



# Personnel Policy Manual

*Developed under the authority of the City  
Council by the City Manager's  
Office and the Human Resources Department  
Approved October 3, 2013*

Dear Employee:

Welcome to the City of Peachtree City! We are excited to have you as a part of our talented and diverse team of employees. The City of Peachtree City is a unique municipality, requiring input and contribution from every team member. This policy manual contains key policies and expectations of the City of Peachtree City as your employer. You will find the information both necessary and informative and are encouraged to use the manual as the vital resource it is intended to be.

The City of Peachtree City is committed to outstanding service to our citizens and visitors. Providing an outstanding quality of life to our community is our top priority. As a part of our team, you will discover that your involvement will not only benefit the City, but will also be a rewarding experience to you on both a professional and personal level. We expect you to own the results of your innovation and productivity and be an active participant in the growth and development of your career and of the City of Peachtree City's future.

Welcome aboard, and we look forward to your contribution!

Sincerely,

Dr. James L. Pennington  
City Manager

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# CHAPTER I

# ADMINISTRATION



**I. ADMINISTRATION**

**A. PERSONNEL ADMINISTRATION**

**Section 1: Authority**

**(a) General**

With the exception of matters reserved by state law or the city charter to the City Council, the general and final authority for personnel administration rests with the City Manager. This Personnel Policy Manual provides statements of policy and establishes procedure relating to personnel administration that are necessary to effectively and efficiently manage City operations. It is issued by the City Manager under the authority of the City Council.

**(b) Scope of Authority**

The City Manager possesses the authority to administer City operations. The City Manager's authority includes, but is not limited to:

1. Discipline, discharge, or release of employees pursuant to the City Charter and procedures described in this handbook;
2. Direct the work forces;
3. Hire, assign, or transfer employees;
4. Determine the mission of City departments;
5. Determine the methods, means, and allocation/assignment of personnel needed to carry out the City's mission;
6. Introduce new or improved methods or facilities or change such methods or facilities;
7. Determine reasonable work schedules and establish the methods and processes by which such work is performed;
8. Require the performance of duties stated and intended in job descriptions, with the understanding that every duty is not always described;
9. Determine position availability by:

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1. Authorizing lateral assignments;
  2. Freezing, hiring, and promoting;
  3. Authorizing delay in position uses due to budget, facilities, or other business necessity; or
  4. Authorizing temporary assignment into a vacancy.
10. Recommend to City Council the addition/deletion of positions, reclassification of positions, and/or reassignment of employees to different positions with different classifications and pay as required by business necessity.

**(c) Delegated Authority**

The City Manager may delegate authority to Division Directors in the following areas:

1. Discipline, discharge, or release of employees pursuant to the procedures described in this handbook;
2. Direct the work forces;
3. Hire, assign, or transfer employees;
4. Recommend the mission of specific departments;
5. Determine the methods, means, and allocation/assignment of personnel needed to carry out the department's mission;
6. Introduce new or improved methods or facilities or change such methods or facilities;
7. Recommend work schedules and establish the methods and processes by which such work is performed;
8. Require the performance of duties stated and intended in job descriptions, with the understanding that every duty is not always described;
9. Recommend positions, reclassification of positions, and/or the reassignment of employees to different positions with different

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classifications and/or pay; and

10. Fiscal responsibility of the Division.

**(d) Administration of Policy**

Proper policy administration includes selecting goals and encouraging the discharge of duties above the minimum standards. The provisions of this manual create high standards of conduct so that training and performance can be aimed at the highest levels and may, in appropriate cases, be the basis for internal discipline. This manual provides general information about City policies, procedures, expectations, and benefits. The information in this manual, however, cannot anticipate every situation or answer every question regarding your employment. Therefore, the policies set forth in this manual may not cover all situations. The City Manager shall make interpretive decisions for those situations that are not specifically covered by this manual and may, in the best interest of City operations, override any provision in this manual.

The intent of this Personnel Policy Manual is compliance with all applicable Federal and State laws. In the event of a change in law or a conflict in Federal or State law with the contents of this manual, the Federal and/or State law shall supersede the policies contained within this manual.

**Section 2: "At Will" Employment**

All employment relationships are at the will of the City of Peachtree City and the employee. Employees may resign or quit at any time for any or no reason, with or without cause or notice. Similarly, the City of Peachtree City may discharge an employee at any time for any reason, with or without cause or notice.

This manual is not intended to and does not create an employment contract between the City and its employees. Your employment is for no specified period of time, and this manual does not limit your right or the City's right to terminate your employment at any time for any reason or no reason.

**Section 3: Departmental Operating Rules**

Departmental operating rules and regulations related to employment matters, not in conflict with this manual, may be used and/or established by the Division Director. To the extent there are any questions as to the controlling rule, the rule requiring the most stringent level of employee performance shall govern.

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**Section 4: Revisions to Manual**

This manual may be amended in whole or in part from time to time at the sole discretion of the City in order to maintain legal compliance, operative effectiveness, and desired workplace conditions. Amendments will be available to all employees upon adoption.

**Section 5: Personnel Records**

**(a) Establishment and Retention**

Master personnel files on all employees are established and maintained by the Human Resources Department. These files shall be located at City Hall under the supervision of the Director, Human Resources and Risk Management, and shall contain all records and actions taken. Files for terminated employees shall be retained as required under all applicable record retention laws. The practice of maintaining copies of these files or portions thereof within the departments is strongly discouraged. If departmental records must be maintained (e.g. CALEA requirements in the Police Department), these records must be kept in a secure location so as to ensure the confidentiality of protected information. These records are subject to disclosure pursuant to any Open Records Act request and must be destroyed in accordance with the City's Records Retention schedule. The City Records Manager shall determine the time limit that personnel records shall be kept on file and shall make the final disposition in accordance with State or Federal laws.

**(b) Inspection of Records**

1. An employee has the right to review and request copies of his/her personnel file. These requests will be facilitated by the Director, Human Resources and Risk Management. The employee may be charged a nominal fee per copy.
2. All personnel records/files of employees covered under these policies shall be subject to inspection and protection in accordance with State Open Records laws. Information which is obtained in the course of official duty shall not be released by any employee other than by those charged with this responsibility as part of their official duties.

**(c) Changes to Records**

It is the responsibility of the employee to notify the City of any personal

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data changes, such as name, address, phone number, emergency contact information, change in beneficiaries, etc. Name changes will require legal documents as back-up (e.g. marriage certificate, divorce decree, etc.)

**Section 6: Personnel Policy Manual**

**(a) Scope**

The provisions of this manual apply to all employees of the City of Peachtree City, Georgia, both on and off duty, unless otherwise indicated, restricted by authority, or limited by law.

**(b) Not a Contract**

This manual does not constitute a contract of employment or benefits. Nothing in this handbook should be construed as a guarantee of continued benefits from, or employment by, the City of Peachtree City. Benefits provided are subject to change or revocation with or without notice. All employees are subject to discharge with or without cause.

**(c) Changes**

The City Manager reserves the authority to recommend, modify, revoke, amend, suspend, interpret, terminate, or change any or all of the provisions of this manual. Except in the case of emergency, employees will be given appropriate notice of any change.

**(d) Titles/Headings**

The use of titles or headings in this manual shall not govern, limit, modify, or affect the scope of meaning or intent of any provision.

**(e) Validity/Severability**

Any statement in a directive found to be illegal, incorrect, or inapplicable shall not affect the validity of the remaining contents.

**(f) Distribution**

Every City employee will have access to a copy of this manual and copies of amendments and revisions as they are adopted.

**(g) Compliance**

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All provisions of this manual are applicable to regular full-time, part-time, probationary, seasonal, and temporary employees, except where otherwise noted in the manual.

**(h) Official Copy**

An official copy of the City of Peachtree City, Georgia, Personnel Policy Manual containing the latest revisions is maintained by the Director of Human Resources and Risk Management and can be found in the offices of such department.

**Section 7: Definitions**

The following words and phrases shall have the following meanings. All other words not defined herein shall have the common and ordinary dictionary meanings, unless a different meaning is required by the context.

**(a) Days**

Unless otherwise provided, “days” refers to business days, rather than calendar days or shift days.

**(b) Demotion**

Demotion is defined as the change of an employee from a position in one grade to a position in another grade at a lower level. Demotions may be to one or more grade levels lower than the current employee status.

**(c) Division Director**

The highest administrative employee of a division, whether indicated as Director, Chief, or other job title or rank.

**(d) Employee**

- **Regular Full-time Employee:** Any employee filling an approved, budgeted position with a regularly scheduled work week of forty (40) hours per week.
- **Regular Part-time Employee:** Any employee filling an approved, budgeted position with a regularly scheduled work week of less than thirty (30) hours per week.
- **Fire Shift Employee:** Those employees designated as fire protection

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personnel and assigned to a shift other than the regular work week.

- **Police Shift Employee:** Those employees designated as police protection personnel and assigned to a shift other than the regular work week.
- **Probationary Employee:** Those newly hired employees who are in their “original probation period” and those employees who have changed positions and are in the “position probation period.”
- **Temporary or Seasonal Employee:** Any employee filling a position for a specified length of time, for either long- or short-term work assignments.

(e) **Exempt Employee**

An employee defined according to the federal Fair Labor Standards Act (FLSA) to be subject to equal pay provisions, but exempt from overtime pay provisions. An exempt employee’s compensation is based on an annual salary basis, and there is no compensation for hours worked in excess of the defined work week.

(f) **Non-Exempt Employee**

An employee defined according to the FLSA to be subject to equal pay, minimum wage, and overtime provisions. For regular employees, hours worked in excess of the 40-hour work week will be paid at a rate of 1½ times the employee’s regular rate of pay. For police shift employees, hours worked in excess of the 80-hour bi-weekly work period will be paid at a rate of 1½ times the employee’s regular rate of pay. For fire shift employees, hours worked in excess of the 212-hour 28-day work period will be paid at a rate of 1½ times the employee’s regular rate of pay. Non-exempt employees take annual, sick, holiday, or other types of leave in quarter hour increments.

(g) **On-the-Job Injury**

An on-the-job injury is an injury arising out of employment or sustained in the course of employment.

(h) **Overtime Rate**

The overtime rate of pay is one and one-half (1½) times the regular rate of pay for non-exempt employees.

(i) **Promotion**

A promotion is defined as the change of an employee from a position in one grade to a position in another grade of a higher level.

(j) **Reassignment**

Reassignment is defined as the movement of an employee not otherwise covered by demotion, promotion, or reclassification. The terms reassignment and transfer may be used interchangeably.

(k) **Reclassification**

A reclassification is defined as a position whose classification is altered due to job duties and responsibilities. Reclassifications can be to a higher, lower, or same pay grade.

(l) **Relative**

For purposes of this manual, relatives are defined as follows:

- Spouse
- Parent or Step-parent
- Parent-in-law
- Child or Step-child
- Sister or Step-sister
- Brother or Step-brother
- Sister-in-law
- Brother-in-law
- Son-in-law
- Daughter-in-law
- Grandparent or Step-grandparent
- Grandparent-in-law
- Grandchildren

(m) **Supervisor**

The term supervisor shall apply to any employee formally assigned to supervisory responsibilities for personnel and operations of a work unit within a larger department of City government. Division Directors and the City Manager should be understood to be supervisors of individuals who report directly to them.



**(n) Unauthorized Absence**

Failing to report for duty or failure to remain at work as scheduled without proper notification, authorization, or excuse.

**(o) Work Week**

The work week is established as Monday through Sunday.

## **B. ATTENDANCE & WORK HOURS**

### **Section 1: Policy Statement**

In order to maintain a high level of responsiveness to the City of Peachtree City citizenry, it is important that employees follow established work hours, avoid tardiness and unauthorized absences, and follow reporting requirements.

### **Section 2: General Provisions**

#### **(a) General Business Hours**

All offices of the City will be kept open continuously from 8:00 a.m. to 5:00 p.m. Monday through Friday during a regular work week. Unless otherwise approved by the City Manager, the regular work day is from 8 a.m. to 5 p.m. Each department may schedule alternate work schedules to meet their needs and the needs of citizens with approval of the City Manager.

#### **(b) Hours Worked**

Employees must actually work all hours in the work period before receiving overtime pay/compensatory time. The established work periods for City employees are:

Police Officers	80 hours/14 days
Firefighters	212 hours/28 days
All Others	40 hours/7 days

Annual, sick, holiday, or other types of leave will not count as hours worked for calculating overtime pay or for the purpose of determining eligibility for Family and Medical Leave (FMLA).

#### **(c) Attendance Requirements**

Maintaining good attendance is a condition of employment and an essential job function of every employee. An employee will refrain from unauthorized absences or tardiness; abusing sick leave; absences or tardiness that causes significant disruption of service; and excessive amount of time off the job, regardless of reason. An employee absent from the job without proper authorization for three consecutive workdays may be considered to have resigned his/her position without notice, unless

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exigent circumstances are demonstrated upon review on a case-by-case basis.

Specific attendance requirements may be established by Division Directors as needed to ensure operation effectiveness.

**(d) Additional Work**

All employees are required to work in excess of their regularly scheduled hours when necessary, as determined by department management. Such additional work assignments may be rotated and allocated among employees qualified to perform the duties. Excess hours may be required or granted for a specific period of time or on a regular basis as operating circumstances warrant. Additional work by non-exempt employees must be approved in advance by the employee's supervisor. This includes, but is not limited to, work before or after regular work hours, working a City-sponsored Special Event, etc.

**(e) Travel Time**

When a non-exempt employee travels on City business or attends a training class/conference outside of his/her normal work schedule, it will be at the discretion of his/her Division Director to determine if the employee should leave from his/her home or from his/her City work facility. Traveling hours for non-exempt employees may be calculated as work time and could possibly create overtime pay.

Should travel require an employee to fly rather than drive, time spent at airports waiting on flights is considered work time and should be paid according to the Fair Labor Standards Act (FLSA).

Non-exempt employees traveling during their normal work hours will be compensated as their normal work schedule; employees traveling on their scheduled off day will be compensated as any other workday.

**(f) Time Increments**

Hourly computations for the purpose of compensation and the use of annual, sick, holiday, or other types of leave will be computed in quarter hour increments for non-exempt employees.

**(g) Meal Breaks**

Meal time should be at least thirty (30) minutes in length, not to exceed 60 minutes. Meal times may occasionally vary to accommodate medical or personal appointments. Allowances are made for the Public Works crews when laying asphalt or during severe weather response. Other rest periods/breaks of short duration during the day should not be disruptive to operations, should not exceed fifteen (15) minutes in length, and should be approved by the employee's supervisor. In compliance with the Fair Labor Standards Act, meal time during a shift is not considered compensable time, unless the employee is required to respond to calls or to perform other work during the meal time (e.g. Police Officers, Camp Counselors, etc.).

### **Section 3: Alternative Work Schedules**

#### **(a) General Provisions**

Subject to operational requirements, regular full-time employees may work an alternative work schedule that requires the employee to work outside the normal work hours of 8:00 a.m. to 5:00 p.m. Monday through Friday.

#### **(b) Approval Process**

Any change in an employee's work schedule must be based on operational need and must be approved in writing by the Division Director prior to implementation. In addition, the City Manager and the Director of Human Resources and Risk Management must approve any change in an employee's work schedule to ensure there is no conflict with statutory/regulatory requirements or City policy.

#### **(c) Restrictions**

- The City may cancel or suspend an employee's alternative work schedule at any time, for any or no reason.
- Daily and weekly work schedules can be modified at the City's discretion to meet changing operational needs.
- Approval of an alternative work schedule does not prohibit employees from working more than their regularly scheduled work hours.
- Employees can be required to depart from their alternative work schedule as necessary, to work additional hours, to attend training, or for other business purposes as determined by the City.
- No alternative schedule will be approved that has the potential to unduly increase the City's overtime pay liability or that results in an inconvenience to, or disruption of, the City's business.

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## **C. EMPLOYEE STATUS CHANGES**

### **Section 1: Policy Statement**

Employees may undergo any number of changes in status and/or compensation. The purpose of this policy is to identify and describe the more common of these changes.

### **Section 2: General Provisions**

#### **(a) Requirement**

All new hires, promotions, demotions, reassignments, or transfers are contingent on position availability, the employee meeting the minimum qualifications, and the availability of funds in the discretion of the City Manager and City Council.

#### **(b) Compensation**

Status changes described in this manual may affect compensation, based on position classification and availability of funds.

(c) A Personnel Change Form must be completed to document all status changes.

### **Section 3: Probation Period Requirements**

#### **(a) Policy Statement**

It is the purpose of the probationary period to provide a time by which both employee and employer can decide whether to continue employment. Probationary employees and supervisors should utilize the time to examine all aspects of the job and related performance.

#### **(b) Original Probation Period**

Newly hired employees are subject to a six (6) month probationary period in the position to which they are hired (the "Original Probation Period"). Public Safety (certified Police Officers and Firefighters/EMT's/Paramedics) have a one (1) year probationary period from date of employment. Uncertified Police Officers have a one (1) year probationary period from the date they become certified. New hires who fail to complete the probationary period at an acceptable level shall be

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terminated from employment.

**(c) Position Probation Period**

Employees who are promoted, demoted, or transferred to a different position are subject to a six (6) month probationary period in the new position (the “Position Probation Period”). If the employee fails to successfully complete a “position probation period” following promotion, he/she shall be reinstated in his/her former position at his/her former rate of pay if the position is vacant. If the position is not vacant, the employee may be assigned to any vacant position for which he/she is qualified at a rate of pay within the salary range of the vacant position. If no vacant position for which he/she is qualified is available, the employee will be terminated. If the employee fails to successfully complete a “position probation period” following demotion or transfer, he/she may be assigned to any vacant position for which he/she is qualified at a rate of pay within the salary range of the vacant position. If no vacant position for which he/she is qualified is available, the employee will be terminated.

**(d) Extension of Probation**

The probationary period may be extended one time for a period not to exceed ninety (90) days by the Division Director with notice to the Director of Human Resources and Risk Management. If the probationary period is to be extended, the employee will be notified in writing.

**(e) Probation Period Restrictions**

Employees in a probationary status are not eligible for reassignment, promotions, or voluntary transfer unless specifically approved by the City Manager.

**(f) Grievance Appeal Rights**

New employees in their original probationary status do not have grievance or appeal rights in connection with disciplinary action or termination of employment.

**Section 4: Regular Status**

An employee who satisfactorily completes the probationary period is moved to regular status at the recommendation of the Division Director and approval of the City Manager.

## **Section 5: Promotions and Demotions**

### **(a) Eligibility for Promotion**

Employees may be eligible to promote to higher classified positions based on qualifying skills and demonstrated performance.

### **(b) Reasons for Demotion**

Employees may be demoted as the result of failure to meet minimum performance standards established for their position, disciplinary action, job elimination, or reasonable accommodation. A recommendation for demotion must be in writing and must contain the reasons why it is necessary to recommend demotion rather than alternative personnel actions. Only Division Directors, in consultation with the Director of Human Resources and Risk Management, may authorize a demotion. The Division Director shall notify the employee in writing.

## **Section 6: Reassignment**

### **(a) Management Reassignment**

An employee may be reassigned to a position in the same rank or classification with different duties and responsibilities at the discretion of the Division Director.

### **(b) Temporary Reassignment to Modified/Light Duty**

Any employee may be temporarily reassigned to modified, lighter, or safer duties when the employee is unable to perform his/her current duties based on a medical certification by a physician, or when continued performance of current duties may aggravate a present medical condition/problem as diagnosed by a physician. The City may require an employee to be examined by an appropriate health professional of the City's choice if the employee provides insufficient information from his/her treating physician (or other health care professional) to substantiate that he/she is unable to perform current duties. Every reasonable effort will be made to reassign the employee to other duties within the same department. During the reassignment period, the employee will be required by the Human Resources Department to provide periodic reports regarding the employee's ability to perform duties.

If a reassigned employee is unable to resume, with reasonable accommodations, his/her original duties within three (3) months of

reassignment, the Human Resources Department may, with approval of the City Manager, assign the employee to a vacant position in another classification for which the employee is qualified and able to perform (with or without accommodations), and at a salary comparable to that of other employees in the same classification. If no vacancy exists in another classification for which the employee is qualified (with or without accommodations), the employee may be terminated from employment.

**(c) Temporary Reassignment to Higher Classification**

Employees may be temporarily assigned to an acting status in a higher position having different duties and responsibilities when:

1. An existing position is vacant or the incumbent is or will be absent from work for at least thirty (30) days;
2. Operational effectiveness precludes dispersing the duties of the position among other equally classified employees;
3. The employee meets the minimum qualifications of and is capable of performing the assigned duties of the higher level position; and
4. The City Manager approves the temporary acting status in writing prior to the reassignment.

**(d) Employee-Sought Reassignment**

Employees may voluntarily seek transfers to equally or lower classified available positions for which they are qualified. Such transfers may not be granted if the City Manager determines that it is not in the best interest of City operations.

**Section 7: Reclassification of a Position**

**(a) General Overview**

Reclassification of a position may occur at the request of a Division Director and upon approval of the City Manager when the job duties actually performed and/or the minimum qualifications of the position have significantly changed since the job description was written. Reclassification may result in a position being placed in a higher, lower, or same classification. Employees whose positions are reclassified will be given written notice of the reclassification by the Human Resources Department and will not be subject to a “position probation period”.

**(b) Approval**



All requests for reclassifications should be submitted to the Director of Human Resources and Risk Management, who will review and submit to the third-party compensation analyst for evaluation. A recommendation to reclassify a position must be approved by the City Manager and the City Council.

## **D. NEPOTISM & NON-FRATERNIZATION**

### **Section 1: Nepotism**

#### **(a) Policy Statement**

It is the City's policy that relatives, as defined earlier in the definition section, will not be employed in regular full-time or part-time positions where:

1. One relative would have the authority to supervise, appoint, remove, discipline, or evaluate the performance of the other;
2. One relative would be responsible for auditing the work of the other;
3. Other circumstances exist which would place the relatives in an actual or reasonably foreseeable conflict between the City's interest and their own.

#### **(b) Options**

1. Voluntary movement of either or both employees based on availability of positions in other departments and qualifying skills of the employee(s).
2. Involuntary reassignment of the more senior employee to an available position of equivalent status/grade based on qualifying skills of the employee.
3. Resignation or dismissal from City service.

### **Section 2: Non-Fraternization**

#### **(a) Policy Statement**

Romantic or sexual relationships between a manager/supervisor and a direct report employee can cause real or perceived conflicts of interest. In order to prevent these conflicts, the City prohibits such relationships or any conduct that is intended or may reasonably be expected to lead to the formation of a romantic or sexual relationship between a manager/supervisor and an employee in a direct reporting relationship. This policy applies regardless of whether or not both parties freely consent to such relationships. Should a manager desire to date or become involved

with a direct report employee, the manager should first resign from his/her position with the City.

Should two employees within the same department, but not in a direct reporting relationship, desire to become involved in a romantic relationship, they should disclose the relationship to the Division Director who shall then make a decision regarding the effect of the relationship on work product and work flow within the department. If, in the judgment of the Division Director, the relationship between two employees within the department creates a negative effect on departmental operations, then the more senior employee will be asked to transfer or resign his/her position with the City.

## **E. HIRING AND SELECTION**

### **Section 1: Policy Statement**

The City is committed to employ, in its best judgment, the most highly qualified candidates for approved positions in compliance with all applicable employment laws. It is the policy of the City to provide equal employment opportunity for all employment to all applicants and employees.

Human Resources' authorization is required to initiate any action for an open position including any recruitment efforts, advertising, or interviewing. The extension of any offers of employment to any prospective candidate will be made by the Human Resources Department or the City Manager.

### **Section 2: General Provisions**

#### **(a) Equal Employment Opportunity**

The City of Peachtree City provides equal opportunity to all employees and applicants without regard to race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, genetic information, or status as covered veterans in accordance with applicable Federal, State, and local laws. This policy applies to all terms and conditions of employment including, but not limited to, recruitment, placement, promotion, disciplinary action, termination, reduction in force, transfers, leaves of absence, compensation, working conditions, training, and benefits.

#### **(b) The Americans with Disabilities Act**

The Americans with Disabilities Act (ADA) prohibits, under certain circumstances, discrimination based on disability in the areas of employment, public services, and public accommodations. ADA requires employers to reasonably accommodate qualified individuals with disabilities. It is the City of Peachtree City's policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment. The City of Peachtree City will provide reasonable accommodations to both employees and members of the public, if so requested.

#### **(c) Selection Criteria**

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Selection for employment with the City of Peachtree City is generally based on job-related qualifications and is contingent on satisfactory results of such exams or tests as either required by law or administered due to job-related duties.

**(d) Minimum Age**

Eighteen (18) is the minimum age of employment for the City with the following exceptions:

Selected seasonal or temporary positions where persons are at least age 16 and are allowed by law to work in jobs that are non-hazardous.

**Section 3: Application Process**

**(a) Acceptance of Applications**

As a general policy, no applications/resumes will be accepted unless the City has posted vacancies.

**(b) Recruitment Requests**

Upon a vacancy, the Division Director should notify the Director of Human Resources and Risk Management. An announcement will be posted for a vacancy stating the position, the minimum qualifications, the salary or salary range, how to apply, and the closing deadline for application submission. This announcement will be posted for a minimum of three (3) business days. The Division Director may, at his/her discretion, choose to consider only qualified City employees for an existing vacancy. Should a position, however, become vacant within a 90-day time frame after the same position has been filled, the City may choose not to re-post an announcement for a vacancy if there are additional qualified candidates to consider from the previous posting. The 90-day time frame will begin with the candidate's hire date from the original posting.

**(c) Job Bid Program**

An internal employee may bid on any posted vacancy by submitting a Job Bid Form that may be obtained from the Human Resources Department. Like external candidates, in order to be considered for a vacancy, the employee must meet the minimum qualifications as stated in the announcement that is posted for the vacancy. Qualified employees will be

considered along with qualified outside candidates for the position. The City is under no obligation to fill a vacancy with an internal candidate.

