CERTIFICATE

This document known as the City of Moultrie Personnel Policy Manual, as amended and restated, was presented to and adopted by the Mayor and Council of the City of Moultrie on Tuesday, April 3, 2012, during Regular Session of City Council.

William M. McIntosh
Mayor

ATTEST:

City Clerk

(SEAL)

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CITY OF MOULTRIE
PERSONNEL POLICIES

I – INTRODUCTION

1.01 Disclosure Statement

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

All employees shall review and acknowledge the content of this disclosure. Copies of the disclosure and manual shall be maintained in a location in each department where they will be readily accessible for reference by all employees. The City Manager will maintain the Official Master set of the disclosure and manual.

The City of Moultrie is an "At-Will-Employer" pursuant to the Georgia Employer-At-Will Law (Official Code of Georgia Annotated O.C.G.A. 1994). While it is the City's goal to provide City Employees with beneficial programs, policies, and procedures, all such matters are dependent on economic and governance considerations and may be changed from time to time by the City at its discretion. Since the Manual is advisory in nature, it creates no contractual obligations on the part of the employees (including managers and supervisors) or the City, and does not in any way alter the at-will relationship.

Employment with the City is at the will of the City, and either the City as employer or the employee may at any time terminate the employment relationship with or without cause. No statement (written or oral) by any employee or agent of the city contrary to this paragraph shall have any force or effect. The City may change disciplinary procedures and terms and conditions of employment whether these are stated in the manual or established by practice.

1.02 Establishment

The Personnel System has been established by the City of Moultrie to provide a fair, equitable and productive work environment for those employees covered by the system.

1.03 Purpose

This Personnel Policy Manual is published as a guide to the proper and consistent direction and equitable treatment of all employees. It is designed to help assure the City's ability to recruit and maintain a skilled and stable workforce required to carry out the various functions of the City and maintain a favorable employment relationship with all City employees.

The City shall seek to:

- **Hire the best, most qualified employee available**
- **Fully apply the principle of Equal Employment Opportunity, avoiding unfair as well as illegal discrimination in all aspects of City Operation**
- **Provide equitable and competitive compensation and benefits consistent with the City's economic ability**
- **Expect effective and efficient work performance from employees within the framework of reasonable work assignments**
- **Provide safe, sanitary, and healthy working conditions**
- **Effectively communicate with all employees regarding matters which affect them in their work**
- **Promote an attitude of courteous and efficient responsiveness to the public on the part of all employees.**

1.04 Applicability and Coverage

These personnel policies will apply to all departments in the City Government.

Specifically, three types of employees will be covered in whole or part. These types of employees are covered in Sections 5.01 A, 5.01 B and 5.01 C, which defines full-time, seasonal, and part-time employees and outlines the level of coverage, if any, of each.

Specifically excluded from all provisions of these procedures are: members of the City Council, members of any appointed Board or Commission, persons employed to make or conduct a temporary or special inquiry, elected officials, and those persons paid on a retainer or contract basis.

Department Directors who are personal staff of the City Manager and the City Manager are also excluded.

1.05 Administration

It is the intent of these policies and procedures to designate City Department Directors as the appointing authorities for their respective departments. It is the further intent of these policies and procedures to delegate the administration of the system to the Director of Human Resources.

II – JOB CLASSIFICATION PLAN

2.01 Establishment and Amendment

The City of Moultrie may establish an employee pay and classification plan. The nature and content of the plan, if established, will be at the discretion of the City Manager with the advice and consent of the City Council and is subject to be changed or be discontinued at any time without prior notice to employees.

2.02 Interpretation of Job Descriptions

One element of the classification plan may be job descriptions. The job descriptions are descriptive and not restrictive. They are intended to indicate the general kinds of duties, responsibilities, and job requirements normally associated with the position, but are not intended to be exhaustive. Employees may be assigned other duties not included in the descriptions and may be required to work across departmental lines.

III – EMPLOYEE PERFORMANCE EVALUATION

3.01 Objectives

The City Manager may utilize a performance appraisal system for evaluating employees. The type system utilized will be at the discretion of the City Manager and is subject to change without prior notice to the employee.

Employee performance evaluation is a management tool that may be used in an attempt to effectuate higher levels of employee productivity and may be a factor in determining salary increments. Performance evaluations may also be used for whatever other purposes the City Manager deems appropriate.

The City reserves the right to use whatever evaluation instruments deemed appropriate. All instruments must be approved by City Manager.

3.02 Qualifications

In no case should employees view the evaluations as a right or obligation of the City, rather they are a management tool to be used at the discretion of the City Manager.

3.03 Time of and Period of Evaluation

If the City Manager elects to utilize an evaluation system in any given year, he/she will determine the time the evaluation will take place and the period of time to be covered by the evaluation. Evaluations will take place during the probationary period, after which they will cover a period from October 1, to September 30, which may change.

IV- TRAVEL EXPENSE AND REIMBURSEMENT

4.01 TRAVEL POLICY

Employees, including elected officials, who are expected to travel on authorized City business, will have certain expenses paid by the City. Those expenses include a per diem meal allowance, travel expense (including any parking or toll fees), and hotel/motel expenses. Expenses for spouses and children of employees are not covered by this policy. However, for attendance at Mayor's Day and other Georgia Municipal Association conventions, certain expenses for the spouse of the Mayor, the spouses of members of the City Council, the spouse of the City Attorney, and the spouse of the City Manager will be authorized. The allowed expenses for these spouses are for lodging and registration only. The per diem meal allowance and mileage allowance shall not apply to spouses. The purchase of meals for officials representing other cities or agencies will be authorized on a case-by-case basis. Employees traveling on City business attending meetings, training sessions, conventions, etc., are expected to attend all of the scheduled sessions.

4.02 PER DIEM MEAL ALLOWANCE

When traveling, employees will receive a per diem allowance to cover the expense of their meals. The allowance will be in accordance with the per meal rates established for the State of Georgia employees. The schedule of rates specifies the rates of each meal (breakfast, lunch, supper). The per diem allowance will be paid for meals that are not provided by the meeting sponsor. If a meal is provided by the meeting sponsor, a per diem allowance for that meal is not authorized. Although an employee is not required to eat the meal provided by the meeting sponsor, any substitute meal is not eligible for a per diem allowance and will be at the personal expense of the employee. On the day of departure, a breakfast allowance will be authorized if the employee should depart prior to 6:30 AM. On the day of return, a supper allowance will be authorized if the employee should return after 7:30 PM.

4.03 CREDIT CARDS

City credit cards will be issued to employees traveling on authorized City business and who are traveling in a City vehicle. Authorized charges to the credit card are for fuel for the City vehicle, lodging, and emergencies repairs to the City vehicle, i.e., tire, battery, etc.

