

**DOOLY COUNTY
GEORGIA**

**PERSONNEL
POLICIES
&
PROCEDURES
MANUAL**

(08/04/2016)

**DOOLY COUNTY
BOARD OF COMMISSIONERS
PERSONNEL POLICY MANUAL**

WHEREAS the Board of Commissioners of Dooly County wish to comply with various laws applicable to public employers in the employment relationship; and

WHEREAS the Board of Commissioners of Dooly County desire to provide the employees of Dooly County with a uniform format for dealing with various employment related issues; and

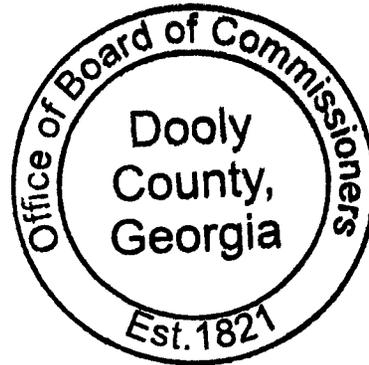
WHEREAS the Board of Commissioners of Dooly County wishes to adequately communicate to employees the policies and procedures of the County:

THEREFORE, BE IT RESOLVED that the Dooly County Board of Commissioners approve and adopt the DOOLY COUNTY PERSONNEL POLICY MANUAL.

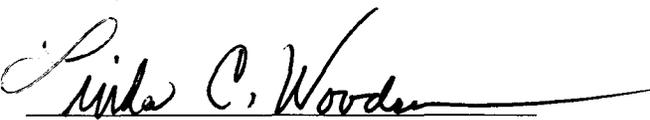
ADOPTED this 4th day of August, 2016.

DOOLY COUNTY, GEORGIA

BY: 
Terrell Hudson, Chairman



ATTEST:


Linda C. Woodson, Clerk

(SEAL)

First Reading: 07/21/2016

Second Reading: 08/04/2016

Adopted: 08/04/2016

DISCLOSURE

Dooly County's Personnel Policy Manual has been prepared to provide written guidelines the County believes essential to achieving a successful working relationship with County Employees which in turn benefits the entire County community. This manual accordingly provides a working general description of the County's main personnel programs, policies, and procedures in effect as of the date of publication.

All employees shall review and acknowledge the content of this disclosure. Copies of the disclosure and manual shall be maintained in a location(s) in each department where they will be readily accessible for reference by all employees. The County Administrator will maintain the official master set of the disclosure and manual.

A DECISION OF THE GEORGIA SUPREME COURT REQUIRES DOOLY COUNTY GOVERNMENT TO INFORM ITS EMPLOYEES IN A CONSPICUOUS MANNER THAT THEY ARE EMPLOYED "AT WILL."

Dooly County is an "At-Will-Employer" pursuant to the Georgia Employer-At-Will law [Official Code of Georgia Annotated O.C.G.A. 1994]. While it is the County's goal to provide County employees with beneficial programs, policies and procedures, all such matters are dependent on economic and governance considerations and may be changed from time to time by the County at its discretion. Since the Manual is advisory in nature, it creates no contractual obligations on the part of the employees (including managers and supervisors) or the County, and does not in any way alter the at-will relationship. Employment with the County is at the will of the County, and either the County as employer or the employee may at any time terminate the employment relationship with or without cause. No statement (written or oral) by any employee or agent of the County contrary to this paragraph shall have any force or effect. Disciplinary procedures and terms and conditions of employment may be changed by the County whether these are stated in the manual or established by practice.

DOOLY COUNTY PERSONNEL POLICY MANUAL
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Section 1. Introduction

A. Purpose: The purpose of these personnel policies, rules, and general procedures is to provide the fundamental features for an effective system of personnel administration for Dooly County, Georgia.

B. Administration: The County Administrator or his/her designee is responsible for administering these policies.

C. Employees Covered

1. These personnel policies and procedures apply to all employees of the Dooly County Commissioners unless specifically excluded by these policies and procedures or by other county ordinance.
2. These personnel policies and procedures apply to all applicants for positions under the jurisdiction of the Dooly County Commissioners unless specifically excluded by these policies and procedures or by other county ordinance.
3. These personnel policies and procedures do not apply to applicants to positions under the jurisdiction of county elected officials or to employees of county elected officials (i.e., Clerk of Superior Court, Coroner, Probate Judge, Sheriff, and Tax Commissioner). However, this exclusion does not exempt elected officials from fair employment practices that may be mandated by state or federal laws. Nothing in these personnel policies and procedures should be construed as allowing employees of county elected officials to attain a property interest in their positions. Elected officials may opt to include their employees under the coverage of these personnel policies and procedures in a manner consistent with the *Official Code of Georgia Annotated* 36-1-21(b).

D. Responsibilities: Employees of Dooly County are representatives of the general government to the citizens and should strive to be honest, efficient, dependable, and treat the public with courtesy and a positive, helpful attitude.

Section 2. Definitions

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

County Administrator - The county administrator is the county's chief executive officer and reports to the county's elected governing Board (Board of Commissioners). All department heads report to the county administrator. The county administrator briefs the board on pertinent issues and makes sure the board's decisions are enacted.

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

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

Classification and Pay Plan - The system of assigning jobs to classes and to appropriate pay grades based on the similarities of positions, when adopted by the governing authority.

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

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

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

Director - A person within the organization that leads or supervises a group of employees.

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

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

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

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

Gross Misconduct - theft, embezzlement, violation of company policy, misrepresentations and non-work related violence affecting the workplace.

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

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

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

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

Probationary Employee - An employee serving the first six months of his or her appointment, promotion, re-employment, or reinstatement to any position in the classified service. A probationary employee is not a regular employee until completion of a six month probationary period. A full-time or part-time employee may be placed on probationary status as part of a disciplinary action, not to exceed six (6) months.

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

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

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

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

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

Supervisor- a person who has been given the power to exercise “tangible employment actions such as hiring, firing, promotion or the failure to promote, etc. against the employee.

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

Section 3. FLSA Wage-Hour Policy

A. Purpose: To establish the Government’s policy regarding the administration of the Fair Labor Standards Act as amended, and to emphasize the necessity for rigid compliance with the Act’s provisions.

B. Departments Affected: All Departments

C. Procedures/Rules:

1. A federal law, the Fair Labor Standards Act of 1938, as amended is a major basis for this policy. This law establishes “standards” for minimum wages, maximum hours, overtime pay, and child labor. This policy also refers to the law as “the Act” and as “FLSA.”
2. The Government is covered by FLSA, as amended. Accordingly, the Government is responsible to the Wage and Hour Division, U.S. Labor Department, for compliance with the Act.
3. Any failure to comply with FLSA subjects the Government, the Elected Officials, and the Administrators involved to serious legal consequences and to significant monetary liability. Thus, the Government must hold employees at every level responsible for compliance, and if it occurs, for non-compliance.
4. This policy is designed to facilitate rigid compliance with FLSA. Except as explicitly provided, no one has the authority to make exceptions to the policy. No one has the authority to promote or to enter into any arrangement or agreement, which denies any Government employees his/her rights under the Act or under this policy.

5. This policy is applied in each case without regard to any employee's race, color, religion, sex, age, national origin, ancestry, citizenship status, marital status, veteran status, disability, and/or genetic information.

Section 4. Position Classification and Pay Plan

RESERVED

Section 5. Rate of Pay

RESERVED

Section 6. Applications and Examinations

A. Announcement of Vacant Positions. Except as otherwise provided below, all vacancies in the classified service shall be publicized by posting announcements in the office of the Human Resources Manager and on the official bulletin board or in other county locations. The announcements shall specify the titles and salary ranges of the vacant positions, qualification requirements, manner of making application and other pertinent information, and shall specify the date, time, and place of examinations (if required) for the positions.

B. Application Forms. All applicants for positions of Dooly County shall submit an application with the Human Resources Manager on forms provided by the Human Resources Manager. All applicants shall provide proof of citizenship as required by federal law. Such forms shall require information concerning training, experience, and other pertinent information, and shall be signed by the applicant. No person shall be employed by the county unless and until such person has made application with the Human Resources Manager.

C. Employment Requirements. All positions in the classified service shall be open only to persons who meet such requirements as are listed on the public announcement of the examination. Such requirements may include but are not limited to the following factors: experience, education and training.

D. Receipt and Duration of Applications. Applications from all persons desiring employment with the county shall be accepted during regular business hours and placed on file for six months. Applicants must complete a new application for each announced position vacancy.

E. Rejection of Applications. The Human Resources Manager may reject an application which indicates that the applicant is deficient in any or all of the requirements as specified in the public announcement of the vacancy. An applicant may also be rejected for fraud or deception in the completion of the application, or if his or her past record of employment is determined to be unsatisfactory by the Human Resources Manager.

F. Promotional Appointments. Promotional appointments shall be open to all employees who meet the training and experience requirements included in the position description or who have an equivalent combination of experience and training which provides the required knowledge, skills and abilities.

Section 7. Appointments

A. Initial Appointments. All employees of the county shall be appointed by the County Commission upon the recommendation of the appropriate department head and the Human Resources Manager.

B. Types of Appointments. When initially hired, persons employed by the County Commission shall be given one of the following types of appointment by the Human Resources Manager.

1. **Probationary.** A probationary appointment is an appointment to a position in the classified service. An employee serving a probationary period may be discharged or returned to his or her previous position at the discretion of the department head and shall not have the right to utilize the grievance and appeal procedure set forth in this policy.
2. **Provisional.** A provisional appointment may be made only after applications for the position have been taken and no qualified applicant has been found.
 - a. When there is need to fill a vacancy and no qualified applicant is available, a provisional appointment may be made.
 - b. No provisional appointment shall be continued for more than three (3) months from the date of appointment, unless, due to extenuating circumstances, an extension is approved by the County Administrator.
 - c. An employee may not attain "regular employee" status while serving on provisional appointment.
3. **Temporary.** Temporary appointments may be made to fill positions which are authorized and established for a specified period of time, when the work of a department requires the services of one or more employees on a seasonal or intermittent basis, or in cases of emergency. Temporary appointments shall not exceed 120 calendar days; however, extensions to such appointments may be granted by the County Administrator. Temporary employees may work less than 40 hours per week and are not eligible for benefits.
4. **Regular Appointments.** A classified employee given an initial probationary appointment shall be given a regular appointment upon completion of the probationary period.
5. **Part-time.** A classified employee may also work less than the normal work week of 40 hours.

Section 8. Probationary Period

A. Objective. The probationary period shall be six (6) months for all Dooly County employees and no employee shall have a property interest in his or her position during the probationary period. During an employee's probationary period, the employee may be released or returned to his or her previous position without notice.

B. Duration. The probationary period shall be six (6) month in duration.

C. Promotional Appointments. The probationary period shall be used in connection with promotional appointments in the same manner as it is used for initial appointments. If a person is removed during the probationary period following a promotion, such person shall be entitled to general reemployment rights in his or her former class.

D. Interruption of Probationary Period. If an employee is laid off during a probationary period and such person is subsequently reappointed in the same department, he or she may be given credit for the portion of the probationary period completed before the lay-off.

E. Demotion During Probationary Period. A department head may demote an employee during the probationary period. A written report of such demotion must be filed with the Human Resources Manager within three days after the effective date of the demotion.

