPS Equipment.
- B. GPS Equipment generates and records valuable fleet management data regarding use, location, and service requirements of GPS equipped City Vehicles, providing supervisory and fleet management personnel with access to information such as vehicle trouble codes, mileage, current or past locations, and routes. Such information can be used to improve operational efficiency and productivity, as well as for other legitimate governmental and business purposes including, but not limited to, coordinating multi-vehicle assignments, locating vehicles under emergency circumstances, and assisting in the recovery of lost or stolen vehicles.
- C. GPS Equipment can be used for personnel management purposes as well, such as monitoring current or past locations, idling times, stops, speeds, hard braking or rapid acceleration of GPS equipped City Vehicles. Such information can be used to determine compliance with federal and state laws, local ordinances, City policies or departmental rules, to investigate complaints, to confirm completion of assignments, to identify and correct performance deficiencies, or to address driving habits causing unnecessary wear and tear on vehicles.
- D. To the full extent of applicable law, the City reserves the right to use GPS Equipment for such purposes, subject to the terms and conditions of this policy.

NO EXPECTATION OF PRIVACY

- A. Employees, contractors, and others who drive or otherwise use City Vehicles have no right of privacy with respect to their use of such vehicles, including their current or past locations, routes, idling times, stops, rates of acceleration, speeds, or other legitimate fleet and/or personnel management information while using such vehicles, and therefore should have no expectation of such privacy. On or before the effective date of this policy, as a mandatory prerequisite to driving or otherwise using a City Vehicle, all City employees, contractors, and others who drive or otherwise use City Vehicles shall sign acknowledgments that they have received and read this policy, that they fully understand its terms and conditions, and that they have no expectation of privacy with respect to their use of any City Vehicle (including, but not limited to, the information the GPS Equipment makes available to supervisory and fleet management personnel).
- B. Fleet management personnel will take reasonable steps to ensure that all GPS equipped City Vehicles include signage, visible from the position of the vehicle’s driver, setting forth the following notice: “This vehicle is subject to GPS monitoring. There is no right of privacy in the use of this vehicle.” Notwithstanding the foregoing, the absence of any such notice shall not create any privacy rights in the use of City Vehicles, prohibit the otherwise appropriate use of GPS Equipment by supervisory or fleet management personnel, or preclude

the imposition of otherwise appropriate corrective and/or disciplinary action based on information obtained through the use of GPS Equipment.

ACCESS TO GPS INFORMATION

- A. Information transmitted from GPS Equipment is updated continuously, and notifications are filtered by the department to which the City Vehicle is assigned. Each department director whose department is assigned a GPS equipped City Vehicle shall designate a representative to receive all GPS notifications sent to that department (“Departmental Representative”).
- B. Each Departmental Representative, as well as any director, manager, supervisor, or other City employee with authorized access to information transmitted from GPS Equipment, will sign a written acknowledgment of this policy to be maintained by the Fleet Services Manager. This acknowledgment will include a statement to the effect that this policy strictly prohibits (1) the disclosure of information transmitted from GPS Equipment to any unauthorized individual and (2) the use of such information for any reason inconsistent with the letter and intent of this policy. No such employee may access such information without first having complied with this requirement.
- C. The GPS Equipment will provide notification to the Departmental Representative when a City Vehicle is in need of repair or maintenance. A text notification will also be sent to the assigned driver of the City Vehicle according to the City’s records (“Assigned Driver”), at the phone number on file with the City.
- D. It is the responsibility of the Assigned Driver to notify the Departmental Representative of any change in contact information.
- E. It is the responsibility of the Assigned Driver to complete all maintenance and service to the City Vehicle on a regular basis and in a timely manner. All other maintenance or service issues related to a City Vehicle must be reported to the Fleet Services Manager by the Assigned Driver within two business days of discovering same. Notwithstanding the foregoing, any Assigned Driver who is employed by a contractor and is assigned to operate a vehicle owned by said contractor may report such maintenance and service issues in accordance with his/her employer’s policies and procedures.