4.04 TRANSPORTATION

Employees traveling on City business are expected to travel in City vehicle. If a City vehicle is not available, or the absence of the City vehicle will adversely affect the operations of the employee's working unit, then the employee's department manager may authorize a mileage allowance. The mileage allowance will be in accordance with the IRS mileage rates in effect at the time of the travel. The mileage allowance will be based upon the number of miles indicated by the website, MapQuest.com. The number of miles between the two points will be doubled for roundtrip and an additional ten (10) miles per day will be allowed for travel between the lodging location and the meeting location. Where the attendance at meetings of a spouse is specifically authorized by policy, if transportation of a spouse in a city vehicle is involved, a Liability Waiver Form must be completed in advance of the travel.

4.05 LODGING

Prior to the schedule travel, the employee's department will make the necessary lodging reservations and charge the lodging expense to the City credit card. When making the reservations, the hotel/motel should be advised that the City is exempt from both sales tax and room tax and that the employee will have the associated tax exempt forms with them. Employees should furnish the forms to the hotel/motel upon arrival. Many hotels/motels will not accept the forms and exempt the taxes if the forms are not presented at the time of check-in. Often, hotels/motels require either a credit card or a cash deposit at the time of check-in to secure any miscellaneous room expenses such as telephone calls. Without a credit card for traveling purposes, employees should be prepared to provide a cash deposit if required.

4.06 MISCELLANEOUS

Expenses such as in-room movies, in-room meals, telephone calls, alcoholic beverages, etc. will be at the expense of the employee. Such items may be charged to the room, but must be paid by the employee at the time of checkout leaving only the cost of the room on the City credit card.

4.07 RECEIPTS

Upon return, all employees must complete and submit an Expense Report and attach all receipts for any authorized expenses charged to the City credit card (i.e., hotel/motel, fuel for City vehicle, emergency repairs to City vehicle, etc.) Additionally, if an employee has authorized expenses for which cash is paid, (i.e., toll fees, parking fees, etc.) the employee must complete and submit an Expense Report and attach all receipts. All expense reports forms should be completed and submitted to the respective department personnel within three (3) working days of return from the trip.

V- EMPLOYMENT

5.01 Types of Employment

There may be several categories of employees as follows:

A. Full-time. This includes employees who work at least 40 hours per week in positions, which have been created, with anticipation that it will be necessary to maintain the existence of such positions indefinitely on a continuous year-round basis. This in no way implies that the incumbent can expect continued employment as a "property right." This definition refers to position, not the incumbent.

As full-time employees, these employees are considered to be "covered" employees entitled to receive all rights, privileges and procedural due process as outlined in these policies.

B. Part-time. This includes employees who work less than 20 hours per week.

As part-time employees (less than 20 hours per week), these workers are not considered to be covered employees under the City's personnel system, and therefore are not entitled to receive any of the rights, privileges, and procedural due process as outlined in these policies. Employees in this category are not eligible for sick leave, vacation leave, or any other fringe benefits.

C. Seasonal. This includes employees who are working in positions that have been created for a seasonal period i.e., summer work program, summer recreational program, etc. These positions also may be full-time, part-time. Duration of the position may vary but normally will not be in excess of six months.

As seasonal employees, these workers are not considered to be covered employees under the City's personnel system and therefore are not entitled to receive any of the rights, privileges and procedural due process as outlined in these policies. Employees are not eligible for sick leave, vacation leave, or any other fringe benefits

5.02 Method of Filling Promotional Positions

The City has developed a recruitment policy that does not discriminate on the basis of race, color, sex, religion, national origin, age, mental or physical handicap, or political affiliation. The Department Director shall in each case determine whether open public competition (external) or promotional competition (internal) will be the best approach for attracting qualified applicants.

In general, the City attempts to promote from within providing such promotions are consistent with non-discrimination laws and fair employment practices. When in the City's best interest, it may hire from outside.

Job Vacancy Notices shall be posted in each Department for a minimum of three (3) working days.

Existing employees desiring to apply for position vacancies that are promotional in nature must complete an application for the position in the same manner as prescribed for all other applicants.

A diverse assessment panel will be utilized when reviewing applications and when interviewing prospective employees for positions that include supervisory responsibilities and those positions that serve as liaison between the city and the public. The Department Director makes final hiring decision.

Positions that include supervisory responsibility and those positions, which serve as liaison between the City and the public, are to be advertised in the local newspaper when openings occur, and it is necessary to go outside the Organization to seek applicants.

5.03 Minimum Age for Employment

The minimum age for employment of full-time employees shall be eighteen years of age unless otherwise established by State Law. The minimum age for employment of all other categories shall be sixteen years of age. Applicants under eighteen years of age must submit a work permit from the Board of Education along with employment application.

5.04 Retirement

An employee, who voluntarily terminates his/her employment and is eligible for retirement benefits, is expected to give one (1) month notice in advance when they are leaving so the Human Resources Department can compute their retirement benefits.

For certified employees in the Fire and Police Departments respectfully, the maximum retirement age shall be no later than the employees reaching full retirement age in accordance with Social Security Administration Regulations.

Each employee whom retires with ten (10) years or more of service will be formally recognized. The Mayor and Council will pass a Resolution honoring the employee for their contribution to the City of Moultrie. A copy of the Resolution will be spread upon the minutes of the City Council meeting and a plaque displaying the Resolution will be presented to the employee. In addition, a gift of appreciation will be given to each employee.

Retiring employees are given the option of a gift from the collection book or a selection from a local vendor, which is coordinated by the Director of Human Resources. The selection will correspond with or below the employee's years of service.

5.05 Nepotism (Hiring of Relatives)

Two members of an immediate family will not be employed, if such employment will result in an employee supervising, directly or indirectly, a member of his immediate family. This policy applies to promotions, demotions, transfers, reinstatements, and new employees. Immediate family is defined as wife, husband, mother, father, brother, sister, son and daughter.

VI – WORKING TEST / CODE OF CONDUCT

6.01 Working Test Defined

As a final test of employability, the first six (6) months of employment in positions of original appointment, promotion or transfer to other positions, which have different qualifications, shall be a working test to determine if the employee can be considered as being capable of performing satisfactorily in that position. In cases where a position requires State certification, the employee will remain on working test until certification is obtained even though it may exceed six (6) months. For Certified employees in the Fire and Police Departments, their working test is 12 months because the position requires state certification even though he/she may obtain certification in less than 12 months. A new employee who has not successfully completed his/her working test shall not be considered a covered employee under the City's personnel system and therefore is not entitled to receive any of the rights, privileges and procedural due process as outlined in these policies.

NOTE: Employees who are not on a working test for original appointment but rather are on a working test involving a promotion or transfer will be eligible and are considered to be "covered" employees in all respects except that the employee has no right to appeal any action taken by management relative to passing the working test for the job.

Working test may be extended a maximum of 90 days at Department Director's request and City Manager's approval.

6.02 Code of Conduct

INTRODUCTION

This Code of Conduct for employees of the City of Moultrie was developed for the purpose of defining the type of behavior the City expects of its employees. It is felt that a clear understanding of employer expectations will result in fewer disciplinary problems and a mutually rewarding association between the City and individual employees.