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

Section 9. Promotions and Transfers

A. Policy. It shall be the policy of the county to fill vacancies in the classified service, as far as practicable, by promotion.

B. Political or Partisan Endorsement Prohibited. Promotions to positions in the classified service shall be based upon merit and fitness for promotion only. No consideration shall be given to political or partisan endorsement.

C. Pay Grade After Transfer. An employee who is transferred shall continue at the same rate of pay unless otherwise provided.

Section 10. Employee Performance Evaluation

RESERVED

Section 11. Separations

A. Types of Separation from the Classified Service. Separations and/or terminations from positions shall be designated as one of the following:

1. Resignation
2. Abandonment of job
3. Lay-off or reduction in force
4. Inability to perform the essential functions of the position even with reasonable accommodation
5. Loss of a job requirement necessary to perform the essential functions of the position
6. Dismissal or discharge
7. Retirement
8. Death

B. Resignation. An employee shall submit to the department head written notice of resignation at least 14 days in advance of the date of resignation. Immediately upon receipt of such notice of resignation, the department head shall forward the same to the Human Resources Manager. Failure to comply with this rule shall be entered on the service record of the employee. The Department head shall in his or her sole discretion accept such resignation on an immediate basis or allow the employee to leave employment in less than 14 days as may be prudent on a case by case basis.

C. Abandonment of Job. An employee not on authorized leave of absence who fails to report for work for three (3) consecutive days may be terminated from the service of the county for job abandonment in accordance with Section 12.C.4.

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

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

E. Inability to Perform. If an employee suffers from a physical or mental disability which prevents him or her from performing the essential functions of the position, even with reasonable accommodation, the employee is subject to termination for inability to perform the job. The employee will cooperate with the employer to determine the limitations imposed by the disability and to design accommodation for the essential functions of the job. Termination due to an inability to perform essential functions shall be subject to an appeal pursuant to Section 13, Grievance and Appeal Procedure.

F. Loss of Job Requirements. Any employee who is unable to perform the essential functions of his or her job adequately because of loss of a necessary license or other necessary requirement shall be separated by lay-off from employment in that position until such license or requirement is re-obtained. The license or requirement should be reacquired within a reasonable length of time or the employee will be dismissed.

G. Dismissals. Dismissals shall constitute discharges or separations for just cause, and shall be governed by the provisions of Section 12 of these policies and procedures as hereinafter set forth.

H. Retirement. The retirement of an employee shall consist of the voluntary separation of an employee who has met the requirements of age and length of service under the laws governing any applicable pension fund of which such employee may be a member.

I. Death. Separation shall be effective as of the date of the death of the employee. All compensation, including annual leave pay, due to such employee, as of the effective date of separation, shall be paid to the beneficiary of the employee, the surviving spouse of such employee, or to the estate of such employee, as may be determined by law or by the applicable executed documents in the personnel folder of such employee.

J. Pre-Termination Hearing. The pre-termination hearing procedures outlined in Section 12.C.4 apply to abandonment of job, inability to perform the essential functions of the position, loss of a job requirement necessary to perform the essential functions of the position, and dismissal or discharge as defined in this section of these policies and procedures.

Section 12. Disciplinary Actions

A. Intent. Effective supervision and good employee relations should reduce to a minimum those instances necessitating disciplinary action. The establishment of rules and regulations and the imposition of disciplinary action for a violation thereof are not intended to restrict the rights of any employee, but are for the purpose of insuring the rights of all and for securing cooperation and orderliness throughout the classified service. The severity of the disciplinary action imposed should be related to the gravity of the offense, the employee's record of disciplinary action, and the disciplinary action imposed in similar cases. Any disciplinary action imposed shall be for just cause. Gross Misconduct may result in any level of discipline up to and including immediate dismissal at the Department Heads discretion. The county will not allow discrimination against any employee because of race, color, religion, sex, age, national origin, disability, or political affiliation.

B. Conduct Subject to Disciplinary Action. The following actions shall constitute just cause for disciplinary action but the imposition of disciplinary action shall not be limited to the offenses set forth:

1. The conviction of a felony, or of a misdemeanor involving moral turpitude.
2. Failure to work at an acceptable level of competence as determined by the Department Head, Elected Official, or Supervisor. (May include excessive tardiness, lost time or inefficiency.)
3. Inexcusable absence without leave, or failure to report after the expiration of a leave of absence.
4. Falsification or destruction of official records or documents or use of official position for personal benefit, profit or advantage, or for another.
5. Abuse of leave.
6. Insubordination or uncooperative attitude, tending to lower discipline and morale.
7. Acts during duty hours which are incompatible with the public service.
8. Theft, abuse or misuse of County property or vehicles; violation of traffic laws while driving County vehicles/equipment; failure to report damage or destruction of County property to supervisor; loaning property or equipment without permission or proper authority.
9. County Equipment shall not be used for personal use.
10. The loss of a job requirement, such as the loss of a necessary license, which prevents the adequate performance of the essential functions of the position.
11. The willful making of false statements to supervisors, officials, the public, boards, commissions, or agencies.
12. The violation of county ordinances, administrative regulations, departmental rules, or Personnel Ordinance
13. Engaging in substance abuse as defined in the Drug- Free Workplace Policy, set forth in Section 24 of these Policies and Procedures.
14. The discovery of a false statement in an application which had not been detected previously.
15. Acceptance of gratuities in conflict with state law or county ordinance.
16. Political activity in conflict with Section 20 of these Policies and Procedures.
17. Engaging in offensive or lewd, salacious and lascivious conduct or using offensive or lewd, salacious and lascivious language or communication of any kind or by any means toward the public, supervisory personnel, or fellow employees.
18. Harassment on the basis of race, color, sex, religion, national origin, citizenship, age, or disability.

C. Types of Disciplinary Action. A department head, subject to the employee's right of appeal as provided in Section 13, shall have the following alternatives when disciplining an employee.

1. Reprimands.
 - a. Oral Reprimand. An oral reprimand is a progressive disciplinary measure which may be issued for an incident, action, or behavior which does not warrant more severe disciplinary action. In the oral reprimand, the supervisor will verbally and privately explain to the employee that he or she is being reprimanded, describe the problem, and indicate what must be done to correct the problem. Documentation in the official Personnel file is required.

- b. Written Reprimand. Where the incident, action, or behavior of the employee is such as not to initially warrant a more severe type of disciplinary action, a written reprimand may be issued for first or second offenses, including but not limited to unauthorized absence from duty [for less than three (3) days], abuse of leave privileges, frequent unexcused tardiness, inattention to duty, insubordination, improper conduct, or loss or destruction of county property. Written reprimands shall be issued by the department head to the affected employee, and a copy of same shall be forwarded to the Human Resources Manager and filed in the personnel folder of such employee.

2. Suspension

- a. A department head or county administrator may suspend an employee, without pay depending on the offense, any employee under his or her supervision for a period of not less than one (1) or more than ten (10) working days. A working day is defined as eight (8) hours. No suspension shall be for more than 80 hours without pay in any single suspension of an employee.
- b. A written statement specifically setting forth the reasons for such action and the length of time of such suspension shall be furnished by the department head to the affected employee, and a copy of same shall be sent to the Human Resources Manager and filed in the personnel folder of such employee within one (1) working day of the effective date of the action.
- c. An employee may be suspended for a period longer than ten (10) working days upon the express approval of the Human Resources Manager and Department Head. A written statement shall be furnished by the Human Resources Manager to the affected employee within one (1) working day of his or her decision advising the employee of the length of the suspension.
- d. When an employee has been accused of serious misconduct or criminal behavior, the employee may be suspended with pay for a period of five (5) days, during which the Human Resources Manager will conduct an investigation to determine whether the pending charges will affect the employee's job performance or whether the conduct which resulted in the arrest is the basis for disciplinary action. When the Human Resources Manager determines that an employee's return to work would not be in the best interest of the county, the employee will be given notice of his or her proposed indefinite suspension without pay, including the reasons for the suspension, and the employee will be given an opportunity to respond to the Human Resources Manager concerning those reasons. After the employee has had an opportunity to respond, the Human Resources Manager will issue a decision on the indefinite suspension. If the employee has been accused of a serious misconduct or a criminal behavior they are suspended without pay. After the investigation, if the findings are that the offense did not take place the employee will be re-instated with back pay.

3. Demotion and Probation

- a. For just cause, a department head may reduce the salary of a regular employee within the range provided in the pay plan or demote the employee to a lower-graded position. The department head shall take such action after consultation with the Human Resources Manager.

- b. For just cause, a department head may place a regular employee back on probationary status as set forth in Section 8 of this personnel manual. The department head shall take such action after consultation with the Human Resource Manager.
- c. A written statement specifically setting forth the reasons for any such action shall be furnished by the department head to the affected employee, and a copy of same shall be forwarded to the Human Resources Manager and filed in the personnel folder of such employee within one (1) working day of the effective date of the action.

4. Discharges

Discharges may be instituted without prior notice when deemed necessary to protect the County, or the employee concerned, or the citizens of the County as determined by the Human Resource Manager. Discharges for disciplinary reasons shall occur only after the Supervisor or Department Head have counseled the employee, explained how the employee needs to improve, and stipulated a time or times for further evaluation. Failure of the employee to improve as required may result in discharge. The Department Head shall document all counseling sessions and it shall be signed by the Supervisor or Department Head concerned. The employee will be asked to sign the counseling session, acknowledging receipt of the document, once it is reduced to writing. If the employee refuses to sign the counseling document, the Supervisor or Department Head will write "Refused to Sign" on the signature line for the employee and initial same. The Supervisor or Department Head shall forward all documents to the Human Resource Department to place in the employee's personnel file.

Discharge for cause shall be initiated by the Supervisor, Department Head or Elected Officials when alternative personnel actions (reprimand, suspension, demotion, etc.) are not deemed sufficient, appropriate or in the best interest of the County. The employee shall be furnished a written notice of discharge containing the nature of the proposed action, the reasons therefor, the effective date of discharge, and the appeals rights available to the employee under Section 13. The employee shall have an opportunity to discuss and respond to the charges with the Supervisor, Department Head or Elected Officials prior to the discharge becoming effective.

- 5. Separation Process. After the Supervisor, Department Head or Elected Officials make the recommendation to discharge an employee, or an employee is to be voluntarily separated from County employment, the Human Resource Department will prepare all separation documents. The approval of the Human Resource Manager or its designated representative is necessary for all involuntary discharges. These documents must be completed and signed by the Human Resource Department and the Supervisor or Department Head no later than the last working day of the discharged employee.
- 6. Notification of Right of Appeal. Any written notification submitted to a regular employee who is being subjected to disciplinary action shall set forth the right of the employee to appeal such action to the Appeals Committee in the manner set forth in Section 13. Oral and written reprimands are not grievable actions.

Section 13. Grievance and Appeal Procedures

A. Intent.

1. County employee grievances should receive prompt consideration and equitable resolution. Wherever possible, grievances should be resolved or adjusted informally, and both supervisors and employees shall be expected to make every effort to do so. With respect to those grievances which cannot be so resolved, employees shall be entitled to process the grievances as hereinafter provided.
2. These procedures governing the processing of grievances and providing the right of appeal are established for the purpose of eliminating or correcting justifiable complaints or dissatisfaction of regular employees or certain complaints of probationary employees and applicants (see Section 13B); insuring that all employees shall be afforded fair, equitable and expeditious review of their grievances without fear, coercion or discrimination; and providing a systematic and orderly method for resolving complaints and differences between employees and supervisory or management personnel.