**(d) Forms and Submission**

All external candidates for a position must complete a new employment application or submit a resume or letter of interest and file it with the City's Human Resources Department for each vacancy of interest. Internal candidates must submit a Job Bid Form to the Human Resources Department to indicate interest in a vacancy. Additional information outside the initial employment application or Job Bid Form may be required from candidates.

**(e) Examinations**

As determined by the Division Director and the Director of Human Resources and Risk Management, the selection process may include, but not necessarily be limited to, one or more of the following: oral interviews, evaluation of experience and training, written/computerized/performance skills test, physical ability skills test, driver history, criminal history, truth verification testing, psychological testing, drug test, and reference and background checks. Any written or performance skills test must be valid as to its ability to test for job performance and must not be discriminatory. Candidates for those positions designated as physically demanding and/or safety-sensitive may be required to undergo post-offer physical examinations at the City's expense prior to employment.

**(f) Falsified or Omitted Material**

Omission or falsification of any material fact on an application or resume or any other official agency documentation disqualifies an applicant for consideration of employment, transfer or promotion. Disciplinary action may be taken against a current employee for an omission or falsification, up to and including termination, regardless of when the omission or falsification is discovered.

**Section 4: Selection**

**(a) Job-Related Criteria**

Selection for employment with the City of Peachtree City is based on job-related criteria that may include, but is not limited to:

1. Possession of the necessary knowledge, skills, abilities, training, education, licenses, certifications, and experience required for the position.
2. Satisfactory results on performance tests and/or physical or psychological examinations, or drug and alcohol tests.
3. Satisfactory results on criminal history, driving record, and employment and education reference checks.

**(b) Nepotism**

All provisions of the nepotism policy in this manual will be adhered to during the selection process. For further information, please refer to the Nepotism Policy.

**(c) Position Control**

It is the responsibility of the Director of Human Resources and Risk Management to maintain a Citywide “Personnel Summary” and “Open Positions Report” in order to track authorized positions and the status thereof. These reports are utilized to maintain position control.

**Section 5: Eligibility Register/Promotion Registry**

In coordination with the Human Resources Department, the Fire and Police Departments may create an eligibility register/promotion registry to fill vacancies for the rank of Sergeant and Lieutenant. In order to evaluate the promotional potential of interested employees, candidates shall participate in evaluation techniques such as a written exam, assessment center, oral interview, etc. These techniques will measure the following: organization and planning, interpersonal relations, problem-solving ability, leadership skills, oral and written communication skills, and decision-making. Simulation exercises may be utilized in the assessment center. This process will identify personnel qualified for promotion to Sergeant and Lieutenant and will create a standing promotion register for future positions. An employee’s existence on an Eligibility Register/Promotion Registry, however, does not guarantee a promotion should the individual’s performance decline or become below satisfactory, etc. This promotion register will generally be valid for a minimum of one (1) year up to a maximum of three (3) years unless the register is exhausted. Further details of this process are available in the departments’ Standard Operating Procedures.

**Section 6: Re-Employment**

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To be considered for re-employment, a former employee must have demonstrated acceptable prior service with the City and must meet the current minimum qualifications for the position for which he/she is applying. Re-hired employees are subject to the conditions of employment and benefits of a newly hired employee. Upon approval of the City Manager, employees re-hired within a 90-day time frame may have their benefit waiting periods waived, and their original hire date reinstated. Re-hired employees are subject to the Defined Benefits Pension Plan document requirements for waiting periods and eligibility for participation.

**Section 7: Emergency and Provisional Employment**

The City Manager may approve emergency and provisional employment for not more than 6 months without advertising the vacancy when the position must be filled immediately.

**Section 8: Contract Employment**

**(a) General Overview**

Personnel from temporary employment agencies or contract employees outside an agency may be utilized from time to time by the City to facilitate business needs. The temporary agency is responsible for hiring, training, assigning, disciplining, and terminating its contract personnel. For performance purposes, contract personnel assigned a City project will be supervised by the Division Director or designee. Contract employees are not eligible to receive City benefits. Contract employees outside an agency must supply their own equipment, manage their own schedule, and be responsible for their own payroll tax payment and filing.

**(b) Requests for Contract Employment**

Requests for contract personnel must be placed through the Human Resources Department, will be reviewed by both Human Resources and Finance, and are subject to availability of funds. Temporary assignment must be approved by the Financial Services Director, Director of Human Resources and Risk Management, and City Manager prior to the engagement of the contract service. The Director of Human Resources and Risk Management will coordinate the assignment once approval has been issued.

**Section 9: Other Employment**

**(a) General Overview**

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The City recognizes that employees may seek additional employment during their off hours to earn additional income or develop new skills and experience. Despite any other outside employment, a City job is the primary employment responsibility for a full-time employee. Working extended hours while at a secondary job may adversely affect the health, endurance, and productivity of employees. The City does not consider outside employment to be an excuse for poor job performance, tardiness, absenteeism, or refusal to work overtime or travel when required by the City. Outside employment also presents the opportunity for conflicts of interest.

**(b) Outside Employment**

Outside employment is subject to written approval by the Division Director or designee. A City employee may not engage in any business, trade, occupation, or profession that:

1. Brings the City into disrepute;
2. Reflects discredit upon the employee as an employee of the City;
3. Interferes with the performance of the employee's City duties;
4. Presents a conflict of interest;
5. Results in misuse of City property or funds;
6. Results in use of the City position for unethical and/or illegal personal gain;
7. Violates department policy or procedure; or
8. Decreases the health or endurance of employees or adversely affects their productivity.

**(c) Dual City Employment & Volunteer Time**

Employees may not hold more than one regular compensated position with the City.

**(d) Prohibitions**

1. Division Directors are prohibited in engaging in any form of outside

employment without the specific approval of the City Manager.

2. No employee shall engage in any employment or business where the work of the secondary employer has been in the last twelve (12) months or is currently the subject of an investigation by the employee's City department.
3. If an employee is on leave for personal medical reasons (sick leave, Workers' Compensation, FMLA, short-term or long-term disability, etc.), he/she is not able to engage in outside employment without the specific approval of the City Manager.
4. No employees shall engage in outside employment while on duty.

**(e) Approval**

1. An employee must obtain permission in writing from the Division Director or his/her designee before accepting any other employment or engaging in any other business. The prescribed form should be used for permission as it gathers the pertinent information for review of the request.
2. An employee must obtain permission in writing from the Division Director and the Director of Human Resources and Risk Management before accepting an assignment as a volunteer for the City.
3. Permission granted is subject to revocation in the event of a subsequent unknown or occurring conflict with this policy.

## **F. PERFORMANCE MANAGEMENT AND EVALUATION**

### **Section 1: Policy Statement**

The job performance of all employees will be reviewed periodically to determine if the performance of the employee meets expectations, if salaries should be adjusted, if job descriptions should be revised, or if jobs need to be reclassified. A periodic formal performance evaluation is intended to ensure that all employees:

1. Are aware of what duties and responsibilities are expected;
2. Understand the level of performance expected;
3. Receive timely feedback about their performance;
4. Have opportunities for education, training, and development;
5. Are evaluated in a fair and consistent manner; and
6. Have performance goals established.

### **Section 2: General Provisions**

#### **(a) Timing**

The performance of employees will be formally reviewed and documented:

1. At the end of three (3) months during a probationary period. New Firefighters and certified Police Officers will be reviewed at six (6) months instead of three (3) months because of their one (1) year probation.
2. At the conclusion of any probationary period.
3. At least annually for all full-time and part-time employees on the anniversary of hire date or promotion.

#### **(b) Performance Discussion**

Informal reviews by the supervisor throughout the year are encouraged. The purpose is to foster communication, assure common understanding of

purpose and expectations, and to assist in detecting problems as they develop.

### **Section 3: Evaluation Process**

#### **(a) The Evaluator**

1. No employee should have any doubt as to whom he/she is accountable for his/her work performance at any given time. If the employee has worked in a different position/department or for a different supervisor during the formal evaluation year, the evaluator will consult with the previous supervisor(s) to gain input/information for the evaluation. All aspects of an employee's work performance for the entire year should be included in the formal evaluation.
2. Division Directors/Chiefs reporting directly to the City Manager will be evaluated by the City Manager.
3. The Mayor and City Council members will collectively evaluate the City Manager. The compilation of the evaluation will be documented by the Director of Human Resources and Risk Management and the City Attorney.

#### **(b) Performance Evaluation Tool**

1. The supervisor will document the employee's evaluation on the designated Performance Evaluation tool. Whenever possible, the supervisor should include specific examples to support performance ratings. Prior to presenting the performance evaluation to the employee, the supervisor should sign the form, and the Division Director should review and approve the evaluation as well. The evaluation should then be forwarded to the Human Resources Department for review and comments. Once the approved evaluation has been returned to the supervisor, he/she may present the evaluation to the employee.
2. The performance evaluation should contain an overall rating given to an employee's performance.
3. An employee may be placed on a Performance Improvement Plan (PIP) for a specified period of time, generally 90 days, for an overall rating falling below "satisfactory" or for any individual item ratings falling below "satisfactory." The purpose of the PIP is to ensure that performance deficiencies are understood and that management is

coaching the employee to improve. If the employee fails to complete the PIP satisfactorily, the employee may be terminated.

4. All performance evaluation forms and any related documentation shall be included in the official personnel file in the Human Resources Department.

**(c) Evaluation Discussion**

1. If possible, the supervisor should give advance notice to the employee prior to his/her performance evaluation discussion. The evaluation discussion should take place in a quiet, uninterrupted environment.
2. Together the supervisor and employee will discuss the employee's performance during the review period and will plan for the next review period. The contents of the review should:
  - Identify the principal duties of the job and measured results of those duties during the review period;
  - Review the expectations of the level of performance and the measured results of meeting those expectations during the review period;
  - Identify and address areas of employee developmental needs;
  - Develop an action plan for training to improve skills or to learn new skills.
  - Set goals and objectives for the upcoming year; and
  - Offer advice on career advancement, specialization, and training.
3. The evaluation discussion with the employee may result in agreed-upon plans (i.e. training needs, goals, etc.) that should be recorded on the performance evaluation.
4. The employee should be given the opportunity to make oral or written comments on his/her performance evaluation.
5. The employee should be asked to sign his/her performance evaluation. The employee's signature does not indicate agreement with the evaluation, but represents an acknowledgement of receipt of the evaluation. Should an employee refuse to sign the performance

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evaluation, the supervisor should write “refused to sign” on the evaluation with the appropriate date.

6. The employee should be given a copy of his/her performance evaluation.

**(d) Appeal of Performance Review**

If an employee disagrees with the supervisor’s assessment of his/her performance, the employee may write a letter of explanation stating his/her concerns with the evaluation. Any submission from an employee on his/her performance evaluation will be included along with the performance evaluation in his/her personnel file after the review by the Division Director and the Director of Human Resources and Risk Management.

## **G. TERMINATION OF EMPLOYEE STATUS**

### **Section 1: Policy Statement**

Employees leave the City of Peachtree City workforce under various conditions that include retirement, resignation, involuntary terminations, reductions in force, etc. Regardless of the reason, the end of employment shall be conducted in a discreet, respectful, and efficient manner. Procedures may exist affecting the employee's final pay and disciplinary action appeals. Employees should make themselves aware of these procedures.

### **Section 2: Separation of Employment**

#### **(a) Resignation**

An employee is encouraged to submit a written notice of resignation to his/her Division Director at least two (2) weeks prior to the effective date of the resignation. When resigning employment with the City, the employee must actually work a full two-week notice in order to be considered leaving in "good standing" unless exceptional circumstances exist. The resignation notice should indicate the reason for resigning and the last working day or shift with the City of Peachtree City. An employee may be requested to leave immediately. Employees will not be allowed to use annual leave or other leave (except sick time) during the notice period unless it was scheduled prior to giving notice. If the employee is requested by the City not to work through the notice period, the employee will be paid "wages in lieu of notice" through the effective date of his/her resignation (maximum of two weeks), and will be considered leaving "in good standing." Employees who voluntarily resign from the City will be paid their unused leave balances, except sick leave, catastrophic sick leave, and floating holidays.

#### **(b) Retirement**

An employee must give written notice of intent to retire to his/her Division Director as soon as possible, but no less than thirty (30) calendar days prior to the intended retirement date. This notice is required in order to facilitate a smooth transition of job responsibilities and timely processing of retirement benefits. The retirement notice should indicate the last working day or shift with the City of Peachtree City. Prior to the retirement date, Human Resources will meet with the employee to discuss the retirement process and any required paperwork.

1. Upon retirement, the employee shall be paid for any unused leave balances including the following accrued sick leave hours:

<b>Years of Service</b>	<b>Regular Full-time Employee</b>	<b>Fire Shift Employee</b>
10 Years	240 Hours	360 Hours
15+ Years	480 Hours	720 Hours

2. For full-time Firefighters and Police Officers, payment for accrued sick leave will be made as stated above when retirement occurs between the ages of 55 and 65 with ten (10) years or greater service. No payment of accrued sick leave will be made if a Firefighter or Police Officer terminates employment prior to age 55 under the “25 Years and Out” option under the City’s defined benefit pension plan.
3. Catastrophic sick leave and unused floating holidays are not paid out under any circumstances.

**(c) Pending Disciplinary Action**

An employee whose resignation or retirement notice is tendered and accepted after the initiation of a disciplinary action forfeits his/her right to appeal the disciplinary action.

**(d) Failure to Report for Three (3) Working Days**

An employee who is absent from work for a period of three (3) working days without notifying his/her supervisor of the reasons for his/her absence and without receiving permission to remain away from work shall be considered as having quit without notice and not in good standing, provided, however, that the failure to contact his/her supervisor was not caused by unavoidable emergency circumstances. Such an employee is not normally eligible for re-employment. The official termination date will be on the day following the third consecutive day with no notification. An employee who “quit without notice” under these circumstances will be paid his/her unused leave balances except sick leave, catastrophic sick leave, and floating holidays.

**(e) Involuntary Termination**

Employees who are involuntarily terminated from the City will be notified of the reasons for the dismissal and the date of the dismissal. All involuntary terminations must be approved by the City Manager prior to the termination.

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**(f) Loss of Job Requirement(s)**

Any employee who is unable to do his/her job adequately because of loss of, or inability to obtain, a necessary license or other requirement may be terminated if another position for which he/she is qualified is unavailable. The effective date will be the last day worked. Upon termination, the employee will be paid his/her unused leave balances except sick leave, catastrophic sick leave, and floating holidays.

**(g) Death of Employee**

An employee who dies while in the City service shall be separated as of the date of death. Any salary due the employee and unused leave balances, including the following accrued sick leave hours, will be paid to the estate of the deceased or as otherwise required by law:

<b>Years of Service</b>	<b>Regular Full-time Employees</b>	<b>Fire Shift Employees</b>
10 Years	240 Hours	360 Hours
15+ years	480 Hours	720 Hours

Catastrophic sick leave and unused floating holidays are not paid out under any circumstances.

**(h) Exit Interview**

After receiving written notice of voluntary resignation or retirement, the Division Director shall notify the Director of Human Resources and Risk Management and will forward the original written notice of resignation or retirement to Human Resources. The Human Resources Department will schedule an exit interview with the employee.

**(i) Separation Notice and Notification of Benefits**

All employees who leave employment with the City either voluntarily or involuntarily will receive a Separation Notice. Employees will also receive information related to discontinuation of benefits, COBRA, final pay, etc.

**(j) City Property**

All City property (including rented uniforms) assigned to the employee is considered an advance of wages and must be returned in proper working condition before receiving the final paycheck. The value of unreturned items will be deducted from the final payout to the extent allowed by law.

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### **Section 3: Reduction in Work Force**

#### **(a) Statement of Policy**

A reduction-in-force may result in the separation of employee(s) due to abolishment of a position, a shortage of funds or work, a need to increase efficiency, a material change in the duties or organizational unit of the Department, or for any other reason. No reduction-in-force shall be made for the purpose of dismissing an employee for incompetence, misconduct, or for other reasons, except as included in this Section. The reduction does not reflect discredit upon the service of the employee.

#### **(b) Procedures**

A reduction-in-force can be recommended by the City Council, the City Manager, the Director of Human Resources and Risk Management, and/or a Division Director. Any reduction must be approved by the Director of Human Resources and Risk Management, the City Manager, and the City Council prior to becoming effective.

Prior to the reduction-in-force, the affected Division Director and the Director of Human Resources and Risk Management may consider work records, performance history, assigned duties, job skills, and length of service in determining which employees shall be eliminated in the affected job class. If it is found that two or more persons in the Department in which the reduction-in-force is to be made have equal job skills and performance history, the reduction may be based upon seniority. No regular full-time or part-time employee shall be eliminated while another person is employed on a temporary basis in a position within the same job class if the employee is willing to accept the temporary assignment. In evaluating employees for purposes of a reduction, care should be taken to accurately evaluate all employees. An employee shall not be terminated based on race, color, creed, religion, sex, national origin, age, disability, genetic information, or any other category protected by Federal and/or State law. Prior to a reduction-in-force, the names and job titles of the employees scheduled for termination shall be submitted to the City Manager for approval. Regular employees shall be notified in writing at least fourteen (14) days prior to the effective date of termination due to reduction-in-force.

#### **(c) Lateral Transfers or Demotions to Preserve Employment**

Prior to a reduction-in-force and in an effort to avoid termination of employment, the Director of Human Resources and Risk Management

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may direct a lateral transfer or demotion as necessary to place an employee into a position for which he/she is qualified rather than terminate his/her employment if a vacancy exists.

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## **H. USE OF CITY PROPERTY & EQUIPMENT**

### **Section 1: Policy Statement**

The City of Peachtree City is committed to providing a safe workplace and has a substantial investment in the property and equipment used to provide employees the tools for the effective and efficient accomplishment of City business. The appropriate use of facilities, vehicles, equipment, and other items of City property is expected from employees. Additionally, this policy governs the use of the City's computer and electronic communications systems, which includes telephone, cellular phone, voice mail, fax machines, Internet, electronic mail (e-mail), wireless internet connections, and other computer usage.

### **Section 2: General Provisions**

#### **(a) Use of Equipment**

All facilities, vehicles, furniture, supplies, and equipment provided and/or used in the course of employment, including without limitation, the telephone, computer, and electronic communications system, are the property of the City of Peachtree City and may only be used for approved purposes (collectively the "Property").

#### **(b) Privacy**

No employee shall have an expectation of privacy in any Property. This includes the use of the computer and electronic communications system, including, but not limited to, the e-mail and voice mail messages he/she creates, stores, sends, and receives, and the Internet sites he/she visits.

#### **(c) Inspection of Property**

Employees may be assigned and/or authorized the use of City-owned vehicles, lockers, desks, cabinets, computers, etc., for the convenience of the City and its employees. Management reserves the right to search City property assigned to employees and documents in employee desks, lockers, file cabinets, etc. The City has the right to monitor any and all aspects of its computer and electronic communications system, including, but not limited to, monitoring sites visited by users on the Internet, reviewing material downloaded or uploaded by users to the Internet, and reviewing e-mail sent and received by users. Such monitoring may be conducted without prior notice. Use of the City's property automatically constitutes consent to such monitoring, including, but not limited to, GPS tracking on vehicles.

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**(d) Proper Authorization**

An employee shall not, regardless of value, take City Property without authorization. The use of City Property for personal gain or for other than official duty-related use is forbidden.

**(e) Discipline**

Repayment for loss or damage may be required under this Chapter in addition to, or in lieu of, disciplinary action. Required repayment under this Chapter may be made by payroll deduction from the employee's pay as necessary to recoup the amount to be recovered.

**Section 3: Electronic Communications Systems**

**(a) General Provisions**

“Electronic Communications Systems” is defined as Internet, electronic mail, telephone, voice mail, facsimiles, pagers, cellular phones, 800 mhz radios, computer and computer networks, directories, and files. Employees will not have privacy rights with respect to any activity using these City-provided Electronic Communications Systems. All data, including e-mail messages composed, sent, and received on City Electronic Communications Systems, are the property of the City of Peachtree City.

**(b) Professionalism**

At all times users have the responsibility to use Electronic Communications Systems in a professional, ethical, and lawful manner. Users should use the same care in drafting e-mail and other electronic documents as they would for any other written communications. Users should always strive to use good grammar and correct punctuation. Anything created or stored on the Electronic Communications Systems may be reviewed by others, and the quality of communications is a direct reflection upon the City.

**(c) Appropriate Use**

Personal use of the Electronic Communications Systems is a privilege that may be revoked at any time. Occasional, limited, and appropriate personal use of the Electronic Communications Systems is permitted if the use does not:

1. Interfere with the user's work performance and productivity and is not excessive per management's discretion;
2. Interfere with any other user's work performance and productivity and is not excessive per management's discretion;
3. Compromise the integrity of the Electronic Communications Systems;  
or
4. Violate any other provision of this policy or any other policy, guideline, or standard of the City of Peachtree City and any local, State or Federal laws.

**(d) Inappropriate Use**

Under no circumstances should the Electronic Communications Systems be used for sending, transmitting, intentionally receiving, copying, or storing any communication that is fraudulent, harassing, racially offensive, sexually explicit, profane, obscene, intimidating, defamatory, or in the City's sole opinion otherwise unlawful or inappropriate. Users encountering or receiving this kind of material should immediately report the incident to their supervisor, IT Department, and Human Resources Department. Exceptions are limited to police investigations into criminal activities, which may require the use of the Internet for information and intelligence gathering. This is permissible with the prior approval of the Police Chief. A general rule of thumb is: Do not send anything by e-mail that you would not want printed in the newspaper. Other prohibited uses of the Electronic Communications Systems, include, but are not limited to:

1. Utilizing "social networking" sites (i.e. Facebook) for non-work related purposes;
2. Sending chain letters;
3. Sending copies of documents, messages, software, or other materials in violation of copyright laws;
4. Compromising the integrity of the City and its business in any way;  
and
5. The advertisement of personal business or conducting personal business activities.

**(e) Misuse of Software**

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Users who become aware of any misuse of software or violation of copyright law should immediately report the incident to the IT Department. Files obtained from sources outside the City include files downloaded from the Internet, files attached to e-mail, and files provided by citizens or vendors. These files may contain dangerous computer viruses that can damage the City's computer network. Users should never download files from the Internet, accept e-mail attachments from outsiders, or use disks from non-City sources without first scanning the material with City-approved virus checking software. If a user suspects that a virus has been introduced into the City's network, he/she should notify the IT Department immediately. Without prior written authorization from the IT Department, users may not do any of the following:

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

**(f) Passwords**

Authorized users will be given a log-in name that allows access to the network. The user will have a personalized password, which should be obscure in nature and not divulged to others. Any user with knowledge of any password that is not his/her own shall report it to his/her supervisor immediately. No employee shall attempt any unauthorized access to the system.

**(g) Public Records and Disclosure**

An electronic message (e-mail) sent or received by the City's Electronic Communications System in the conduct of public business with City-provided resources is subject to the Open Records Law and is considered a public record. E-mails stored and accessible are still public records and

must be produced upon request. E-mail communications are also subject to Records Retention laws.

The City Clerk will coordinate with the IT Department for the gathering of the public record Electronic Communications System documents in response to an Open Records Request following all applicable State laws.



## **I. SAFETY & ACCIDENT REPORTING**

### **Section 1: Policy Statement**

The City of Peachtree City is committed to providing a safe workplace and focuses its efforts through the City Safety Program. In accordance with this, employees are expected to take an active role in promoting workplace safety by reporting unsafe working conditions and by noting where fire extinguishers, first-aid kits, and emergency exits are located. Additionally, employees are required to participate in identifying and correcting, where possible, the underlying causes of accidents and unsafe conditions.

### **Section 2: General Provisions**

#### **(a) Management Responsibility**

Each Division Director has the final authority and accountability for the City Safety Program. However, direct responsibility for the safety of any operation or function rests with the immediate supervisor. The Human Resources Department is responsible for administering the City Safety Program.

#### **(b) Safety Committee Responsibility**

The City Safety Committee is comprised of representatives from each Division that are heavily involved in all areas of the Safety Program for their Division. The individual Safety Committee members report to their Division Director or designee. The Director of Human Resources and Risk Management chairs the Safety Committee and is responsible for the Safety Program, quarterly Safety Committee meetings, and semi-annual meetings with the Division Directors and City Manager. The Safety Committee is responsible to:

1. Ensure that the City Safety Program is implemented on a consistent and uniform basis throughout all areas of their Division.
2. Conduct annual self-inspections, to evaluate all areas, equipment operations, and jobs for safety and loss prevention, and to submit this report to the Director of Human Resources and Risk Management. The Director of Human Resources and Risk Management will review these reports with the Division Directors.
3. Develop an employee safety awareness and training program. The individual Safety Committee members are responsible for making

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recommendations to the Division Directors for safety awareness within their Divisions. Specific equipment training should be given at the department level while general safety training will be provided through the Human Resources Department for all affected departments.

4. The Safety Committee will meet quarterly with the Director of Human Resources and Risk Management to discuss specific safety topics, their Division's safety activity and training over the previous quarter, a review of the previous quarter's accidents and Workers' Compensation Injuries/illnesses, and other pertinent areas of concern.

**(c) Employee Responsibility**

Employees are responsible for exercising care and good judgment in preventing accidents and for observing safety rules and procedures when performing their duties. Employees are required to:

1. Report all accidents to their supervisor immediately;
2. Report any unsafe work conditions, equipment, or practices to their supervisor as soon as possible;
3. Attend scheduled safety meetings and activities; and
4. In the event of an injury resulting in lost work time, continued contact with the supervisor and the Human Resources Department is required for the purpose of keeping records on the expected return to work status.

**(d) Equipment Repair**

An employee has a responsibility to report the need for repairs of any City-owned or leased property issued to the employee. No employee shall alter, repair, or in any way change, add to, or remove any parts or accessories of any City-owned or leased Property without the permission of the Division Director.

**Section 3: Safety Program**

The following areas of concern will be included in the Safety Program:

- Identification, appraisal, and correction of accident loss and hazard-producing conditions and practices.

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- Development of safety, accident, and loss prevention methods, procedures, and programs.
- Communication of safety and accident and loss prevention information to all employees.
- Measurement and evaluation of the effectiveness of the Safety Program.
- Development, implementation, and presentation of safety materials to all employees.
- Coordination of accidents and losses with the City self-insurance program, commercial insurance, and Workers' Compensation.