The City of Moultrie recognizes that no two solutions involving rule infractions are exactly alike. Therefore, the City reserves the right to examine each individual case and consider the circumstances of each infraction in determining a course of disciplinary action. Disciplinary actions may include but are not limited to: warning and instructions for improvement, suspension, and discharge. In determining a course of disciplinary action, the Supervisor will not consider any rule violations occurring more than two years previously. In addition to considering the time between rule violations, the Supervisor will consider quality of previous work, length of service, any possible cost to the City as a result of the violation, and any mitigating factors.

It should be noted that it is the responsibility of the employee to become familiar with the rules and regulations outlined in the Code of Conduct and to request clarification of any rules not clearly understood. Furthermore, the Code should not be considered by the employee as being all inclusive. Rather, it is a guide for employee conduct. In no event is the Code to be interpreted as a limitation on the right of the City to determine personnel policies.

All employees of the City of Moultrie are members of a team, working together for the main objective of serving our community. Any employee who fails to follow the necessary rules and regulations governing his/her conduct is not only penalizing his/herself, but is doing a disservice to all of the other employees. The Code of Conduct Rules are not intended to restrict or impose upon the privileges of anyone, but are designed to insure the rights and safety of all City employees, and to provide working guidelines to assure equitable and businesslike deportment to efficiently serve our community.

RULES AND REGULATIONS

The following are examples of rules and regulations which will subject the employee to disciplinary action:

1. **Taking more than specified time allotted for meals or rest periods.**
2. **Violating a safety rule or safety practice.**
3. **Failure to submit a report of an accident in which the employee was involved while on his job.**
4. **Tardiness—reporting to assigned work area after reporting time.**
5. **Failure to keep the Personnel Department notified of changes in home address and/or telephone number.**

6. **Mistakes due to carelessness.**
7. **Creating or contributing to unsafe and unsanitary conditions or poor housekeeping.**
8. **Rude or discourteous behavior toward a person with whom an employee comes in contact while in the performance of duties.**
9. **Productivity or workmanship below specified standards or performance.**
10. **Disregarding job duties by loafing or neglect of work during working hours.**
11. **Engaging in horseplay, scuffling, wrestling, throwing things, malicious mischief, distracting the attention of others, cat-calls, demonstrations on the job, or similar types of disorderly conduct.**
12. **Circumventing the chain of command by bringing a matter to the attention of the city Manager or Department Director, as the case may be, without first approaching an immediate Supervisor.**
13. **Chronic absenteeism.**
14. **Not reporting absence from work due to illness or other cause within two hours of normal report time.**
15. **Refusal to testify in an accident investigation.**
16. **Leaving the job during regular working hours without permission.**
17. **Making or publishing false, vicious, or malicious statements concerning any employee, Supervisor, the City, or its operations.**
18. **Sleeping during working hours except as provided for fire department employees.**
19. **Provoking or instigating a fight, or fighting at any time on City property.**
20. **Threatening, intimidating, coercing, or interfering with fellow employees or Supervisors at any time.**
21. **Unauthorized possession of firearms, explosives, or weapons on City property.**
22. **Immoral, unlawful, or improper conduct or indecency either on or off the job which would tend to affect the employee's relationship to the job and fellow employees and/or the employee's reputation in the community.**
23. **Conviction of a felony, a misdemeanor of the first degree as defined by Georgia Statues, or any violation of a City ordinance involving moral turpitude, while on or off the job.**
24. **Receipt by the City payroll office of a fourth wage garnishment order.**
25. **Willful neglect in the performance of assigned duties.**
26. **Deliberate misuse, destruction, or damaging of any City property or property of employees.**
27. **Drinking or possession of intoxicating beverages during working hours or reporting to work under the influence of alcohol.**
28. **The unauthorized use and/or sale of illegal narcotics, prescription drugs, and/or over the counter drugs in any form.**
29. **Theft or removal, from City locations without proper authorization, of any City property or property of another employee.**
30. **Insubordination by the refusal to perform work assigned or to comply with written or verbal instructions of Supervisors.**
31. **Falsification of personal or City records, including employment applications, accident records, purchase orders, time sheets, evaluations, or other records.**

32. **Making false claims or misrepresentations in an attempt to obtain sickness or accident benefits for Workers' Compensation benefits.**
33. **Proven incompetence or inefficiency in the performance of assigned duties of a position.**
34. **Use or attempted use of political influence, power of a position, or bribery to secure an advantage of any kind.**
35. **Attempting to or actually curtailing or restricting production or interfering with work by participating in any work walkout, slowdown, strike, sitdown, mass abuse of sick leave, or refusal to return to work at scheduled time.**
36. **Knowingly harboring a communicable disease which may endanger other employees.**
37. **Engaging in unauthorized political activities.**

VII – DISCIPLINE

7.01 Discipline and Disciplinary Action

We recognize that discipline is not a norm with employees. Corrective disciplinary action is necessary when the employee's performance has not improved sufficiently because of neutral disciplinary action(s) and/or the employee's performance or conduct violates clearly established, critical policies, rules or work procedures. Examples of causes of corrective disciplinary actions are outlined in Section 7.03.

City policy is that progressive corrective disciplinary actions should be applied where applicable. Progressive corrective disciplinary action is a process in which corrective disciplinary actions are taken in degrees of increasing severity based on each subsequent violation. NOTE: Although city policy favors progressive corrective disciplinary action, the disciplinary action taken will always depend on the degree and circumstances of the violation. Serious violations will result in higher levels of corrective disciplinary action without the necessity of progressing through lower levels.

Discipline in regard to City employment, is a state of mind best evidenced by a positive attitude toward the employee's job, effective and efficient performance of one's duties, and a high level of commitment to the City's objective of providing professional governmental services to the citizens of our community. It is the policy of the City to provide a system of processes designed to promote and foster this state of mind in all employees.

Any action designed to accomplish this purpose may be considered a disciplinary action. Disciplinary actions may be positive, neutral, or corrective in nature. Approved forms of disciplinary action within these classifications are outlined below:

Corrective

Oral Warning
Written Warning
Decision Making Leave
Disciplinary Salary Reduction
Disciplinary Demotion
Disciplinary Probation Status
Dismissal

7.02 Definitions and Procedures

Neutral disciplinary actions are used to address performance deficiencies which have not reached a critical stage and/or which indicate that the employee does not know the approved method/level of job performance. Approved neutral disciplinary actions are as follows:

A. Remedial Training. Remedial training is used to reinforce and/or supplement the basic training, which an employee received in the job. The use of remedial training is appropriate when the employee's job performance indicates that he/she is unaware of standard operating procedures for proper performance. As with any other training provided to employees, remedial training should be documented in the employee's personnel file.

B. Counseling Session. Substandard performance which has not reached a critical level and which does not justify the application of corrective disciplinary action should be addressed by a counseling session between the employee and his/her immediate supervisor. It is each supervisor's responsibility to be aware of his/her subordinate's performance deficiencies and to initiate appropriate counseling before these deficiencies become major problems. The counseling session should include a statement of the problem and instructions regarding the specific steps the employee must take to correct the performance problem, Documentation that the counseling session took place should be maintained in the personnel file.