PROHIBITED ACTS

It shall constitute a violation of this policy for any City employee, contractor, or other individual who drives or otherwise uses City Vehicles either to commit or to assist, conceal, or otherwise purposefully facilitate the commission of any of the following acts:

- A. Any unauthorized attempt to damage, remove, replace, disable, disconnect, turn off, unplug, disarm, override, or otherwise tamper with GPS Equipment or to block, impede, interfere with, disrupt, delay, jam, or otherwise affect the device’s ability to transmit complete, accurate, and timely data is prohibited. This includes, but is not limited to, the use of any GPS jammer, signal blocker, disrupter or other such device, software, or application, as well as any effort to shield the GPS Equipment and/or City Vehicle to accomplish a similar result.
- B. Any removal, defacing, concealing, or altering of the GPS Equipment notice inside a City Vehicle is prohibited.
- C. Any access to information generated by GPS Equipment by an unauthorized employee, including a Departmental Representative or other employee who has not signed an acknowledgment as provided above is prohibited.
- D. Any personal or otherwise unauthorized use of information generated by GPS Equipment is prohibited.
- E. Any operation or other use of a City Vehicle by any employee who has not signed an acknowledgment as provided above is prohibited.

Any City employee found to have committed a prohibited act or other violation of this policy will be subject to corrective or disciplinary action, up to and including discharge. Any prohibited act or other violation of this policy committed by an employee of a contractor will be reported to said contractor.

RESERVATION OF RIGHT TO AMEND

This policy is subject to modification or revocation at any time, for any reason, with or without notice. It has been adopted for administrative purposes only and is not intended and shall not be interpreted or applied (a) as creating any contractual right, any constitutionally-protected property or liberty interest, any expectation of privacy, or any other legally enforceable right, entitlement, or interest; (b) as imposing a heightened standard or duty of care on the City or any City official, officer, director, manager, supervisor, or employee; (c) as constituting a law, rule, or regulation within the meaning of Title 45, Chapter 1 of the Georgia Code, or, except as expressly provided above, (d) as materially altering any aspect of the legal relationship between the City and its employees or between the City and its contractors.



APPENDIX

Forms:

1. Discrimination/Harassment/Retaliation Incident Report (Chapter 2)
2. Dual Employment Request (Chapter 4)
3. Employee Leave Request Form (Chapter 6)
4. Insurance Premium Recovery Authorization (Chapter 6)
5. Request for Donated Leave (Chapter 6)
6. Request to Donate Leave (Chapter 6)
7. Disciplinary Action Recommendation (Chapter 8)
8. First Report of Injury (Chapter 12)
9. Authorization to Disclose Employee Health Information (Chapter 12)
10. Educational Assistance Application for Approval (Chapter 12)
11. Educational assistance reimbursement (Chapter 12)
12. Drug and Alcohol Policy Acknowledgement (Chapter 15)
13. City's Vehicle and Road Safety Policy Acknowledgement (Chapter 17)



SANDY SPRINGS
GEORGIA

**DISCRIMINATION · HARASSMENT · RETALIATION
INCIDENT REPORT**

The City is committed to a workplace free of discrimination, harassment, and retaliation. Any employee, contractor, or applicant who has reason to believe that he/she has been subjected to conduct in violation of the City’s anti-harassment, anti-discrimination, and/or anti-retaliation policies may make a complaint verbally or in writing. The City encourages all such individuals to report any such conduct as soon as possible. Use of this form for that purpose is preferred but not mandatory.

Name: _____ **Date of report:** _____
Department: _____ **Job title:** _____
Phone: _____ **Email:** _____

Status of Complainant: Employee Contractor Applicant Other

If “Other” Please Explain: _____

Type of Complaint: Discrimination Harassment Retaliation Other (explain below)

If “Other” Please Explain: _____

Basis of Complaint:

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race or Color	National Origin	Religion	Sex or Pregnancy	Sexual Orientation	Gender Identity
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Age	Disability	Genetic Information	Political Affiliation	Military/Vet Status	Other

If “Other” Please Explain: _____

Name of individual(s) engaging in alleged discrimination or harassment:

Name: _____	Department: _____	Title: _____
Name: _____	Department: _____	Title: _____
Name: _____	Department: _____	Title: _____
Name: _____	Department: _____	Title: _____

Status of individual(s) engaging in the alleged discrimination or harassment:

Employee Contractor Customer Other

If “Other” Please Explain: _____

Relationship of individual(s) engaging in alleged discrimination or harassment:

Coworker Supervisor Management Other

If “Other” Please Explain: _____

Describe the specific incident(s), including date(s), time(s) and location(s) if possible. Attach additional sheets if necessary.

Name: _____ **Date:** _____
Location: _____ **Time:** _____
Incident(s): _____

Has anyone witnessed the alleged behavior? No Yes (If yes, please list names and contact information.)