**Section 4: Personal Protective Equipment**

The City will provide directly, or through an allowance approved in the annual budget each year, items of personal protection. Supervisors will direct use of personal protective items when warranted, and employees are expected to comply with such direction.

**Section 5: Vehicle Use and Operation**

**(a) Vehicle Operator Qualifications**

It is the City's policy to provide a City vehicle to be used by an employee when an employee is asked to perform duties that require him/her to go from one location to another, attend training, run errands for the City, or any duties that would require transportation. In order to operate a City-owned vehicle in the course of business, an employee must:

1. Be at least 18 years of age;
2. Have a valid Georgia Driver's License for the class of vehicle to be driven or a valid Driver's License from the state in which the employee resides which allows the employee to legally operate a City vehicle on Georgia roads;
3. Have an acceptable Motor Vehicle Record (MVR);

(a) The State of Georgia has an established point system in which a driver loses his/her license when he/she reaches 15 points in a 24-month period. The City's policy will follow the same point system as established by the State. Division Directors will be notified

when employees have 10 or more points in the prior 24-month period to allow the Director an opportunity to notify the employee before he/she reaches the maximum points. This notification will allow the employee an opportunity to reduce his/her points through various programs offered at local driver's training facilities.

(b) An employee whose primary duty is to drive a City vehicle that does not have an acceptable driving history must be relieved of such duties and assigned to a non-driving position or non-driving duties until his/her 24-month record reflects an acceptable driving history. If a non-driving position is not available, the employee may be terminated.

4. Be otherwise qualified under Federal and State regulations to drive the City vehicle; and
5. Be trained and authorized to operate the vehicle.

**(b) Designated Drivers**

1. The Human Resources Department will maintain a list of designated drivers in all Divisions. This list will be updated annually.
2. Volunteer firefighters and auxiliary police may be included on the list of designated drivers if they meet all criteria as stated in this policy.
3. Community service workers are prohibited from operating City vehicles.

**(c) License Review and Motor Vehicle Record Checks**

1. The City will check motor vehicle records of all applicants prior to making offers of employment. As part of the hiring process, applicants will be required to sign a written consent form allowing the City to check motor vehicle records at any time prior to or during their employment.
2. Each year the Divisions will require every designated employee that drives a City vehicle to furnish proof of a valid driver's license. Copies of driver's licenses should be considered confidential and maintained in a secure file with limited access. Designated drivers not having a valid license must be reported to Human Resources and may be subject to termination.

3. To ensure the maintenance and validity of driver's licenses, driving records of employees who operate City vehicles will be examined by the Human Resources Department on a bi-annual basis. An employee having an unacceptable MVR, as described above, may be subject to termination. All MVR's will be considered confidential and maintained in a secure file with limited access in the Human Resources Department. NOTE: Driving records of employees who operate City vehicles within the Police Department will be examined on an annual basis by the Police Department.

**(d) Notification Procedures**

Employees who operate vehicles in the course and scope of their employment must notify their supervisor:

1. When their driver's license becomes invalid or suspended for any reason. Such employees will immediately be prohibited from operating vehicles on City business.
2. When they receive a citation for any violation while operating a City vehicle. The employee will be responsible for paying any fine or penalty incurred and will be subject to disciplinary action, up to and including termination. Failure to report a citation received may also be grounds for disciplinary action, up to and including termination.

**(e) Operation of Vehicles**

1. Employees shall operate any vehicle used for City business in a careful and prudent manner and shall obey the laws, policies, regulations, and procedures of the City and State pertaining to such operation.
2. City vehicles are to be used only as required for the performance of job duties. City staff assigned a take-home vehicle and on-duty Public Safety personnel may use a City vehicle to go to lunch. Under no other circumstances should City vehicles be used for personal business or pleasure unless stated in the "Take Home Vehicle Policy."

Employees may not use City vehicles to transport family members or other unauthorized persons without the permission of the City Manager or as stated in the "Take Home Vehicles Policy." Employees may, however, offer temporary assistance to a motorist with a disabled vehicle who is in need of emergency assistance.

3. City vehicles may be used to transport an employee to the doctor or hospital when a Workers' Compensation injury occurs. For all Workers' Compensation follow-up office visits, the employee must use his/her personal vehicle. Mileage for personal vehicle usage may be reported to and reimbursed through our Workers' Compensation insurance carrier.
4. Employees who operate vehicles shall inspect the vehicle daily prior to driving in accordance with the Fleet Manager's inspection protocols. This is particularly critical when vehicles are operated by multiple drivers. Failure to perform daily inspections may result in disciplinary action, up to and including termination. Any defective equipment shall be reported immediately to the driver's supervisor, and the driver will complete and submit an Equipment Service Request Form to his/her supervisor. The supervisor will ensure that the completed request form is forwarded to the Public Works Department so that repairs can be made.
5. Drivers are responsible for fueling vehicles assigned to them.
6. Drivers are responsible for the daily inside cleaning of vehicles; removal of drink cans, food wrappers, paper, and excessive soil; and for ensuring that vehicles are washed and waxed on a regular basis.
7. Tobacco use in City-owned or leased vehicles is prohibited.
8. Vehicles left unattended will be secured with engine off and the key removed from the ignition and retained by the driver.
9. Drivers shall adhere to all City safety procedures for vehicle operation and also to any additional departmental procedures for vehicle operation. When available, a spotter must be used when backing any vehicle with limited visibility. A walk-around inspection must be made prior to backing if no spotter is available.

**(f) Duty Restrictions**

A physical, mental, or driving skill impairment that cannot be reasonably accommodated that affects an employee's ability to safely operate a motor vehicle, or failure to comply with the driver qualifications outlined in this Chapter, precludes that employee from operating any City-owned or leased vehicle for City business. If the operation of a vehicle is an essential job duty, an attempt will be made to place the employee in a non-driving position. If such a position is not available, the employee will be

immediately relieved of duty. If the vehicle prohibition is due to suspected physical or mental impairment, the employee will be subject to a health fitness evaluation as outlined in this manual.

**(g) Personal Vehicle Usage**

The City encourages employees not to use their own personal vehicles while on City business. Should an employee, however, choose to drive his/her own personal vehicle, he/she will assume all liability for all property damage to his/her personal vehicle or to others that occurs in the normal course of use and shall waive any claims that may arise against the City as a result of any such property damage. Since the City does not accept liability of an employee's vehicle, it is always in the best interest of the employee to use a City vehicle if at all possible.

**Section 6: Seat Belt Use Policy**

**(a) Statement of Policy**

Seat belts shall be used by all persons (driver and passengers) in a City vehicle when the vehicle is operating, in any personal vehicle when said personal vehicle is being used for City of Peachtree City business, and on all City construction equipment when equipped with a seat belt and rollover protection.

**(b) Scope**

This policy applies to all employees driving City vehicles, all occupants riding in City vehicles, and all employees using construction equipment that is equipped with seat belts and rollover protection.

**(c) Responsibilities**

- 1. Director of Public Services** – The Director of Public Services shall be responsible for ensuring that safety belt systems are maintained in operating condition for all City vehicles and existing construction equipment that is equipped with seat belts and rollover protection. Also, any new City vehicle or construction equipment purchased should be required to have seat belt systems as part of their standard equipment whether purchased new or used.
- 2. Director, Human Resources and Risk Management** – The Director, Human Resources and Risk Management, shall emphasize the City's seat belt policy in employee orientation and shall periodically remind

employees of this policy in employee communications. New employees shall be required to sign a pledge to wear seat belts as a condition of employment.

3. **Each Division Director** – It is the responsibility of each Division Director to ensure that this policy is communicated to each employee and that each employee complies with this policy. Division Directors are responsible for initiating disciplinary action, up to and including termination, to employees who violate this policy.

**(d) Enforcement**

1. It shall be the duty of each employee to abide by the aforementioned policy, and it shall be the responsibility of each Division Director to properly and equitably enforce this policy.
2. Employees who violate any section of this policy, whole or in part, are subject to disciplinary action, up to and including termination.

**Section 7: Repair and Replacement**

The Public Works Auto Shop is responsible for preventive maintenance and repairs on all City vehicles to ensure that they are maintained in a safe and cost effective manner. Other City employees shall not attempt to make mechanical repairs on vehicles. Maintenance costs will be closely monitored to determine when a vehicle should be declared surplus. Emergency vehicles which are sometimes driven at high rates of speed in emergency situations will not be maintained as emergency vehicles after reaching 100,000 miles. If it is determined by the Fleet Manager that it would be cost effective to transfer the vehicle to a department which would require less demanding service from the vehicle, the vehicle may be transferred with the approval of City Council. If the condition of the vehicle is poor and maintenance records indicate that it would not be cost effective to retain the vehicle in the City fleet, the vehicle will be declared surplus by City Council and auctioned at surplus sale regardless of mileage.

Any vehicle damaged in an accident will be inspected by the Fleet Manager, and a determination will be made as to the feasibility of repairs being made by City staff. If the vehicle cannot be repaired “in house,” estimates will be obtained from at least two repair shops. The vendor giving the lowest estimate will generally be selected to make repairs unless special circumstances exist which would necessitate the selection of a more costly vendor. If it is determined that repairing a damaged vehicle is not cost effective, the vehicle will be declared surplus and auctioned at the next City surplus sale or surplus, but retained by the City to be used for parts.



**Section 8: Accident Involvement**

**(a) Report Required**

All of the following, collectively referred to throughout this Section as an “Accident,” shall be reported to the immediate supervisor by the employee involved in the event and by any City employee who witnesses the event:

1. All injuries to an employee or other person occurring during the course of business;
2. All accidents involving City-owned or issued vehicles or equipment, whether or not occurring during the course of business;
3. All accidents involving personal vehicles or equipment used during the course of business; and
4. All property damage occurring during the course of business.

**(b) Employee Responsibilities**

Unless transported from the accident scene for medical treatment, the employee involved in a job-related accident involving a vehicle or equipment will:

1. Render aid to other parties if possible and necessary;
2. Report the Accident and any injuries immediately to local law enforcement in the event of a vehicular accident. The Fayette County Sheriff’s Department must be called in to make a report on any accident involving a City vehicle or a private vehicle owned by an employee of the Police Department. If the Fayette County Sheriff’s Department is unavailable, the Georgia State Patrol must be contacted, and the official report filed by that agency. A copy of the report will be forwarded to the Human Resources Department when received from the agency.
3. Immediately notify his/her supervisor or designee as soon as possible;
4. Obtain name, address, phone number, and name of insurance company of other party.
5. Record the name, address, and phone number of any witnesses and note the specifics of the Accident circumstances, if possible;

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6. Be courteous, but not make or sign any statement for anyone other than the police officer responding to the scene;
7. Remain at the scene until excused by law enforcement personnel;
8. Not discuss or reveal information or provide statements to non-City personnel subsequent to the Accident. This does not prohibit cooperation with law enforcement investigations outside the City's jurisdiction;
9. Arrange towing of damaged City vehicle, if necessary; and
10. Submit to all requested post-Accident testing as directed by the supervisor or other City Management representative.

**(c) Administrative Accident Investigation**

1. The supervisor or other designated employee will conduct an administrative investigation into the circumstances of the Accident and will complete an Accident/Incident Report that includes a statement of the facts and analysis as to cause. The report will also include recommendations of any corrective action necessary to prevent recurrence of such Accidents. After a review by the Division Director, the Accident/Incident Report will be submitted as soon as possible to the Human Resources Department.
2. The Human Resources Department will investigate the accident and review the police report, if applicable, and the Accident/Incident Report containing all pertinent information, including suspected cause, employee actions, and recommended corrective action. The Accident/Injury Report will be forwarded to the City Manager for his/her review.

**(d) Examinations and/or Tests**

An employee who is involved in a reportable Accident may be required to undergo examinations and/or tests as specified in the Performance of Duty Standards and Substance Abuse Testing chapters of this manual.

**Section 9: Workplace Violence Policy**

**(a) Statement of Policy**

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The City is concerned about the well-being and personal safety of its employees and anyone doing business with the City. The City consequently strictly prohibits workplace violence. Acts of violence and/or threats of violence, whether expressed or implied, toward individuals in the City workplace are prohibited and will not be tolerated. All reports of incidents will be taken seriously and will be addressed appropriately. This policy defines prohibited conduct, as well as general procedures and potential responsive steps in the unfortunate event that workplace violence occurs despite these preventive measures. In addition, except where authorization has been provided by a Division Director or his/her designee, non-City issued firearms, weapons, ammunition, or explosives in City buildings are strictly prohibited. City property includes facilities and City-owned vehicles.

If an employee intends to bring a weapon such as a pocket knife to work, the employee must receive prior authorization to do so from his/her Division Director or the Division Director's designee.

**(b) Scope**

This prohibition against threats and acts of violence (including domestic violence) applies to all persons involved in the operation of the City, including but not limited to, the City personnel, contract and temporary workers, and anyone else on City property.

**(c) Definition of Workplace Violence**

Workplace violence is any conduct that is severe, offensive, or intimidating enough to make an individual reasonably fear for his/her personal safety or the safety of family, friends, or property. Examples of workplace violence include, but are not limited to, threats or acts of violence or behavior that cause a reasonable fear or intimidation response that occurs on City premises, no matter what the relationship is between the City and the perpetrator or victim of the behavior, or off City premises, where the perpetrator is someone who is acting as an employee or representative of the City at the time, where the victim is an employee who is exposed to the conduct because of work for the City, or where there is a reasonable basis for believing that violence may occur against the targeted employee or others in the workplace.

2. Domestic violence is defined as a pattern of coercive tactics carried out by an abuser against an intimate partner (the victim) with the goal of establishing and maintaining power and control over the victim. Where the abuser's tactics include any of the above-described conduct on City premises, this policy

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applies. Where such tactics include any of the above-described behaviors off City premises, this policy applies where the abuser is someone who is acting as an employee or representative of the City at the time, where the victim is an employee who is exposed to the conduct because of work for the City, or where there is a reasonable basis for believing that violence may occur against the victim or others in the workplace. The term "intimate partner" includes people who are legally married to each other, people who were once married to each other, people who have had a child together, people who live together or who have lived together, and people who have or have had a dating or sexual relationship, including same sex couples.

**(d) Reporting Complaints**

If you observe the possession of unauthorized non-City issued weapons in City buildings, or if you are subjected to or threatened with firearms by a co-worker or member of the public, or if you become aware of another individual who has been subjected to or threatened with violence, you must report this information to your supervisor, Division Director, or the Director of Human Resources and Risk Management immediately. Supervisors must report all potential violations to the Director of Human Resources and Risk Management, and Human Resources will handle them appropriately. Do not assume that any violation or threat is not serious. All complaints will be thoroughly investigated, and all complaints that are reported to management will be treated with as much confidentiality as possible. Employees who become angry, upset, or concerned with the actions of a co-worker, supervisor, member of the public, or the City in general are encouraged to seek assistance from the Director of Human Resources and Risk Management.

A 9-1-1 call may be appropriate first, in the good judgment of the employees or managers involved. Under this policy, decisions may have to be made quickly to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing. Nothing in this policy is intended to prevent quick action to stop or reduce the risk of harm to anyone, including requesting immediate assistance from law enforcement or emergency response resources.

Any City employee who finds a weapon of any type must contact the Police Department immediately.

Failure to report any threats or acts of violence in violation of this policy appropriately is itself a violation of this policy and may subject any employees involved to discipline, up to and including termination.

Retaliation against anyone for reporting an actual or suspected violation of this policy in good faith will not be tolerated and will subject the individual engaging in the retaliation to discipline, up to and including termination. Any complaints about retaliation should be reported in the same manner as violations of this policy are to be reported.

**(e) What to Expect from the City**

All incidents of violence and threats of violence that are reported will be taken seriously and investigated.

**(f) City Expectations of Targeted Employees**

Stay Away Orders: The City reserves the right to seek orders of protection (also known as restraining orders or stay away orders) against any person who violates the Workplace Violence Policy. Additionally, employees themselves may seek and obtain orders of protection against individuals outside of the workplace. Employees so protected are obligated to immediately notify the Director of Human Resources and Risk Management and their supervisor if (a) an order of protection extends to the workplace; or (b) they reasonably believe that their safety (or the safety of others) in the workplace is affected by the order of protection. Employees should provide written notification of:

1. the existence of any such order and provide a copy of the order;
2. any violations or attempted violations of the order;
3. any changes to the order that affect the workplace; and
4. the order being lifted.

Employees who are subject to orders of protection requiring them to stay away from or refrain from contacting other individuals who are or may be in the workplace (including employees, customers, vendors and others) must immediately notify the Director of Human Resources and Risk Management and provide a copy of the order.

Upon being notified of an order of protection, Human Resources will contact the reporting party to gather information about the individual and assess the situation. The City will make every effort to maintain confidentiality of such orders with the understanding that it will use the information as necessary to maintain safety in the workplace.

**(g) Search Policy**

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If the City reasonably suspects that an employee either has or may have violated this policy or that the employee possesses evidence that others pose a threat of workplace violence as defined by this policy, the City may request the individual to submit to a search of his or her person, personal effects, vehicles, and locker. In addition, the City may conduct searches of any City property including for instance work stations and areas, including desks, lockers, credenzas, file cabinets, computers and computer-stored information, voicemail, e-mail, business records, City vehicles, and any other property or equipment owned by the City, at any time, without notice to or permission from affected employees, for purposes of enforcing the no violence policy. If an individual is asked to submit to a search and refuses, that individual will be considered insubordinate and will be subject to discipline, up to and including termination.

Searches will be conducted by a supervisor with a second witness and may or may not be conducted in the presence of the person whose property is searched. Any weapons or evidence of violations of this policy will be confiscated and may be turned over to law enforcement, as appropriate. Any illegal activity discovered during an inspection is subject to referral to the appropriate law enforcement authorities.

**(h) Assistance Programs/Services**

The City provides all employees and family members with a no-cost Employee Assistance Program (EAP) that has professionals trained to handle domestic violence cases. These professionals provide counseling, support, and referrals. In addition, the EAP is a resource for employees who want to learn more about domestic violence or to find out how to help a friend, family, or co-worker. Many community agencies provide free services for safety planning, counseling, support groups, shelter, and legal assistance. Please contact the Human Resource Department if you need additional information.

**J. TAKE HOME VEHICLES**

**Section 1: Policy Statement**

It is the City's policy that all City vehicles be operated in a careful, safe, and prudent manner consistent with all policies, regulations, and procedures of the City and with all local and State laws. City vehicles will be maintained in a safe and cost effective manner and will be used only for intended purposes. Further, to promote good public relations, employees are expected to display courteous and considerate driving habits when operating a City vehicle.

**Section 2: General Provisions**

**(a) Eligibility**

Employees whose job requirements meet the following criteria may be authorized by the City Manager to drive a City vehicle home:

1. Drivers of City vehicles must possess a valid State of Georgia Motor Vehicle License required for the type of vehicle being operated or a valid Driver's License from the state in which the employee resides which allows the employee to legally operate a City vehicle on Georgia roads;
2. The employee, required by job description, must regularly return to work on City business, which includes checking facilities when problems arise or those required to respond to emergency or medical situations to evaluate the scene.
3. The employee must have completed his/her new hire probationary period (generally 6 months) and reside within 30 miles of his/her work facility (i.e. City Hall, Public Works, Police Department, or Fire Department). The Police Chief or Fire Chief may allow new employees in their divisions to participate in the take home program after six months of employment instead of waiting until the one-year probationary period ends.
4. Take home privileges are authorized by the City Manager. The following positions have been authorized to take home a City vehicle:

City Manager	Police Chief
Fire Chief	Assistant Police Chief
Assistant Fire Chief/Operations	Police Captain
Fire Marshal	Police Lieutenant
Assistant Fire Marshal	Police Investigators
Training Captain	Police Officers
Assistant Fire Chief/Training & Special Operations	Public Works On-Call Employees
Battalion Commander/EMS	

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5. The Division Directors reserve the right to remove take-home vehicle privileges from employees for severe disciplinary reasons, poor cleanliness, poor maintenance, at-fault accidents, traffic complaints, or excessive wear or abuse.

**(b) Vehicle Assignment**

1. At their discretion, take home vehicles will be assigned by the Division Director. Vehicle assignments are based on availability.
2. All vehicle assignments are subject to recall at any time.

**(c) Mileage**

1. Those employees assigned take home vehicles will have mileage deducted from their pay at the following rates:

<u>Mileage (one-way)</u>	<u>Cost to Employee</u>
Within the City	No Cost
0-10 Miles outside the City	\$15.00 per pay period
10.1-20 Miles outside the City	\$30.00 per pay period
20.1-30 Miles outside the City	\$50.00 per pay period
30+ Miles outside the City	Requires approval and determination of cost by the City Manager

2. Employees with take home vehicles will be required to sign a “Take Home Vehicle User Agreement.”

**(d) Business Use**

1. Except as specified in this manual, City vehicles are furnished for official City business and may not be used for personal reasons without express written consent by the applicable Division Directors.
2. Employees with “take home” privileges are authorized to make stops while traveling to and from work for legitimate reasons (i.e. Doctor/dentist appointment, exercise gym, etc.).
3. Employees are allowed to transport immediate family members to and from work, school, and day care while in route to and from work themselves. Under no circumstances will family members be allowed to ride in the rear seat of a patrol vehicle equipped for prisoner transports with the cage and plastic seating.

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4. While operating a take home vehicle, employees are prohibited from patronizing bars, package stores, or any establishment that would result in public criticism. Violation of this section shall result in discontinued privileges from the program.
5. No passengers except those expressly allowed in this policy may be transported in take home vehicles unless they are connected to City business or unless authorized by the Division Director or City Manager.
6. City vehicles may be used to transport an employee to the doctor or hospital when a Workers' Compensation injury occurs. For all Workers' Compensation follow-up office visits, the employee must use his/her personal vehicle. Mileage for personal vehicle usage may be reported to and reimbursed through our Workers' Compensation insurance carrier. When on duty, employees that have assigned take home vehicles will be allowed to use the City vehicles for local (Coweta or Fayette County) follow-up visits due to not having their personal vehicles available at work.
7. Participation in the Take Home Vehicle Program will be suspended for those Public Safety employees driving marked Public Safety vehicles who are assigned to light duty or while on an injury-related absence. This policy is to protect an employee from being called upon by the public to perform a task from which he/she is restricted or a task that could aggravate his/her injury. Once an employee is returned to full duty, he/she may again participate in the Take Home Vehicle Program.

**(e) Off Duty Use of Take Home Vehicles**

1. While not on duty, police officers and emergency personnel operating their assigned vehicles will take police and emergency response action as necessary. The employee will notify 9-1-1 via radio of the action, and the responsible jurisdiction will be notified by 9-1-1. Once on scene, the responsible jurisdiction will take over as soon as feasible.
2. Officers and emergency personnel will not respond to routine calls for service while off duty.
3. Police Officers and emergency personnel will monitor their radios while operating their take home vehicles off duty and will answer radio calls directed to them according to the Department's SOP.

**(f) Driver's Responsibilities**

1. Drivers must be thoroughly familiar with State and local laws governing motor vehicle operations and must adhere to those laws.

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2. Drivers must at all times adhere to City and Department policies and procedures which regulate the operation, maintenance, and cleanliness of City vehicles.
3. Drivers shall inspect the vehicle daily prior to driving in accordance with the Fleet Manager's inspection protocols.
4. Employees who are assigned a City vehicle are responsible for ensuring the preventative maintenance and repair schedule is met on the vehicle through the Public Works maintenance shop. Failure to ensure proper repair and maintenance may result in disciplinary action, up to and including discontinued privileges from the program.
5. Emergency personnel and Police Officers will have their badges and duty weapons, if applicable, immediately available while traveling in marked take home vehicles at all times. This includes while attending training or other authorized off-duty use of the take home vehicle. Emergency personnel and Police Officers will be properly dressed while in plain clothes in their take home vehicles.
6. Drivers are responsible for fueling vehicles assigned to them.
7. Tobacco use in City-owned or leased vehicles is prohibited.

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## **K. TOBACCO-FREE ENVIRONMENT AT CITY FACILITIES**

### **Section 1: Policy Statement**

Consistent with the public health concerns addressed by the adoption of the Georgia Smoke Free Air Act of 2005, all City enclosed buildings and vehicles are hereby declared to be smoke-free areas. In addition, based upon the maintenance and cleanliness issues presented by the use of smokeless tobacco that gives rise to increased facilitated costs and resulting public health concerns, all City enclosed buildings and vehicles are hereby declared to be tobacco-free areas.

### **Section 2: General Provisions**

The following rules relative to smoking and the use of other tobacco products have been established:

#### **(a) Prohibited Use**

1. Smoking and the use of other tobacco products are prohibited in all City buildings and City vehicles;
2. Smoking and the use of other tobacco products by City employees are prohibited at the front entrance of City buildings except during inclement weather if the entrance is the only covered area of the building;
3. Smoking and the use of other tobacco products are prohibited in the seating area, stage, restrooms, covered area, or around the fringes of the Amphitheater when citizens/patrons congregate prior to a show, at intermission, etc.;
4. Smoking and the use of other tobacco products are prohibited in or around bleachers or restrooms at all City ball fields when citizens are present; and
5. Smoking and the use of other tobacco products are prohibited at other outdoor facilities (parks, pools, etc.), in or near restrooms, and other areas when citizens are present.

#### **(b) Responsibility**

1. Employees are responsible for complying with this policy. City staff should ensure that users of City facilities are aware of this policy and that they adhere to it.
2. Violators at City facilities should be reported to any City staff member that is present. The staff member will advise the violator to refrain from using the tobacco product or to leave the facility. If no City staff member is present, violators may be reported to the Police Department.

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# Chapter II Compensation & Benefits

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## **II. COMPENSATION & BENEFITS**

### **A. COMPENSATION**

#### **Section 1: Policy Statement**

The City of Peachtree City's compensation philosophy is to maintain a competitive pay structure for the purpose of recruiting and retaining an effective and efficient workforce. The pay structure is designed to pay employees based on what their job is worth; ensure they appropriately move through the salary range for their classification; and recognize performance through merit pay, where applicable. The pay plan is designed to comply with Federal and State law, including the Fair Labor Standards Act (FLSA). All aspects of the pay plan are contingent upon the availability of funds as determined in the sole discretion of the City Council.