The City of Moultrie has implemented a process of positive discipline as a means of corrective counseling for employees. Positive discipline is a system that emphasizes an employee's responsibility for their own behavior. It focuses on communicating an expectation of change and improvement in a personal, adult, non-threatening way, while at the same time maintaining concern for the seriousness of the situation (Positive Discipline Counseling Forms are available in Human Resources).

Use of the Positive Discipline program has no effect on the City of Moultrie as an at will employer. Nothing in the Positive Discipline guidelines should be interpreted as prohibiting the City (or Department Directors and/or designees) from departing from the "positive discipline" concept when deemed appropriate.

Each step of this process is a reminder of expected performance. It focuses on decision-making and individual responsibility, not punishment.

The formal steps of Positive Discipline are:

A. Step One – Oral Reminder

1. <u>Application</u>

The Supervisor discusses the conduct, attendance or work performance problem with the employee in a private meeting. The Supervisor reminds the employee of the importance of commitment to follow work rules and City of Moultrie standards. In this problem-solving discussion, supervision informs the employee that this is the first step of the discipline process and restates the need to live up to his or her commitment. The meeting closes with the Supervisor expressing confidence in the employee's ability to change.

2. <u>Approvals</u>

The immediate supervisor has the responsibility and authority to conduct the oral reminder discussion. This level of supervision will review the matter with the next higher supervisory level that may assist in the oral reminder discussion.

3. <u>Documentation</u>

After the oral reminder discussion with the employee, a summary of the conversation is written by the supervisor and retained by the Department Director with a copy available to the employee.

B. Step Two – Written Reminder

A written reminder documents a formal conversation between the Supervisor and an employee about a serious performance problem. The conversation is followed by the Supervisor's written memo to the employee summarizing the conversation.

1. <u>Application</u>

This step is applied when:
An employee's commitment to improve is not met within a reasonable time period established by the Department Director or designee.
An employee commits a serious offense whether or not any previous disciplinary action has been taken.

2. Approvals

Prior to a written reminder discussion with an employee, the Supervisor shall obtain approval from the next higher management level who may consult with the Human Resources Director. In addition, the Supervisor may also wish to consult with others to ensure the disciplinary decision is both fair and consistent.

3. Documentation

After the conversation with the employee, the Supervisor writes a memo summarizing the discussion. The original goes to the employee with a copy retained by the Department Director. Another copy with all other relevant documentation is routed to Human Resources. Written reminder is active for a nine month time period established by the Department Director or designee.

C. Step Three – Decision Making Leave (DML)

The DML is the third and final step of the Positive Discipline System. It consists of a discussion between the supervisor and their employee about a very serious performance problem. The discussion is followed by the employee being placed on DML the following day with pay to decide whether they are willing to make the required commitment, thus allowing them to continue working. This means meeting all rules and standards of the City of Moultrie. The employee reports their decision to the Supervisor the day after the DML. The DML is an extremely serious step, since in all probability, the employee will be discharged if he/she does not live up to their commitment to meet all rules and standards during the next 12 months (the active period of the DML).

Because the DML is a total performance decision by the employee, there is only one active DML allowed.

1. Application

This step is applied when:

An employee's commitment to improve is not met during the nine (9) month active period for a written reminder,

OR

An employee commits a very serious offense whether or not previous discipline has taken place.

2. Approvals

Prior to placing an employee on DML, supervision will review the situation with their respective Department Director (or designee) in order to gain approval. The Department Director (or designee) will consult with Human Resources prior to implementing a DML.

3. Documentation

After the employee returns and gives his/her decision, the entire step will be summarized in a letter to the employee. A copy of this letter is retained by the Department Director, and another copy is routed to Human Resources. Human Resources will inform the City Manager about the employee's decision. A DML is active for twelve (12) months.

D. Termination

Termination normally occurs when the disciplinary process has failed to bring about a positive change in the employee's behavior such as another disciplinary problem occurring within the one year active time period of a DML. Termination may also occur in those few instances where single offense is so severe that the application of the Positive Discipline System is unwarranted or inappropriate. Prior to termination, the Department Director should notify Human Resources.

E. Administrative Guidelines

1. Rule infractions are generally divided into three categories. They are: 1) Work Performance; 2) Conduct; 3) Attendance. The maximum number of oral reminders that may be active at one time is three (3), and these must be in different categories. Should another performance problem occur in a category where there is already an active oral reminder, the discipline step must escalate to a higher level of seriousness which is usually a written reminder. The maximum number of written reminders that may be active at one time is two (2), and these must be in different categories. Should another problem occur in a category where there is already an active written reminder, the discipline step could escalate to a DML. There is only on active DML allowed.

It will continue to be the policy of the City that an employee's file is always open for review by that employee.

F. Administrative Leave or Non-disciplinary Suspension

1. Application and Approval

An Administrative Leave or Non-disciplinary suspension leave should be used when an employee's inappropriate behavior is so serious, immediate removal from the workplace is necessary. The employee shall be required to leave City property pending investigation. Supervision then reviews the situation with his/her Supervisor and higher levels of management, the City Manager, and Human Resources, to decide what action should be taken. This

investigation should be initiated and completed as quickly as is practical and feasible.

G. Disciplinary Salary Reduction

An employee's salary may be reduced for disciplinary purposes. The salary reduction does not constitute a demotion in pay grade, but a reduction in salary.

H. Disciplinary Demotion

An employee may be demoted for disciplinary reasons, if a lower position is open and if the employee is qualified to perform the work at the lower position. A disciplinary demotion will include a decrease in salary.

I. Disciplinary Probation Status

An employee may be returned to probation status for a period not to exceed three (3) months. In extreme cases, probation status can be up to twelve (12) months. Before placing an employee in the disciplinary probation status, the Department Director should provide very specific instructions concerning required improvements in job performance. Disciplinary probation may be used in conjunction with other corrective disciplinary actions outlined above. An employee can appeal termination from this status.

7.03 Examples of Causes of Disciplinary Action

The following list of possible reasons for disciplinary actions is intended to communicate to the employee several general reasons that are universally accepted as causes for discipline in public sector employment. These reasons are neither mutually exclusive nor collectively exhaustive. The City Manager or his/her designee may discipline an employee for any combination of reasons or for reasons not listed as follows:

a) Chronic tardiness or absenteeism

b) Negligence in performing assigned duties

c) Inefficiency in performing assigned duties

d) Inability or unfitness to perform assigned duties

e) Refusal to carry out orders or follow instructions

f) Commission of a felony or a crime involving moral turpitude

g) Conduct which reflects discredit on the employee or the City or which impairs the operation and/or efficiency of the employee or the City

h) Failure to report to work without justifiable cause

i) Political activity that is prohibited by these policies

j) Federal, state, or local laws

k) Abuse of sick leave

l) Abuse or theft of City property

m) Use of City equipment for personal use without prior official permission.

n) Loss of job requirement, such as the loss of a necessary license, which prevents the adequate performance of assigned duties

o) The willful making of false statements to supervisors, officials, the public, boards, commissions, or agencies

p) The violation of City ordinances, administrative regulations, departmental rules, or these rules and regulations

q) The consumption, sale, or possession of alcoholic beverages and/or illegal substances while at work or being intoxicated on the job

r) The discovery of a false statement in an employment application

s) Acceptance of gratuities or gifts in conflict with these policies

t) The refusal, when so directed, to be examined by a licensed physician designated by the city.