Name: _____	Contact Information: _____
Name: _____	Contact information: _____
Name: _____	Contact information: _____

How would you like to see the situation resolved? _____

Additional comments:

I hereby certify that the information is true and correct to the best of my knowledge.

Signed: _____ Dated: _____



INSURANCE PREMIUM RECOVERY AUTHORIZATION FORM

I certify by my signature that I have read and understand the following:

I acknowledge the City of Sandy Spring's legal right to recover the cost of any premium paid by it to maintain my coverage in group health benefits during any period of unpaid leave under the following conditions:

-) I fail to return from leave at the expiration of the leave to which I am entitled; and
-) The reason I fail to return to work is not one of the following:
 - o The continuation, recurrence, or onset of a serious health condition that entitles me to leave to care for a child, parent or spouse with a serious health condition, or if I am unable to perform the functions of my position due to my own serious health condition; or
 - o Other conditions beyond my control prevent me from returning.

Printed Name _____ Department _____

Signature _____ Date _____



Request for Donated Leave

Today's Date: _____

Employee Name: _____ Job Title _____

Full-time employee? Yes No

Date of Hire _____

Supervisor: _____

What are the circumstances surrounding the request for donated leave?

Please provide documentation.

Confidentiality Release: I authorize City Management to have access and to review this request for the purpose of administrative review. I acknowledge that all reasonable attempts to maintain confidentiality of the information I have provided will be exercised. However, if as a result of this request otherwise confidential information on my personal situation is disclosed to other employees, I hereby release and absolve the City of Sandy Springs from any and all liability

Employee Signature: _____ Date: _____
(If the employee is unable to make application, the employee's supervisor may do so on behalf of the employee.)

Department Head Review and Recommendation:

I have reviewed this request for donated leave and recommend this request for the City Manager's approval.

Signature: _____ Date: _____

City Manager:

Approved

Denied

Signature: _____ Date: _____

Approved requests for donated leave are valid for ninety (90) days from date of approval by the City Manager. Requests may be renewed by submitting a new Request for Donated Leave form up to three (3) additional times for a total of four (4) ninety (90) day periods.



Request to Donate Leave

Date: _____

Donating Employee Name: _____

How much time do you want to donate/transfer? Note: Donated leave hours will be deducted from your current leave balance(s) to equal your donations.

Vacation Hours _____
 Holiday Hours _____
 Sick Time Hours* _____

*(Up to 80 hours of sick time may be donated. Donating employee must maintain a sick leave accrual balance of at least 80 hours after the transfer is applied.)

Recipient Employee Name: _____

Donating Employee Signature: _____

Human Resources:

Donating Employee:				Recipient Employee:			
HOURS:	Starting balance:	Donation:	Adjusted balance:	HOURS:	Starting balance:	Donation:	Adjusted balance:
Vacation				Vacation			
Holiday				Holiday			
Sick				Sick			

Processed by: _____ Date: _____

Approved requests for donated leave are valid for ninety (90) days from date of approval by the City Manager. Requests may be renewed by submitting a new Request for Donated Leave form up to three (3) additional times for a total of four (4) ninety (90) day periods.



Authorization to Disclose Employee Health Information

I, _____, hereby authorize the release, use, or disclosure of my health information as follows:
Employee

This authorization pertains to the following type of medical information about me:

(e.g., results of fitness-for-duty examination, drug test results for employment purposes, provider's evaluation or notes supporting request for accommodation and/or FMLA leave, etc.)

I hereby authorize: _____

To release the above. described information to _____

Name of individual (s) and/or organizations(s) receiving the information

I understand that this Authorization will permit the above-named parties to use or disclose the identified medical information for employment-related purposes beyond treatment, payment or healthcare operations as provided by the Health Insurance Portability & Accountability Act of 1996 (HIPAA).

I understand that I may revoke this Authorization at any time by providing written notification to:

Employer's human resources director or appointed privacy official

The revocation will be effective on the date it has been received and processed by the above-named recipient. I understand that the revocation does not apply to actions taken in reliance upon this Authorization prior to the effective date of revocation.

This Authorization shall remain in effect during my employment with The City of Sandy Springs and for a period of six months thereafter.

I understand that the information used or disclosed pursuant to this Authorization may be subject to re-disclosure by the named recipient, and may no longer be protected by HIPAA's privacy rules after the authorized disclosure.