#### **Section 2: Pay System**

##### **(a) Pay Period**

All City employees will be paid on a bi-weekly basis. The work week will start with the beginning of a shift on Monday and end at the conclusion of any shift which began on Sunday. The actual pay date will be Thursday following the end of a pay period. When a pay date falls on an official City holiday, employees will be paid on the date preceding the holiday.

##### **(b) Time Increments**

All regular hours earned by non-exempt employees will be in increments of the nearest quarter hour.

##### **(c) Combination of Pay**

When receiving any type of accrued leave (annual, sick, holiday, etc.), short-term disability benefits, Workers' Compensation benefits, etc., for absences from work, the combination of the pay received cannot exceed the employee's normal pay.

##### **(d) Employee Time Records and Payroll Deadline**

All non-exempt employees are required to record their work time daily either by utilizing a time clock or by completing the City Employee Time Form. Employees must accurately record actual hours worked including starting time, ending time, and meal breaks. All time records must be signed by the employee and approved by the Division Director.

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The employee time records are forwarded by the Divisions to the Finance Department no later than noon on Monday of payroll week. Special submission deadlines may be established by the Finance Department during holiday weeks.

(e) **Direct Deposit**

Participation in the direct deposit program is strongly encouraged for all City employees. All pay-related items, such as reimbursements, may flow through the regular pay cycle.

(f) **Types of Pay Other Than Base Rate**

1. **Overtime Pay**

Overtime work is work performed by a non-exempt employee which exceeds the regular work week as defined in the Fair Labor Standards Act (FLSA).

a. **When Overtime is Earned**

All overtime pay must be pre-authorized by the supervisor and is earned by non-exempt employees according to the following schedule:

<u>Type of Employee</u>	<u>When Overtime is Earned</u>
Police Officer	Over 80 hours bi-weekly
Firefighter	Over 212 hours in a 28-day cycle
All Other Non-Exempt Employees	Over 40 hours in a 1-week period

Compensation for overtime hours shall be at time-and-a-half for hours worked in excess of the regular schedule. Overtime will be earned in 15-minute increments. Annual, sick, holiday, or other types of leave will not be considered as hours worked for overtime computation purposes.

b. **Exempt Employees**

Exempt employees are not eligible for overtime pay.

2. **Compensatory Time**

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It shall be the City's policy to allow the accrual of Compensatory Time (Comp Time) in lieu of payment for overtime hours worked by non-exempt employees to reduce the cost of overtime wages and to assist employee productivity and effectiveness without extra cost to the City. Comp Time is defined as time off granted to a non-exempt employee to offset overtime hours worked by the employee. Comp Time cannot be accrued unless the non-exempt employee actually works overtime in the pay period. The accrual of Comp Time for exempt employees is not allowed. (The Human Resources Department maintains a list of exempt positions.)

Each department may decide to utilize Comp Time. The Division Director is responsible for making that decision. Employees must **agree** to receive Comp Time in lieu of overtime payment.

**a. Accrual**

Comp Time will accrue at a rate of one and one-half hours for each hour of employment for which overtime compensation is otherwise required and where the employee has not accrued Comp Time beyond the maximum limit that the City has established. Comp time will be earned in 15-minute increments. Accrual of Comp Time must be approved in advance by the employee's supervisor except in cases of emergency. Supervisors are expected to organize their projects and tasks appropriately to minimize Comp Time accruals.

The maximum accrual of Comp Time is limited to 65 hours for Fire Department shift employees and to 48 hours for all other non-exempt employees. An employee who reaches this threshold shall, for additional overtime hours of work, be paid overtime compensation. Supervisors should attempt to schedule the utilization of Comp Time as it is accrued.

**b. Utilization**

Comp Time accrued should be utilized (redeemed) at a time mutually agreeable to the employee and supervisor. This time will also be utilized with the least amount of disruption to productivity and effectiveness to minimize hardship. Use of Comp Time must be approved in advance by the employee's supervisor except in cases of emergency. The use of Comp Time upon employee request must be permitted unless to do so would unduly disrupt the department's operations. In order to prevent the excessive accrual of Comp Time and to avoid the extra overtime liability to the City, a supervisor may

compel an employee to utilize Comp Time.

If an employee with accrued Comp Time is promoted to an exempt position, all accrued Comp Time will be paid out as overtime prior to the effective date of the promotion.

### 3. **On-Call Status**

Some operational divisions in the City may designate non-exempt employees to be on-call to provide for after-hours service needs. Any on-call policy shall be determined by the applicable Division Director with approval of the City Manager depending upon the needs of the individual department and appropriations in the fiscal budget.

- a. **Restricted On-Call** means the time spent on-call on or away from City premises under conditions that prevent the employee from using the time for personal activities. The employee on Restricted On-Call status is required to report for any on-call assignment that arises during the applicable on-call period. This category of on-call is compensatory. Employees on a Restricted On-Call status will be paid one hour per day at their regular rate and will receive pay for such time actually worked if called to respond to an emergency. Employees who receive a stipend (e.g. CID) will not receive the additional one-hour pay per day.
- b. **Unrestricted On-Call** means the time spent on-call on or away from City premises under conditions that do not prevent the employee from using the time for personal activities. The employee on Unrestricted On-Call status may choose to report for an on-call assignment, but is not required to do so. Unrestricted On-Call status is not compensatory, except for such time actually worked, should the employee report for an on-call assignment. Employees will not be compensated for time spent on unrestricted on-call status. Employees will be paid their regular rate for time actually worked.

### 4. **Call Back Pay**

A call back occurs when there is an emergency or after hours service need for which an employee reports to work as a result. A call back does not include additional hours of work scheduled in advance.

- a. A non-exempt employee (full-time and part-time) responding to a call back will be credited the greater of two hours or the actual time worked on the call back assignment.

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- b. Travel time is included in the calculation of call back hours.
- c. Exempt employees are not eligible for call back compensation.

5. **Mandatory Meeting Pay**

If a non-exempt employee is required to attend a mandatory meeting held during the employee's regularly scheduled day off, the employee will be paid a minimum of two (2) hours pay. This applies to part-time and full-time employees.

6. **Pay for Care of Canine**

Police Officers who are canine handlers will be compensated an additional 30 minutes per calendar day for the training, care, and maintenance of the canine. This additional pay is for feeding, bathing, grooming, providing needed medication, providing exercise, removing fleas/ticks, etc. The 30 minutes per day should be reflected on the Police Officer's time record each pay period.

7. **Acting Status Pay**

Employees who are temporarily re-assigned to perform the duties of a higher classification for thirty (30) consecutive days or more may receive a compensation increase for the duration of the temporary assignment. The appropriate increase shall be recommended by the Director of Human Resources and Risk Management, but at no time should be less than the minimum pay range for the temporary assignment classification.

8. **Final Pay**

Upon end of employment, employees will receive any compensation due on the following regular pay period. Employees will be paid at their base rate for any unused accrued annual leave balances excluding accrued sick leave, catastrophic sick leave, and unused floating holidays. Only those employees who retire from City employment or who die while in City service will be paid for any accrued sick leave according to the guidelines in this manual.

**Note: Catastrophic sick leave and floating holidays are not payable upon any separation from the City.**

**Section 3: Compensation Plan**

**(a) Pay Plan**

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1. The City will maintain a Classification and Pay Plan, including a complete inventory of all positions in the City's service, accurate job descriptions, specific salary grades with minimum and maximum pay ranges, and EEO categories. The plan will standardize titles, by categorization of every job by class on the basis of similarities in duties and responsibilities, each of which are indicative of a definite range of duties and responsibilities and have the same meaning throughout assigned departments. The Classification and Pay Plan will be designed to provide comparable pay for comparable work and to provide a pay range for each grade of positions, which will enable the City to recruit and retain qualified employees, as well as compete in the job market with other private and public employers. All aspects of the pay plan are contingent upon the availability of funds as determined in the sole discretion of the City Council.
2. As part of the City's Pay Plan, pay ranges are established based on market rates. Each range will consist of a minimum and maximum, except for the City Manager position whose range will be considered open.

The pay rates for certain temporary, seasonal, and part-time positions are established by the City Manager outside of the Classification and Pay Plan.

**(b) Administration**

The primary responsibility for day-to-day administration of the Classification and Pay Plan rests with the City Manager or designee, as follows:

1. The Director of Human Resources and Risk Management is charged with the maintenance of the Classification and Pay Plan and its administration so that it will reflect the duties performed by each employee and the grade to which each position is allocated. A copy of the official plan shall be available for review in the Human Resources Department under reasonable conditions during business hours.
2. It is the responsibility of the Director of Human Resources and Risk Management to examine the nature of the positions as they are created and to allocate them to an existing grade in conformity with this section; to make such changes as are necessary in the duties and responsibilities of existing positions; to periodically review the entire Classification and Pay Plan; and to recommend appropriate changes in the plan to the City Manager. The City Manager shall submit recommendations to the City Council.
3. The Director of Human Resources and Risk Management will facilitate the requests for newly authorized positions or changes in duties of an existing

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position. The Division Director must submit a proposed job description or recommended changes in duties to Human Resources. The Director of Human Resources and Risk Management will review the actual or suggested duties and/or changes and will make a recommendation to the City Manager and City Council for approval. Ultimate approval for new positions and the elimination of positions shall be by the City Council.

4. A formal Classification and Pay Study will be conducted as needed or at a minimum of every five years. Based on these studies and recommendations of the Director, Human Resources and Risk Management, the City Manager shall recommend to the City Council such increases, reductions, or amendments of the Classification and Pay Plan as is deemed necessary to maintain the fairness and adequacy of the plan.

**(c) Use of the Classification & Pay Plan**

The Classification and Pay Plan is to be used:

1. As a guide in recruiting and evaluating candidates for employment;
2. In determining lines of promotion and in developing employee training programs;
3. In determining salary to be paid for various types of work; all employees covered by the Classification and Pay Plan shall be paid at a salary or hourly rate established for their respective positions.
4. In providing uniform job terminology understandable to all City officials and employees and by the public;
5. To ensure that the official job title represented on the Classification and Pay Plan shall be used in all organizational charts and other personnel, accounting, budget, appropriation, and financial records.
6. It should be general practice for newly hired employees to be hired at the minimum pay rate of the applicable grade for the position. The City of Peachtree City recognizes that in some instances it may be necessary to hire employees above the minimum pay rate of the applicable grade for the position. If there has been a demonstrated inability to recruit at the minimum salary or if an applicant possesses exceptional qualifications, the Director of Human Resources and Risk Management, with the consensus of the Division Director, may recommend a higher salary/hourly rate. The City Manager may approve the employment of applicant(s) at a higher rate than the minimum, but should be mindful of internal equity when extending offers above the

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minimum.

**(d) Maintenance of Pay Ranges**

The City Manager or designee may make or cause to be made such comparative studies as he/she deems necessary of the factors affecting the level of salary ranges prior to the preparation of the annual budget, as well as at other times during the year. On the basis of information derived from such studies, the City Manager may make recommendations for changes in salary ranges as deemed necessary to maintain the fairness, adequacy, and competitiveness of the overall salary structure.

**Section 4: Changes in Salary**

**(a) Performance Reviews**

The job performance of all employees will be reviewed periodically to determine if salaries should be adjusted, if job descriptions should be revised, or if jobs need to be reclassified.

**(b) Standard Salary Adjustments**

Subject to annual budget appropriation, standard salary adjustments may be established annually on October 1<sup>st</sup>. The Pay Plan will be adjusted according to the standard salary adjustment.

**(c) Salary Increases for Performance**

Subject to annual budget appropriation, each department may be allocated a pool of merit dollars to be distributed to employees based on performance. The City Manager reserves the right to make additional pay adjustments as necessary for business operations or to address any internal equity issues. Merit increases shall be effective on the employee's annual evaluation date.

**(d) Salary Changes Due to Promotions**

The pay for employees receiving a promotion will be the greater of either the minimum of the pay grade of the promoted position or a five (5) percent increase. The City Manager may allow a greater increase in order to address any internal equity issue.

**(e) Salary Changes Due to Reclassification**

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The pay for an employee whose position is reclassified to a higher pay grade will be the minimum of the higher pay grade or a five (5) percent increase if the existing salary already exceeds the minimum rate for the higher position. If the pay for an employee whose position has been reclassified to a lower pay grade exceeds the maximum of the salary grade, the employee's pay will be "frozen" until such time that the maximum of the salary grade exceeds the employee's pay.

**(f) Salary Changes Due to Demotion**

The pay changes for employees receiving a demotion will be as follows:

**1. Demotions Based on Performance**

The pay for employees receiving a demotion based on performance will be decreased by a minimum of five (5) percent. At the Division Director's request, the City Manager may allow a greater or lesser decrease in order to address any internal equity issue.

**2. Voluntary Demotions (not performance based)**

The salary of an employee who voluntarily demotes to a position in a lower pay grade based on a personal decision to do so will be determined upon the recommendation of the Division Director, but will not exceed the maximum of the lower pay grade.

**3. Involuntary Demotions (not performance based)**

The salary of an employee who has been involuntarily demoted due to business needs or for accommodation purposes and not based on performance will not experience any change in pay if the employee's salary falls within the lower salary grade and is comparable to employees within the same salary grade.

**(g) Other Salary Increases**

1. The City Manager reserves the right to make additional pay adjustments as necessary for business operations or to address any internal equity issues provided that funds are available.
2. Special increases and cash bonuses must be approved by City Council and shall be effective on the date approved by City Council.

**(h) Progression for Maintenance Technicians, Buildings & Grounds Maintenance Technicians, and Mechanics**

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Maintenance Technicians, Buildings & Grounds Maintenance Technicians, and Mechanics should be evaluated for job proficiency and should be compensated at a pay rate commensurate with their technical skill levels. To accomplish this goal, the following criteria have been established:

1. **Maintenance Technicians and Buildings & Grounds Maintenance Technicians**

Maintenance Technicians and Buildings & Grounds Maintenance Technicians will be hired at level I, II, or III based on their education, years of experience, and their technical skill level as demonstrated by the pre-employment interview, written test, and practical examination.

Once employed and after completing the probationary period with the City, a Maintenance Technician or a Buildings & Grounds Maintenance Technician may be considered for advancement to a Technician II or III position, as long as the employee has the minimum years of related experience as required by the specific job description. In order to progress to a Technician II or III position, the employee must pass a written examination, practical examination, and a supervisor evaluation to demonstrate his/her technical skill level. If an employee fails to pass any portion of this process, he/she may take the examination/evaluation again after ninety (90) days. Employees progressing to Maintenance Technician II or III or Buildings & Grounds Maintenance Technician II or III positions must satisfactorily complete a six (6) months' position probationary period. Therefore, the employee will not be eligible to be considered for the next level until he/she completes the six (6) months' position probationary period.

2. **Mechanics**

The City's goal is to hire skilled, experienced Mechanics, and every effort will be made to hire Mechanics who possess at least four (4) Automotive Service Excellence (ASE) certifications. If a Mechanic who does not hold four (4) ASE's is hired, he/she must obtain four (4) certifications within twelve (12) months of employment; upon obtaining the four (4) ASE's, he/she would receive a one-step increase. Thereafter, Mechanics will receive a one-step increase for each two (2) additional ASE certifications received, up to a maximum of three (3) additional step increases.

(i) **Employees at Maximum of Pay Range**

Should an employee's pay rate reach the maximum of his/her assigned range, and a pay increase is offered to employees as part of the annual fiscal year budget

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(merit, market, or across-the-board), in lieu of a pay increase, affected employees will receive a one-time, lump-sum payment which will be in an amount equal to a percentage of each such employee's total annual income paid by the City for the preceding 12 months. The percentage to be paid as a lump sum will be equivalent to the percentage of increase the employee otherwise would have received as a pay increase. If the pay scale is adjusted by the increase (e.g. cost of living adjustment), a one-time lump sum payment will not be needed.

**Section 5: Salary Overpayments**

All overpayments will be repaid to the City regardless of where the error was made or who made it. A reasonable repayment schedule will be coordinated with Finance and approved by the appropriate Division Director.

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## **B. EMPLOYEE BENEFITS – LEAVE TYPES**

### **Section 1: Policy Statement**

The City of Peachtree City believes that employees should have the opportunity to enjoy time away from work to help balance their work and personal lives. City management recognizes that employees have diverse needs for time off from work. Because of this, the City has established leave practices to address the balance, as well as to protect the financial well-being of employees during certain absences from work. Employees are accountable and responsible for managing their own leave balances to allow for adequate reserves if there is a need to cover unanticipated events requiring time away from work.

### **Section 2: Overview of Requirements & Restrictions**

#### **(a) General Provisions**

Except as provided otherwise in this chapter, the following apply to all paid leave benefits:

1. Approval of leave is subject to operational requirements of the department, and any request for paid leave may be denied or rescheduled due to staffing needs;
2. Paid leave cannot be advanced;
3. All requests for leave must be submitted in writing using the required leave request form with as much notice as possible;
4. An employee in an unpaid leave status will not accrue annual leave, sick leave, or holiday hours. This will not, however, constitute a break in service for accrual rate purposes; and
5. Employees shall record paid leave in quarter hour increments.

#### **(b) Unpaid Leave Status**

A leave of absence without pay will not be approved under normal circumstances. All requests for leave without pay must be in writing and must be approved by the City Manager. Annual leave, sick leave, and holiday hours will not be accrued during leave without pay status. Please note that while an employee is on leave of absence without pay, there is no job protection by the City, except as required by law. Employees may continue, at their sole expense, their insurance coverages while on leave of absence without pay. In order to continue coverage, the

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employee must contact the Human Resources Department to arrange for payment of premiums.

**Section 3: Annual Leave**

**(a) Eligibility and Guidelines**

It is the policy of the City to provide annual leave for eligible employees. Employees are not entitled to “cash out” accrued leave outside the end of the employment process. Annual leave guidelines include:

1. Annual leave is accrued by and granted to regular full-time employees and police and fire shift employees;
2. Eligible employees while on authorized paid annual leave will continue to accrue annual and sick leave hours;
3. Eligible employees (except for probationary employees in their “original probation period”) can take leave immediately once hours have been accrued and approved by Department management; probationary employees in their “original probation period” may take accrued annual leave after they have completed six months of employment (generally following the probationary period); and
4. Pay for annual leave shall be at the employee’s regular rate of pay in effect for the employee’s regular job on the pay date immediately preceding the employee’s vacation period.

**(b) Annual Leave Accrual Rate**

1. Employees will accrue annual leave hours based on their hire date with the City, unless approved at a higher rate by the City Manager;
2. All eligible employees accrue annual leave hours on the following basis: The accrual rate increases on the first day of the pay period that includes the employee’s anniversary date.
3. The following chart reflects the bi-weekly accrual rates for City employees:

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<b>Years of Service</b>	<b>Hours Per Biweekly Pay Period</b>	<b>Hours/Year</b>
Regular Full-time Employees		
Full-time Police Shift Employees		
Up to 1 Year	1.54	40
1 up to 4 years	3.08	80
4 up to 9 years	4.62	120
9+ years	6.16	160
Full-Time Fire Shift Employees		
Up to 1 Year	1.85	48
1 up to 4 years	4.62	120
4 up to 9 years	6.47	168
9+ years	9.24	240

4. A new employee who does not begin employment at the beginning of a bi-weekly pay period must work at least  $\frac{1}{2}$  of the pay period to accrue annual leave for that pay period.
5. An employee separating from City service will not receive annual leave for his/her last bi-weekly pay period unless he/she works  $\frac{1}{2}$  of his/her last pay period.

**(c) Use and Scheduling of Annual Leave**

1. Whenever possible, employees will be allowed to take annual leave at times most convenient to them. However, in order to ensure continued smooth operation and to maintain a high level of quality in the delivery of service to the citizens of Peachtree City, the City reserves the right to limit the number of employees that may be absent from a given department at any one time. Where there is a conflict in the annual leave choices of two (2) or more employees who cannot be spared at the time, the department management will determine who will take leave;
2. When a holiday occurs during the period an employee is on authorized annual leave with pay, annual leave shall not be charged for the holiday;
3. If an employee is called in to work during his/her authorized annual leave, he/she may choose to take an additional day of annual leave, or he/she may be paid for annual leave for that day worked plus his/her regular day's pay. An employee shall not be required to interrupt his/her authorized annual leave (vacation) to perform work for the City.

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4. At their anniversary date, eligible employees will be allowed to carry over up to one year's accrued annual leave hours up to a maximum cap according to the chart below. Any hours in excess of the applicable carry-over will be forfeited. Since 2013 is a transition year (change to bi-weekly accrual rates), the maximum carry-over for accrued annual leave will not be applied. **However, in 2014 and thereafter, the carry-over cap for maximum annual leave hours will be applied. Once the maximum annual leave hours are accrued, no further annual leave hours may be accrued until annual leave is taken to reduce the accrued hours.**

<b>Maximum Annual Leave Hours Carry Over</b>	
<b>Years of Service</b>	<b>Hours</b>
Regular Full-time Employees and Full-time Police Shift Employees	
Up to 1 Year	40
1 up to 4 years	100
4 up to 9 years	150
9+ years	200
Full-Time Fire Shift Employees	
Up to 1 Year	48
1 up to 4 years	150
4 up to 9 years	210
9+ years	300

#### **Section 4: Regular Sick Leave**

##### **(a) Eligibility**

It is the policy of the City to provide sick leave with pay for eligible employees. Sick leave is a privilege and may be used when an employee is incapacitated due to personal illness or injury or has a medical/dental/optical appointment. In addition, sick leave (up to a maximum of 24 hours in a calendar year) may be used when an employee's spouse, child, or parent is incapacitated due to personal illness or injury or has a medical/dental/optical appointment.

1. Regular full-time employees and police and fire shift employees are deemed eligible employees for sick leave purposes.

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2. Eligible employees while on authorized paid sick leave will continue to accrue annual and sick leave hours.
3. Eligible employees can take leave immediately once hours have been accrued and approved by department management.

**(b) Sick Leave Accrual Rate**

1. The following chart reflects the bi-weekly accrual rates for sick leave for eligible City employees. The accrual will begin immediately upon hire.

<b>Bi-Weekly Accrual Rates for Sick Leave</b>	
Regular Full-Time Employees & Full-Time Police Shift Employees	3.7 hours
Full-Time Fire Shift Employees	5.0 hours

2. Eligible employees may accrue sick hours up to a maximum cap. Once the maximum cap has been reached, as described by the chart below, the employee will not continue to accrue regular sick leave hours.

<b>Maximum Cap of Regular Sick Leave Hours</b>	
Regular Full-time Employees and Full-time Police Shift Employees hired before 7/1/12	480
Regular Full-time Employees and Full-time Police Shift Employees hired after 7/1/12	240
Full-time Fire Shift Employees hired before 7/1/12	720
Full-time Fire Shift Employees hired after 7/1/12	360

**(c) Catastrophic Sick Leave**

1. All regular full-time employees and fire and police shift employees hired before 7/1/12 are eligible to earn catastrophic sick leave once the employees have accrued the maximum regular sick leave allowed.
2. Regular full-time employees and full-time police shift employees accrue 3.7 catastrophic sick leave hours per pay period. Full-time fire shift employees (working a 24-hour shift) accrue 5.0 catastrophic sick leave hours per pay period.

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3. Regular full-time employees and police shift employees can accrue a maximum of 480 hours of catastrophic sick leave; regular fire shift employees (working a 24-hour shift) can accrue a maximum of 720 hours of catastrophic sick leave.
4. Catastrophic sick leave shall only be used once all accrued regular sick leave and any other banked leave have been exhausted.

**(d) Use of Sick Leave**

1. Sick leave may be used for appointments for medical, dental, or optical examinations or treatment when such appointments cannot be reasonably scheduled during non-working hours. Examination appointments generally should be approved at least one (1) work day in advance by the Division Director or designee. Sick leave can also be used for unplanned sick absences. In unplanned circumstances, an employee should make every attempt to report to his/her supervisor within one (1) hour of the scheduled starting time the reason for absence. Where a relief employee is required in a department which must provide 24 hours sustained service, the employee must report his/her absence two (2) hours before the designated reporting time. Failure to comply with the reporting requirements may lead to the employee being charged with leave without pay on the affected payroll.
2. Eligible employees may use up to 24 hours of sick leave in a calendar year to attend to the illness/injury of an immediate family member. For purposes of this policy, immediate family member shall include spouse, child, or parent.
3. A Division Director or designee may require employees to provide doctor's certificates for periods of absence.
4. If an employee is absent for more than three (3) days, he/she shall be required to provide a doctor's certificate upon his/her return attesting to his/her inability to have reported to work during this absence.
5. Department management will be responsible for monitoring abuse of the sick leave privilege, and employees may be subject to disciplinary action, up to and including termination, for any abuse of the sick leave benefit.
6. If an employee who sustains an on-the-job injury/illness which necessitates the employee's absence from work, he/she may use sick leave or other available leave during the Workers' Compensation waiting period. Once Workers' Compensation begins to make payments to the employee, the employee may use sick leave or other available leave to offset the difference

between the statutory Workers' Compensation rate and the employee's regular rate of pay.

7. An employee who becomes ill during his/her vacation (annual leave) may be granted the option of changing annual leave to sick leave upon presentation of a doctor's certificate.

**(e) Payment of Sick Leave**

1. Pay for sick leave shall be at the employee's regular rate of pay in effect for the employee's regular job on the pay date immediately preceding the employee's sick leave period.
2. Payment for accrued sick leave will be made upon death or retirement from the City up to the following maximum levels:

<b>Years of Service</b>	<b>Regular Full-Time Employee and Full-Time Police Shift Employee</b>	<b>Fire Shift Employee</b>
Minimum of 10 Years	240 Hours	360 Hours
15+ Years	480 Hours	720 Hours

3. For full-time Firefighters and Police Officers, payment for accrued sick leave will be made as stated above when retirement occurs between the ages of 55 and 65 with ten (10) years or greater service. No payment of accrued sick leave will be made if a Firefighter or Police Officer terminates employment prior to age 55 under the "25 Years and Out" option under the City's defined benefit pension plan.
4. There will be no payment for accrued catastrophic sick leave when an employee separates from City service under any circumstances.