B. Procedure for Grievance Resolution. Any regular employee in the classified service who has been demoted, suspended, dismissed, or subjected to any other type of disciplinary action (except oral or written reprimand), or who is aggrieved as a result of the interpretation and application of these rules and regulations, and any applicant or employee (regular or probationary) who has been subjected to any alleged discriminatory action that is prohibited by federal law, shall have the right to utilize the grievance and appeal procedure hereinafter set forth.

1. A formal grievance shall not be initiated unless and until the employee has discussed the grievance with the department head and Human Resources Manager, or in the case of an applicant, with the Human Resources Manager. Such discussion shall be held within five (5) working days after the occurrence or within five (5) working days after the employee or applicant becomes aware of the occurrence of a grievable matter. The department head, or Human Resources Manager in the case of an applicant, shall render a decision on the matter within five (5) working days after the grievance has been discussed.
2. Should the employee or applicant not be satisfied with the decision of the department head or Human Resources Manager the employee or applicant, within five (5) working days, shall state the grievance in writing and file a standard grievance form with the Human Resources Manager setting forth the reasons for the appeal. The Human Resources Manager shall make appropriate inquiries, consider all facts surrounding the action, and make every effort to resolve the grievance to the satisfaction of the department head and the employee, or the applicant.
3. Should no decision resulting in the settlement of the grievance be reached within five (5) working days after the filing of the written grievance with the Human Resources Manager, the employee or applicant, within five (5) working days, may appeal to the County Administrator. Such appeal shall be submitted through the Human Resources Manager and shall be accompanied by all of the facts and information concerned with the grievance as well as any written responses of the department head.

4. Should no decision resulting in the settlement of the grievance be reached within five (5) working days after the filing of the written grievance with the County Administrator, the employee or applicant, within five (5) working days, may appeal to the Appeal Committee Board. Such appeal shall be submitted through the Human Resources Manager and shall be accompanied by all of the facts and information concerned with the grievance as well as any written responses of the department head.
5. The Board of Commissioners shall serve as the Appeal Committee Board:
 - a. The Appeals Committee shall, within five (5) working days after the receipt of an appeal, hold a hearing upon same and consider the action complained of in the grievance.
 - b. Whenever possible, the hearing shall be scheduled during normal working hours and employees, supervisors, applicants and their representatives and witnesses shall have the right to appear before the Committee for the purpose of presenting facts, information, and relevant evidence. All hearings conducted by the Appeals Committee shall be in accordance with Title 50, Chapter 14 *Official Code of Georgia Annotated*.
 - c. At the hearing before the Appeals Committee, technical rules of evidence shall not apply. All testimony before the committee shall be under oath or affirmation. Any member of the Committee shall have the power to administer oaths and call witnesses and may compel the production of relevant books, records, and documents.
 - d. A copy of the decision of the Appeals Committee shall be given to the affected employee and the department head of same, or to the applicant, within three (3) working days following the completion of the hearing.
6. The failure of supervisory employees to follow the steps outlined above shall result in conferring upon the employee the right automatically to proceed to the next step in the grievance procedure. The failure of the employee to follow the steps outlined above may result in the dismissal of the grievance at any step.
7. In those cases where dismissal of an employee is involved, the Human Resources Manager shall immediately notify the affected employee that, if requested, a hearing before the Appeals Committee will be set up and held within ten (10) working days of the action taken. At all such hearings, the department head shall be required to appear and explain the reasons for the dismissal.
8. No punitive, discriminatory, or adverse action shall be taken against any employee or applicant on account of the filing of a grievance or an appeal.

Section 14. Employee Development

In-Service Training. The Human Resources Manager and Department Head shall be responsible for fostering and promoting in-service training of employees for the purpose of improving the quality of service and to assist employees in preparing themselves for advancement.

Section 15. Records and Reports

A. Personnel Transactions. All appointments, separations, and other personnel transactions shall be recorded on forms provided by the Human Resources Manager. A separate file folder shall be prepared and maintained for each employee and shall contain the original or a copy of all pertinent documents.

B. Public Inspection. Information relative to employees and former employees shall be available for public inspection at reasonable times and in accordance with Title 50, Chapter 18 *Official Code of Georgia Annotated*.

C. Destruction of Records. Employee service records shall be kept in accordance with state and federal regulations after termination of employment. Such records may be kept in their original form or in any other duplicate form the Human Resources Manager deems appropriate. All other records, including correspondence, applications, and examinations may be destroyed after two years.

D. Attendance Records. Regular attendance reports shall be prepared and submitted by each department head as requested by the Human Resources Manager and in the form designated by the Human Resources Manager.

Section 16. Payroll

A. Initial Appointments. Upon the appointment of any employee to the classified service, the Human Resources Manager shall submit to the County Administrator such information as is necessary to certify the employment status, title or position, and salary or wage of such employee. All new employees must complete all appropriate paper work with the HR manager necessary to establish benefits and information for payroll prior to any new employee beginning work.

B. Payroll Adjustments.

1. Each department head shall be responsible for immediately notifying the Human Resources Manager of any occurrences or actions taken which require an adjustment in the salary or wage of any employee or employees under the supervision of such department head.
2. Upon the receipt of such notice, or upon the taking of any action by the County Commission which requires an adjustment in the salary or wage of any employee or employees, the Human Resources Manager shall make such payroll adjustments for such employee or employees as may be required.

C. Recovery of Salaries Improperly Paid. Officers and employees may be held liable for the return of salaries improperly, accidentally or illegally paid to employees.

D. Voluntary Deductions. Upon the request in writing of any employee and subject to subsection F of this section, the county shall be authorized to provide for automatic payroll deductions for such employee, in such amount as the employee shall specify, for the purpose of contributing to personal savings plans, pensions or other personal financial investment plans.

E. Court Ordered Deductions. Dooly County may deduct a fee for the collection of court ordered deduction(s) from the employees pay up to the legal limits allowed by the court.

Section 17. Attendance and Leave

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

B. Attendance. Each department head shall be responsible for the attendance of all persons in his or her department. The County Administrator shall keep complete attendance and other records on each employee, including annual leave, sick leave, overtime, and others, as provided in Sections 15 and 17.

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

New Year's Day	Veterans Day
MLK, Jr. Day	Thanksgiving Day
Memorial Day	Christmas Eve
Independence Day	Christmas Day
Labor Day	

1. Whenever a holiday falls on a Saturday, the preceding Friday shall be designated a substitute holiday and observed as the official holiday for that year. When the holiday falls on a Sunday, the following Monday shall be designated as the official holiday for that year. An employee who is not on approved leave and fails to report on his or her scheduled work day before or after a holiday shall not be paid for the holiday.
2. Whenever a holiday falls on a scheduled day off for those employees who work an alternate work week schedule the designated day will be as follows. If the scheduled day off is Friday, the preceding Thursday shall be designated a substitute holiday. If the scheduled day off is Monday, the following Tuesday shall be designated as the official holiday.
3. Holidays which occur during annual or sick leave shall not be charged against annual or sick leave. Full-time employees shall be paid for 8 hours of holiday pay. For those employees who work an alternate work week schedule can either use vacation hours or work the appropriate number of hours to make up the difference within that work week. Temporary employees will not be paid for holidays not worked.
4. Any essential employee scheduled to work on an official County holiday shall be paid for each hour worked during the actual holiday plus 8 hours of holiday pay or may take a subsequent day off in lieu of the holiday worked.

D. Annual Leave.

1. General. Vacations are for the purpose of rejuvenating both physical and mental faculties and all employees are urged to avail themselves of vacation periods. For purposes of leave accumulation. The employee's anniversary date of hire shall be the basis for number of hours accrued per pay period. The maximum hours to carry forward is based on a calendar year
2. Eligibility. All full-time employees in the classified service shall be entitled to earn and accrue annual leave.
3. Rate of Leave Accrual.
Annual leave shall be accrued according to the following schedule:
 - 0-1 year = 4 hours per month
 - 1-10 years = 8 hours per month
 - 10 and over = 10 hours per month
4. Notice of Leave.
A request for annual leave shall be submitted to the employee's immediate supervisor. Annual leave may be taken only after approval by the appropriate department head so that, insofar as practicable, the department can function without the hiring of additional temporary help. Annual leave shall be authorized in units of days or hours only.
5. Maximum Allowable Accumulation. No annual leave exceeding one hundred twelve (112) hours may be carried forward into the next calendar year. Any unused annual leave in excess of one hundred twelve (112) hours as of December 31st of any year will be forfeited. The County Administrator, upon the request of an employee's supervisor, may re-instate up to a maximum of two hundred forty (240) hours of forfeited leave in a twelve month period for an employee that meets the eligibility requirements for Family Medical Leave.
6. Payment for Unused Leave. When a regular employee is separated from service, such employee shall be paid for any unused annual leave.

E. Sick Leave.

1. General. Sick leave shall be allowed to an eligible employee:
 - a. in the case of actual sickness or disability of the employee or for medical, dental or eye examination or treatment for which arrangements cannot be made outside of working hours; and
 - b. when the employee is required to care for a sick or injured member of the immediate family. The employee shall report the illness prior to his or her scheduled work time if possible. If not, the employee shall see that the illness is reported within 30 minutes after the time he or she is scheduled to have reported for work. For purposes of this section immediate family shall be defined as the employee's child(ren) spouse, and/or parent. Any absence for persons not defined in this policy may be taken as vacation unpaid leave.

2. Eligibility. Those employees entitled to earn annual leave shall also be eligible to earn sick leave.
3. Rate of Leave Accrual.
Sick leave shall be accrued according to the following schedule:
 0-1 year = 4 hours per month
 1-10 years = 8 hours per month
4. Certification by Physician. Employees who are unable to work and request sick leave in excess of 40 continuous hours shall be required to submit a doctor's excuse with the date and time (individual, employee or dependent for whom medical services were provided and when the employee is to return to work) of the visit with the next payroll in order to be paid for the sick leave.
5. Maximum Allowable Accumulation. No sick leave exceeding two hundred forty (240) hours may be carried forward into the next calendar year. Any unused sick leave in excess of two hundred forty (240) hours as of December 31st of any year will be forfeited. The County Administrator, upon the request of an employee's supervisor, may re-instate up to a maximum of two hundred forty (240) hours of forfeited leave in a twelve month period for an employee that meets the eligibility requirements for Family Medical Leave.
6. No Payment of Unused Sick Leave. When an employee is separated from the service, no payment shall be made for any unused sick leave.