Employee's Printed Name: _____ Date: _____

Employee's Signature: _____ Date: _____

Employee's Personal Representative (if applicable)

Signature of Employee's Representative: _____

Employer Information (Employer to fill out)

Company Name: The City of Sandy Springs

Recipient of Authorization (print name): _____

Title: _____ Date Received: _____

Check here to indicate that a copy of signed Authorization was given to Employee.



Educational Assistance Program Application for Approval

Employee Information

Employee: _____ Department: _____
 Last 4 of SS#: _____ Hire Date: _____
 Current Job Title: _____ Request Date: _____

Degree/Class Approval Request

Degree Sought: _____ School: _____
 Undergraduate Degree Graduate Degree

Benefit to the Employee and City: _____

Specific Course: _____
 Term Begins: _____ Term Ends: _____

Cost Estimate

Tuition \$: _____ Misc. \$: _____ Total \$: _____
 Will any part of the cost be covered by another source (e.g., scholarship, GI Benefits...)? If yes, state amount: \$ _____

In consideration of eligibility for reimbursement of tuition and other approved expenses associated with my employment with City of Sandy Springs, I hereby agree to the terms of this Educational Assistance Agreement. Pursuant to the terms of, I agree to repay the City of Sandy Springs the full amount for any expense reimbursed under the Educational Assistance program within the 12 month period preceding the date of my separation if I voluntarily terminate my employment for reasons other than medical disability or are involuntarily terminated for reasons other than job elimination. I request and agree that any amount owed by me to City of Sandy Springs as a result of this Agreement will be deducted and offset against any payments, including but not limited to payments for wages, bonuses, expenses, or vacation pay, otherwise owed to me upon my termination of employment, to the extent permitted by law. I further agree that if these deductions are insufficient to reimburse the City of Sandy Springs for the full balance due, I will be obligated to pay the remaining balance on my last date of employment with the City of Sandy Springs. I understand the Agreement is legally binding on me. I acknowledge and understand that the terms and conditions of the City's educational assistance program in no way limit my ability to seek other employment or alter my at-will employment status with the City in any way. I have carefully reviewed the contents of this Agreement and, with a full and complete understanding of its terms, voluntarily accept all of its terms and conditions. I have been given a full and fair opportunity to discuss this matter with my attorney or advisor of my choice.

Employee: _____ Date: _____

Approvals

DEPARTMENT APPROVAL:

- Yes NO 1. As of the beginning date of the class, indicated above, this employee will have completed 12 months of consecutive service.
 - Yes NO 2. This course is relevant to the employee's current job or one to which the employee may reasonably be promoted in the future.
 - Yes NO 3. The employee exhibits acceptable performance and is NOT on disciplinary probation.
- Approved Denied

Dept. Head/Designee: _____ Date: _____

HR APPROVAL:

- Yes NO 1. I have verified that the school, indicated above, is appropriately accredited?
- Yes NO 2. The requesting employee is eligible for \$ _____ * in Education Assistance this fiscal year. (*This amount reflects any EA benefits used this fiscal year.)

Human Resources: _____ Date: _____

FINANCE APPROVAL:

Approved Denied

Finance Director: _____ Date: _____

City of Sandy Springs Educational Assistance Program Instructions

EDUCATIONAL ASSISTANCE PROGRAM APPROVAL PROCESS

An eligible employee must:

- A. Prior to course registration, complete an Educational Assistance Program Application for Approval Form, and provide a course description or course syllabus, a statement estimating the amount of reimbursement and description and list of all courses for the program of study; and
- B. Submit the completed form and supporting documents to his/her department head or designee, the Human Resources Department, and the Finance Department to obtain written approval; and
- C. Register for courses and pay, up front, for tuition.
- D. Keep all applicable receipts for reimbursement.

Individual courses within a degree program which have been approved are interchangeable on the same Educational Assistance Reimbursement Form provided the cost of the course is the same. Once an Educational Assistance Application for Approval Form has been submitted, Human Resources must be notified of any course substitutions.

In order to qualify for reimbursement, the employee must obtain a grade of "B" or better. In the case of technical programs that do not issue grades, the employee must demonstrate that he/she has received a passing grade in the course.

APPLYING FOR REIMBURSEMENT

After the completion of the approved course, the employee shall submit a completed Educational Assistance Program Reimbursement Request Form to the Human Resources Department within fourteen (14) days after the end of the academic term, with the following attachments:

- A. Receipts showing amounts paid for tuition and other approved, eligible expenses; and
- B. Copy of the grade report. (If the grade report is not available within the fourteen (14) day request period, the employee must still submit the form and receipts to the Human Resources Department within the request period and may then submit the grade report immediately upon receipt.)