**Section 5: Other Leave Types**

**(a) Bereavement Leave**

1. Full-time employees may be granted up to 24 hours of bereavement leave with pay upon the death of a member of the employee's immediate family. Immediate family is defined in the definition section. Hours do not have to be taken simultaneously.
2. Employees must request bereavement leave by contacting their supervisor.
3. The 24 hours of bereavement leave may be extended under unusual circumstances with the approval of the City Manager.

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4. When attending a funeral of an individual other than immediate family member as defined in the definition section, the employee must use his/her banked leave time (except sick pay) to cover his/her absence from work.
5. Employees attending a funeral of a City employee may be granted up to a maximum of two (2) hours of paid time to attend the funeral during their normal scheduled work hours; banked leave time (except sick pay) must be used to cover absences exceeding two (2) hours.
6. Employees serving as officials or delegates representing Peachtree City at funerals for Police Officers or Firefighters that have died while in the line of duty shall be paid up to a maximum of two (2) hours to attend the funeral during their normal scheduled work hours; those attending on their off day will not be paid for this time.
7. There is no accumulation of bereavement leave, and no payment upon separation from City employment.

**(b) Civil Leave**

1. An employee shall be given time off with pay up to a maximum of eighteen (18) days per calendar year when performing jury duty or required by proper authority to be a witness in legal proceedings, unless he/she is a litigant (plaintiff, defendant, or other principal party) or has any other personal or familial interest in the proceedings. Time off for jury duty exceeding eighteen (18) days will be granted without pay, unless an employee has other paid leave (excluding sick leave) available.
2. An employee must report his/her need for civil leave in advance to his/her supervisor. An employee is required to present a statement from the court indicating jury service.
3. Employees are not required to turn over to the City any fees received for performance of these functions.
4. An employee must return to work if excused from jury duty, etc., during working hours unless excused by his/her Division Director or designee.
5. All employees subpoenaed or ordered to attend court to appear as a witness or to testify in some official capacity on behalf of the City are considered to be working.

**(c) Military Leave**

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1. Employees are entitled to military leave in accordance with State and Federal laws.
2. “Ordered military duty” means any military duty performed in the service of the State or of the United States including, but not limited to, attendance at any service school or schools conducted by the Armed Forces of the United States by an employee as a voluntary member of the national Guard or of any reserve force or reserve component of the Armed Forces of the United States pursuant to orders issued by competent State and Federal authority.
3. An employee shall be paid his/her salary or other compensation for any and all periods of absence while engaged in the performance of ordered military duty and while going to and returning from such duty, not exceeding a total of 18 days in any one federal fiscal year (October 1<sup>st</sup> – September 30<sup>th</sup>). In the event the Governor declares an emergency and orders an employee to ordered military duty as a member of the National Guard, any such employee, while performing such duty, shall be paid his/her salary or other compensation for a period not exceeding 30 days in any one federal fiscal year.
4. When an employee is called to active duty or inducted into the military of the United States, he/she shall automatically be granted a leave of absence for the duration of such military service as prescribed by U.S. Public Law 93-508. The employee should present a copy of his/her official orders to his/her department management and the Director of Human Resources and Risk Management as soon as received.

When an employee is called to active duty during a declared conflict, the City shall, if the employee’s total military compensation is less than the employee’s City salary, compensate the employee for earnings to equal his/her City salary at the time of activation for up to 18 months of active duty military service.

5. The period an employee has to make application for reemployment or report back to work after military service is based on time spent on military duty. For service of less than 31 days, the employee/service member must return at the beginning of the next regularly scheduled work period on the first full day after release from service, taking into account safe travel home plus an eight-hour rest period. For service of more than 30 days but less than 181 days, the employee/service member must submit an application for reemployment within 14 days of release from service. For service of more than 180 days, an application for reemployment must be submitted within 90 days of release from service.

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Service members convalescing from injuries received during service or training may have up to two years from the date of completion of service to return to their jobs or apply for reemployment. See 38 U.S.C. § 4312 (e)(2)(B) for further information.

6. When an employee is on military leave that exceeds 30 days, he/she is generally removed from the City's insurance benefits because he/she and his/her dependents go onto the insurance coverage provided by the military. This is a COBRA-eligible event. If the employee chooses to continue his/her insurance coverage through the City, he/she may do so under COBRA up to a maximum of 24 months.

**(d) Family and Medical Leave**

Pursuant to the federal Family and Medical Leave Act, ("FMLA"), 29 U.S.C. §2601, et seq., an employee may be eligible for a Family and Medical Leave of Absence for up to twelve (12) weeks of unpaid leave in any twelve-month period for one or more of the following:

- the birth of a child and care of a newborn child ("bonding time");
- placement of a child for adoption or foster care and to bond with child;
- the serious medical condition of a parent, spouse, or child; or
- the employee's own serious medical condition that prevents him/her from performing the functions of his/her job.

For purposes of this Section, a "12-month period" means a rolling twelve (12) months measured backward from the date the employee uses any FMLA leave.

If the provisions in this manual conflict or come into conflict with the FMLA as it presently exists or is amended from time to time, the provisions contained in the FMLA shall control.

**1. Eligibility**

To be eligible for leave, an employee must have been working for the City of Peachtree City for at least twelve months and must have worked at least 1,250 hours during the twelve-month period prior to the request for leave. Eligible employees under FMLA shall be entitled to leave upon the conditions and limitations of FMLA.

**2. Concurrent Utilization of Paid Leave and/or Compensatory Time**

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An employee requesting leave pursuant to the FMLA is required to utilize short-term disability benefits (if applicable), all accrued leave, and/or compensatory time available as part of the 12-week leave period. If the available paid leave for the employee is less than twelve working weeks, the additional weeks of leave necessary to obtain the twelve work weeks of leave available under the FMLA shall be provided without compensation. In any event, any combination of leave, compensatory time, and/or unpaid family and medical leave shall not exceed twelve (12) weeks. Use of short-term disability benefits, leave, and/or compensatory time, or any combination thereof, must be used concurrently with FMLA leave. FMLA requests will be retroactively dated to the date on which the serious health condition commenced. If the employee is absent on unpaid FMLA leave, he/she will not continue to accrue holiday hours or annual, sick, or other types of leave during this unpaid FMLA leave.

### **3. Concurrent Workers' Compensation and FMLA Leave**

An employee qualifying for Workers' Compensation Leave must run any FMLA leave concurrently with that of all concurrent and/or intermittent Workers' Compensation Leave if the leave qualifies under FMLA. The employee must elect to use either Workers' Compensation benefits or paid leave (if available) during the FMLA period.

### **4. Intermittent Leave or Reduced Schedule Leave**

Leave for "bonding time" as defined by FMLA may not be taken intermittently or on a reduced schedule. Leave for a serious health condition of a qualifying family member or of the employee may not be taken on an intermittent basis or on a reduced leave schedule unless medically necessary. The taking of any leave intermittently or on a reduced schedule basis shall reduce the total amount of FMLA leave that has been approved for the eligible employee according to the actual hours of leave taken. For example, if an eligible employee takes ten (10) hours of leave intermittently over twenty (20) business days, the employee's bank of available FMLA leave will be reduced only by ten (10) hours and not by twenty (20) days.

If an eligible employee requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment, the City reserves the right to transfer the employee temporarily to an available equivalent position for which the employee is qualified that better accommodates recurring periods of absence.

### **5. Spouses Employed by Same Employer**

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In any occasion in which a husband and wife are eligible for leave under the FMLA and are both employed by the City, the aggregate number of work weeks of leave to which both shall be entitled may be limited to twelve (12) work weeks during any 12-month rolling period, in the case where leave is taken for childbirth, adoption, foster care, or to care for a sick parent.

#### **6. Foreseeable Leave**

In any case in which the necessity for leave under the FMLA is foreseeable, based on an expected birth or placement of a child or based on planned medical treatment or supervision, the employee shall provide the Director of Human Resources and Risk Management with written application for the requested leave and certification no less than thirty (30) days before the date the leave is to begin.

In a case where the necessity for leave is based on planned medical treatment, the employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the City, subject to the approval of the health care provider and shall provide the Director of Human Resources and Risk Management with at least thirty (30) days notice before the date the leave is to begin. If the date of the treatment requires leave to begin in less than thirty (30) days, the employee shall provide such notice as is practicable.

#### **7. Certification of Serious Health Conditions**

An eligible employee who requests leave for a serious health condition of the employee or a qualifying family member shall submit certification from an appropriate health care provider to the Director of Human Resources and Risk Management when requesting leave.

Certification shall be on the U.S. Department of Labor Certification Form and shall state:

- a. the date on which the serious health condition commenced;
- b. the probable duration of the treatment or condition;
- c. the appropriate medical facts within the health care provider's knowledge;  
and
- d. the estimated amount of time the employee needs to care for the qualifying family member or a statement of the extent to which the employee is unable to perform the essential functions of the employee's position.

In any case in which the Director of Human Resources and Risk Management has reasonable doubt as to the validity of the certification, the Director of Human Resources and Risk Management may require the employee to obtain the opinion of a second health care provider at the expense of the City. If the second opinion differs from the original certification, the Director of Human Resources and Risk Management may require the employee to obtain the opinion of a third health care provider designated or approved jointly by the Director of Human Resources and Risk Management and the employee at the expense of the City. The opinion of the third health care provider shall be considered to be final and shall be binding on both the City and the employee. The Director of Human Resources and Risk Management may also require that the employee obtain subsequent re-certification on a reasonable basis.

#### **8. Accruals and Benefits during FMLA Leave**

The employee, while on paid FMLA leave, is entitled to accrue annual leave, sick leave, and holidays during the periods of paid leave. For the purposes of pension or retirement plans, any period of FMLA leave will be treated as continuous service for the purposes of vesting and eligibility to participate.

FMLA time will not be counted as part of an employee's probationary period, but will be added to the remaining probationary period, extending the ending date of the probationary period.

During any period of leave, the City will maintain any medical insurance provided by the City to the employee for the duration of the leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such leave. The employee will continue to be responsible for his/her share of the cost. In addition, the employee's dental, vision, life, and disability coverage (if applicable) will continue as long as the employee pays his/her share of the costs in a timely manner.

#### **9. Return to Duty from FMLA Leave**

As a condition for return to duty, the employee shall be required to provide certification from the employee's health care provider that the employee is able to resume work. NOTE: If there are additional department requirements (e.g. fitness-for-duty evaluation by City-appointed physician), the employee must comply with these requirements as well before resuming work. Upon expiration of the period of leave pursuant to the FMLA, the employee shall be returned to his/her former position or a position of equal grade and pay, provided that the employee has complied with the terms of the leave and

reported for return of duty at the appropriate time. While the employee shall be restored to a position of employment without loss of employment benefits accrued prior to the date on which the leave commenced, the employee shall have no greater rights than those in effect prior to the commencement of the leave.

An exception to the employment restoration provisions of the policy may be made if the employee on leave is an exempt employee and is among the highest paid ten percent (10%) of the City's employees, and restoring employment of the employee would result in substantial and grievous economic injury to the City.

## **10. Military Family Leave Entitlements**

- a. Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.
- b. FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is:
  - (1) A current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his/her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.
  - (2) A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

## **11. Procedures**

To designate an absence as Family and Medical Leave, the following

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procedures must be followed:

- a. An employee must request a Family and Medical Leave of Absence from his/her supervisor/manager or from Human Resources; or once an employee's absence appears to be protected under the FMLA, the supervisor/manager will direct the employee to Human Resources.
- b. Human Resources will complete the U.S. Department of Labor "Notice of Eligibility and Rights and Responsibilities" form and will send the form to the employee.
- c. To request leave for the care of a child, parent, or spouse with a serious health condition, the employee must provide certification from the health care provider who is treating the child, parent, or spouse, including the date on which the condition commenced; the probable duration of the condition; the appropriate medical facts regarding the condition; and an estimate of the time needed to care for the individual involved (including any recurring medical treatment).
- d. To request leave due to an employee's serious health condition, the employee must provide certification from a licensed health care provider who is treating his/her own serious health condition as set forth herein.
- e. Once medical certification forms and any supporting documentation are received by Human Resources, Human Resources will complete the U.S. Department of Labor "Designation Notice." This "Designation Notice" will designate the leave as either approved or not approved or will request additional information. Copies of the "Designation Notice" will be given to the employee, his/her supervisor/manager, and the Division Director.
- f. If the employee is requesting military family leave, the appropriate U.S. Department of Labor certification form must be completed and submitted to the Human Resources Department for approval/denial.

**(e) Leave for Disaster Relief Aid**

1. When volunteering his/her services for a declared State or National disaster, the employee may use either accrued leave time (except sick leave) or leave without pay for up to a maximum of three (3) weeks per fiscal year.
2. Military leave would not be granted unless the employee is called for "ordered military duty" as explained in the "Military Leave Policy."
3. Neither annual leave, sick leave, nor holidays are accrued during any period of

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unpaid leave.

**(f) Administrative Leave**

A Division Director, the Director of Human Resources and Risk Management, or the City Manager, with notification to the Human Resources Department, may place an employee on Administrative Leave when:

1. An employee is being investigated by the City for possible misconduct; he/she may be placed on paid administrative leave.
2. An employee is being investigated by a law enforcement agency for possible violation of a criminal law; he/she may be placed on unpaid administrative leave if the leave is an extended one.
3. An employee who is a resident of Peachtree City and who chooses to run for elected municipal office (Mayor or City Council). When an employee qualifies as a candidate for a Peachtree City municipal election, he/she shall be placed on unpaid administrative leave for the duration of the election and any necessary subsequent run-off. Employees who are not elected shall be reinstated to their positions. Employees who are successfully elected to office will become elected officials, and their employment with the City will terminate.
4. An employee may be placed on Administrative Leave in any instance where it is considered to be in the best interest of the City and/or the employee.

Written notification must be provided by the official who placed the employee on Administrative Leave to the Payroll Department with instructions that the leave shall be with or without pay.

The purpose of Administrative Leave is to provide an investigatory opportunity or to relieve the employee of his/her duties when it is deemed in the best interest of the City and the employee. Designation of the leave as “Administrative Leave” is to prevent any possible stigma against an employee during a period of Administrative Leave.

The decision to place an employee on Administrative Leave is entirely discretionary. An extended Administrative Leave may be granted without pay at management’s discretion. Certain acts of misconduct or criminal arrests may be more suitable for immediate termination as determined by the Division Director and the Director of Human Resources and Risk Management.

**(g) Leave Due to Inclement Weather**

In the event of hazardous weather resulting in the closure of City offices, all employees who are scheduled to work during the period for which the City is officially closed will be paid. Full-time and part-time employees shall be paid according to the hours of their regularly scheduled shifts. Temporary and seasonal employees shall not be paid.

If questionable weather exists, but the City is open for business, employees should make their own independent safety determinations concerning travel to work. If the employee elects not to attend work due to safety concerns when the City is open for business, the employee's absence will be charged against any accrued annual leave or other leave balances (excluding sick leave) or compensatory time. If no such accrued leave exists, the employee will not be compensated. Public Safety employees are expected to monitor weather conditions and report to work as scheduled.

If a non-exempt employee who is not a Public Safety employee is called into work when the City is officially closed, it is considered a call back for emergency reasons, and the employee shall be compensated according to the call back pay policy. If the employee is not called into work, but reports to work during the period of time that the City is officially closed, the employee will be paid at his/her regular rate of pay for the actual hours worked.

**(h) Holidays**

1. The City observes the following holidays and such other days as may be designated by City Council:

New Year's Day  
Martin Luther King, Jr. Day  
Memorial Day  
Independence Day  
Labor Day  
Thanksgiving Day  
Day after Thanksgiving  
Christmas Eve  
Christmas Day  
2 Floating Holidays

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



2. Full-time employees receive eight (8) hours for holiday pay, while full-time fire shift employees receive ten point eighty-nine (10.89) hours for holiday pay. Part-time, temporary, and seasonal employees are not eligible for holiday pay except as specified below.
3. In order to receive pay for an observed holiday, regular full-time non-exempt employees must work the scheduled work day immediately before and after the observed holiday or must not be absent without an excused leave approved in advance. If an employee's absence is due to illness, the employee must present a doctor's note covering the absence in order to be paid for the holiday.
4. Regular full-time employees receive two (2) paid floating holidays at the beginning of each calendar year. Newly hired full-time employees and employees transitioning from part-time to full-time receive paid floating holidays during their first calendar year of employment according to the following:

Hire Date / Transition Date	Floating Holidays Received
January 1 – March 31	2.0 days
April 1 – June 30	1.5 days
July 1 – September 30	1.0 day
October 1 – December 31	.5 day

Floating holidays must be used by December 31<sup>st</sup> each year, or they will be lost. In addition, unused floating holidays will not be paid out upon separation of employment.

5. When eligible employees are required to work on a holiday, they shall be remunerated according to one of the following:
  - a. Regular full-time non-exempt employees will be paid their regular pay plus an additional eight (8) hours pay or ten point eighty-nine (10.89) hours for full-time and part-time non-exempt fire shift employees.
  - b. In lieu of the additional holiday pay, regular full-time non-exempt employees may choose to substitute another day in lieu of the holiday with the approval of the Division Director; or
  - c. Regular exempt employees may choose to substitute another day in lieu of the holiday with the approval of the Division Director.

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6. When an observed holiday falls on an employee's normally scheduled off day, the holiday may be banked and taken off at a later date or may be paid out at the discretion of the Division Director.

**Regular full-time employees may bank no more than 48 hours of holiday leave.**

7. **Holiday Observance for Non-Public Safety Departments with 7-Day Operations:** Non-Public Safety facilities that are open seven days a week will close on the actual holiday and if the observed day is other than the actual holiday (i.e. Christmas on Sunday with the observed holiday on Monday), the facility will also be closed on the observed day. Employees will receive pay or bank holiday time for the observed day.

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## **C. GROUP BENEFIT PLAN**

### **Section 1: Policy Statement**

It is the policy of the City of Peachtree City to provide its employees with various insurance, retirement, and educational assistance benefits. The benefits plan is designed to provide a supplemental package of programs which contribute to the physical, mental-health, and well-being of the employee and his/her dependents. The plan is designed to enhance the attractiveness of working for the City and to aid the City's competitiveness in recruitment and retention efforts.

### **Section 2: General Provisions**

#### **(a) Administration**

The primary responsibility for the day-to-day administration of the benefits plan shall rest with the Director of Human Resources and Risk Management within the limits of these policies and procedures, as well as the actual plan documents that govern the particular benefit. Availability of benefit packages, questions on benefits, and employee discussion regarding benefits can be obtained from the Director of Human Resources and Risk Management.

#### **(b) Eligibility**

Eligibility for health insurance, death benefits, retirement benefits, and educational assistance benefits shall include regular full-time employees.

1. Employee contributions deducted via payroll will begin the month prior to the employee's eligibility.
2. Benefit eligibility will expire at the end of the last day of the month that the employee worked for the City.
3. All employees and police and fire volunteers shall have access to the Employee Assistance Program (EAP).

#### **(c) Qualified Status Changes**

Due to the pre-tax nature of many of our benefit plans (including spending accounts), IRS regulations determine when an employee can and cannot make changes to his/her benefit elections after he/she has enrolled (referred to as qualified status changes). Benefit elections that an employee makes remain in effect for the entire plan year, unless the employee has a qualified status change. During the Open Enrollment period, the employee has the opportunity to change

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his/her benefit elections for the following plan year.

All paperwork related to changing an employee's benefits due to a qualified status change must be completed within 31 days of the date the status change occurred, and the employee must provide documentation proving the qualifying event (for example, a marriage certificate). The changes become effective on the date of the qualified change. The following are examples of qualified status changes:

- Loss or gain of coverage through the employee's spouse
- Birth or adoption of a child
- Loss of eligibility of a covered dependent
- Marriage, divorce or legal separation, or annulment
- Death of a covered spouse or child
- Change in employment status

**(d) Benefits Continuation**

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City of Peachtree City's health plan for a certain period of time provided by law when a qualifying event would normally result in the loss of eligibility.

Under COBRA, the employee or qualified beneficiary pays the full cost of coverage at the City of Peachtree City's group rates, plus an administrative fee of 2%.

Certain deadlines and application requirements will apply. Please consult the Human Resources Department if you wish to apply for COBRA benefits.

**Section 3: Benefits Offered**

The City of Peachtree City intends to provide a comprehensive benefit package to aid in the recruitment and retention of employees. Benefits will include, but are not limited to: medical insurance, dental insurance, vision coverage, life and AD&D insurance, EAP, Flexible Spending Accounts (FSA's), retirement, long-term and short-term disability, and educational assistance. We will annually publish a document that details our benefit plans. The actual plan documents, rather than any summary statements in this Chapter, should be relied upon in determining an employee's rights and obligations.

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## **D. WORKERS' COMPENSATION**

### **Section 1: Policy Statement**

It is the intent of the City of Peachtree City to comply with the provisions of the Workers' Compensation Laws of the State of Georgia. All City of Peachtree City employees and elected officials who are injured on the job are protected by the Georgia Workers' Compensation Act. The provisions of this Act are the exclusive remedy for employees injured on the job and provide benefits and procedures for obtaining benefits for occupational injuries and diseases arising out of and in the course of an employee's employment with the City of Peachtree City.

### **Section 2: Responsibility**

Workers' Compensation can be a very complex environment if proper procedures are not followed. Specific responsibilities lie with the Human Resources Department, all supervisors, and the employee.

#### **(a) Human Resources**

The Director of Human Resources and Risk Management is responsible for the management of the City's Workers' Compensation program in accordance with the provisions of the Georgia Workers' Compensation Act and other Federal, State, or local regulations.

#### **(b) Supervisors**

City of Peachtree City supervisors are responsible for ensuring that their employees report all on-the-job injuries to them immediately or as soon as possible following the occurrence of the injury. Supervisors will ensure that a written report of the injury is completed and submitted to the Division Director who will then forward it to the Director of Human Resources and Risk Management within a twenty-four hour time period. Serious injuries should be reported immediately by phone to the Director of Human Resources and Risk Management and the City Manager.

#### **(c) Employees**

All City of Peachtree City employees are required to report all on-the-job injuries to their supervisor immediately when possible, but in all cases no later than twenty-four (24) hours after the occurrence of the injury. The employee is obligated to cooperate with the Workers' Compensation program directives and activities, and any fraudulent activity will be grounds for termination.

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**Section 3: Procedures**

- (a) An employee injured on the job must report the injury to his/her supervisor immediately on the forms prepared and provided by the Human Resources Department, even if no medical treatment is necessary. A record of the injury should be made in case medical treatment is needed in the future.
- (b) The employee's supervisor must follow the appropriate procedures prescribed for reporting the injury which includes completion of the Injury/Illness Report form.
- (c) Treatment of the injury shall be provided at one of the designated medical facilities that are posted at each work site, and the employee must select a doctor from the approved Panel of Physicians provided by the City. In an emergency, the employee may receive medical care from any doctor until the emergency is over; then the employee must obtain treatment from a doctor on the City's approved Panel of Physicians. The City reserves the right to refuse payment of medical services for any employee examined by a physician not listed on its approved Panel of Physicians.
- (d) An employee injured by an accident arising out of or in the course of employment shall not be charged for any absence from duty due to the injury on the day of the injury. The employee will be paid for any time missed from work on the day of the injury.
- (e) There is a seven calendar day waiting period before Workers' Compensation income benefits are due. The employee is eligible to receive medical benefits during the seven-day waiting period. Beginning with the first day after an on-the-job injury and continuing through the seventh day following the injury, the injured employee may elect to be compensated by using his/her available sick or other leave balances. However, if the disability lasts for twenty-one (21) consecutive days, Workers' Compensation benefits (at 66-2/3% of weekly salary) will be paid retroactive for the first seven days. The first seven days of disability are not reimbursable unless the employee is disabled more than the 21 consecutive days. If the employee is reimbursed from the State for the initial seven-day period, he/she will be responsible for returning that money to the City. The leave time will be restored.
- (f) Beginning with the eighth day following the injury, the employee will be compensated with the statutory Workers' Compensation rate of 66-2/3% of weekly salary up to the maximum prevailing rate required by the Workers' Compensation Law. Once Workers' Compensation begins to make payments to the employee, the employee may use sick leave or other available leave to offset the difference between the statutory Workers' Compensation rate and the employee's regular rate of pay.

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- (g) Workers' Compensation income benefits may not be payable if the employee is injured while engaged in willful misconduct or if the injury is due to the use of alcohol or drugs or the misuse of controlled substances.
- (h) An employee may be placed on leave for a job-related injury for up to a maximum of twelve (12) weeks at the direction of a Workers' Compensation physician.
- (i) An employee out of work on Workers' Compensation who does not return to work when released to do so by a qualified physician may be terminated,
- (j) If the employee is unable to return to his/her regular position, the City may provide a modified/light duty assignment that is approved by the Workers' Compensation physician to the employee for a period of up to three (3) months. The City has no obligation to create a light duty assignment if work is not available. The light duty job does not have to be at the employee's regular rate of pay, does not have to be full-time, and does not have to be the same type of job as the employee's regular job.
- (k) If the employee is unable to return to his/her regular position at the end of twelve (12) weeks of leave or is unable to resume, with reasonable accommodations, his/her regular position after three (3) months, the employee may request in writing additional leave time or an extension of a reasonable accommodation such as light duty from the City Manager. The City Manager's decision will be final. Once all leave has been exhausted and the employee is still unable to resume, with reasonable accommodations, his/her regular position, the Human Resources Department may, with the approval of the City Manager, assign the employee to a vacant position in another classification for which the employee is qualified and able to perform (with or without accommodations), and at a salary comparable to that of other employees in the same classification. If no vacancy exists in another classification for which the employee is qualified (with or without reasonable accommodations), the employee may be terminated from employment.
- (l) Workers' Compensation leave must run concurrent with Family and Medical Leave (FMLA).

**Section 4: Coverage Not Provided**

Community service workers are not covered by the City's Workers' Compensation insurance. Community service workers must sign a waiver agreeing to use provided safety equipment and to assume all personal liability associated with the work being performed.