F. Other Types of Leave.

1. Military Leave.
 - a. Any regular employee who leaves the classified service to join the military forces of the United States during time of war or other national emergency, or is inducted by Selective Service, may, upon written request, prior to induction into the military, be placed on military leave without pay, such leave to extend through a date 90 days after which such service terminates. Such employee shall be entitled to be restored to the vacated position, or a comparable position, provided the employee makes application to the County Administrator within 90 days of the date of discharge under honorable conditions, and is physically and mentally capable of performing the essential functions of the position with or without reasonable accommodation.
 - b. The returning employee shall be entitled to any increases in salary (including cost-of-living increases) or any advancement in grade which would normally be accorded to the incumbent of the position, with the exception of any increases or advancement in grade which would normally be dependent on meritorious performance of the duties of the position.
 - c. In the event a position vacated by a person entering the military service as stated above no longer exists at the time he or she qualifies to return to work, such person shall be entitled to be re-employed in another position of the same status, class and pay in the classified service, provided such re-employment does not necessitate the laying off of another employee.

- d. Any regular employee who is a member of the National Guard or an organized military reserve of the United States will be allowed leave of absence with pay not to exceed 18 calendar days (or in compliance with state law) during any calendar year to attend training camps upon presentation of orders concerning such training. Such leave shall not be charged to annual leave.
2. Funeral Leave. Funeral leave for a total of 24 hours annually will be granted with pay for full time employees absent from duty due to the event of death in the immediate family. Immediate family shall be defined as spouse (or significant other/partner) mother, father, stepmother, stepfather, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, stepson, stepdaughter, brother, brother-in-law, sister, sister-in-law, half brother, half sister, grandchild, grandparent, grandparents of spouse, niece and nephew.
3. Civil Leave. An employee shall be given necessary time off, without loss of pay, when performing jury duty, or when required by proper authority to be a witness in legal proceedings, provided such call to duty is reported in advance to the employee's Department Director.
4. Leave of Absence Without Pay. A department head, with the approval of the County Administrator, may grant a regular employee a leave of absence without pay for a period not to exceed six (6) months. Leave of absence without pay for a period exceeding six months and not more than one year may be granted with the approval of the County Commission.

All departments are required to adhere to the following regulations:

- a. Leave without pay shall be granted only when it will not adversely affect the interests of the County service.
- b. Failure of an employee to return to work at the expiration of approved leave shall be considered as absence without leave and grounds for disciplinary action.
- c. Any employee who has been granted leave of absence and who wishes to return before the leave period has expired shall be required to give his or her department head at least a one week notice. Upon receipt of such written notice, the employee shall be permitted to return to work.
- d. No sick leave or annual leave will be earned by an employee for the time that such employee is on leave without pay.
- e. An employee may elect to have health insurance continue to be provided, with the employee paying the total amount of the premium.
- f. An employee shall return from leave without pay to the same salary grade as at the time of commencement of leave.
- g. An employee who obtains either part-time or full-time employment elsewhere while on an authorized leave of absence without pay is required to notify his or her department head in writing within three days of accepting such employment.
- h. An employee returning from a leave of absence without pay shall be entitled to employment in the same department in the same or equivalent class wherein employed when said leave commenced.

5. Family and Medical Leave. 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. This fact sheet provides general information about which employers are covered by the FMLA, when employees are eligible and entitled to take FMLA leave, and what rules apply when employees take FMLA leave.

COVERED EMPLOYERS: The FMLA only applies to employers that meet certain criteria. A covered employer is a:

- a. Private-sector employer, with 50 or more employees in 20 or more workweeks in the current or preceding calendar year, including a joint employer or successor in interest to a covered employer;
- b. Public agency, including a local, state, or Federal government agency, regardless of the number of employees it employs; or
- c. Public or private elementary or secondary school, regardless of the number of employees it employs.

ELIGIBLE EMPLOYEES: Only eligible employees are entitled to take FMLA leave. An eligible employee is one who:

- a. Works for a covered employer;
- b. Has worked for the employer for at least 12 months;
- c. Has at least 1,250 hours of service for the employer during the 12 month period immediately preceding the leave*; and
- d. Works at a location where the employer has at least 50 employees within 75 miles.

The 12 months of employment do not have to be consecutive. That means any time previously worked for the same employer (including seasonal work) could, in most cases, be used to meet the 12-month requirement. If the employee has a break in service that lasted seven years or more, the time worked prior to the break will not count unless the break is due to service covered by the Uniformed Services Employment and Reemployment Rights Act (USERRA), or there is a written agreement, including a collective bargaining agreement, outlining the employer's intention to rehire the employee after the break in

LEAVE ENTITLEMENT: Eligible employees may take up to 12 work weeks of leave in a 12-month period for one or more of the following reasons:

- a. The birth of a son or daughter or placement of a son or daughter with the employee for adoption or foster care;
- b. To care for a spouse, son, daughter, or parent who has a serious health condition;
- c. For a serious health condition that makes the employee unable to perform the essential functions of his or her job; or
- d. For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status.

An eligible employee may also take up to 26 workweeks of leave during a "single 12-month period" to care for a covered service member with a serious injury or illness, when the employee is the spouse, son, daughter, parent, or next of kin of the service member.

The "single 12-month period" for military caregiver leave is different from the 12-month period used for other FMLA leave reasons.

Under some circumstances, FMLA leave may be taken on an intermittent or reduced schedule basis. That means an employee may take leave in separate blocks of time or by reducing the time he or she works each day or week for a single qualifying reason. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer's operations. If FMLA leave is for the birth, adoption, or foster placement of a child, use of intermittent or reduced schedule leave requires the employer's approval.

Under certain conditions, employees may choose, or employers may require employees, to "substitute" (run concurrently) accrued paid leave, such as sick or vacation leave, to cover some or all of the FMLA leave period.

NOTICE: Employees must comply with their employer's usual and customary requirements for requesting leave and provide enough information for their employer to reasonably determine whether the FMLA may apply to the leave request. Employees generally must request leave 30 days in advance when the need for leave is foreseeable. When the need for leave is foreseeable less than 30 days in advance or is unforeseeable, employees must provide notice as soon as possible and practicable under the circumstances.

- a. All department locations have a FMLA notice posted on their bulletin board or in the break room. This notice explains your Rights and Responsibilities under the Family and Medical Leave Act.
- b. When requesting FMLA leave, the Human Resource Manager will provide the employee with a notice of your eligibility for FMLA along with your rights and responsibilities under the Family Medical Leave Act and a notice of your financial obligations while on FMLA.
- c. The Human Resource Manager will notify the employee that the requested Family Medical Leave has been approved or disapproved according to the eligibility criteria and the amount of leave that will be deducted from the employees' FMLA entitlement.

CERTIFICATION: When an employee has been out on FMLA leave due to his or her own serious health condition or a covered family member's serious health condition; a medical certification in support of the medical leave is required from your health care provider. The County reserves the right to request a second or third medical opinion (at the employer's expense) if necessary.

Any employee who has been granted Family and Medical Leave and wishes to Human Resources Manager a Medical Certification from your Health Care Provider stating that the employee is fit to return to his/her regular job without restrictions at least (1) week prior to the employee returning to work. The Human Resource Manager will notify the supervisor that the employee is ready to return to his regular duties. No employee who

has been on FMLA leave will be permitted to return to work without a medical certification from your medical provider.

Any employee who fails to return to work at the expiration of the approved leave shall be considered as absent without leave and may be subject to disciplinary action. An employee on leave is subject to disciplinary action in the same manner as other employees for violation of County policies.

BENEFITS AND JOB RESTORATION: While on leave, an employee must exhaust all sick leave and annual leave before being placed into a non-pay status. No holiday, sick leave or annual leave will be accrued by an employee for the time that such employee is on leave without pay.

In the case of employee's requesting leave for serious health conditions of the employee or family members as defined by this section, the County reserves the right to request the employees to submit a medical certification to support the request for leave. The Human Resources Manager shall provide this form.

Health coverage will remain in effect during the requested amount of the FMLA leave; however, all premiums due by the employee must be paid during the leave period. If an employee has not returned to work after approved FMLA leave has been exhausted, they will be responsible for paying 100 percent of their total premiums for Health coverage.

Upon return from FMLA leave, an employee may be restored to his or her original job or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment.

6. Absence Without Leave. An absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by a specific grant of leave of absence under the provisions of these regulations shall be deemed to be an absence without leave. Any such absence shall be without pay and shall be cause for disciplinary action.
7. Administrative Leave. An employee may be placed on administrative leave with pay at the discretion of the department head and approval of the County Administrator when such action is deemed to be in the best interest of the County.

Notification to County Administrator. When an employee has taken leave of any kind or is absent without leave, his or her department head shall notify the County Administrator in writing within the same pay period in which the leave is taken or the absence without leave occurs. Such notification may be by notation on a time card or attendance sheet or by memo, giving specific information covering type of leave, dates, hours, and other pertinent data.

Section 18. Safe Harbor Policy

A. Statement of Policy: The Dooly County Board of Commissioners intend to pay on a salary basis those employees who qualify as exempt from the overtime and minimum wage requirements under Section 13(a)(1) of the Fair Labor Standards Act. See 29 U.S.C. § 213(a)(1).

This policy prohibits improper deductions from the salaries of exempt employees as described in 29 CFR Part 541 of the regulations governing the Fair Labor Standards Act. Improper deductions include those made for absences occasioned by County or by its operation requirements. Also, deductions may not be made when an exempt employee is ready, willing, and able to work, yet work is not available. Similarly, deductions from pay for absences of an exempt employee occasioned by jury duty, attendance as a witness, or temporary military leave are improper.

B. Complaint Procedure: If you are an exempt employee and you believe that the County has made an improper deduction from you salary, the County expects that you will report it immediately to the Payroll Department at the Commissioners' office.

In the event that an improper deduction is made from the salary of an exempt employee, the County will reimburse the employee for the amount improperly deducted and take any other appropriate action reasonably necessary to prevent future violation of this policy. In addition, the County shall make a good faith commitment to comply with the Fair Labor Standards Act in the future.

Section 19. Nepotism

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

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

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

For this nepotism policy, "relatives" are defined as spouse (or significant other/partner) mother, father, stepmother, stepfather, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, stepson, stepdaughter, brother, brother-in-law, sister, sister-in-law, half-brother, half-sister, grandchild, grandparent, grandparents of spouse, niece and nephew.

Section 20. Equal Opportunity and Non-Discrimination

A. Policy. All applicants for positions and employees of the county shall be assured of fair and equitable treatment in all aspects of personnel administration, including training, promotion, and disciplinary action, without regard to political affiliation, race, color, national origin, sex, age, disability, or religious creed and with proper regard for their privacy and constitutional rights as citizens.

B. Publicity. The Human Resources Manager shall see that information about job opportunities and the equal employment policy of the county is readily available to all citizens of the county and especially to all potential job applicants.

C. Appeals Based on Alleged Discrimination. Any applicant or employee who believes that he or she has been discriminated against shall have the right to counsel with the Human Resources Manager and to avail himself or herself of the Grievance Procedure outlined in Section 13.

D. Affirmative Action Plan. The County Commission may adopt an affirmative action plan to formulate actions to correct employment practices which have, or potentially could have, a negative impact upon minority groups or females.

E. Elected Officials. While applicants to positions under the jurisdiction of county elected officials and employees of county elected officials are not specifically covered under this section, they are covered by any applicable state or federal laws governing equal opportunity and non-discrimination.