7.04 Procedures for Administering Corrective Actions

A. Cases Involving Oral and Written Warnings. The City of Moultrie uses the warning system as outlined in Section 7.02 as a part of its due process procedure to the extent possible. Employees are given oral warning as a first step and repeated offenses for the same violation or more than one first offense involving different violations are presented as written warnings – PROVIDED – the offense(s) are not serious enough to warrant more severe disciplinary action.

While oral and written warnings are given when appropriate, when in the opinion of the Department Director the offense is extremely serious or the nature of the offense requires more severe disciplinary action, the Department Director may elect to take disciplinary action up to and including dismissal without having provided any previous warning to the employee.

When the offense(s) are such that either oral or written warnings are appropriate and are given, the Department Director will attempt to counsel the employee and stress the consequences of failing to correct the problem. The Department Director will forward originals of all written warnings to the Director of Human Resources.

B. Cases Involving Disciplinary Actions, which will adversely affect an employee. When in the opinion of the Department Director more severe corrective action is warranted including suspension without pay, salary reduction, demotion, disciplinary probation, and dismissal, the following procedures will be implemented:

- **Department Directors propose discipline directly to employee.**
- **Director of Human Resources will review all documentation, before it is distributed to employees.**
- **The employee will be notified by their Department Director concerning adverse disciplinary action and the type corrective disciplinary action being proposed, the reasons therefore, and the effective date(s) of the action.**
- **The notice will include a statement that indicates to the employee that he may request a hearing before the City Manager, if the employee files a written request within three working days of receiving his/her notice of corrective action. Original appointment working test employees cannot request a hearing.**
- **The City Manager will then schedule a hearing within ten (10) working days of receiving the request and so notify the employee. In no event will the adverse action be implemented before the employee receives a hearing.**
- **If a hearing is requested the employee may have witnesses and will have the right to legal counsel. If an employee has witnesses they may be cross-examined or otherwise questioned.**
- **The City Manager may elect to dismiss, uphold, or modify the proposed adverse action and will notify the employee in writing, within seven (7) working days of the hearing.**

C. Clarification of Procedures involving Personal Staff. Department Directors, Management Specialist, and Executive Assistant to City Manager are considered personal staff of the City Manager. Corrective actions involving these employees will be administered by the City Manager. The appeal procedures outlined in 7.04 (A) and 7.04 (B) are not applicable.

D. Name Clearing Hearing. In cases of termination, employees will be offered a name clearing hearing before the City Manager and/or his/her designee, which will be scheduled within ten (10) working days of receiving the request.

The employee must submit within three (3) working days of the date his/her termination has been finalized, a written request for the hearing to the Director of Human Resources Office.

At this hearing, the terminated employee will be provided the opportunity to address issues pertinent to the restoring of his/her reputation.

7.05 Suspension Pending a Felony Criminal Court Hearing

Not to be confused with a disciplinary suspension, an employee may be charged with a crime pending a court appearance.

In these cases, Section 7.04 not withstanding, the City Manager will determine, on a case by case basis whether the employee will be dismissed, suspended with or without pay, or will be allowed to continue to work.

The nature of the alleged crime, the length of time before the matter is resolved, whether the accused is free on bail, and other factors will be determining factors.

If the employee is suspended without pay and is exonerated, the City may elect to reinstate the employee with or without full back pay or may elect to dismiss him/her depending on the circumstances.

Employees are required to notify his/her Department Director when a pending felony situation exists. Failure to do so will result in disciplinary action up to and including dismissal.

7.06 Uniforms and Equipment

Uniforms for Police and Fire Department employees and such other employees as the City Manager may authorize may be furnished by the City. Such other equipment as the City Manager may deem essential to job performance may also be furnished. Upon termination of employment, an employee is expected to return all such equipment and uniforms to his supervisor.

7.07 Outside Employment

All city employees must receive permission from the City Manager, or his/her designee as applicable, before accepting outside employment.

CONFLICT OF INTEREST POLICY

Purpose

The City recognizes the problem of Conflicts of Interest in the work place and believes the City has a legitimate right to know of possible conflicts between an employee's own interest and those of the City. Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the City wishes the organization to operate. The purpose of these guidelines is to provide general direction so that employees can be informed and seek further clarification on issues related to the subject acceptable standards of operation.

Definition

Personal activities or involvement, from which personal benefit or obligation may potentially result, create or appear to create a conflict with your responsibility and loyalty to the City.

Policy

The protection of the City's interest requires that each employee be free of any material investment, association, or other relationship that could conflict with their responsibility to act objectively in matters that affect the City.

(A) Employees shall not transact any business in their official capacity with any entity, contractor, or vendor which he/she is an officer, director, agent, member, or which he/she owns a controlling interest, excluding civic, charitable, or religious organizations.

(B) Employees shall not have personal investment or financial interest in any enterprise, which will create a conflict or perceived conflict between their private interest and the public interest.

(C) Employees shall not, directly or indirectly, engage in any outside employment, volunteer or provide in-kind services which may conflict with the best interest of the administration, services, programs, and/or public interest of the City or its citizens. Outside employment is prohibited in cases such as, but are not limited to:

1. **Is conducted during the employee's work hours;**
2. **Prevents the employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job;**
3. **Utilizes City telephones, computers, supplies, or other resources, facilities or equipment;**
4. **Is an employee of a firm which has contracts with or does business with the City; OR**
5. **May reasonably provide false representation of public service and/or authority to members of the public.**

Reporting Procedures
This policy requires that each employee disclose any potential conflict of interest to his/her Department Director, and in the case of Department Directors, to the City Manager.

Before accepting any gifts, gratuities or other thing of value from any co-worker, organization or individual seeking official relationships with the City, you should first contact your immediate Supervisor.

If an employee of the City is an Officer, Director, Agent or Member of, or owns interest in any entity which is subject to the regulations of, or which has financial commitments with the City, they shall file a sworn statement to this effect with the City Clerk.

It is also the continuing obligation as an employee to observe the requirements of this policy at all times. Contact the Human Resource Director for more information or questions about Conflicts of Interest.

7.08 Financial Responsibility

An employee's indebtedness is a personal concern of each employee, but multiple garnishments of an employee's salary creates administrative difficulties that may lead to disciplinary action. Filing for a voluntary bankruptcy petition shall not, by itself, be cause for disciplinary action nor shall it be a defense to pending charges of financial irresponsibility. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not be cause for disciplinary action, provided that a good faith effort to settle all accounts is being undertaken.