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## **E. EDUCATIONAL ASSISTANCE PROGRAM**

### **Section 1: Policy Statement**

The Educational Assistance Program, administered by the Human Resources Department, has been designed to assist employees with long-term educational goals. Reimbursable expenses include tuition, registration and application fees, books, and other required fees. The cost of supplies, parking, gasoline, student activity cards, and other related items are excluded.

#### **(a) Eligibility**

To be eligible for educational assistance benefits, an employee must be a regular full-time employee with at least six (6) months of service and must be enrolled in a degree program at an accredited college or university, a diploma program at a certified technical school, or an approved GED program. Educational assistance benefits may also be utilized to obtain a Commercial Driver's License (CDL). In order to be approved, the coursework must be job-related or relevant to a position with the City. Coursework not directly related to the employee's current job must have City Manager approval.

#### **(b) Application and Approval**

The eligible employee must complete an Educational Assistance Program Application; the Application must be approved prior to the beginning of classes or coursework each semester/quarter, or reimbursement will not be made available. An employee must receive approval from the Division Director and the Director of Human Resources and Risk Management.

#### **(c) Reimbursement**

An employee who takes approved classes/coursework may be reimbursed one hundred percent (100%) up to a maximum of \$1500 per calendar year of tuition costs, registration and application fees, books, and other required fees under the following terms and conditions:

1. The class/course has been successfully completed with a minimum grade of "C" at the undergraduate level and "B" at the graduate level;
2. Classes/coursework covered by grants and scholarships (i.e. Hope Grant, etc.) are not eligible for reimbursement; and
3. The employee shall submit proof of tuition payment, other receipts eligible for reimbursement, and a copy of his/her grade(s) to Human Resources within ten (10) days after receiving his/her grade(s).

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**(d) Re-Payment**

Consistent with the Educational Assistance Program Application that the employee signs and submits prior to beginning classes/coursework, if the employee voluntarily leaves employment with the City within twelve (12) months of the conclusion of the class/course for which the employee received educational assistance benefits, the employee shall be responsible for full re-payment of the educational assistance amount to the City. In an effort to collect the amount owed to the City, the City will deduct the amount of educational assistance from the employee's final paycheck to the extent allowed by law. If this deduction does not provide full re-payment to the City, the employee shall be responsible to pay the difference to the City.

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# Chapter III

## Employee Relations

### **III. EMPLOYEE RELATIONS**

#### **A. EMPLOYEE ORIENTATION/TRAINING**

##### **Section 1: Policy Statement**

The City of Peachtree City, as an employer, is committed to ensuring that all employees receive adequate job training. It is the City's belief that employees must be properly trained and supervised to achieve their maximum potential and to perform their duties in a manner which is beneficial to the City.

##### **Section 2: General Provisions**

###### **(a) Employee Orientation**

Upon initial employment an employee shall complete an orientation process. The Human Resources Department and the employing Division shall have a role in ensuring that the employee is familiarized with City and departmental rules, policies, benefits, and procedures.

1. The Human Resources Department shall be responsible for the initial New Hire Orientation, including initial employment paperwork, benefits information and enrollment, review of employee's job description, policy acknowledgements, issuance of City identification card and Personnel Policy Manual, etc.
2. The employing Division shall be responsible for introduction to other departmental employees; tour of departmental facilities; explanation of divisional/departmental SOP's, rules, and procedures; explanation of performance expectations; and other pertinent information. This orientation should be recorded on the "New Hire Orientation Checklist" which should be submitted to the Human Resources Department to be included in the employee's personnel file within seven (7) days of employment.

###### **(b) Training**

###### **1. Initial Training**

Each department shall establish a training program for newly hired employees and shall set standards of proficiency which are required for each job function. Each new employee shall complete a period of on-the-job training, the length of which will be dependent upon knowledge and skill level at time of employment.

Before any new employee is allowed to operate any City vehicle or equipment, the employee must be evaluated on operating the vehicle or equipment.

Additionally, the employee must be given a copy of the “City Safety and Accident Reporting Policy.”

Safety should be emphasized throughout the training process, and the City’s commitment to providing a safe working environment should be understood by all employees. The initial training period is the most opportune time to assist the new employee in establishing safe work habits.

## **2. Continuing Training**

The City strives to provide continuing internal and external training opportunities to City staff. When seminars and workshops pertinent to an employee’s job duties are available, the City will attempt to schedule employees to attend. The employee’s supervisor will make the determination on the suitability of all workshops and seminars and will make recommendations to the Division Director who will give final approval before the employee attends.

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## **B. STANDARDS OF CONDUCT**

### **Section 1: Policy Statement**

All employees are expected to maintain acceptable standards of conduct, efficiency, and economy in the performance of their work. All employees are expected to maintain minimum standards of conduct both on and off duty in order to:

1. Promote impartial, objective, and effective performance of their duties;
2. Avoid activities that are adverse to the City's interest or that adversely affect the City's reputation;
3. Ensure safe and efficient operations; and
4. Encourage a high degree of confidence in and support for City operations.

The following list of standards of employee conduct is not intended to be all inclusive of every type of conduct prohibited. Other standards of conduct are established throughout this manual, and other standards may be established and published by Departments as operations deem necessary. Moreover, generally accepted standards of conduct shall apply even where not specifically stated. Failure to abide by these standards of employee conduct may result in disciplinary action, up to and including termination.

### **Section 2: General Provisions**

#### **(a) Conformance to Law**

An employee shall obey and not engage in any conduct prohibited by the laws of the United States, Georgia, or any other state or political subdivision thereof. Conduct described as a violation of such laws may be cause for disciplinary action, regardless of whether charges are filed or prosecuted or whether the employee is adjudicated guilty or not guilty.

#### **(b) Violation of Rules**

An employee shall not commit any act contrary to good order and discipline or any act constituting a violation of any of the provisions of the rules and regulations of the City and its departments.

#### **(c) Ethics**

1. No elected official, appointed officer, or employee of the City or any agency or political entity to which this manual applies shall knowingly:

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- a. Engage in any business or transaction or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of official duties or which would tend to impair the independence of his/her judgment or action in the performance of official duties;
  - b. Engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of official duties or would tend to impair the independence of his/her judgment or action in the performance of official duties;
  - c. Disclose confidential information concerning the property, government, or affairs of the City or governmental body by which engaged without proper legal authorization or use such information to advance the financial or other private interest of himself/herself or others;
  - d. Accept any valuable gift (exceeding \$100), whether in the form of service, loan, object, or promise, from any person, firm, or corporation which to his/her knowledge is interested, directly or indirectly, in any manner whatsoever in business dealings with the governmental body by which he/she is engaged; provided, however, that an elected official who is a candidate for public office may accept campaign contributions and services in connection with any such campaign;
  - e. Represent other private interests in any action or proceeding against this City or any portion of its government; or
  - f. Vote or otherwise participate in the negotiation, or in the making of any contract, on behalf of the City with any business or entity in which he/she has a financial interest.
2. Any appointed officer or employee who has any private financial interest, directly or indirectly, in any contract or matter pending before or within any Department of the City shall disclose such private interest to the City Manager. The Mayor or any Councilmember who has a private financial interest, directly or indirectly, in any contract or matter pending before the City Council shall disclose such private interest, and such disclosure shall be entered on the records of the City Council, and he/she shall disqualify himself/herself from participating in any decision or vote relating thereto. Any elected official, appointed officer, or employee of any agency or political entity to which this manual applies who shall have any private financial interest, directly or indirectly, in any contract or matter pending before or within such entity shall disclose such private interest to the governing body of

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such agency or entity.

3. No elected official, appointed officer, or employee of the city or any agency or entity to which this manual applies shall use property owned by such governmental entity for personal benefit, convenience, or profit, except in accordance with policies promulgated by the City Council or the governing body of such agency or entity.
4. Any violation of this Section which occurs with the knowledge, express or implied, of a party to a contract or sale shall render said contract or sale voidable at the option of the City Council; and
5. Except as authorized by law, no member of the Council shall hold any other elective City office or other City employment during the term for which elected.

### **Section 3: Attention/Dereliction**

#### **(a) Attention**

Except when approved in Fire Services, an employee shall remain awake, alert, observant and occupied with City business when on the job. Employees are expected to perform their job duties:

1. Timely, promptly, and without undue delay;
2. Without unnecessary supervision;
3. Ensuring they are engaged productively at all times or as directed;
4. Demonstrating appropriate initiative and dependability in the quality, volume, and prioritization of job duties; and
5. Avoiding excessive tardiness, excessive absenteeism, and unexcused absences.

#### **(b) Insubordination**

An employee shall adhere and execute any and all lawful orders of a supervisor, including those relayed from a supervisor through another employee. A lawful order is any order in keeping with the performance of any duty, issued either verbally or in writing by the Division Director or any other supervisor, direct or indirect. The willful disobedience of any order lawfully issued by a supervisor or any insolent, uncooperative, or abusive language or conduct toward a supervisor shall be insubordinate.

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**Section 4: Competence, Judgment, & Supervision**

**(a) Competence**

An employee shall maintain sufficient qualifications and competence to properly perform the assigned duties and responsibilities of the position. The employee's efforts shall be directed and coordinated in a manner that demonstrates and maintains the highest standards of efficiency in carrying out the functions and objectives of the City. Failure to do work at an acceptable level of competence as determined by the applicable supervisor may be grounds for disciplinary action, up to and including termination.

**(b) Judgment**

An employee shall exercise sound judgment relevant to the conduct and performance of duty.

**(c) Supervision**

A supervisor shall, in accordance with Department management expectations:

1. Demonstrate qualities of leadership necessary for the position;
2. Maintain a positive attitude in support of Department decisions and goals;
3. Exercise appropriate supervision of subordinates and responsibilities;
4. Effectively plan, develop, and coordinate supervision and training of subordinates;
5. Observe and appropriately counsel subordinates;
6. Take appropriate action when a subordinate fails to perform; and
7. Properly account for all funds and property under his/her control.

**Section 5: Fitness for Duty**

An employee must be physically and mentally fit to perform essential job functions.

**(a) Evaluation for Fitness**

When it is reasonably suspected that the physical or mental impairment of an employee constitutes a hazard to individuals or property or may prevent the



employee from effectively performing the essential job functions of the position, the employee may be required to submit to an evaluation of fitness for duty by a physician of the City's choosing and expense. All such testing must be approved by the City Manager and shall be coordinated by the Director of Human Resources and Risk Management.

**(b) Periodic Evaluation**

An employee may be required to take periodic examinations and/or undergo a program of treatment to qualify for continued employment, to the extent allowable by law.

**(c) Disclosure Required**

An employee who is notified or otherwise becomes aware of a physical or mental impairment that affects or reasonably threatens to affect his/her ability to perform essential job functions shall report the condition immediately to the Division Director.

**(d) Status During Evaluation**

Pending completion of the fitness for duty evaluation, the employee may be required to use accrued leave, may be placed in an unpaid or paid leave status, or may be temporarily reassigned, depending on the circumstances and the length of the evaluation period.

**Section 6: Absences & Reporting**

**(a) Unauthorized Absence**

No employee shall be absent without authorization. This includes failure to report for work at the assigned time and place or leaving a place of duty or assignment without authorization.

**(b) Reporting for Work**

An employee shall report to work on time and be physically and mentally fit at the time and place specified by the supervisor and remain physically and mentally fit throughout the work day.

**(c) Reporting Absence**

An employee who cannot report to work due to illness or emergency shall notify the immediate supervisor within the time limits established by the Division Director. Failure to do so may result in an unauthorized unexcused absence.

**(d) Fictitious Reporting**

Employees reporting absences or reasons for absences shall be truthful and without attempt to deceive any supervisor or official of the City.

**Section 7: Response**

**(a) Responding to Calls for Service**

No employee shall fail to respond timely to official calls for service, dispatched calls, notices of assignment, subpoenas, or any other method of direction to perform.

**(b) Requests for Assistance**

When the public requests assistance or advice or makes complaints or reports, the employee shall gather all information in an official and courteous manner and shall judiciously act upon the situation consistent with prescribed procedures.

**Section 8: Personal Appearance**

**(a) Expectation**

All employees must maintain a neat and well-groomed appearance.

**(b) Dress Guidelines**

The following guidelines apply:

1. Uniformed personnel shall wear a clean and complete uniform (including shoes/boots) and shall adhere to dress standards established by their Department.

**a. Ownership of Uniforms**

Ownership of all uniforms purchased by the City is retained by the City with the exception of shoes/boots, which become the property of the employee when issued and are retained by the employee. The rental company retains ownership of all uniforms rented by the City for employees.

Employees separating from City service must return all uniforms supplied by the City within 48 hours of separation and before issuance of a final paycheck. Employees shall be responsible for cleaning costs if uniforms are not clean when returned. The cost of uniforms not returned to the City will be deducted from the employee's final paycheck to the extent allowed by law.

Employees leaving City employment prior to eight (8) full months of service after the issuance of shoes/boots shall reimburse the City for the cost of City-issued shoes/boots according to the following:

Months After Date of Issue	Reimbursement %
0 – 2	85
3	70
4	55
5	40
6	25
7	10
8	5

**b. Issuance of Uniforms**

Employees required to wear uniforms will be issued an authorized quantity of uniforms. Employees may purchase additional uniforms from the City supplier and have the cost of the additional uniforms deducted from their paycheck by payroll deduction. Uniforms purchased by the employee are the property of the employee and retained by the employee. However, upon separation from City service, City emblems on these uniforms shall be turned in to the City.

Division Directors or their designees shall determine when City-issued uniform replacement is necessary due to wear or damage.

The employee shall be responsible for reimbursing the City for replacement uniforms lost or damaged due to negligence by the employee.

**c. Uniform Rules and Regulations**

The following rules and regulations apply to all uniformed City personnel:

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- Employees are responsible for maintaining all uniforms provided by the City and are expected to make minor repairs to them (i.e. replace buttons, repair small tears, etc.). Where uniforms are provided by rental contract, the employee shall report the need for repairs as soon as they are apparent and shall report any failure by the rental company to provide the needed repairs.
- Uniform wear is limited to en route to and from work, while on the job, or at official departmental/City functions. While it may be necessary for the employee to make brief stops en route to or from work, employees may not wear uniforms in any establishment that would bring discredit to the City or its operations.
- Shirts shall be buttoned at all times.
- Shirt tails shall be tucked in at all times.
- Belts shall be worn at all times.
- Insignias, when worn, shall be in good condition and properly placed on uniforms.
- Violation of City or Divisional uniform rules and regulations shall result in appropriate disciplinary action.
- Employees wearing rented uniforms are required to pay ½ of the monthly rental cost for issued uniforms (the cleaning cost). This rental (cleaning) cost is deducted from employees' bi-weekly pay and is adjusted each time the City enters into a new uniform rental contract.
- Caps shall be optional. However, if a cap is worn, only the City-issued cap or a cap with no logo shall be worn with the uniform.
- Any item of personal clothing visible while worn with the City uniform shall be approved by the Division Director prior to wearing. There shall be no logos, lettering, etc., visibly showing on the personal clothing.
- All articles provided for the safety of the employee will conform to O.S.H.A. standards and shall be properly used by the employee. Hard hats, safety goggles, safety vests, lightweight coveralls, noise dampeners, and other necessary equipment shall be kept at the employee's work station.

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- Police Officers who resign from City service prior to completing the terms of their contractual agreement shall reimburse the City for the cost of new uniforms as specified in the Police Department SOP and the contract. These employees retain ownership of these items, but must return any patches on shirts, jackets, and hats to the City.

**d. Boot Purchase and Payroll Deductions**

Employees required to wear uniforms shall receive an annual allowance up to \$130 that may be used to purchase boots. Part-time employees may receive the annual boot allowance up to \$130 at the discretion of the Division Director when safety is a concern. The employee will be responsible for costs above the \$130 allowance. The employee may pay this difference through payroll deduction (maximum of three), cash, or check.

2. Non-uniformed field personnel shall adhere to dress standards established by their Departments. No clothing with inappropriate messages is allowed, and no shorts or sandals are permitted when safety is a concern. Jeans may be worn.
3. Office Personnel are permitted to dress in a business casual manner as long as the attire is professional and in good taste. Male employees are expected to wear slacks and collared shirts/sweaters/turtlenecks. Female employees are expected to wear dresses or skirts/slacks/business-looking capris with appropriate blouses/sweaters/shirts.

Every Friday (unless specified differently) is casual day. Suitable blue jeans and tennis shoes in good condition are allowed on “Casual Fridays.” However, no shorts, clothing with inappropriate messages, jogging suits/sweatpants, or clothing which exposes the midriff or back are allowed. When in doubt about the appropriateness of particular attire, the attire should not be worn.

4. Management reserves the right to determine appropriateness of attire. Any problems with what is considered inappropriate attire will be discussed with the employee. The employee will be asked to go home and change and will not be compensated for time away from work to change inappropriate attire. If the problem continues, disciplinary action, up to and including termination, will be taken.

**Section 9: Professional Conduct**

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**(a) Courtesy**

Employees shall be courteous to the public and fellow employees. An employee's conduct should always be civil, orderly, and courteous. Employees shall be diplomatic and tactful, controlling their temper and exercising patience and discretion in all situations. Employees should refrain from using coarse, violent, profane, or insolent language.

**(b) Conduct Unbecoming or Prejudicial to Good Order**

An employee's conduct at all times, both on and off the job, shall reflect favorably on the employee and the City. Unbecoming conduct includes acts that tend to bring the City into disrepute, discredit the employee, or tend to impair or interfere with the operation of the City or employee.

**(c) Unprofessional Conduct**

Inappropriate conduct includes, but is not limited to:

1. Uncooperative attitude, including, but not limited to, disrespect to a supervisor, co-worker, or the public;
2. Conflict of interest;
3. Reporting to work/or working under the influence of drugs and alcohol; any involvement in the manufacture, distribution, possession, or use of illegal, non-prescription drugs or illegally obtained prescription drugs;
4. Use of abusive or obscene language;
5. Violation of telephone/computer usage/or political activity policy;
6. Theft, abuse, or misuse of City property or vehicles, violations of traffic laws while driving a City vehicle, failure to report damage or destruction of City property to a supervisor, loaning property or equipment of the City without permission or proper authority;
7. Illegal gambling;
8. Falsifying absences/records/making false claims;
9. Fighting or any other form of workplace violence;
10. Sabotage;

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11. Deliberate damage to City property;
12. Acceptance of a bribe;
13. Mishandling cash or other City property;
14. Discriminatory attitude or prejudice concerning another person, to include gossip;
15. Conviction of or admission of a felony or a crime of moral turpitude, and/or arrests that bring discredit to the City or otherwise threaten to interfere with the City operations;
16. Acts during duty hours which are incompatible with public service;
17. Falsification or destruction of official records or documents or use of official position for personal benefit, profit, or advantage;
18. When duly and properly called as a witness before any City Board, Appeals Board, State or Federal judicial or administrative tribunal, and when before such tribunal, failing to answer truthfully any question concerning performance of official duties with the City;
19. Failure to report an occupational injury or accident during the shift on which it occurred;
20. Absence due to incarceration;
21. Use of any form of physical abuse toward the public, supervisors, or other employees, or making threats to the public, supervisors, or other employees;
22. Violating any lawful official regulation or order or failing to obey any proper directive made and given by a superior officer;
23. Guilty of disgraceful conduct;
24. Careless or negligent with the monies or other property of the City;
25. Failure to pay or make reasonable provisions for future payment of debt to such an extent that such failure is detrimental to the City image or reputation;
26. Use of, or threatening to use, or attempting to use personal or political influence to secure employment benefits, including, but not limited to, promotion, leave of absence, transfer, change of pay rate, or character of work;

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27. Violating the established procedures during an examination process or obtaining information, through unauthorized or illegal means, which provides an unfair advantage on an examination;
28. Failure to acquire or maintain a valid license, registration, or certification when such license, registration, or certification is required and specified in the job description of the position occupied by the employee;
29. Wasted time, inefficiency, and/or loitering during working hours;
30. Sleeping while on duty except for when approved for Fire Department personnel;
31. Failure to perform work at an acceptable level of competence as determined by the supervisor or Division Director;
32. Violation of City ordinances, administrative regulations, or departmental rules;
33. Falsification of information on an application/job bid form or during a pre-hire interview or examination which had not been detected previously;
34. Use of City equipment or facilities for unauthorized personal use or benefit;
35. Use of City employees to perform work or duties for the personal benefit or gain of another City employee;
36. Use of any tobacco product in any City building or vehicle;
37. Violation of safety and health rules and established safety standards, including unsafe acts;
38. Refusal to submit to a drug/alcohol test as required by City policy;
39. Refusal to be examined by a City authorized, licensed physician when so directed;
40. Abuse of leave policies; and/or
41. Possession of and/or selling of a weapon of any type, particularly firearms, while within City buildings. The only exception is local, State, and Federal law enforcement officers, police, or arson investigators acting in the line of duty.

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**(d) Immoral Conduct**

An employee shall at all times maintain high standards of moral conduct in personal affairs and shall not be a participant in any incident involving moral corruption that may impair the employee's ability to perform as a City employee or cause the City to be brought into disrepute.

**Section 10: Other Standards**

**(a) Identification**

An employee must furnish his/her name, job title, and department name to any person requesting that information as a result of actions taken by the employee in the course of City business. Employees are required to obtain an official City-issued identification badge and to have it available for inspection during business hours.

**(b) Examinations and/or Tests**

Upon order of the Division Director, in consultation with the Director of Human Resources and Risk Management, for matters related to duty performance and investigations, an employee shall submit to any medical, chemical, drug, alcohol, ballistics, or other test, polygraph, fingerprinting, or counseling program authorized by law, and shall sign any related authorization forms.

**(c) Horseplay/Rough Play**

No employee shall engage in horseplay or rough play while on the job or in any City facility. Injuries as a result of horseplay/rough play are not considered within the scope of employment and may not be covered under Workers' Compensation.

**(d) Fighting**

An employee shall not engage in unnecessary violence or harassment toward any person, except where authorized by law, even in the event of provocation.

**(e) Firearms and Lethal Weapons**

Except for employees commissioned by the City of Peachtree City as Police Officers, City employees are prohibited from possessing firearms while on duty or in any City facility or vehicle, regardless of whether the employee possesses a firearms license.

**(f) Fraudulent Employment**

No employee shall procure or maintain employment in the City by means of willful misrepresentation or omission of any fact concerning the employee's personal history, qualifications for employment, or physical condition.

**(g) Acceptance of Gifts and Gratuities**

An employee shall not accept gifts, gratuities, or loans from organizations, business concerns, or individuals with whom he/she has official relationships on business of the City government. These limitations are not intended to prohibit the acceptance of articles of negligible value (not to exceed \$100) that are distributed generally, nor to prohibit employees from accepting social courtesies which promote good public relations, nor to prohibit employees from obtaining loans from regular lending institutions. It is particularly important that employees involved in contracting and purchasing guard against relationships that might be construed as evidence of favoritism, coercion, unfair advantage, or collusion.

## **C. DISCIPLINE**

### **Section 1: Policy Statement**

The City of Peachtree City believes that each employee desires to provide quality public service by meeting high standards of job performance and conduct and by following established policies, procedures, regulations, and practices.

The primary purpose of disciplinary action is to correct or prevent the recurrence of employee performance or conduct that is detrimental to quality job performance or to the interest of the citizenry, the employee, the City, or other employees. The City's discipline policies emphasize the employee's responsibility for the consequences of his/her own behavior with a focus on communicating expectations for changes in behavior and needed improvement.

When an employee's conduct does not meet standards or results in deficiencies in job performance or violations of law, City regulations, or rules, it is the policy of the City to take appropriate action to improve and/or correct the conduct or performance or, if necessary, remove the employee from the City workforce through application of disciplinary actions. Disciplinary action should be carried out privately and confidentially.

### **Section 2: General Provisions**

#### **(a) Level of Discipline**

Disciplinary action will be consistent with the nature of the deficiency or infraction involved and with other relevant factors. In reaching a decision as to the level of discipline to be applied, the supervisor should consider such factors as the type and severity of the infraction, the results of the infraction, the employee's work record, prior disciplinary actions, and any mitigating circumstances which may be relevant to the situation.

#### **(b) Format and Location of Disciplinary Actions**

All disciplinary action should be documented in writing on the designated form. The supervisor shall ensure that the Disciplinary Action Form is filled out completely and accurately and that needed signatures are obtained. An employee's signature does not indicate agreement with the disciplinary action, but represents an acknowledgement of receipt of the form. Should an employee refuse to sign the form, the supervisor should write "refused to sign" on the form with the appropriate date. The employee should be given a copy of the disciplinary action form. The original disciplinary action form should be maintained in the employee's personnel file in the Human Resources Department.

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All appeals by employees must be in writing. All responses to, and decisions on, appeals must be in writing.

**(c) Progressive Discipline**

While it is expected that disciplinary action be exercised progressively, the circumstances of any particular situation, as well as the nature of the deficiency and the violation in any particular situation, may preclude the exercise of a less severe discipline option. Typical disciplinary actions may include oral or written reprimand, suspensions (with or without pay), performance improvement plan (PIP), demotions, and termination. Employee actions/behavior of a serious nature may be cause for immediate termination while bypassing any or all other levels of disciplinary action. Reference Progressive Discipline Chart on the following page.

**(d) Suspension of Exempt Employees**

Except in the case of a major safety violation, any suspension of an exempt employee must be made in full-week increments only. Major safety violation suspensions may be made in full day increments.

**(e) Disciplinary Options**

Only Division Directors in coordination with the Director of Human Resources and Risk Management are authorized to demote or terminate employees. The Division Director or a designee may suspend employees or place an employee on a performance improvement plan (PIP) in coordination with the Director of Human Resources and Risk Management.

**(f) Impact of Disciplinary Action**

An employee's record is not "cleared" of disciplinary action at the beginning of a calendar or fiscal year. Generally, an employee's record will be cleared after one year of satisfactory performance and/or behavior, but the disciplinary action form will remain in the personnel file.

**(g) Probationary Employees**

New employees in a probationary status do not have appeal rights to disciplinary action or termination of employment.