Section 21. Political Activities

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

Section 22. Anti-Harassment

It is the firm policy of the Dooly County Board of Commissioners to maintain a workplace free from unwanted harassment based upon race, color, sex, age, religion, national origin, disability, veteran's status or any other status protected by applicable state or federal law. All such harassment is prohibited. Retaliation against employees or prospective employees reporting harassment is also prohibited.

A. Harrassment. Unlawful harassment is prohibited by this Policy and consists of verbal or physical conduct that is abusive toward an individual. Such prohibited harassment may occur because of that individual's race, color, sex, age, religion, national origin, disability, veteran's status or other prohibited reason that has the purpose or effect of (1) creating an intimidating, hostile or offensive working environment, (2) unreasonably interfering with an individual's work performance, or (3) otherwise adversely affecting an individual's employment opportunities.

Harassing conduct includes, but is not limited to : (1) epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to race, color, sex, age, religion, national origin, disability, veteran's status or other prohibited reason: and (2) written or graphic materials which are abusive towards an individual or group because of race, color, sex, age, religion, national origin, disability, veteran's status or other prohibited reason and which are communicated on walls, bulletin boards, through electronic communications, or otherwise circulated in the workplace. This policy extends to all electronic and voice mail communications.

B. Sexual Harassment. All County employees must be allowed to work in an environment free from unsolicited and unwelcome sexual conduct and comments. Sexual harassment is a violation of the law and of this Policy. Sexual harassment is defined by the Equal Employment Opportunity commission as any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
3. The conduct has the purpose or effect of unreasonably interfering with the individual's performance or of creating an intimidating, hostile or offensive working environment.

Sexual harassment does not refer to occasional compliments. It refers to behavior which is not welcome, which is personally offensive, which debilitates morale, and which therefore interferes with the work effectiveness of the individual harassed. Sexual harassment may occur between employees or between employees and suppliers/ customers and is not limited to employees and supervisors. Sexual harassment may include, but is not limited to, the following;

1. Verbal conduct, such as epithets, derogatory comments, slurs, unwanted sexual advances, or sexually-oriented verbal "kidding" or abuse;
2. Physical conduct, such as unwanted touching, patting, pinching, blocking normal movement or assault;
3. Subtle pressure for sexual activity;
4. Demands to submit to sexual requests, accompanied by implied or direct promises of preferential treatment or threats concerning an individual's employment status;
5. Visual harassment such as sexually-explicit or sexually-derogatory posters, obscene gestures, cartoons, photographs, or drawings; or
6. Retaliation for opposing, reporting or threatening to report unlawful harassment, or for participating in an investigation, proceeding or hearing regarding potential harassment.

C. Employee Responsibility.

Employees should not tolerate harassing conduct. Any employee who believes that he or she has experienced unlawful harassment in connection with his or her employment or who is aware of the harassment of other employees or prospective employees has a duty to report the potential policy violation so that appropriate corrective action may be taken.

All employees are responsible to ensure that they do not participate in, promote or support any form of harassment that affects the workplace.

D. Management Responsibility.

Department Heads and supervisors are to comply with the County's Anti-Harassment Policy and to prevent and correct any harassment prohibited by the Policy. Department Heads and supervisors are responsible to ensure that the employees in their areas are aware of the Policy and that any and all complaints of harassment are promptly and properly investigated and any appropriate action taken. The Human Resources Manager is available for consultation.

E. Complaint Procedure.

Any employee or prospective employee who experiences harassment in connection with his or her employment, or who is aware of the harassment of other employees or prospective employees, should immediately contact his or her supervisor, or the Human Resources Manager or the Department Head. If you have made a complaint which you believe has not been properly addressed or resolved, you should immediately contact the County Administrator. Complaints should be in writing where possible and should include all details, specifying all names, dates, times, etc.

Any reported violation of this Policy will receive prompt and appropriate action. The County will investigate all complaints alleging harassment and all instances potentially constituting harassment that come to its attention. When conducting an investigation, care will be taken to protect confidentiality to the degree possible, while still permitting the county to conduct the investigation.

Following an investigation, the County will take prompt and appropriate corrective action to remedy any harassment. Employees who are found to engage in harassment will be subject to corrective action, up to and including termination.

F. No Retaliation.

The County strictly prohibits retaliation against any employee for using this Complaint Procedure or for truthfully and in good faith filing, testifying, assisting in or participating in any manner in any investigation, proceeding, or hearing regarding potential harassment.

Section 23. Safety Policy

The Dooly County Board of Commissioners is extremely conscious of the safety of our employees and the citizens of our community. As an employer, we recognize our obligation to ensure the safest possible work place for our employees. As a governmental entity, we recognize our responsibility to provide a safe environment for the public we serve.

It is our belief that most accidents are preventable. In accordance with this belief, we have allocated resources to administer an aggressive loss control program in our county.

Each Department Head is responsible and will be held accountable for the loss control performance within his or her department. A Safety Coordinator will be appointed to coordinate our overall loss control program. The Safety Coordinator, however, is not responsible for the line functions, which are that of Department Heads. It is expected that Department Heads will complement the effort of the Safety Coordinator to reduce accidents and provide for the safety of the public. These loss control responsibilities are continuous and equal in importance with all other operational considerations.

All employees are responsible for cooperating with and supporting our loss control program activities and objectives. All employees are expected to adopt the concept that the safe way to perform a task is the most efficient and only acceptable way to complete the task.

Loss control is every employee's responsibility. Only with your help can we continue to maintain a safe environment for both our employees and citizens we serve.

Section 24. Workers' Compensation Policy

Purpose: Workers' Compensation is provided to all employees who are unable to work due to work-related illness or injury. This Compensation is in compliance with the Rules and Regulations of the State Board of Workers' Compensation under the Georgia Workers' Compensation Act.

Application: All Employees.

Provisions:

A. Reporting Procedure: Injured employees shall immediately, or as soon as reasonably possible, report the accident/incident. Employees shall make the report in person to their immediate supervisor, Department Head, or designee. The supervisor, Department Head or designee shall complete the "First Report of Injury" form using the information provided and forward the report immediately to the Human Resources Department. An individual who has first-hand knowledge of the accident/incident may provide the report immediately following the accident/incident if the injured employee is unable.

B. Medical Service Procedure: The injured employee shall use one of the doctors from the County's Panel of Workers' Compensation Physicians. The doctor is to be told by the employee that treatment is for a work-related illness/injury. Failure to use one of the panel doctors, except in emergency situations, may result in denial of compensation to the employee for those services. In emergency situations, employees should seek attention at the nearest emergency facility. Follow-up care must then be by one of the panel doctors. Employees may receive care from a specialist only when referred by a panel doctor or from a physician selected by the employee if prior approval is obtained from the County Administrator. All claims for such medical service should be sent directly to the County Human Resources Department by the provider. When the employee has incurred covered out-of-pocket expenses, the claims and receipts should also be forwarded directly to the Human Resources Department.

C. Loss Time: Loss Time is the period(s) of scheduled work time lost by an employee due to a work-related illness/injury. The employee will receive compensation established by the State of Georgia Workers' Compensation Board. The weekly benefit check will be mailed directly to the employee by the Workers' Compensation Administrators.

D. Drug Free Workplace Testing: Employees who sustain a work related accident or injury will be subject to a post-accident drug/alcohol screening, in accordance with the Drug Free Workplace Policy further defined in Section 24 of this Policy Manual. Any employee who refuses to submit to this testing requirement will be subject to disciplinary action up to and including termination and could risk the denial of payment of medical expenses relating to the accident or injury.

Section 25. Drug-Free Workplace Policy

A. Statement of Policy: Dooly County employees are a most valuable resource and their health and safety is therefore a serious concern. The County intends to provide a safe and efficient working environment for its employees and as a result, will not tolerate drug or alcohol use which imperils the health, safety, and well-being of its employees or any aspect of the County's operations.

It is the intention of this policy to eliminate substance abuse and its effects in the workplace. While Dooly County has no intention of invading the private lives of its employees, involvement with drugs and alcohol off the job can adversely affect performance and employee safety and efficiency on the job. Employees who think they may have a drug or alcohol problem are encouraged to seek assistance. While the County will work with those employees who are seeking professional help, it will also be firm in enforcing the policy against those identified as substance abusers who are not seeking help.

Dooly County is committed to maintaining a safe and healthy environment for all of its employees and to eliminating any potential for substance abuse. As a result, the County has adopted and will enforce the following Drug and Alcohol Policy.

B. Application:

This policy applies to all employees and applicants for employment who are offered positions with the County. Compliance with this policy is a condition of employment. Failure or refusal of an employee to fully cooperate, including failure to submit to inspections or tests called for by the Policy or to fulfill agreements will be grounds for disciplinary action, including termination.

C. Authorized Prescribed Medicine: The use of physician prescribed or over-the-counter medications and drugs will not be, per se, a violation of this policy. However, any employee who is taking any medication or drugs which could interfere with the safe and effective performance of duties or operation of vehicles or equipment shall notify his or her supervisor before beginning work. Failure to do so may result in disciplinary action, including termination. If there is a question regarding such employee's ability to safely and effectively perform assigned duties, pre-clearance from a physician will be required.

D. Prohibitions: The following conduct is expressly prohibited and violations shall result in disciplinary action which may include termination:

1. Unauthorized use, consumption, possession, manufacture, growth, distribution, dispensation or sale of controlled substances or illegal drugs or drug paraphernalia on County premises, in County supplied vehicles, or in any County work area.
2. Unauthorized use, consumption, possession, manufacture, distribution, dispensation or sale of alcohol, while on duty, on County premises, in County supplied vehicles, or in any County work area.
3. Being under the influence of an unauthorized, or controlled substance, or illegal drug or alcohol, on County premises, in County supplied vehicles, or in any County work area.
4. The use or possession of alcohol or illegal drugs off County premises and while not on duty may be cause for discipline where such conduct can be shown to have a direct and material adverse impact on the County's interests, including public image. A conviction

of an employee for the sale of or possession with intent to sell illegal drugs at any time or place is cause for immediate dismissal.

E. Searches

Dooly County reserves the right to search for evidence of prohibited conduct at any time and without notice or employee consent, all areas and property, real or personal, which are owned or controlled by the County or where the County has the right to control, including joint control with an employee. Such areas and property include, but are not limited to, Dooly County owned or leased or controlled buildings, parks, land, motor vehicles, desks, lockers, files or storage containers.

With respect to personal property not owned or controlled by the County, but which is in possession or control of the employee on County premises or located in a County supplied vehicle or in a County work area, and where any supervisor has a reasonable suspicion that an employee is intoxicated or under the influence of alcohol or drugs, and where alcohol or drugs are suspected to be inside such personal property, the employee may be ordered to submit said personal property to a search. Such may include orders to unlock and open vehicles, tool boxes, lunch boxes, lockers, etc., and to turn inside out clothing pockets and billfolds, purses, envelopes, sacks, etc. The refusal of the employee to comply with such order may be cause for discipline, including termination.

F. Employees subject to testing.

1. Pre-employment and Promotion or Transfer: Dooly County shall require as part of the employment process that all applicants for initial employment for, or appointment or promotion or transfer must submit to a pre-employment or pre-appointment drug and alcohol screening/testing in order to determine the individual's suitability for employment or appointment. The results of such screening/testing will be revealed to the applicant and the applicant will be allowed to request a confirmatory test. Such retest shall be coordinated by the Appointing Authority and shall be performed on the original specimen provided by the applicant and shall be at the applicant's expense. Additionally, the applicant shall be given an opportunity to explain or to provide a bona fide verification of a valid current prescription for any drug identified in the drug screening/testing. The applicant will be informed if the reasons for rejection for employment or appointment include the results of the screening/testing.