7.09 Abuse and Misuse of Equipment and Supplies

Employees are entrusted with the use of public equipment and supplies. The abuse or misuse of City equipment and supplies can lead to appropriate disciplinary action. Although there are other misuses or abuses, the use of City vehicles for personal use is considered to be significant misuse or abuse.

COMPUTER USE POLICIES

7.09a The following are guidelines for using the City's computers. They have been developed to define the permissible use of the City's computers, computer network and Internet services.

1. **Permission: Employees must be authorized to use computer facilities by an appropriate staff member. You must get prior permission to use another user's computer, computer account or user-ID from the employee who is responsible for the account.**

2. **Ownership of Computer & Electronic Files: All computer and electronic files belong to the City of Moultrie. However, to protect business interests, employees should assume that files created for conducting the City business are private and confidential based on our business activities. Employees should not try to access files that they did not create, unless specific authorization is obtained.**

3. **User Responsibilities: Users have the responsibility for maintaining the security of their data with the understanding that any data created by a City employee while working under the auspices of the City is essentially owned exclusively by the City.**

   An employee is responsible for making sure that computer data is adequately protected against unauthorized access. Employees must avail themselves of the access controls and other security measures that the City has provided for you and take prudent and reasonable steps to limit access to your accounts. Efforts should be made to maintain confidentiality of passwords and accounts where appropriate.
   Passwords should be changed frequently. Using names of spouse, friend, child, etc., or a password that can be easily guessed should be avoided. The most secure passwords are those composed of both text and numbers.

4. **Unauthorized Access to Files and Directories: Employees must not engage in any activity that is intended to circumvent computer security controls. Employees must not attempt to crack passwords, uncover unprotected files, or to decode encrypted files. This also includes creating, modifying, or executing programs that are designed to surreptitiously penetrate computer systems. Employees must not access the accounts of others with the intent to read, browse, modify, copy, or delete files and directories without specific authorization.**

5. **Unauthorized Use of Software: Employees are prohibited from loading any software on any computer system without approval from their immediate supervisor <u>and</u> system administrator. That includes commercial, shareware, and freeware files. Further, you are expressly prohibited from using company computers to make illegal copies of licensed or copyrighted software. Copyrighted software must only be used in accordance with its license or purchase agreement. Employees do not have the right to own or use unauthorized copies of software, or make unauthorized copies for themselves or anyone else.**

   Employees are prohibited from using software that is designed to destroy data, provide unauthorized access to computer systems, or disrupt computing processes in any other way. Using viruses, worms, Trojan horses, and other invasive software is expressly forbidden.

The City has installed antivirus software on all of its computer systems, and employees are required to use it. Employees are prohibited from tampering with this software or turning it off. All disks that are inserted into the company's computers must first be scanned for viruses or signs of other forms of malicious software.

6. **Use for For-Profit Activities: The City's computer systems are for the sole use of the City of Moultrie. Employees are prohibited from using the City's computer systems for personal or private financial gain.**

7. **Electronic Mail (e-mail): The electronic mail system is to be used only for City-related business during working hours. Any employee may use his or her computer to send and receive e-mail for personal use after working hours if it does not interfere with another employee's work and is acceptable to the employee's department Director. Employees are prohibited from transmitting fraudulent, harassing, or obscene messages, jokes, cartoons, and files. Employees must not send any electronic mail or other form of electronic communication by forging another person's identity or by attempting to conceal the origin of a message.**

8. **Harrassment: The City's computer systems must not be used to harass anyone. This includes the use of insulting, sexist, racist, obscene, or suggestive electronic mail.**

9. **Attacking the System: Employees must not deliberately attempt to degrade the performance of the City's computer system or subvert it in any other way. Deliberately crashing the system is expressly forbidden.**

10. **Theft: All hardware, software, and computer-related supplies and documentation are the sole property of the City. They must not be removed from the City without proper authorization. All hardware, software, and computer-related supplies and documentation must be disposed of within guidelines established by the Computer Services Department.**

11. **Waste and Abuse: Employees must avoid any activity around their workstation that may result in damage to the computer, software, or information. Avoid monopolizing systems and connect time, disk space, and other computer resources. Using the City's computer system to store personal data and to play computer games is not permitted.**

12. **Networks: Do not use City-owned or any other network assessable by City computers—whether local, national, or international—for any activity other than company related business. This includes, but is not limited to, surfing the internet; engaging in on-line discussions in newsgroups and bulletin board**

services; attempting to access other computer systems without authorization; posting commercial messages, and transmitting viruses, worms, or other invasive software. Limited internet usage may be permitted after working hours if approved by the employee's Department Director.

13. **Enforcement: The City will investigate any alleged abuses of its computer resources. The City reserves the right to monitor the computer system for signs of illegal or unauthorized activity.**

7.10 Employee Intranet and Social Media

Purpose: The purpose of this policy is to establish guidelines for employees who post information to and access personal web pages or social networking technologies. Despite the fact that social media is still an emerging technology, the City of Moultrie, through this policy, seeks to establish some basic guidelines for City employees who use social media technologies, both at the worksite and away from it. The intent of this policy is not to prohibit employees' personal expression on the Internet. However, an employee's online presence reflects upon the City, and employees should be aware that actions captured via images, posts, or comments may discredit the city or adversely affect the efficiency or integrity of the City.

Statement of Policy

I. Policy

It is the policy of the City of Moultrie that employees may use social media technologies. However, it is the responsibility of employees to ensure that such use does not cause a decline in public confidence in and/or respect for the City or the individual employee. Employees must exercise appropriate discretion, so as not to discredit the City or themselves as employees.

II. Scope

This policy shall apply to all City of Moultrie personnel. This policy applies to an employee's use of social media technologies, both at the worksite during business hours and away from the worksite during non-business hours. Personnel who violate this policy may be subject to disciplinary action, up to and including termination of employment.

III. Definition & Applicability

This policy shall apply to the technologies and practices that employees use to share opinions, insights, experiences, and perspectives, known familiarly as "social media". In many cases, social media is associated with an Internet-based website where members of that site can electronically gather to share personal profiles with other members. Social media can take many different forms, including text, images, audio, and video. Social media sites typically use technologies that include, but are not limited to, blogs, message

boards, podcasts, posts, wikis, and vlogs. Examples of current social media applications include, but are not limited to, MySpace®, Facebook®, Twitter®, and Blogger®. The term "friend" or "follower" in the world of social media has a different connotation than the traditional definition might imply. When an employee is a "friend" or "follower" of someone, the City interprets this as a communication connection, similar to storing a phone number in an e-mail or phone address book. Social media is still an emerging technology, and the way in which people use the technology will continue to change. As new tools are introduced, this policy and its interpretation will evolve accordingly.