ACTION	USE	RESPONSE / APPEAL
Oral Counseling	<p>A private discussion between a supervisor and employee.</p> <p>Documents kept in Human Resources.</p>	No appeal
Oral Reprimand	<p>An oral warning/instruction from the supervisor to the employee.</p> <p>Documents kept in Human Resources.</p>	No appeal
Written Reprimand	<p>A written warning/admonishment from the supervisor to the employee.</p> <p>The supervisor, Division Director, and Human Resources should be involved at this level.</p> <p>Documents kept in Human Resources.</p>	<p>Employee has five calendar days to appeal to the Division Director or through the chain of command to the next level supervisor.</p> <p>Appeal does not go beyond the next level of supervision of the supervisor issuing the reprimand.</p>
Suspension	<p>Relief from duty for a specified amount of time.</p> <p>Requires coordination with Human Resources.</p> <p>Documents kept in Human Resources.</p>	<p>Employee has five calendar days to appeal to the Division Director. After the Division Director's decision, the employee has five calendar days to appeal to the City Manager. The final decision rests with the City Manager.</p>
Performance Improvement Plan (PIP)	<p>Probationary period for a specified amount of time, generally 90 days, to ensure that <u>performance</u> deficiencies are understood and that management is <u>coaching</u> the employee to improve.</p> <p>Requires coordination with Human Resources.</p> <p>Documents kept in Human Resources.</p>	No appeal
Demotion	<p>Reduction in rank or classification consistent with deficiency of the violation. This is not an option for probationary employees.</p> <p>Requires coordination with Human Resources.</p> <p>Documents kept in Human Resources.</p>	<p>Employee has five calendar days to appeal to the Division Director. After the Division Director's decision, the employee has five calendar days to appeal to the City Manager. The final decision rests with the City Manager.</p>

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Termination	Involuntary separation of employee from City employment.  Requires coordination with the Director of Human Resources and Risk Management.  Documents kept in Human Resources.	Employee has five calendar days to appeal to the Division Director. After the Division Director's decision, the employee has five calendar days to appeal to the City Manager. The final decision rests with the City Manager.
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## **D. GRIEVANCES**

### **Section 1: Policy Statement**

The City of Peachtree City is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, or question receives a timely response. The City strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect and are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practice, they may express their concern through a grievance process. No employee shall be penalized, formally or informally, for voicing a complaint in a reasonable, professional manner using the grievance process. While a formal grievance process is in place, employees are encouraged to first informally discuss any issue with their immediate supervisor.

### **Section 2: General Provisions**

#### **(a) Scope**

The grievance procedure provides an avenue for any eligible employee to obtain management review of work-related issues that are felt to adversely affect the employee, for which no other means of response, review, appeal or resolution for is provided in this manual. Grounds for submission of a grievance include:

1. Unfair application, interpretation, or violation of City or Department regulations; or
2. Acts of retaliation as a result of utilization of the grievance process.

#### **(b) Statement of Grievance**

At each step in the process, the written grievance must include the following:

1. A statement of the grievance and the facts upon which it is based;
2. A description of the specific wrongful act and harm done to the grieving employee; and
3. A statement of the remedy or adjustment sought.

#### **(c) Probationary Employees**

New employees in a probationary status do not have grievance rights.

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### **Section 3: Grievance Steps**

#### **(a) Step One – Division Director**

The employee should first seek to resolve the issue informally. If unable to do so, the employee should file a written grievance to the Division Director within five (5) calendar days of the incident or when the employee became aware of the incident. The Division Director will attempt to resolve the matter and submit a written response to the employee within five (5) calendar days after receipt. Note: In Public Safety Departments, it is expected that grievances follow the chain of command. Under no circumstances will a grievance be allowed to extend beyond 25 calendar days.

#### **(b) Step Two – Director, Human Resources and Risk Management/City Manager**

If the Division Director is unable to resolve the grievance or the response is unacceptable to the employee, the employee must within five (5) calendar days of receiving the response file the written grievance to the Director of Human Resources and Risk Management. Within ten (10) calendar days of receipt of the grievance, the Director, Human Resources and Risk Management, will investigate the grievance and shall issue a recommendation concerning the employee's grievance to the City Manager. The City Manager shall review the grievance and the recommendation and shall make a final decision within ten (10) calendar days of receipt. The Director of Human Resources and Risk Management will forward a copy of the City Manager's decision to the employee. The City Manager's decision is final.

### **Section 4: Areas Not Grievable**

The following areas are NOT grievable:

- (a) Issues which are pending or which have been concluded by other administrative or judicial procedures;
- (b) Management's rights to assign work and/or establish work processes;
- (c) Budget allocations and expectations and organizational structure, including the persons or number of persons assigned to particular jobs or departments;
- (d) The content or rating of a performance evaluation;

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- (e) The selection of an individual by the Division Head or City Manager to fill a position through appointment, promotion, or transfer, except when the employee can show adverse effect because of unlawful discrimination;
- (f) Any matter which is not within the jurisdiction or control of the City;
- (g) Internal security practices established by the City Manager and/or City Council;  
and
- (h) Decisions, practices, resolutions, or policies made or passed by the City Council or the City Manager.

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## **E. WORKPLACE DISCRIMINATION & HARASSMENT**

### **Section 1: Policy Statement**

It is the policy of the City of Peachtree City that harassment and discrimination of any kind will not be tolerated, and complainants will be protected from reprisal. Employees and non-employees are encouraged to come forward to discuss any situation that they deem inappropriate. The City of Peachtree City expressly prohibits any form of unlawful discrimination and employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, disability, genetic information, or veteran status. Improper interference with the ability of City of Peachtree City employees to perform their expected job duties is absolutely not tolerated.

### **Section 2: Discriminatory Harassment**

The EEOC's definition of harassment is:

“Unlawful harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, genetic information, sexual preference or disability, or that of his/her relatives, friends, or employees, and that

- (a) has the purpose or effect of creating an intimidating, hostile, or offensive working environment;
- (b) has the purpose or effect of unreasonably interfering with an individual's work performance; or
- (c) otherwise adversely affects an individual's employment opportunities.”

All employees, supervisors, and Elected Officials are expected to avoid any behavior or conduct that could reasonably be interpreted as harassment. Any form of harassment is a violation of this Policy and will be treated as a disciplinary matter. For purposes of this Policy, the term “discriminatory harassment” may include, but is not limited to, any of the following:

- (a) Offensive remarks, comments, jokes or slurs pertaining to an individual's race, color, national origin, religion, sex, gender, disability, age, genetic information, veteran status, citizenship, sexual orientation, or other protected group status;
- (b) Offensive pictures, drawings, posters, photographs, reading materials, computer monitors, or other tangible items, or communications including e-mail that are reasonably offensive or that reasonably exploit an individual's race, color, national origin, religion, sex, gender, disability, age, genetic information, veteran status, citizenship, sexual orientation, or other protected group status;

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- (c) Threatening reprisals based on an employee's race, color, national origin, religion, sex, gender, disability, age, genetic information, veteran status, citizenship, sexual orientation, or other protected group status; or
- (d) Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance and/or conduct that creates an intimidating, hostile, or offensive working environment.

### **Section 3: Sexual Harassment**

#### **(a) Definition**

The Equal Employment Opportunity Commission (EEOC) defines sexual harassment as a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964, including and not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such 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 an employment decision; and
3. Such conduct has the purpose or effect of interfering with an individual's work performance or creating a hostile or intimidating environment.

#### **(b) Quid Pro Quo**

Quid Pro Quo literally means "this for that" and exists when submission to, or rejection of, such conduct is used as a basis for employment decisions such as raises or promotions or affects public services.

#### **(c) Hostile Environment**

Hostile Environment includes any lewd sexual conduct, pictures, words, or touching that interferes with a person's job performance or creates an intimidating, offensive working or public service environment even if there are no occurrences of tangible or economic loss.

#### **(d) Prohibited Behavior**

Behavior prohibited by this policy can include, but is not limited to, unwelcome sexual remarks or compliments, sexual jokes, sexual innuendo or propositions, sexually suggestive gestures or facial expressions, sexual remarks about a

person's clothing or body, exhibiting sexually explicit publications or materials, kissing, touching, and sexual contact.

#### **Section 4: Complaint Procedure and Investigation**

If an employee feels that he/she has been subjected to discrimination or harassment, regardless of whether it is by a fellow worker, a supervisor, or a member of the general public, the employee may direct the offender to immediately stop the behavior. The employee will then report the incident(s) immediately to his/her Division Director and/or the Director of Human Resources and Risk Management. If the Division Director is involved in the behavior, the report should be made to the Director of Human Resources and Risk Management. If the Director of Human Resources and Risk Management is involved in the behavior, the report should be made to the City Manager. Any supervisor who receives a complaint related to discrimination or harassing or offensive behavior or who has reason to believe that such behavior is occurring shall report these concerns to the Director of Human Resources and Risk Management and/or the City Manager. At any point, the employee who feels he/she has been subject to discrimination or harassment may go outside the chain of command of his/her department and go to the Human Resources Department or to the City Manager.

All reports of discrimination or harassing or offensive behavior will be investigated promptly, fairly, and discreetly. Investigatory procedures may vary from case to case depending upon the circumstances. The investigation will be conducted as confidentially as possible. All employees have a responsibility both to cooperate fully with the investigation and to keep the matter confidential whether the employee is the accused person, the complainant, or merely a potential witness. Persons who are interviewed are prohibited from discussing the matter outside the course of the investigation with co-workers, friends, or management. The City will keep the information it gathers as confidential as possible, consistent with State and Federal laws and the needs of the investigation.

#### **Section 5: Corrective Action**

If management concludes that a complaint of discrimination or harassment has merit, appropriate action will be taken. Resolutions can include, but not necessarily be limited to, an apology, a transfer, direction to stop the discriminatory or offensive behavior, counseling or training, verbal or written warning, suspension with or without pay, or termination. In the event that discrimination, harassment, or offensive behavior reoccurs, it should immediately be reported to the Director of Human Resources and Risk Management or to the City Manager. Any employee found to be acting in a discriminatory or harassing manner will be subject to disciplinary action, up to and including termination. Non-employees may be reported to the appropriate law enforcement agency and/or barred from the premises.

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**Section 6: Retaliation**

Retaliation for notifying the City about harassment and discrimination is strictly prohibited. Anyone attempting to retaliate or to interfere with the investigation of a complaint of discrimination or harassment will be disciplined, up to and including termination. All employees are encouraged to report inappropriate behavior and, when applicable, to participate as a witness in an investigation concerning a report of discrimination or harassment without fear of retaliation. Retaliation in any form towards any employee who reports discrimination or harassment or who participates in an investigation of discrimination or harassment is strictly prohibited.

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## **F. SUBSTANCE ABUSE & DRUG AND ALCOHOL TESTING**

### **Section 1: Policy Statement**

The City has a vital interest in maintaining a safe, healthy, and efficient working environment free from the adverse effects of employee drug and alcohol abuse. Employee drug and alcohol abuse poses serious safety and health risks to the user and to those who work or come in contact with the user in the workplace. Accordingly, the City does not and will not tolerate any employee's consumption, possession, sale, distribution or making arrangements to distribute, manufacturing, or presence in the body of illegal drugs or alcoholic beverages on City work time, while on City or customer property (including in personal vehicles while on City property or offsite at customer property during City work time), during lunch or breaks when an employee is scheduled to return to work, while in City vehicles, while offsite during attendance at training or meetings in connection with an employee's work for the City and/or while using, occupying, performing, or engaging in any activity on City property and facilities. The City further expresses its intent, through this policy, to comply with Federal, State and local laws and regulations that relate to the maintenance of a workplace free of illegal drugs and alcohol. If possession of an illegal substance is necessary in the course of a police investigation, the Police Chief may grant a waiver to this policy for a finite period of time.

### **Section 2: Application**

This policy applies to all City employees (whether full-time, part-time, seasonal, or temporary), volunteers, interns, and any other individuals performing services on the City's behalf, whether paid or unpaid. For purposes of this policy section, all such persons shall be referred to herein as City employees. Visitors, vendors, and contractors are governed by this policy to the extent they are on City Premises or in City vehicles and will not be permitted to conduct business if found to be in violation of this policy.

### **Section 3: Definitions**

For purposes of this Substance Abuse and Drug and Alcohol Testing Policy (the "Policy"), the following definitions apply:

#### **(a) Alcohol or Alcoholic Beverages**

Any beverage or substance that contains alcohol manufactured for the primary purpose of personal consumption, including, but not limited to, beer, wine, and distilled spirits.

#### **(b) City Premises**

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Includes all property, facilities, land, platforms, buildings, structures, fixtures, installations, parking lots, and vehicles, whether leased or used by the City of Peachtree City government or its officials, managers, supervisors, employees, or other agents. This definition also includes locations other than City offices, including all other locations of City-sponsored recreational, social, or educational events, and any place where a City of Peachtree City employee is located while traveling to or from such location in the course and scope of his/her duties on behalf of the City, including an employee's own vehicle when the employee is using it on City business, or when the vehicle is parked on City property. This definition shall not be interpreted to imply that the City assumes or accepts responsibility for any wrongful, tortious, negligent, or criminal acts of any person whom it employs when such person is not acting pursuant to a City supervisor's instruction in furtherance of the City's business, nor shall it constitute a waiver of any immunity which the City of Peachtree City or its officials or employees might have under Federal, State, or local laws or ordinances.

**(c) Controlled Substances**

Any drug or substance the law prohibits individuals from manufacturing, dispensing, using, consuming, possessing, distributing, purchasing, selling, or otherwise transferring, including, without limitation, all drugs listed as controlled substances under Title 16 of the Official Code of Georgia Annotated. This definition encompasses any measurable amount of any drugs or controlled substances such as amphetamines, cannabinoids, cocaine, phencyclidine (PCP), methadone, methaqualone, opiates, barbiturates, benzodiazepines, propoxyphene, or other drugs made unlawful under Federal or State laws, or a metabolite of any such substances, "look-alikes," "designer drugs" having the same or similar psychotropic effects, marijuana, hallucinogens (whether natural or synthetic), inhalants, unauthorized prescription drugs, or any other substances that are mood-altering, mind or consciousness-affecting, or which are likely to have an effect upon a person's perceptions, sensations, thought processes, self-awareness, emotions, or other mental or physiological or psychological reactions or behavior. It also includes urinalids or other substances, natural or synthetic, of a similar nature or purpose designed or used to alter a urine specimen or to conceal illicit chemical substances or other metabolites in an initial screening test.

**(d) Impaired**

The condition of being weakened, diminished, or damaged, or of functioning poorly, incompetently, uncontrollably, or with less control or ability, due to the consumption, use, or abuse of illegal drugs, controlled substances, and/or alcohol, or if the employee's drug test results indicate the presence of an illegal drug or

controlled substance in an amount that constitutes a positive test under accepted scientific standards.

(e) **Legally Obtained Drug**

This includes prescription drugs and over-the-counter medications.

(f) **Over-The-Counter Medication**

Includes any drug or substance that does not require a prescription, but which has the capacity to affect a person physically, mentally, or emotionally or which could otherwise affect a person's ability to perform.

(g) **Prescription Drug**

Any drug or substance that is attainable only by lawful prescription from a licensed physician.

(h) **Reasonable Suspicion**

A belief based on objective facts sufficient to lead a prudent person to conclude that a particular City employee has used, consumed, is impaired by, or is under the influence of illegal drugs, controlled substances, and/or alcohol. Reasonable suspicion must be directed at a specific person and must be based upon specific and articulable facts and the logical inferences and deductions that can be drawn upon such things as observable phenomena, such as direct observation of the possession or use of an illegal drug, controlled substance, and/or alcoholic beverage or the direct observation of physical symptoms of being impaired by or under the influence of illegal drugs, controlled substances, and/or alcohol, such as slurred speech, unsteady gait, a pattern of unusual or abnormal conduct or erratic behavior, odor of the employee, information provided by a reliable and credible source, and/or involvement in a work-related accident, and/or deviation from safe working practices.

(i) **Safety-Sensitive Positions**

Positions of employment with the City where a lapse of judgment or impaired physical/mental ability in performing any essential job function could reasonably result in a significant threat of harm to the employee, fellow employees, citizens, inmates, or others. Safety-sensitive positions include, but are not limited to, those which, as a part of the essential job functions, (1) require the performance of law enforcement duties as a POST-certified law enforcement officer; (2) require or involve possession of a firearm; (3) require or involve providing emergency



medical, rescue, or fire suppression services; (4) require or involve interacting with incarcerated persons; (5) require or involve interacting with persons who are on probation for drug charges; (6) directly involve the enforcement of drug laws; (7) directly involve access to, the handling of, or the testing of illegal drugs that have been seized by, confiscated by, or taken into custody by law enforcement; (8) require or involve performing duties essential to drug interdiction; (9) primarily require or involve maintenance or operation of a motor vehicle, motorized equipment, heavy machinery, or heavy equipment; (10) require the holding of a commercial driver's license (CDL); and (11) require or involve performing duties which directly affect public health or safety.

#### **Section 4: Prohibitions**

The City prohibits all City employees from engaging in the following conduct or behavior while performing City business, while on City property or City premises, while on customer property performing City business, while in use of City property, or while operating or riding in a City vehicle and/or conducting City business:

- (a) The use or consumption of illegal drugs, controlled substances, and/or alcohol;
- (b) The possession of illegal drugs, controlled substances, and/or alcohol;
- (c) The abuse of prescription medications and over-the-counter medications;
- (d) Being impaired by and/or under the influence of illegal drugs, controlled substances, and/or alcohol;
- (e) The manufacture, sale, purchase, transfer, dispensing of, and/or distribution of illegal drugs, controlled substances, prescription medications, and/or alcohol; and/or
- (f) The use of City property to store, conceal, or transport illegal drugs, controlled substances, and/or alcohol.

#### **Section 5: Use of Legally Obtained Drugs**

The abuse and/or inappropriate use of legally obtained drugs while on the job, while performing City business, while on City Premises, while in operation of a City vehicle, or while in operation of any other equipment or vehicle in performance of City business is prohibited and shall constitute grounds for disciplinary action, up to and including termination. The following policies shall apply to the use of legally obtained drugs:

- (a) City employees must not be on the job, **on call**, on City Premises, operating a City vehicle, or operating any other equipment or vehicle while in performance of City

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business while impaired due to any drug, legal or illegal, that renders the City employee unfit for duty. An employee is “unfit for duty” if the employee’s use of legally obtained drugs jeopardizes his/her ability to work safely and efficiently.

- (b) A City employee who is using legally obtained drugs must notify his/her immediate supervisor of any and all known or experienced symptoms and probable adverse side effects that may impact the employee’s performance, alertness, or create an unsafe situation. An employee’s failure to notify the City constitutes grounds for disciplinary action, up to and including termination. A City employee is not expected to notify the City of legally obtained drugs that are unlikely to impact the employee’s performance, alertness, or create an unsafe situation.
- (c) City employees using legally obtained drugs while on the job shall do so in strict accordance with physician and/or manufacturer’s directions. It is the employee’s responsibility to notify the prescribing physician of the duties required by the employee’s position and to ensure that the physician approves the use of the prescription medication while the employee is performing his/her duties. Should an employee move to another position requiring different duties while using legally obtained drugs on the job, it is the employee’s responsibility to notify the prescribing physician of the new position and duties and to ensure that the physician approves the use of the prescription medication while the employee is performing his/her new duties.
- (d) Any prescription medication brought onto City or customer property or taken aboard City vehicles must be retained in its original container labeled with the names of the employee and the prescribing physician.
- (e) No City employee may take another person’s medication.

## **Section 6: When Drug Testing is Required**

### **(a) Job Applicants**

All applicants for full-time, part-time, seasonal, and temporary positions of employment with the City will be tested for drugs after a conditional offer of employment has been extended. No such applicant or new hire shall be permitted to report for duty until the results of the drug test are obtained.

### **(b) Transfers to Safety-Sensitive Positions (Effective 11/1/13)**

City employees who are transferred, reclassified, promoted, or demoted from a non-safety-sensitive position into a safety-sensitive position will be tested for drugs before performing any job duties in the new position.

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(c) **Reasonable Suspicion**

All City employees will be subject to immediate testing when there is reasonable suspicion that the employee has used or misused drugs or alcohol in violation of this policy. Any City employee who is required to take a reasonable suspicion test will be immediately placed on administrative leave with pay pending the results of the test and confirmation of the results. Supervisors or Directors who suspect that an employee is under the influence of drugs or alcohol shall document all credible evidence and shall seek confirmation of the observations from the Director of Human Resources and Risk Management before transporting the employee for testing. The Director of Human Resources and Risk Management may confer with another employee with training generally consistent with the DOT's Reasonable Suspicion training before the employee is transported for testing. A reasonable suspicion test may be required based upon, but not limited to, the following:

1. The personal observation of the City employee's job performance, appearance, behavior, speech, or odor by the Supervisor or Director creating a reasonable suspicion that the City employee has used drugs or alcohol in violation of this policy;
2. Personal observation of the City employee by another individual who has fully disclosed the observation to the City;
3. Observation of the City employee by a nurse or physician engaged in the treatment or evaluation of a work-related injury who has disclosed such observations to the City;
4. Information from a law enforcement agency received by the City;
5. Specific and objective facts indicating that a City employee's drug or alcohol use may have caused or been a contributing factor to an on-duty motor vehicle accident. The following facts, if present, may independently or collectively, depending upon the circumstances, give rise to reasonable suspicion in this instance:
  - a. The appearance, behavior, speech, or odor of the City employee immediately prior to or after the accident;
  - b. The City employee left the scene or attempted to leave the accident scene without legal authority or permission to do so;
  - c. The City employee acted contrary to a safety rule, established safety practice, or otherwise engaged in demonstrably unsafe behavior for

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- which there is no reasonable explanation;
- d. The City employee was arrested or received a traffic citation;
  - e. The City employee or any person received medical attention as a result of the accident; or
  - f. The City employee has been involved, as a contributing factor, in a pattern of repetitive on-duty accidents, whether or not they involved actual or potential injury.
6. Specific and objective facts indicating that a City employee's drug or alcohol use may have caused or been a contributing factor to an on-duty accident involving the use of motorized equipment, heavy machinery, or heavy equipment. The following facts, if present, may independently or collectively, depending on the circumstances, give rise to reasonable suspicion in this instance:
- a. The appearance, behavior, speech, or odor of the City employee immediately prior to or after the accident;
  - b. The City employee left the accident scene or attempted to leave the accident scene without legal authority or authorization to do so, or failed to report the accident to the appropriate individual, or otherwise attempted to keep appropriate persons from learning about the accident or the extent of the accident;
  - c. The City employee acted contrary to a safety rule, established safety practices, or otherwise engaged in demonstrably unsafe behavior without a reasonable explanation;
  - d. The City employee or any other person received medical attention as a result of the accident; or
  - e. The City employee has been involved, as a contributing factor, in a pattern of on-duty accidents, whether or not they involved actual or potential injury.
7. Additionally, any supervisor or Director who has not participated in Reasonable Suspicion training may require a reasonable suspicion test(s) for drugs or alcohol when a supervisor or Director who has participated in Reasonable Suspicion training or the Director of Human Resources and Risk Management has reviewed the underlying facts and agrees that reasonable suspicion exists to require a test.

**(d) Required Testing After Certain Accidents**

1. Drug and alcohol testing must be performed within policy guidelines when any City employee while in the performance of City business is the apparent cause of an accident/injury that results in required immediate medical treatment of himself/herself or medical treatment of another injured person.
2. Drug and alcohol testing must be performed within policy guidelines when any City employee holding a safety-sensitive position, while in operation of a City vehicle, equipment, or heavy machinery, or while in operation of any other vehicle or equipment while in the performance of City business, is the apparent cause of an accident that results in: (1) a fatality; or (2) a citation issued to the City employee; or (3) an injured person requiring immediate medical treatment; or (4) damage to City property; or (5) damage to any other property.
3. Alcohol and drug test(s) required after any of the above accidents shall be completed within six (6) hours or less of such an accident. This testing is to be performed in addition to any drug or alcohol test(s) that may be ordered by law enforcement authorities. The involved City employee must report immediately for testing or be subject to disciplinary action, up to and including termination.

**(e) Random Testing (Effective 11/1/13)**

All City employees holding safety-sensitive positions will be subject to random drug testing, as follows:

1. Tests will be ordered on a random, unannounced basis from the pool of identified City employees holding safety-sensitive positions.
2. A computerized random selection method and test rates as adopted by the Director of Human Resources and Risk Management will be used to select City employees, thereby allowing each City employee an equal chance of being tested each month. Random selection test rates are subject to change as determined by the Director of Human Resources and Risk Management.
3. A City employee's name will remain in the pool after being selected so that every employee will have an equal chance of being tested each time selections are made. Therefore, it is possible that a City employee holding a safety-sensitive position who is randomly selected for testing may be randomly selected again during the same year.

4. Human Resources will notify the supervisor or Director when an employee has been selected through the random process. The employee will report to the testing facility taking with them the authorization form and a photo ID. The supervisor or Director is not to inform the employee that he/she has been chosen for the test until immediately prior to the time the employee is given his/her notice.
5. City employees are allowed to continue working pending the results of the test. If the testing facility notifies the City that the City employee has produced a non-negative sample, the employee will be placed on administrative leave without pay pending the confirmation of the results. If the employee has a confirmed positive sample, Human Resources will contact the appropriate Director with the results.
6. All information received by the City of Peachtree City as a result of any testing procedure is considered confidential, but may be entered into evidence or disclosed in any civil action or administrative proceedings when the information is relevant to the City's defense in any such action or proceedings.

**(f) After-Care Testing**

In accordance with EAP Policy, employees returning to work from an approved treatment program for drug or alcohol abuse may be subject to unannounced testing at the discretion of the Director of Human Resources and Risk Management for a period of one (1) year following the City employee's return to work.

**(g) Return to Duty Testing (Effective 11/1/13)**

All City employees in safety-sensitive positions who are absent from work for more than thirty (30) days, for any reason, or following any Workers' Compensation leave, medical leave, or short-term disability leave shall be tested for drugs immediately upon returning to work and before performing any job duties.