An employee who screens/tests positive for alcohol or drugs will be in violation of this policy and may be subject to disciplinary action including termination. An applicant who tests positive shall not be hired. Refusal of an employee-applicant to submit to the screen/test will be cause for rejection of the appointment or employment of such applicant.

2. Regular Physical Examinations: Whenever Dooly County's standard policy requires an employee in a "safety sensitive" position to undergo a physical exam, that examination may include a breath, saliva, urine and/or blood tests for alcohol and drugs. Opportunity for confirmatory testing shall be provided as set in this policy. An employee who tests positive for alcohol or drugs during such a physical exam will be in violation of this

policy. Refusal of the employee to submit to the test will be cause for discipline, including termination.

3. Accidents Resulting in Property Damage: Any employee involved in a motor vehicle accident while operating a County vehicle or equipment or any job-related motor vehicle accident or any other accident which results in property damage will be required by immediate supervisor to submit to drug and/or alcohol testing. The employee will be taken to a collection site to provide the required urine and/or blood and/or breath or saliva specimen as soon as possible after the accident.

All cases involving post-accident testing must be immediately reported in writing to the County Administrator. Such reports shall detail the specific facts, symptoms or observation which formed the basis for the determination to require testing. The record of the test results shall be included with the report to the County Administrator. The facts underlying the determination to require testing shall be disclosed to the employee at the time the order is given.

An employee who tests positive for drugs or alcohol as a result of such testing will be in violation of this policy. Opportunity for confirmatory drug testing shall be provided as set in this policy. Workers' Compensation benefits may be subject to denial based on a positive drug screen, or failure to be tested in accordance with testing requirements as outlined in these policies.

4. Reasonable Suspicion Testing: Whenever an immediate supervisor has a reasonable suspicion that an employee on duty or scheduled for duty is intoxicated or under the influence of alcohol or drugs, the employee may be ordered by the Department Head to submit to a drug and/or alcohol test. Refusal of an employee to submit to the test will be cause for discipline, including termination.

“Reasonable suspicion” is that quantity of proof or evidence that is more than intuition or strong feeling, but less than probable cause, and must be based on specific, objective facts or reasonable inferences drawn from facts that would cause a reasonable person to suspect that the employee is or has been using drugs or alcohol.

Such “reasonable suspicion” facts include but are not limited to any one or more of the following:

- a. direct observation of prohibited drug or alcohol use;
- b. slurred speech;
- c. alcohol beverage odor on breath;
- d. unsteady walking and movement;
- e. an accident involving County property;
- f. physical altercation;
- g. verbal altercation;
- h. lapse in cognitive abilities;
- i. aggressive, hostile, threatening, disruptive or unusual behavior;
- j. a report of prohibited drug or alcohol use provided by a reliable and credible source,
- k. evidence that a drug or alcohol test of the employee has been tampered with;

- l. evidence that the employee is involved in the use, possession, sale, solicitation or transfer of prohibited drugs.
- m. tardiness or absence indicative of off-duty use of alcohol or prohibited drugs, which renders the employee unable or unwilling to perform duties.

5. Random Testing:

In addition to the testing situations described above, individuals employed in safety sensitive positions shall be subject to testing on a random basis. The random basis means that every member of the safety sensitive population has an equal chance of being selected for testing. The County Commission in consultation with the County Administrator and other Appointing Authorities shall determine the frequency and number of such random selectees to be tested.

A “safety sensitive” position is a position which involves the use of dangerous equipment which may cause serious injury or harm to the operators or others or a position which involves duties, functions or situations which have the potential of causing serious injury or harm to the employee or others. Safety sensitive positions include but may not be limited to the following:

- a. Sworn law enforcement personnel;
- b. Fire Department personnel;
- c. Emergency Medical Technicians, Cardiac Technicians, and Paramedics;
- d. Sheriff’s Department;
- e. Juvenile Detention Officers;
- f. Probation Officer;
- g. All operators of large equipment including construction equipment operators and heavy equipment operators, skilled laborers;
- h. operators of vehicles or equipment;
- i. Additional job classifications may be added by the County Administrator.

6. Return To Duty From Suspension Without Pay: In addition to the testing situations described above, individuals employed in safety sensitive positions shall be subject to testing upon return to duty from disciplinary suspensions without pay. An employee who screens/tests positive for alcohol or drugs will be in violation of this policy and may be subject to further disciplinary action, including termination. Refusal of an employee to submit to the screen/test will also be cause for disciplinary action including termination.

7. On The Job Injuries: All employees who have been injured on the job, and file a first report of injury shall be required to submit to a drug/alcohol test. An employee who is required to submit to a test after an on-the-job injury will be escorted to a testing site as soon as is practical.

An employee who refuses to provide a blood, urine, or saliva sample as required for testing within the time set forth in this policy shall be advised by the Department Head in writing that such a refusal will result in the forfeiture of all compensation to which the employee may be entitled under the Workers’ Compensation Laws of the State of Georgia, and may affect the approval of leave benefits offered by the County. Such refusal shall constitute a violation of this policy, and shall result in disciplinary action up to and including dismissal.

G. Testing Procedures

Applicants and employees subject to testing will be requested to sign, prior to testing, an approved form consenting to the testing and to the release of the test results to the County Administrator's Office. Absent such signature, the testing provider will note on the form the individual's refusal and attempt to go forward with the test. Continued refusal by the employee constitutes failure to obey an order to submit to the test and are grounds for disciplinary action including termination. The failure of an employee to provide a urine specimen within two hours of the request at the test site is tantamount to a refusal. Refusal by an applicant to sign the Consent form and/or be tested shall be grounds for rejection of the application.

The drug and/or alcohol analysis may test for alcohol or a controlled substance which could impair an employee's ability to safely or effectively perform the functions of his or her job. Controlled substance means any drug listed in 21 U.S.C. 812 and other federal regulations. Generally, these are drugs which have a high potential for abuse. Such drugs include, but are not limited to, prescription medications, heroin, cocaine, morphine and its derivatives, P.C.P., methadone, barbiturates, amphetamines, marijuana, and other cannabinoids.

Lab reports and/or test results will not be placed in the employee's personnel record. This information will remain in a separate medical record that will be securely kept under the control of the County Administrator. Test results will only be released by the County Administrator to County officials on a strictly need to know basis, to the tested individual upon request, and other persons required by law.

Such release may also occur in case of the following events:

1. The information is compelled by law or by judicial or administrative process; including disciplinary proceedings.
2. The information is needed as evidence in a disciplinary hearing involving the subject employee.
3. The information is needed to determine eligibility for employee benefits, including sick leave, disability pension, retirement benefits.
4. The information is needed by medical personnel for the diagnosis or treatment of the patient who is unable to authorize disclosure.

H. Drug/Alcohol Screen Analysis

1. Alcohol: For purposes of this prohibition, an employee shall be deemed to be "under the influence" of alcohol where a blood alcohol content by weight of alcohol exists in the person's blood exceeding .04 percent.

An employee may be found to be "under the influence" where blood alcohol content by weight of alcohol exists in the person's blood is less than the foregoing amounts and other competent evidence shows job performance or employee safety to be affected.

2. Drugs:

The drug screen analysis will include those agents that most frequently are the drugs of abuse. The list will be subject of review and modification. Each drug screening may include a test for the following illicit narcotics or drugs:

- a. Amphetamines (Benzedrine, Dexedrine, Methamphetamine)
- b. Barbiturates (Seconal, Phenobarbital, Pentobarbital)
- c. Cannabinoid metabolites (Marijuana, Hashish, THC)
- d. Opiate derivatives (Heroin, Morphine, Codeine)
- e. Cocaine metabolites (Benzoylecgonine, Ecgonine, Crack)
- f. Phencyclidine (PCP)

Two types of drug tests may be employed: initial screening tests, often referred to as color tests; and confirmatory tests. Initial screening (color) tests are designed to distinguish negative from presumptive positive samples. Confirmatory tests positively identify a drug or metabolite when preliminary or field tests indicate their presence. Drug screening technologies may include (other tests may be added as soon as they are generally accepted as accurate and reliable):

- a. Enzyme Immunoassay (EIA)
- b. Radioimmunoassay (RIA)/
- c. Fluorescence Polarization Immunoassay (FPIA)
- d. Mass Spectrometry (MS)
- e. Intoxilyzer Model 5000 (for alcohol)
- e. Field tests such as Abuscreen ® Assays

Thresholds have been established which set the limit at which a drug test may be called positive. Specimens containing the drug or metabolite below the threshold are identified as “negative.” All specimens identified as positive on the initial test shall be confirmed.

The initial and confirmatory drug test cutoff values promulgated by the Department of Health and Human Services (Federal Register, Vol. 53, No. 69, published April 11, 1988), and as amended, are hereby adopted as the cutoff values for this policy. These test levels are subject to change by the Department of Health and Human Services as advances in technology or other considerations warrant identification of these substances at other concentrations.

Threshold levels specified by the reagent manufacturers will be used for drugs or compounds not listed in the Federal Register, or specified by law.

Acceptable Laboratories: Only laboratories currently certified to meet Subpart C of Mandatory Guidelines for Federal Workplace Drug Testing Programs (53 FR 11986) may conduct confirmatory drug tests.

- a. Chain of custody procedures will be followed.
- b. Specimens found to be positive will be maintained (frozen) for one year, unless the laboratory is otherwise directed.
- c. An inadvertent failure to comply with a requirement of this protocol which does not render the test result unreliable shall not prevent the County from imposing disciplinary action, including termination, against the employee.

I. Program Administration

The County Administrator is responsible for the overall administration of the program.

Responsibilities are to:

1. Prepare a report outlining the number of tests given; the basis of the tests (random, pre- employment, post-accident, etc.); the results on a summary basis; and the costs incurred in the program.
2. Provide Department Heads with the names of employees selected at random to be tested.
3. Assist Department Heads in the administration of the County's Drug-Free Workplace Program.
4. Assist employees who voluntarily come forward to get assistance with any substance abuse problems.
5. Receive the results of all drug tests and maintain the information in a secure file for a minimum of five years. When positive results are received, notify the appropriate Department Head. The Department Head will provide the person tested with an opportunity to explain the results prior to personnel action being taken.
6. Designate collection sites and perform other actions necessary to implement this policy.

J. Consequences For Violation Of This Policy

The County will allow all applicants and employees who test positive for alcohol and/or drugs the opportunity to explain the test results prior to taking an adverse action.

Violation of this policy may result in severe disciplinary action, including discharge for a first offense at the County's sole discretion. The County will routinely discharge employees in sensitive or non- sensitive jobs in the following cases:

1. When the employee uses, possesses, manufactures, grows, distributes, dispenses, or sells controlled substances, illegal drugs or drug paraphernalia on County premises or in County supplied vehicles, or during working hours;
2. When the employee stores in a locker, desk, automobile or other repository on County premises any illegal drug, drug paraphernalia or any controlled substance whose use is unauthorized;
3. When the employee is convicted under any criminal drug statute for a violation occurring on or off the job;
4. When the employee switches, tampers or adulterates, or attempts such switching, tampering or alteration, of a urine or other specimen provided for testing;
5. When the employee refuses to consent to testing or to submit a breath, saliva, urine or blood specimen for testing when ordered by management; or
6. When an employee fails to fulfill the terms of a drug/alcohol assistance option or last chance agreement.