IV. Privacy

City of Moultrie employees should be aware that information posted on the Internet is not secure or private, even if active steps are taken to restrict access to an employee's site. Once information has been posted on the Internet, it is generally trackable, traceable, and accessible indefinitely. In addition, police employees, in particular, are advised that, in the event information has been posted on the Internet identifying them as a police officer, they may be ineligible for specialized positions in which anonymity is required.

V. Liability

All employees should be aware that due to the nature of their employment in the public sector, they are held to a higher standard. As a result, certain kinds of Internet postings may be detrimental in both the employee's personal and professional capacity. Whether social media technologies are used during or after business hours or posts made on personal or publicly accessible websites, employees should assume they are at all times representing the City of Moultrie, and employee postings, images, etc. are a reflection of both the city and its staff. In the event employees choose to post information that is in violation of this policy, they should be aware that they will be held accountable through the City's standards of conduct and action may be taken as outlined in the City's disciplinary policies. Employees should consider the possible adverse consequences of some Internet postings with respect to future employment, cross-examination in court cases, and potential public/private embarrassment. Employees are encouraged to seek the guidance of supervisors regarding any postings that may adversely reflect upon either the City or upon the professionalism or integrity of the employee.

VI. Restrictions

A. <u>General Use</u>. Employees may post personal information that is not inconsistent with this or any other City policy. Such posts may include general information about City activities, including information about the workplace, an employee's projects, etc. For certain positions, the City recognizes social media as a significant and effective communication tool.

B. Co-Worker Interactions. Employees may be "friends" of other employees, at each employee's discretion. No employee is obligated, however, to interact with co-workers through social media technologies.

C. Photographs. If otherwise compliant with copyright and other legal restrictions, employees may post photographs or other depictions of the City of Moultrie, including City facilities, events, etc. However, the City reserves the right to require pre-approval of such posts and to require the employee to remove the photograph or other depiction.

D. Logos & Trademarks. Employees may not post the City's adopted logos and trademarks without written approval of the City Manager.

E. Respect. Demonstrate respect for the dignity of the City, its citizens, its customers, its vendors, and its employees. Internet postings or messages left on social media sites are available for public viewing, and employees are to avoid embarrassing, harassing, or bullying other users of such sites, as well as City employees, customers, vendors, or citizens. Employees are to refrain from using ethnic slurs, personal insults, or obscenity, or using language that may be considered hateful or bullying. Even if a message is posted anonymously, it may be possible to trace it back to the sender.

F. Post disclaimers. If an employee identifies himself or herself as a City employee or discusses matters related to the city on a website, web log, or social media site, the employee's web log or social media site must include a disclaimer on the front page stating that it does not express the views of the City and that the employee is expressing only his or her personal views. For example: "The views expressed on this website/web log are mine alone and do not necessarily reflect the views of my employer". Place the disclaimer in a prominent position and repeat it for each posting expressing an opinion related to the City or the City's business. Employees must keep in mind that if they post information on a web log or social media site that is in violation of City policy and/or federal, state, or local law, the disclaimer will not shield them from disciplinary action.

G. Worksite Usage. The City recognizes that social media technologies are an emerging form of communication. The City permits very limited personal usage of social media technologies during the workday, similar to receiving a personal phone call of a limited duration. Employees should use discretion and understand that even very brief periods of usage can collectively amount to significant periods of time. Supervisors have the right and ability to further restrict usage, as appropriate. Nothing in this policy limits or restricts the City's rights and/or ability to monitor or modify use of City equipment.

H. Files from City Devices. Employees may not upload any audio/video files or other data files captured on devises owned by the City of Moultrie, without prior approval by his/her department manager through the City's IT Network Administrator.

I. Political Communications and Participation. Employees are not permitted to use social media technologies to influence or affect the results of any election or nomination while acting in their official City capacity, on City time, or using any City equipment.

J. Privileged & Confidential Information. Employees are not permitted to post any privileged or confidential information.

K. Judgment. Employees should use good judgment in their postings and social media activity. If the content of a post is not something that an employee would feel comfortable with their supervisor reading or viewing, it is probably inappropriate and may conflict with this policy.

7.11 Mobile Electronic Devices

In an effort to reduce and prevent accidents or injuries to employees, the following policy is effective immediately:

Cell phone records may be reviewed after any accident or injury* to determine if a city or personal cell phone was in use during the time of the incident. If it is determined that cell phone use caused or contributed to the incident, an employee will receive, at a MINIMUM, one week off without pay. Serious incidents or repeated violations could receive additional disciplinary action up to and including termination.

This policy relates to any mobile devise use including: Phones, texting, gaming, social media networks and other related use.

***Note: Not limited to motorized vehicles only.**

VIII – GRIEVANCES

8.01 Purpose

The purpose of the employee grievance procedure is to provide an orderly process for hearing the grievable claims of all employees. The object of the process is to reach a fair and equitable decision in a timely manner. The employee and Department Director will make an effort to resolve any grievance informally before initiating a formal procedure.

8.02 Definition

A grievance is a claim initiated by an employee alleging that the City has:

A. Unlawfully discriminated against him/her in any manner other than adverse action

B. Unlawfully deprived him/her of his/her liberty interest under the Constitution in a manner other than through an adverse action.

C. Applied unlawful or unjust coercion or reprisal to the employee.
D. Applied City or departmental policies to the employee in an arbitrary and capricious manner.

E. Subjected the employee to unsafe or unhealthy working conditions.

F. Applied other unlawful or unjust practices that adversely affect the employee.

8.03 Steps

Normally a grievance procedure will provide for a minimum of two steps. When practical and deemed appropriate by the City, an attempt will be made to provide at least two steps to grievants.

The following represents the order of and the maximum grievance levels for employees. The City Manager may allow or provide that certain levels be omitted and the grievance procedure advanced to the top levels:

1) Department Directors **2) City Manager/Designee**

8.04 Grievance Filing Process

A. An employee may file a written grievance on the form shown in Appendix (B) within five (5) days after the occurrence of the event being grieved, or within (5) days after becoming aware of the event. The grievance statement must be

submitted to the Department Director in writing on forms provided by the City. It should state the specific claim and specific relief desired.

B. If the claim is determined to be grievable, a hearing should be held within ten (10) working days (an investigation may cause need to prolong process after the grievance is filed). The hearing officer should notify the grievant of his or her decision in writing within seven (7) working days after hearing and inform the employee a second grievance level is available and permitted and provide the name of the second level grievance officer.

C. If a second grievance level is available, the employee must respond within five (5) days of the decision of the first hearing officer and request a grievance consultation with this officer.

D. If a second hearing is held, the hearing officer should schedule and notify the employee of the date of the second hearing and render this decision within seven (7) days of the date of the hearing. The decision of the City Manager/Designee shall be final.

E. Grievance involving Sexual Harassment must be submitted directly to City Manager. If involving City Manager, then file with Human Resources Director.