**Section 7: Procedures for Testing**

- (a) Alcohol screening will be conducted using a federally approved evidential breath-testing device or the use of a swab/saliva test performed by an approved independent medical facility. In the event that it is not reasonable under the circumstances to conduct an alcohol test based on a breath test or a swab/saliva test, the City reserves the right to test for the presence of drugs or alcohol by a blood test analysis.

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- (b) All drug tests shall be administered and accounted for by an approved laboratory and/or medical facility that are operating in compliance with the U.S. Department of Health and Human Services (DHHS). Testing will involve an initial screening test(s) and confirmation of non-negative tests by gas chromatography/mass spectrometry (GC/MS) analysis, or other test(s) that are approved by the DHHS for screening and confirmation of drugs or alcohol in a person's system. Tests will be certified, to the fullest extent possible under the circumstances, by a laboratory approved by the DHHS.
- (c) All non-negative test results for drugs will be interpreted by a physician approved by the City as a Medical Review Officer (MRO) before the results are reported to the City. Prior to notifying the City, the MRO will make reasonable efforts to contact the City employee for the purpose of allowing the City employee to offer an alternative medical explanation for the non-negative test result. If the MRO is able to contact the applicant or City employee and determine there is a legitimate medical explanation for the non-negative test, the result will be communicated as negative to the City. The MRO's inability to contact the applicant or City employee before providing test results to the City will not void the test results or make the test results unusable in any subsequent disciplinary action. An applicant or City employee who fails to respond to an inquiry by the MRO within forty-eight (48) hours of such inquiry shall have waived his/her opportunity to offer an alternative medical explanation for the non-negative result or to request confirmation testing. Because the City employee is present for interpretation of an alcohol test, the procedure concerning prior notification by the MRO is not applicable. A MRO will not be used when a blood test for alcohol is conducted.
- (d) Upon notification by the MRO of a confirmed positive result for drugs, the City employee may request, within three (3) calendar days of such notification, that the remaining portion of his/her specimen undergo a second confirmation test at his/her expense. If the test conducted by the laboratory is negative for the presence of drugs, a third test may be made at the City's sole expense. The results of the third test will be determinative. If the results from the third test are negative, all prior positive tests will be disregarded and shall not be the basis for any disciplinary or adverse action. This option of a confirmation test is contingent upon there being enough of the specimen remaining to allow for a confirmation test.
- (e) Any City employee ordered to be tested based upon reasonable suspicion shall be immediately removed from duty, escorted to the testing facility, and taken home (unless other suitable arrangements have been made to transport the City employee). Under no circumstances will the City employee be allowed to drive himself/herself home. The City employee shall be placed on administrative leave with pay pending the results of the test and any confirmation tests, if applicable.

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If a non-negative test is explained or negated by the MRO and/or subsequent confirmation testing, the City employee shall be reinstated.

## **Section 8: Investigation of Prohibited Drug and Alcohol Use and Searches**

All City-issued, City-owned, or City-leased equipment, property, and facilities, including, but not limited to, desks, workstations, file cabinets, lockers, vehicles, computer equipment, or any other property or equipment owned, leased, or provided by the City is subject to inspection at any time and for any reason. No employee shall have any privacy interest whatsoever in any City-issued, City-owned or City-leased equipment, property, and facilities. If a search uncovers evidence of City employee wrongdoing, illegal activity, or City employee violations of City rules or policies, the evidence may be used to support disciplinary action, up to and including termination. In cases involving suspected illegal activities, the evidence may be turned over to appropriate legal authorities. The City also reserves the right to conduct searches on City property of City employees and/or their personal property when, in the City's view, there is a reasonable suspicion that a City employee is buying, selling, transporting, or otherwise in possession of illegal drugs or controlled substances on the City's property or during working time. A refusal to submit to, or cooperate with, a search may result in immediate discipline, including discharge.

### **(a) Consent for Testing**

Prior to date of hire, all City employees and job applicants are required to sign a consent form consenting to any and all frequency of drug and/or alcohol test(s) set forth in this policy and permitting the release of test results to the City and/or the MRO. Signed consent forms shall be kept on file by the Human Resources Department and are enforceable for the duration of employment.

### **(b) Refusals to Undergo Testing**

The City has a Zero Tolerance Policy regarding test refusals. As such, any City employee so refusing to immediately proceed as directed will be subject to disciplinary action, which action may include termination from employment.

Other actions that constitute a test refusal occur when a City employee:

1. Fails to appear for any test within a reasonable time, as determined by the City, after being directed to do so by the City;
2. Fails to remain at the testing site until the testing process is complete;
3. Fails to provide a urine, breath, saliva, or blood specimen for any drug or alcohol test required;

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4. In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of his/her provision of a specimen;
5. Fails to provide a sufficient amount of urine or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
6. Fails or declines to take a second test the City or collector has directed the City employee to take;
7. Fails to undergo a medical examination or evaluation as directed by the MRO as part of the verification process;
8. Fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, tampers with any element of the testing process, behaves in a confrontational or obstructive way that disrupts the collection process, refuses to be escorted to the designated collection site when so directed, or is physically absent resulting in the inability to conduct testing).
9. City employees who refuse to submit to a test or test positive for alcohol or illegal drugs may be disqualified for unemployment compensation benefits by the Department of Labor.
10. City employees who refuse to submit to a test or test positive for alcohol or unlawful drugs following a workplace injury may be disqualified for Workers' Compensation benefits.

**(c) Confidentiality**

All reports of test results for drug and alcohol, searches, or any employee referral, or participation in an assistance program or treatment program for addictive disorders will be maintained in strict confidence. Any person authorized to have access to such confidential information, who, without authorization, discloses it to another person shall have engaged in gross misconduct and will be subject to severe disciplinary action, up to and including termination. The confidentiality of such information shall not apply to any use by or communication to the City's attorneys, or where the information is relevant to the City's defense in an administrative proceeding or civil action. Such information may also be disclosed to the extent required by any Federal, State, or local law, statute, ordinance, or regulation.

**(d) Discipline for Violations of Policy**

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1. **Immediate Removal from Duty**

A City employee who tests non-negative for drugs or alcohol shall immediately be relieved from duty, placed on administrative leave with pay, and sent home pending disciplinary action. If the non-negative test is explained or negated by the MRO and/or subsequent confirmation testing, the City employee shall be reinstated.

2. **Disciplinary Action**

A City employee who violates any provision of this policy is subject to discipline, up to and including termination. If terminated, the City employee will not be eligible for rehire.

3. **Immediate Termination**

The following reasons shall result in immediate termination of a City employee:

- a. Manufacturing, dispensing, using, consuming, possessing, distributing, purchasing, or selling, or otherwise transferring an illegal drug(s) or controlled substance(s) while on the job, on call, on City property, while operating City equipment or vehicles, or while operating any other equipment or vehicles on City business.
- b. Operating City motorized equipment while unfit for duty due to the use of drugs and/or alcohol.
- c. Conviction for violation of any drug law.
- d. Refusing to consent to or to take a drug or alcohol test pursuant to this policy.
- e. Failure to appear at the designated collection site to take a drug or alcohol test when so directed.
- f. A confirmed positive test for drugs or alcohol.

(e) **Employee Assistance Program (EAP)**

The City cares about the health and well-being of its employees and recognizes that a variety of personal problems can disrupt their personal and work lives. While many employees solve their problems either on their own or with the help of family and friends, sometimes employees need professional assistance and

advice. The City will maintain an Employee Assistance Program (EAP) that provides confidential access to professional counseling services for help in confronting personal problems such as alcohol and other substance abuse, marital and family difficulties, financial or legal troubles, and emotional distress. The EAP is available to all City employees and their immediate family members, offering problem assessment, short-term counseling, and referral to appropriate community and private services.

1. The EAP is strictly confidential and is designed to safeguard the employee's privacy and rights. Information given to the EAP counselor may be released only if requested by the employee in writing. All counselors are guided by a Professional Code of Ethics. Personal information concerning employee participation in the EAP is maintained in a confidential manner. No information related to an employee's participation in the program is entered into the personnel file.
2. In certain situations, City Management may make a direct referral to the EAP.
  - a. The following information will be made available to the Director of Human Resources and Risk Management when management makes a directed referral:
    1. The City employee kept or did not keep the appointment with the EAP counselor;
    2. A referral for treatment/assistance was made by an EAP counselor and was accepted or rejected by the City employee; and/or
    3. The City employee did or did not complete the EAP recommended treatment/assistance.
  - b. A City employee's failure to successfully complete the treatment plan or to release the information regarding his/her participation may result in disciplinary action.
3. There is no cost for City employees to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available. The counselor will also let City employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the City employee.
4. City employees desiring assistance or consultation through the EAP are encouraged to contact the EAP directly or Human Resources for further

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information regarding an EAP counselor.

## **G. SOCIAL MEDIA POLICY**

### **Section 1: Purpose and Intent**

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

### **Section 2: Definitions**

- (a) For purposes of this policy, the term "social media" is defined as the online technologies through which employees and other individuals engage in "social media activity" as defined below. In most cases, the term refers to internet-based websites such as MySpace®, Facebook®, Twitter®, LinkedIn®, Google+®, YouTube®, Tumblr®, and Blogger®. Online social media technologies covered by this policy also include, but are not limited to, such applications as web logs/blogs, video logs/vlogs, message boards, podcasts, and wikis.
- (b) For purposes of this policy, the term "social media activity" is defined as the act of sharing information or otherwise communicating through social media, including, but not limited to, the posting, uploading, reviewing, downloading, and/or forwarding of text, audio recordings, video recordings, photographs/images, symbols, or hyperlinks.

### **Section 3: Scope of Policy**

- (a) This policy applies to all employees of the City of Peachtree City without regard to whether their social media activity is conducted in or outside the workplace, while on or off-duty, or anonymously or through the use of pseudonyms.
- (b) This policy applies to all employees of the City of Peachtree City without regard to job title, position, or rank; however, with the approval of the City Manager, the Police Department and any other department or affiliated agency of the City of Peachtree City having special or unique concerns pertaining to its employees' social media activity may adopt and implement more restrictive SOP's or other internal rules narrowly designed to address such concerns.

### **Section 4: Prohibitions on Social Media Activity**

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- (a) All employees of the City of Peachtree City should remain mindful that, as public servants, they are generally held to higher standards than the general public with regards to their on-duty and off-duty conduct, professionalism, and ethics. As a result, certain social media activity that may be tolerated or even acceptable in the private sector may nevertheless constitute a violation of this policy.
- (b) Each employee of the City who engages in social media activity must take personal responsibility for ensuring that such activity is consistent with all policies of the City, including, but not limited to, those pertaining to making false or misleading statements, promoting or endorsing violence or illegal activity, promoting or endorsing the abuse of alcohol or drugs, disparaging individuals or groups, or otherwise engaging in conduct unbecoming an employee of the City, bringing discredit to the City, or interfering with or detrimental to the mission or function of the City.
- (c) Employees must refrain from engaging in any social media activity which disqualifies them from performing, or in any way reasonably calls into question their ability to objectively perform, any essential function of their jobs. Examples of such functions include, but are not limited to, making hiring or promotion decisions or recommendations, conducting performance evaluations, and determining eligibility for programs.
- (d) While any employee, at his/her discretion, may engage in social media activity with any other employee(s) consistent with the prohibitions, limitations, and restrictions, and guidelines of this policy, no employee may be required or otherwise compelled to engage in such activity with another employee.
- (e) No employee, whether for purposes of engaging in social media activity or otherwise, may disclose or otherwise reveal any privileged or confidential information of the City of Peachtree City, any other current or former employee of the City, or any applicant for employment with the City.

#### **Section 5: Limitations and Restrictions on Social Media Activity**

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

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- (b) Except as otherwise authorized in advance by the City Manager, if an employee's status as an employee of the City is disclosed, revealed, or otherwise made apparent in connection with his/her social media activity, his/her social media activity must include a prominently displayed disclaimer to the effect that the activity reflects only the employee's personal views or opinions and not those of the City of Peachtree City; provided, however, that no disclaimer will shield an employee from the imposition of appropriate corrective and/or disciplinary action for social media activity which violates this policy. Employees should recognize that social media activity is generally more likely to violate this policy and other policies of the City if their status as City employees is disclosed or revealed in connection therewith.
- (c) Except as otherwise authorized in advance by the City Manager, no employee may utilize City computers or equipment for purposes of engaging in social media activity.
- (d) Except as otherwise authorized in advance by the City Manager, no employee, whether for purposes of engaging in social media activity or otherwise, may post or upload any information, audio recordings, video recordings, photographs/images, etc., from City computers or equipment.
- (e) To preserve the continuity of the City of Peachtree City's message, to ensure accuracy, and to avoid unnecessary confusion in the community, except as otherwise authorized in advance by the City Manager, employees should refrain from engaging in any social media activity that purports or serves to announce or explain the details of City programs, projects, activities, or events.
- (f) Exceptions to the above-stated limitations and restrictions may be authorized by the City Manager; provided, however, that any request for such an exception represents a promise by the employee that, if approved, the disclosure of information, photographs, audio, video, etc., via social media activity will be fully consistent with the letter and spirit of this and all other policies of the City, any internal SOP's or rules adopted by his/her Division Director, as well as any laws pertaining to copyrights, trademarks, trade secrets, patents, and privacy and reputational rights.
- (g) The City of Peachtree City reserves the right to require any employee to remove immediately any posted or uploaded text, audio recordings, video recordings, photographs/images, etc., (even if previously approved) if such posted material constitutes a violation of this policy or other City policies.

## **Section 6: Application to Other Policies**

All personnel policies of the City of Peachtree City relating to employee conduct apply

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equally to conduct that occurs through social media. This includes, but is not limited to, policies relating to discrimination, harassment, retaliation, workplace violence, conflicts of interest, and political activity. Any conflicts or inconsistencies between this policy and any one or more other policies shall be resolved by the Director of Human Resources and Risk Management.

### **Section 7: Duty to Report**

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

### **Section 8: No Expectation of Privacy in Social Media Activity**

- (a) City employees should be aware that social media activity is not secure or private, even if active steps are taken to restrict access. Once information has been posted or exchanged via social media, it is generally trackable, traceable, and accessible indefinitely. For this reason, and consistent with the City's current "Use of City Property and Equipment" policy, employees should have no expectation of privacy in any social media activity conducted in the workplace and/or on-duty or in any social media activity which otherwise directly or indirectly relates to or affects the City, any of its departments, or its employees.
- (b) The City reserves the right to inspect or monitor any social media activity engaged in by its employees using City-owned computers or other electronic equipment or devices. In addition, employees may be required to provide access to any social media websites or other applications in which they participate upon a determination by the City that there is reasonable suspicion to believe that such access will reveal evidence of a violation of this policy or any other City policy.

### **Section 9: Corrective and/or Disciplinary Action and Other Potential Consequences**

- (a) Employees engaging in social media activity in violation of this policy will be held accountable, and corrective and/or disciplinary action, up to and including termination of employment, may be taken in accordance with the City's disciplinary policies.
- (b) If an employee is sued in part due to his/her social media activity under circumstances where the City would ordinarily provide a defense and/or indemnify the employee, the City reserves the right to withhold or withdraw such

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defense or indemnification in the event any such activity is found to violate this policy or any other policy of the City.

**Section 10: Interpretation and Application**

- (a) Nothing in this policy is intended to or will be applied in a manner that violates any employee's constitutional rights, including rights to freedom of speech, expression, and association, or Federal or State rights to engage in any statutorily-protected activity.
- (b) Any employee unsure about the application of this policy to any particular social media activity should seek guidance from his/her Division Director before engaging in such activity.
- (c) This policy is intended for internal use of the City only and should not be construed as establishing a higher duty or standard of care for the purposes of any third party civil claims against the City or its employees. A violation of this policy by an employee provides only a basis for corrective and/or disciplinary action against such employee by the City.

## **H. PUBLIC SAFETY PHYSICALS**

### **Section 1: Policy Statement**

Police Officers, and both career and volunteer Firefighters, must take a physical examination prior to employment/appointment and thereafter as required by the Divisions' SOP's to determine fitness for duty.

### **Section 2: General Provisions**

#### **(a) Timing**

Police Officers are required to have physical exams once every five years while Firefighters (career and volunteer) are required to take medical physical exams annually. These physicals will be paid for by the City and will be scheduled, when possible, during the employee's regular shift.

#### **(b) Physical Examination**

1. Medical exams will be consistent with Federal and State laws governing medical exams for respective public safety personnel and will adhere to Law Enforcement/Fire professional standards, regulations, and guidelines.
2. Physical examinations will be conducted by the designated department physician(s).
3. The department physician will provide exam results that state, "Fit for Duty" or "Not Fit for Duty" to the Division Director or his/her designee. If the employee/volunteer receives a "Not Fit for Duty" from the physician, the employee/volunteer will be advised by that physician of the corrective measures that are needed for a return to "Fit for Duty" status. If medical treatment is needed to correct the situation, the employee/volunteer should contact his/her personal physician for treatment.

Every effort will be made to enable the employee/volunteer to continue working while medical problems are being treated/corrected unless the medical condition poses a threat to the employee/volunteer or could adversely affect the public due to the potential of the employee/volunteer not being able to perform his/her public safety duties properly.

4. All personnel will strictly adhere to the federal Health Insurance and Portability Accountability Act (HIPAA) rules and regulations.

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## **I. TREATMENT FOR EXPOSURE TO INFECTIOUS DISEASE**

### **Section 1: Policy Statement**

The City will provide appropriate medical attention following exposure to an infectious disease for employees in Public Safety or any employee that might be exposed while on duty.

### **Section 2: General Procedures**

- (a) When an exposure occurs, the employee should notify his/her supervisor immediately. The supervisor should assume responsibility to call the office of the physician selected by the City immediately to insure that the employee receives the appropriate treatment for the exposure.
- (b) The exposure should be checked at the physician's office the same day if possible and then continue with the scheduled follow-up procedures as arranged by the physician's office. If the exposure occurs after office hours, the physician's paging service should contact the physician, or the employee may seek treatment from an emergency facility/hospital.
- (c) The physician or his/her associate will make contact with the appropriate medical facility to obtain any test results or information on the individual that may have exposed the employee.
- (d) Based on the information obtained, the physician or his/her associate will determine whether an employee needs immediate treatment (within two hours); if there is no immediate danger, the employee should go to the physician's office the next business day.
- (e) If it is after office hours and immediate treatment is necessary, the physician or his/her associate will meet the employee to administer treatment, or the employee may be directed to an emergency facility/hospital for treatment.

## **J. EMPLOYEE SOCIAL ACTIVITIES COMMITTEE (ESAC)**

### **Section 1: Policy Statement**

The primary function of the Employee Social Activities Committee (ESAC) is to plan social activities for employees as a means of developing and maintaining a high level of morale and interaction among City employees.

### **Section 2: General Provisions**

#### **(a) Committee Members**

ESAC will be comprised of at least one employee representative from each Division in the City. All City employees are eligible to serve on the Committee. At the beginning of each calendar year, each Division Director will be responsible for appointing at least one employee representative to serve on ESAC. There is no limit on how many years an employee may serve on the Committee. It is at the Director's discretion.

Each Committee member is entitled to vote on Committee decisions and is expected to participate at all Committee meetings and sponsored activities.

#### **(b) Leadership Roles**

The Chairperson, Vice-Chairperson, and Secretary/Treasurer are elected by majority Committee vote at the regular January meeting and serve one-year terms beginning at the January meeting. Additional terms are permissible if re-elected.

The Chairperson is responsible for presiding over all meetings; informing Committee members of the status of all sponsored activities; providing necessary support for the success of all sponsored activities; notifying Committee members of scheduled meetings; and notifying Division Directors when vacancies on the Committee need to be filled.

The Vice-Chairperson is responsible for presiding over the meetings in the absence of the Chairperson and for providing the Chairperson with requested assistance.

The Secretary/Treasurer is responsible for taking and transcribing the minutes of all Committee meetings and for working on various projects as needed.

The Director of Human Resources and Risk Management serves as Chief Administrator of the Committee and is not subject to election. He/she acts as Committee liaison with the City Manager and provides technical assistance and instruction to the Committee as required.

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(c) **Meeting Schedule**

The Chairperson will call meetings as necessary throughout the year to ensure that sponsored activities are well-planned and successful.

(d) **Annual Activities**

The annual employee activities that the Committee will sponsor include an Employee Picnic and an Employee Christmas and Awards Luncheon. Other special activities may be planned by the Committee as well.

(e) **Compensation**

All non-exempt Committee members will be compensated for attendance at meetings, preparation time for sponsored activities, time worked at sponsored activities, and any clean-up responsibilities.

## **K. EMPLOYEE AWARDS**

### **Section 1: Policy Statement**

Employee awards have been established to recognize those City employees who have performed or provided a notable act or exemplary achievement or service for the City of Peachtree City. Any employee (full-time or part-time) of the City may be nominated and may participate in the awards.

### **Section 2: Employee Recognition**

Employees are eligible to receive the following City awards:

#### **(a) Service Awards**

All employees will be recognized for their longevity. Employees will be awarded in the following manner:

2 Years	Service Pin
5 Years	Service Pin or Check in the amount of \$50
10 Years	Service Pin or Check in the amount of \$75
15 Years	Service Pin or Check in the amount of \$100
20 Years	Service Pin or Check in the amount of \$150
25 Years	Engraved Watch
30 Years	Check in the amount of \$300
35 Years	Check in the amount of \$350
40 Years	Check in the amount of \$400
Over 40 Years	Not yet determined

All check/cash awards are considered taxable income.

The Division Director shall issue all two (2) and five (5) year service awards. All other service awards will be presented by the Mayor at a City Council meeting unless the employee prefers to receive it within his/her Division.

Beginning in 2014, two **Service Milestone Receptions** (one in the first half of the year and one in the second half of the year) will be held to honor those employees reaching twenty (20), twenty-five (25), thirty (30), thirty-five (35), and forty (40) years of service. The Division(s) who has/have honoree(s) will combine efforts to host the special reception. All City-sponsored receptions must be held at a City facility during normal working hours with all City employees invited to attend. A maximum of \$300 should be allotted for each reception. If more than one honoree is recognized, a maximum of \$500 may be allotted for the reception. Approval of

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the City Manager is required if additional funds are needed.

**(b) Retirement Award**

Any retiring employee who has faithfully served the City is eligible for this award. A reception should be held by the retiring employee's Division at a City facility during normal working hours with all City employees, along with other guests, invited to attend. The retiring employee shall receive a retirement gift (no cash or gift card) from the City valued as follows:

Less than 14 years of service	\$100
15 – 19 years of service	\$200
20 – 24 years of service	\$300
25+ years of service	\$400

A maximum of \$300 should be allotted for the reception. Approval of the City Manager is required if additional funds are needed.

**(c) City Employee of the Month**

This award will be presented monthly to one non-supervisory City employee or a team of employees who has demonstrated excellent performance and productivity, loyalty, professional pride, and other noteworthy accomplishments. Nominations may be made by a peer, the employee's immediate supervisor, department head, or Division Director and should be submitted to the Human Resources Department by the deadline communicated by the Human Resources Department. Final selection shall be made by a panel composed of the Division Directors. A plaque and a check for \$25 will be presented at the City Council meeting by the Mayor unless the employee prefers to receive the award in his/her Division. If a team of employees is selected for this honor, each team member will receive a "Team Recognition Award" certificate which will be presented at the City Council meeting as well unless the team prefers to receive the award in the Division. Team Recognition Awards will not include a monetary award.

**(d) City Supervisor of the Quarter**

This award will be presented quarterly to a supervisor who has performed in an outstanding manner. This employee must have displayed extensive job knowledge, good supervisory skills, loyalty, and professionalism. Nominations may be made by a peer, subordinates, the employee's immediate supervisor, department head, or Division Director and should be submitted to the Human Resources Department by the established deadline. Final selection shall be made by a panel composed of the Division Directors. A plaque and a check for \$25 will be presented at the City Council meeting by the Mayor unless the employee

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prefers to receive the award in his/her Division.

**(e) City Employee of the Year**

This award will be given to one non-supervisory City employee who has demonstrated excellent performance and productivity, loyalty, professional pride, and other noteworthy accomplishments. A ballot will be comprised from a list of all City Employees of the Month for the entire year, and final selection shall be made by a panel comprised of all Division Directors. A check in the amount of \$500 will be presented at the Annual Employee Christmas and Awards Luncheon. The employee will also receive a plaque that will hang in the lobby at City Hall for the following year. After displaying for one year, the plaque will be given to the employee.

**(f) City Supervisor of the Year**

This award will be given to one supervisory employee who has exhibited outstanding performance, professionalism, and supervisory skills. A ballot will be comprised from a list of all City Supervisors of the Quarter for the entire year, and final selection shall be made by a panel comprised of all Division Directors. A check in the amount of \$500 will be presented at the Annual Employee Christmas and Awards Luncheon. The supervisor will also receive a plaque that will hang in the lobby at City Hall for the following year. After displaying for one year, the plaque will be given to the employee.



**Peachtree City Personnel Policy Manual**

**Employee Acknowledgment Form**

This Personnel Policy Manual describes the policies and procedures of the City of Peachtree City, Georgia and I understand that I should consult Human Resources regarding any questions not answered in the Personnel Policy Manual. I acknowledge that I am an employee at-will and have entered into my employment with the City of Peachtree City voluntarily and further acknowledge that there is no specified length of employment. Any employment agreement that would alter my status as an employee at-will must be specified and executed in writing by the City Manager and myself, and approved by the City Council. No other agreements will be enforceable or change my status as an employee at-will.

This Personnel Policy Manual replaces and supersedes any earlier personnel practice, policy, or guideline. However, since the policies and procedures described within this manual are subject to change from time to time, I acknowledge that revisions may occur. I understand that such changes may supersede, modify, or revoke existing policies. The City Manager has the power to change the policy and may do so at any time without notice.

Furthermore, I acknowledge that the Personnel Policy Manual is neither a contract of employment nor a legal document. I have received a copy of the City of Peachtree City Personnel Policy Manual, and I understand that it is my responsibility to read and comply with the policies contained in the manual and any revisions made to it.

Employee Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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