Section 26. Dooly County Motor Vehicle Operation Policy

A. Purpose. To insure the safe operation of county-owned vehicles: Dooly County employees who drive County-owned vehicles, or drive their own vehicles for County purposes, are insured under the County's motor vehicle insurance policy only after personal auto policy limits are exhausted. Upon recommendation by the County's liability insurer and county attorney, the Dooly County hereby establishes a policy designed to help ensure that employees who drive for the County are safer drivers. This policy is designed to protect the public health, safety, and welfare of the employees and general public by restricting unsafe drivers from operating County vehicles, which has the intended goal of protecting the County from liability, protecting County employees from injury either as a driver or passenger in a County vehicle, and improving the County's insurance rates, thereby better serving the citizens of this County.

B. Application and Definitions. This policy shall apply to: 1) any employee of Dooly County who drives a Dooly County vehicle as a routine or essential part of the employee's job or job description, 2) any person who wishes to be eligible to drive a Dooly County vehicle, or 3) any person who wishes to be reimbursed for use of a personal vehicle used on County business. Any county employee or contract employee falling into any of those three categories shall be termed a "covered driver." "Vehicle" shall include cars, trucks, off-road equipment, construction equipment, and any other machine that moves under its own power. The policy is established as a part of the Dooly County Personnel Policies and is incorporated into the Dooly County Employee Handbook.

C. Standard. A covered driver must maintain a safe driving record. If the County determines that a driver is unsafe, the employee may be restricted from driving a County vehicle. In the event that driving a County vehicle or a personal vehicle on County business is an essential feature of an employee's job (as determined by the Department Head/Elected Official and/or job description), that employee may be terminated if that employee's driving privileges have been revoked because of unsafe driving habits, by the Georgia Department of Driver's Service or by a court of competent jurisdiction. Furthermore, violation of the requirements of this policy may be grounds for termination. Normal termination procedures shall be followed. All persons using Dooly County vehicles and all persons who are Dooly County employees, whether "covered drivers" or not, shall comply with the following requirements:

1. All employees shall obey traffic laws and other applicable laws when operating a County vehicle or a personal vehicle on County business. All persons traveling in or driving County vehicles shall wear seatbelts where available.
2. County vehicles shall not be used for personal errands or other non-County business, and shall only be used on County business or as authorized by the Department Head. Violation of this policy may result in severe disciplinary action, including discharge for a first offense at the County's sole discretion.
3. Any person using a personal vehicle on County business shall maintain no less than the legal minimum insurance coverage required by Georgia law. The automobile liability insurance maintained on said personal vehicle shall be the primary coverage and any county liability insurance shall be secondary and/or tertiary to said owner's insurance policy or policies.

4. Driving in a reckless or unsafe manner when operating a County vehicle or a personal vehicle on County business shall not be permitted.

D. Requirements for Covered Drivers. In order to be authorized to drive or operate a County vehicle, or be reimbursed for use of a personal vehicle on County business, a covered driver shall comply with the following:

1. Covered drivers shall be required annually to submit to the County Human Resources Department (HR) a signed permission form authorizing the County to check the Covered Person's Georgia Department of Driver's Services driving record for the last three years. A new form shall be submitted by January 15 of each year, and a new check shall be run by the County each year on every person wishing to remain on the approved driver list.
2. Covered drivers shall be required to report all speeding tickets, moving traffic citations and other vehicle-related citations received in any state (except parking tickets) to HR and the employee's supervisor within three (3) days of a citation being issued, excluding weekends and holidays. Covered drivers shall immediately report all suspensions and/or revocations of their license by the State, and shall immediately report any charge of driving under the influence, any other serious vehicle-related charge, including, but not limited to: Reckless Driving, Attempting to Flee or Elude a Police Officer, negligent homicide, assault with a vehicle, hit and run, or any drug-related charge (possession or use of controlled substances) made against the employee whether or not the charge or charges have had any affect on the Covered Person's driver's license. The adjudication of the charge (that is, whether the driver was found guilty, not guilty, pled nolo contendere, or some other resolution occurred in the court system) shall also be reported. Failure to report shall subject an employee to discipline, up to and including termination
3. Covered drivers shall be required to immediately report all traffic accidents or incidents that occur while the covered driver is operating a County vehicle, or operating their personal vehicle on County business to HR and the employee's supervisor. Covered drivers shall be required to report, within three (3) days, excluding weekends and holidays, all other traffic accidents where they are determined or adjudicated to be at fault, and all charges and/or citations issued against the Covered Driver. Failure to report an accident shall subject an employee to discipline, up to and including termination.

E. Approved Driver List. The HR manager shall maintain a list of approved drivers to be supplied to all Department Head/Elected Officials. Full compliance with all provisions of this policy shall be required to remain on the approved driver list. Persons not on the approved driver list shall not be allowed to drive or operate County vehicles, and shall not be authorized to use their personal vehicle or receive reimbursement for use of their personal vehicle on County business. The appropriate Department Head/Elected Official, HR manager, and Elected Official shall all be notified of any suspension or revocation, and that person shall be removed from the approved driver list.

F. Criteria for Determining Safe Driver: It is the policy of Dooly County and a requirement of employment that every employee working in a position that requires a valid driver's license have a motor vehicle record (MVR), issued by the Georgia Department of Driver's Services, that meets certain county grading requirements. This MVR policy applies both to drivers of county

owned vehicles, and employees using personal vehicles in the course of their employment as well. Personally owned vehicles must be properly maintained and have valid liability insurance cover said vehicle.

Employee MVR's will be examined prior to the date of employment and every year thereafter. Any job offer made where the job requires a valid driver's license will be contingent upon a MVR meeting the required standards. Continued employment with the County in a position requiring a valid driver's license will require a MVR meeting the specified standards.

1. TYPE A VIOLATION - Includes (but is not limited to): Driving under the influence of alcohol or drugs, Refusing to submit to a blood alcohol or drug test, reckless driving, any type of vehicular manslaughter, hit and run, attempting to flee or elude a police officer, any felony arrest, drag racing, speeding in excess of 24 miles per hour over the posted speed limit, driver's license suspension, and driving while license is suspended or revoked. Any driver with these types of violation is a major concern and may be removed from the "covered driver's list" immediately.
2. TYPE B VIOLATION - Includes all motor vehicle accidents where the employee is at fault.
3. TYPE C VIOLATION - Includes all moving violations not classified as Type A or Type B. (speeding under 24 miles per hour over the posted speed limit, improper lane change, failure to yield the right-of-way, failure to obey stop light signals or stop signs, etc.).
4. TYPE D VIOLATION - Includes all non-moving violations (Illegal Parking or Vehicle Defects).
5. All violations will be reviewed by the employee's Department Head, County Administrator and Human Resources Manager and such review may result in the disciplinary action listed below, up to and including termination, depending on the severity of the violation(s).
6. Declination, Termination or Reassignment to a Non-Driving Position:
 - a. One or more Type A violations in preceding 36 months
 - b. Two or more Type B violations in preceding 36 months
 - c. Three or more Type C violations in preceding 36 months
 - d. One Type B violation and two Type C violations in preceding 36 months
7. Probation:
 - a. One Type B violation in preceding 36 months
 - b. Two Type C violations in preceding 36 months
 - c. One Type C violation and two Type D violations in preceding 36 months
 - d. Three Type D violations in preceding 36 months

While no employee is entitled to probation, probation may be utilized if deemed appropriate after investigation by the County. Employees may be required to take and successfully complete remedial driving courses if deemed appropriate by the County. Employees placed on probation will have MVR reports reviewed every six (6) months,

and will remain on probation until such time as violations are reduced to an acceptable level.

G. Consequences of Determination of Unsafe Status. In the event a covered driver is determined to be an unsafe driver by the County, his or her ability to drive a County vehicle or to drive a personal owned vehicle on County business shall be revoked. In the event a covered driver's license is suspended or revoked by the State, that person's ability to operate a County vehicle shall be immediately and automatically revoked. Moreover, a person whose driving privileges have been revoked may not drive a County vehicle and may not drive a personal vehicle on County business (and therefore may not be reimbursed for using a personal vehicle for County business); if either is required as an essential function of an employee's job, that employee may be terminated. Failure to comply with this policy by an employee shall result in discipline, up to an including termination.

H. Revocation or Suspension of Driving Privileges. In addition to the preceding reasons, an employee may be removed from the approved driver's list at any time with cause by an employee's Department Head/Elected Official. Removal from the approved driver's list may also occur in connection with any disciplinary actions for any violation of County polices and procedures.

I. Appeals. Any suspension or revocation of driving privileges, or any determination that a person is an unsafe driver, may be appealed to the County Administrator. If the determination is made in conjunction with a disciplinary action or termination of an employee, the appeal shall be conducted concurrently with the disciplinary process, as set forth in the Dooly County Personnel Policies and Procedures.

Section 27. Smoke-Free and Tobacco-Free Workplace

A. Purpose: The purpose of this Policy is to notify employees of the County's commitment to a smoke-free and tobacco-free work environment.

B. Policy: It is the policy of the Dooly County Government to prohibit smoking and the use of any tobacco products within any building or property owned or leased by the County and within any other facility or property used or occupied by the County for the conduct of County business. It is the policy of the County to comply with all applicable federal, state, and local regulations regarding smoking in the workplace and to provide a work environment that promotes productivity and the well-being of its employees.

Smoking and the use of tobacco products are prohibited inside all County facilities and vehicles. Smoking and the use of tobacco products are also prohibited outdoors except for areas where it is specifically authorized. This policy applies to visitors as well as employees while on the County's premises.

Employees are expected to exercise common courtesy and to respect the needs and sensitivities of coworkers with regard to this policy. Smokers and users of tobacco products have a special obligation to keep designated smoking areas litter-free and not to abuse break and work rules. Employees who violate this policy will be subject to disciplinary action.

Section 28. Inclement Weather/Emergency Conditions Policy

This general policy will address most government operations. Realizing that there may be special department operating requirements that might warrant slight variations, Department Directors will be responsible for obtaining approval from the County Administrator's Office for any such variations. The general policy is as follows:

A. Policy Goals:

The goals of these policies are as follows:

1. Identify those employees who are classified as emergency and non-emergency employees;
2. Provide appropriate compensation of all employees;
3. Inform the public and employees of the status of government operations; and
4. Promote the safety of the employees and the general public during periods of inclement weather/emergency conditions.

B. Prior to Decision to Reduce Services:

Department Directors and work unit supervisors are responsible to determine and notify employees of their emergency or non-emergency job status in inclement weather or emergency conditions. Emergency employees are those who are required to report to work promptly and to make allowances for changes in weather and travel conditions. Non-emergency employees are those employees who must decide for themselves whether to work as scheduled or take vacation or comp time leave with pay. Department Directors shall be responsible for maintaining a current list of the emergency status positions to be kept by the County Administrator's Office and Human Resources Department.