Once the completed Education Assistance Reimbursement Form has been approved by the Human Resources Department, reimbursement will be paid on the following payroll.

REPAYMENT AGREEMENT

If an employee voluntarily leaves the City's employment for reasons other than medical disability or is involuntarily terminated for reasons other than by layoff, the employee will be required to repay the City the full amount for any expenses reimbursed under the Educational Assistance Program within the twelve (12) month period preceding the date of separation. The terms and conditions of the of the City's Educational Assistance Program in no way limit the employee's ability to seek other employment.

ALL FORMS MUST BE SUBMITTED TO THE HUMAN RESOURCES DEPARTMENT FOR PROCESSING



Educational Assistance Program Reimbursement Request Form

Employee Information

Employee: _____ Department: _____
 Last 4 of SS#: _____ Hire Date: _____
 Current Job Title: _____ Request Date: _____

Reimbursement Request

Degree Sought: _____ School: _____
 Undergraduate Degree Graduate Degree
 Specific Course: _____
 Term Begin: _____ Term End: _____
 Final Grade (attach grade report): _____

Actual Costs (attach itemized receipts)

Tuition \$: _____ Misc. \$: _____ Total \$: _____

Was any part of the cost covered by another source (e.g., scholarship, GI Benefits...)? If yes, state amount: \$ _____

In consideration of eligibility for reimbursement of tuition and other approved expenses associated with my employment with City of Sandy Springs, I hereby agree to the terms of this Education Assistance Agreement. Pursuant to the terms of, I agree to repay the City of Sandy Springs the full amount for any expense reimbursed under the Educational Assistance program within the 12 month period preceding the date of my separation if I voluntarily terminate my employment for reasons other than medical disability or are involuntarily terminated for reasons other than job elimination. I request and agree that any amount owed by me to City of Sandy Springs as a result of this Agreement will be deducted and offset against any payments, including but not limited to payments for wages, bonuses, expenses, or vacation pay, otherwise owed to me upon my termination of employment, to the extent permitted by law. I further agree that if these deductions are insufficient to reimburse the City of Sandy Springs for the full balance due, I will be obligated to pay the remaining balance on my last date of employment with the City of Sandy Springs. I understand the Agreement is legally binding on me. I acknowledge and understand that the terms and conditions of the City's educational assistance program in no way limit my ability to seek other employment or alter my at-will employment status with the City in any way. I have carefully reviewed the contents of this Agreement and, with a full and complete understanding of its terms, voluntarily accept all of its terms and conditions. I have been given a full and fair opportunity to discuss this matter with my attorney or advisor of my choice.

Employee: _____ Date: _____

Approval and Processing

HR APPROVAL:

Receipts attached? Yes NO Grade report attached? Yes NO

The requesting employee is eligible for \$ _____* in Education Assistance this fiscal year.
 (*This amount reflects any EA benefits used this fiscal year.)

Approved: Reimbursement Amount: _____

Denied: Reason for denial: _____

Human Resources: _____ Date: _____

PAYROLL:

AMOUNT REIMBURSED: _____ Date: _____

PROCESSED BY: _____

City of Sandy Springs Educational Assistance Program Instructions

EDUCATIONAL ASSISTANCE PROGRAM APPROVAL PROCESS

An eligible employee must:

- A. Prior to course registration, complete an Educational Assistance Program Application for Approval Form, and provide a course description or course syllabus, a statement estimating the amount of reimbursement and description and list of all courses for the program of study; and
- B. Submit the completed form and supporting documents to his/her department head or designee, the Human Resources Department, and the Finance Department to obtain written approval; and
- C. Register for courses and pay, up front, for tuition.
- D. Keep all applicable receipts for reimbursement.

Individual courses within a degree program which have been approved are interchangeable on the same Educational Assistance Reimbursement Form provided the cost of the course is the same. Once an Educational Assistance Application for Approval Form has been submitted, Human Resources must be notified of any course substitutions.

In order to qualify for reimbursement, the employee must obtain a grade of "B" or better. In the case of technical programs that do not issue grades, the employee must demonstrate that he/she has received a passing grade in the course.

APPLYING FOR REIMBURSEMENT

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**CITY OF SANDY SPRINGS
DRUG AND ALCOHOL POLICY
EMPLOYEE ACKNOWLEDGEMENT**

The City of Sandy Springs is committed to providing a safe workplace for its employees, and to establishing programs that promote high standards of employee health, performance, and productivity. The City will not tolerate drugs and alcohol in the workplace. In keeping with the spirit and intent of this commitment, the City has established a drug and alcohol policy (the "Drug and Alcohol Policy").