C. Decision to Reduce Services and/or Close Work Stations:

The decision of what is a prudent response to the situation on a government-wide basis is to be made by the County Administrator's Office. The County Administrator's Office reserves the right to delegate elements of this decision to designated Department Directors on a case by case basis. Emergency Management/Fire Department will be the first location advised by the County Administrator of a decision to reduce services. The County Administrator's Office will use the Emergency Management Office as the central information center to "reduce services" and identify specific "closed work stations". These terms will be used to indicate to employees that the options of this policy have been implemented. The Emergency Management Office will be responsible for disseminating this information to the employees and the public through area radio stations and other media.

D. Pay rules after Decision to Reduce Services:

When a decision to reduce services is made, then Department Directors and work unit supervisors are to make a final decision of the employees who are emergency and non-emergency, restructure work schedules, assign work stations, and perform other tasks to prepare for the changing situations and changing public service roles.

E. Non-emergency Employee Pay Rules:

After a decision is made to reduce services, non-emergency employees must decide for themselves whether to work as scheduled or take vacation leave with pay if an employee has none of these leaves accrued they may be permitted to use sick leave. Leave with pay is

authorized if it is currently accrued and so indicated on the payroll report. Otherwise, the employee is reported absent and is not entitled to pay.

F. Emergency Employee Pay Rules:

Emergency employees are to remain on duty during their normal work schedule or alternate schedule as determined by their supervisor and/or Department Director. Exempt and non-exempt employees are to be paid in accordance with FLSA regulations.

G. Pay Rules after Decision to Close Work Stations:

Employees who are unable to report to work due to the closing of their work station, or have not been assigned to an alternate work station may use vacation leave with pay if an employee has none of these leaves accrued they may be permitted to use sick leave. Leave with pay is authorized if it is currently accrued and so indicated on the payroll report. Otherwise, the employee is reported absent and is not entitled to pay.

H. Other situations:

Emergency employees who are in a non-work status and are required to report to work may have their non-work status revised if required by the Department Director.

Section 29. Dooly County Electronic Communications Policy

A. Purpose: The purpose of this policy is to set forth certain parameters and prevent destruction of Dooly County resources/reputation, for employees who have access to the Internet and other communication devices. The Electronic communication systems include but are not limited to voicemail, e-mail, facsimile, computer networks, Internet connection, on line service, computer files, telephone system, cell phones, pagers, radios, and other mobile devices. All communications transmitted by, received from or stored in these systems are the sole property of Dooly County and an employee should not have the expectation of privacy related thereto. County computers, electronic and any communication equipment shall be for the county business only and not for personal use except in the case of emergency type situations, uses to be considered necessary, or generally beyond the control of the employees as determined by the appropriate Department Head/Elected official. This policy will address the appropriate and inappropriate use of any electronic communication device and to place employees on notice of the penalties that are associated with improper use. The Computer systems in all Dooly County government offices are the property of Dooly County. To maintain the integrity of that system the governing authority of the county requires that the policy set forth herein (and any amendments thereto) be followed.

B. Acceptable Use: Employees using the Internet are representing Dooly County. Employees are responsible for ensuring that the Internet is used in an effective, ethical, and lawful manner. Examples of acceptable use are:

1. Using Web browsers to obtain business information from commercial Web sites.
2. Accessing databases for information as needed.
3. Having your name attached to each document composed when using e-mail and other communication devices for business contacts.
4. Using the Internet to apply for or administer grants or contracts for the County.

5. Using the Internet for advisory, standards, research, analysis, and professional society activities related to the user's County work tasks and duties.

C. Unacceptable Use

Employees using Dooly County's electronic communication devices to create, transfer, download or store data which promotes the following is prohibited:

1. Discrimination or harassment on the basis of age, race, color, gender, sex religion, national origin, or disability;
2. Using electronic communication devices for any purpose which violates a federal, state, or local law
3. Intentionally seek out information on, obtain copies of, or modify files and other data which are confidential is prohibited.
4. Sending or forwarding chain e-mail outside organizations or other non-job related solicitations; i.e., messages containing instructions to forward the message to others.
5. Conducting a personal/private business using Dooly County resources, including commercial advertising.
6. Using the Internet to participate in chat rooms or social networking websites is prohibited, unless such activity has been specifically authorized in writing by the Department Head.
7. Using language and subject matter that is objectionable, offensive, obscene threatening or otherwise inappropriate.
8. Downloading and/or viewing pornographic material at any time.
9. Downloading files from the Internet are not permitted unless specifically authorized in writing by the IT Department and or consultant. Downloads include: videos, audio clips and other downloads that are not used for business purposes.

D. Social Networks. Dooly County Board of Commissioners would like for their employee to be cautious of the information posted on online social networking sites (i.e. Facebook, Twitter, MySpace, etc.); as an employee you are not only representing yourself but Dooly County as well. Internet postings should not disclose any information that is confidential or proprietary to the county, county customers, county vendors or to any third party that has disclosed information.

E. Confidential Information and Privacy

All Internet data that is composed, transmitted, or received via the Dooly County computer system is considered part of the official records system and as such, is subject to disclosure law, the Georgia Open Records Act, and the confidentiality/privacy provisions of Federal and State law. As a public record, Dooly County Board of Commissioners retains the right to inspect, copy, or retrieve any data on the Dooly County computer system without prior approval of the employee. There should be no expectation of privacy when using the Dooly County Information System.

F. Protocol for Inspection of Files and Electronic Transmissions

Department Heads MUST have the approval of the County Administrator or the majority vote of the Board of Commissioners prior to the inspection of data and electronic transmissions on the Dooly County computer system. This protocol shall not apply to any bona fide criminal investigation by the Dooly County Sheriff's Office.

G. Copyright

Using the Internet to copy, transfer, rename, add, or delete information of programs belonging to others is prohibited. Failure to observe copyright or license agreements may result in disciplinary action by Dooly County and/or legal action by the copyright owner. Dooly County and its employees are legally bound to comply with the Federal Copyright Act (Title 17 of the U.S. Code) and all proprietary software license agreements. Noncompliance can expose Dooly County and the responsible employee(s) to civil and/or criminal penalties.

H. Computer Viruses

Computer viruses are programs designed to make unauthorized changes to programs and data. Therefore, viruses can cause destruction of Dooly County resources.

Background: It is important to know that:

Computer viruses are much easier to prevent than to cure. Defenses against computer viruses include protection against unauthorized access to computer systems, using only trusted sources for data and programs, and maintaining virus-scanning software.

1. Information Technologist (IT) Responsibilities

IT shall:

- a. Install and show users how to maintain appropriate antivirus software on all computers
- b. Respond to all virus attacks, destroy any virus detected, and document each incident.

2. Employee Responsibilities

These directives apply to all employees:

- a. Employees shall not knowingly introduce a computer virus into County.
- b. Employees shall not load diskettes of unknown origin.
- c. Employees shall scan, or have scanned, any incoming diskettes for viruses before they are used on Dooly County system.
- d. Anyone who suspects that his/her workstation has been infected by a virus shall IMMEDIATELY POWER OFF the workstation and call for IT assistance.

I. Access Codes and Passwords

The confidentiality and integrity of data stored on Dooly County computer systems must be protected by access controls to ensure that only authorized employees have access. This access shall be restricted to only those capabilities that are appropriate to each employee's job duties. Seeking passwords of others or the exchange of passwords is specifically prohibited.

1. Information Technologist (IT) Responsibilities

IT shall be responsible for the administration of access controls to all Dooly County systems. IT will process additions, deletions, and changes upon receipt of a written request from the end user's supervisor. Deletions may be processed by an oral request from a supervisor prior to receipt of the written request. IT will maintain a list of administrative access codes in a secure area.

2. Employee Responsibilities

Each employee:

- a. Shall be responsible for all computer transactions that are made with his/her User ID and password.
- b. Shall not disclose passwords to others. Passwords must be changed immediately if it is suspected that they may have become known to others. Passwords should not be recorded where they may be easily obtained.
- c. Users should log out when leaving a workstation for an extended period of time.

3. Supervisor's Responsibility

Managers and supervisors should notify IT promptly whenever an employee transfers to another department so that his/her access can be revoked.

4. Human Resources Responsibility

The Human Resource Department will notify IT monthly of employee terminations. Involuntary terminations must be reported concurrent with the termination or as soon as applicable.

J. Violations

All information composed, transmitted, and received through Dooly County's information System will be monitored for integrity and maintenance. Frequent checks will be done to prevent destructive acts such as abuse and unlawful usage.

This policy supplements any and all policies that relates to workplace harassment, discrimination, retaliation, conflicts of interest, discipline and discharge, records retention, and Open Records Act. Violation of this policy as well as the policies listed above may subject employees to disciplinary actions up to and including termination. Employees using County communication equipment for defamatory, illegal or fraudulent purposes may be subject to civil liability and/ or prosecution.

Section 30. Dooly County Health and Wellness Policy

A. Policy Statement:

The Dooly County Board of Commissioners is proud to offer to its employee's health related programs; that will allow employees to attain ownership of their physical and health condition. These enhancement programs will allow the employees to become knowledgeable about their health and well-being. The programs are designed to educate employees on preventable conditions and diseases. Dooly County Board of Commissioners strongly encourages employees to participate in all wellness programs being offered.

B. Intent:

The development of creating a healthy workforce expresses the county's values and support of the employees' health.

The purpose of various programs offered by Dooly County Board of Commissioner is to: Increase employee productivity; Lower absenteeism; Reduce stress; Decrease accidents; and, Reduce Health Cost.

The Dooly County Board of Commissioners strongly believes wellness programs are an effective way to partner with their employees to encourage healthier lifestyles. In doing so, we offer various articles to each employee to read to increase health awareness along with an annual Health Fair. The Health Fair provides health screening and educational information which includes a variety of tests along with educational information to increase health awareness to employees. These services will continue to be provided based upon the availability of funds and other relevant factors.

ACKNOWLEDGMENT OF RECEIPT OF PERSONNEL POLICY MANUAL

By signing below, I acknowledge that I have received a copy of the Dooly County Personnel Policy Manual that outlines my benefits and obligations as a County employee. I understand that I am responsible for reading and familiarizing myself with the information in this manual and understand that it contains general personnel policies of the County. If I need clarification on any of the information in this manual, I will contact my immediate supervisor.

I further understand that the Dooly County Personnel Manual is not a contract of employment. I understand that my employment may be terminated by either myself or the County, at any time, with or without cause, and with or without notice.

I understand that this policy manual is intended only to provide guidance in understanding Dooly County policies, practices and benefits. I understand that I am an 'AT-WILL' employee and that Dooly County has the right to change any condition, benefit, policy or privilege of my employment at any time, with or without notice, consistent with this policy.

I further understand that as a County employee, I have a personal responsibility to provide quality service to the public, to achieve the highest degree of safety possible for my fellow workers and myself, to continually make suggestions for improvement and to display a spirit of team work and cooperation.

SIGNED BY:

SIGNATURE OF EMPLOYEE

LINDA C. WOODSON
HUMAN RESOURCES MANAGER

PRINTED NAME OF EMPLOYEE

DATE SIGNED

DATE SIGNED