Please review the Policy and complete the acknowledgement below.

I, _____ (Print Full Name), have received and read the City of Sandy Springs Drug and Alcohol Policy, outlining the intent and expectations of the City with respect to the use of illegal drugs, alcohol, and controlled substances.

By my signature below I acknowledge, understand, accept, and agree to comply with the provisions of the Drug and Alcohol Policy. If at any time I have questions or concerns related to the Drug and Alcohol Policy, I understand that it is my responsibility to contact my direct supervisor or the Human Resources Department.

I understand that the Policy does not constitute a contract for employment and should not be deemed as such.

Acknowledged:

Employee Signature

Date

CONSENT AND AUTHORIZATION FOR ALCOHOL/DRUG TESTING

Due to the health and safety risks of alcohol and drug abuse, all applicants being considered for employment by the City of Sandy Springs (the "City") will be tested for use of illegal drugs and controlled substances as part of the selection process. I understand that, as a condition of employment, the City's Drug & Alcohol Policy requires drug urine tests of applicants selected for employment and employees for the purpose of evaluating mental and physical suitability for employment and to ensure the compliance with the City's Drug & Alcohol Policy. A negative test result indicating that an applicant is free of drugs will not guarantee employment. Any applicant not willing to comply with this requirement may simply excuse themselves prior to completing this form.

I hereby give my permission for the City's third party alcohol and drug testing administrators and agents to obtain a urine, blood and/or breath specimen from me now. I further give my permission for the City to take an alcohol or drug test any time during my employment, including post-accident situations when an additional consent may be impractical or unobtainable. I also understand that this is not a diagnostic examination designed to detect hidden or latent diseases, but is instead for the purpose of predicting job performance effectiveness, regulatory compliance and possible safety risks to the City, and to me, which might arise as a result of such employment.

I understand that a positive test result will disqualify me from consideration for employment, or at a later time may result in denial of workers' compensation claims or may even result in my termination from employment. I fully understand and accept the condition that any false answers or willful omissions made by me will be sufficient grounds for my discharge, irrespective of when the false answers or omissions are discovered.

I understand that all drug testing will be conducted at a Department of Human and Health Services ("DHHS") certified laboratory or alcohol tests will be obtained by a trained Breath Alcohol Technician ("BAT") using Evidentiary Breath Testing equipment approved by the National Highway Traffic Safety Administration ("NHTSA"). I authorize the release of my test results to the City's Human Resources Department.

I hereby release and agree to hold harmless the City of Sandy Springs, its officers, managers, supervisors, and agents from any and all liability arising out of the obtaining of the specimen of my urine, blood, and/or breath, the administration of the tests to the specimens, and the reporting of the results of the tests in accord with the City's policy and procedures.

Employee/Applicant (Print)

Date of Birth

Signature of Employee/Applicant

____/____/_____
Date

Witness Signature

____/____/_____
Date



Vehicle and Road Safety Policy and Fleet GPS Policy Acknowledgement

***This Policy will be reviewed on an ongoing basis to ensure it reflects current business requirements and incorporates all relevant Health and Safety legislation.
The City reserves the right to make any such changes as required.***

I have read and understand the City of Sandy Springs Vehicle and Road Safety Policy and Fleet GPS Policy and agree to the terms and conditions as set forth therein. I accept responsibility for ensuring that I abide by all terms and conditions, rules and regulations. I will comply with all policies and procedures.

Driver's Signature: _____ **Date:** _____
Name (printed): _____ Department: _____

Driver's License #: _____ State: _____ Exp. Date: _____
(Attach a copy of driver's license)

Fuel System PIN (4 digits): _____

Assigned a take-home vehicle? No Yes*
Are you subject to being on-call? No Yes*

Driver's Home Address: _____
City, State: _____ Zip Code: _____

****"Take home" vehicles are allowed only by explicit approval of the City Manager or his designee, provided that the individual's place of residence is within a twenty (20) mile radius of the City limits. Persons serving in an on-call capacity are allowed to drive City Vehicles to their place of residence if it is outside of the twenty (20) mile radius, with prior approval from the City Manager.***

If take home location is greater than twenty (20) miles, the Department Head shall provide justification below for City Manager's approval.

Department Head: _____ **Date:** _____

City Manager's approval: _____ **Date:** _____