8.05 Non-Grievance Areas

The following areas are not grievable:

A. Issues which are pending in or have been concluded by other administrative or judicial procedures.

B. Work assignments, which do not result in a demotion or salary reduction.

C. Budget allocations and expenditures, and organizational structure, including the person or number of persons assigned to particular jobs or units.

D. The content or rating of a performance appraisal except when the employee can show that he or she has been adversely affected because of unlawful discrimination.

E. The selection of an individual by the City Manager to fill a position through appointment, promotion or transfer except when the employee can show that he or she has been adversely affected because of unlawful discrimination.

F. Disciplinary actions.

G. Any matter which is not within the jurisdiction or control of the City Manager.

H. Internal security practices established by the City Manager.

I. Decisions, policies, practices, resolutions, or ordinances made or passed by the governing authority or the City Manager, which are not job or work related and which do not contradict these policies.

IX – HOLIDAYS

9.01 Holidays Allowed

The following are the official holidays that will be observed by eligible employees:

- **New Year's Day**
- **Memorial Day**
- **Labor Day**
- **Day after Thanksgiving Day**
- **Martin Luther King Jr. Day**
- **Independence Day**
- **Thanksgiving Day**
- **Christmas Day***

***The following is a schedule that will allow for two Holidays at Christmas:**

		First Holiday	Second Holiday
Christmas falls on	Sunday	Monday	Tuesday
	Monday	Monday	Tuesday
	Tuesday	Monday	Tuesday
	Wednesday	Tuesday	Wednesday
	Thursday	Thursday	Friday
	Friday	Thursday	Friday
	Saturday	Thursday	Friday

9.02 Observance of Holidays

Employees may be required to work during the above holidays. Those employees who are required to work may receive an equivalent amount of time off at another time as determined by the employee and the Department Director or either receives additional pay.

If a holiday, other than Christmas, falls on a Saturday, it will generally be observed on the preceding Friday. If a holiday falls on Sunday, it will generally be observed on the following Monday. To qualify for holiday pay, employees must work their last scheduled workday before the holiday and their first scheduled workday after the holiday, or have been out on other authorized leave.

An employee scheduled for leave during a period in which a holiday occurs will be paid for observance of the holiday, and no leave will be deducted for that day. Official holiday observance will not count toward the 40-hour overtime threshold of an employee.

X – WORK HOURS, OVERTIME AND COMPENSATORY TIME

10.01 Work hours

The normal workday and workweek for all departments shall be approved by the City Manager in accordance with the Fair Labor Standards Act (FLSA), and the policy established by City Council.

10.02 Overtime

A. Overtime pay or Compensatory leave for overtime work shall be in accordance with the Fair Labor Standards Act.

B. Overtime pay or Compensatory leave shall be approved in advance by the Department Director. Approval shall be within the constraints of the budget.

C. Department Directors are responsible for assuring that overtime is distributed as equitably as possible among those employees qualified to perform the work.

D. Overtime pay or Compensatory leave will be given for any time over an employee's standard work week.

E. Overtime or Compensatory leave will be authorized per the On Call / Call In Policy

1) **When an on call employee is called in, the first 5.5 hours of actual overtime worked will be credited against the 5.5 hours of overtime which is guaranteed for being on call.**
2) **Upon reasonable notice, any time an employee that is not scheduled to work and is required to work, that employee may be paid at overtime rate, regardless of number of hours worked during that pay period, at the discretion of the Department Director.**
3) **An off duty employee, called back to work, will be guaranteed two (2) hours overtime pay for that day, regardless of whether employee actually worked (2) hours.**

F. Employees that are required to work past their normal work shift due to unusual emergency conditions will be granted Overtime pay or Compensatory leave for time in excess of their standard work day.

G. Annual leave and compensatory hours used will not be counted toward the hours needed to reach employees overtime threshold (with the exception of On Call / Call In employees).

H. Sick leave hours used will not be counted toward the employee's overtime threshold (with the exception of On Call / Call In employees).

10.03 Compensatory Time

Compensatory time may be given in lieu of overtime pay at the rate of 1.5 hours of each hour of overtime. The City Manager will determine the positions that will receive compensatory time and the method of administering compensatory time.

A. The employee and supervisor must agree on the method overtime compensation is to be taken prior to submission of payroll.

B. Employees may take compensatory time at the discretion of their Supervisor. A request to use accrued compensatory time must be permitted within a reasonable period after such request has been submitted, unless it will "unduly disrupt" the operation of the department.

C. Compensatory time may be accumulated to a maximum as outlined below:
1) **Employees working a standard 40 hour work week maximum accumulation will be 40 hours.**
2) **Firefighters maximum accumulation will be 96 hours.**
3) **Police Officers maximum accumulation will be 60 hours.**
4) **Recreation Employees maximum accumulation will be 80 hours.**

D. The City has the right to require that employees take compensatory time off, and City may pay out the compensatory time at its option.

E. Compensatory time earned during a Calendar year should be used within that Calendar year whenever possible.

F. Employees will be paid for their compensatory time when they terminate employment.

10.04 Time Sheets

Departments are required to keep accurate time sheets on forms approved by the City Manager in accordance with Fair Labor Standards Act (FLSA) requirements.

XI - ON CALL / CALL IN POLICY

DEFINITIONS

11.01 On Call. Any period after regular working hours, on weekends or holidays during which an employee is assigned the responsibility of remaining in Colquitt County and being available to report to work as needed.

11.02 Restricted Standby. When an employee is required to remain at his residence or a city facility for a specific period so that they are available and accessible to work in the case of an emergency or pending emergency, such as a natural disaster.

POLICY

11.03 There may be times in which city employees are required, as a prerequisite for fulfilling their job responsibilities, to be on call, restricted standby or be called in to work at a time other than their normal schedule.

- **An employee who is on call must be accessible by phone, pager, or radio and must remain in Colquitt County. The employee's Department Director will determine which mode of communication is acceptable.**
- **An employee who is on call is expected to report to their place of work, or any other place they are dispatched to, within (30) thirty minutes of being contacted.**
- **An employee who fails to report for duty, while on call, will be disciplined accordingly.**
- **If an employee is unable to report to work, while on call, because of a personal or medical emergency he should immediately contact his supervisor. Failure to do so may result in disciplinary action.**
- **An employee who is on call for a work week will be guaranteed 5.5 hours of overtime pay, regardless of whether they are called in during that week.**
- **If an employee desires to have another employee substitute for him, anytime he/she is on call, he/she must first receive permission from his/her supervisor.**
- **Compensation for any hours worked while fulfilling on call responsibilities will be made directly to the employee who is assigned on call duties on the basis of that employees hourly wage (except in the case where an employee substitutes for another employee for an entire week). It is the responsibility of the employee, who was originally assigned overtime duties, to compensate another employee: whom he/she gets to substitute for him/her during the time he/she is on call.**

November 21, 2017

Proposed amendment to the City of Moultrie Personnel Policy

D. Method of taking Annual/Sick leave

Add to existing personnel policy: The base pay for the firemen working three different shifts has overtime figured into the annual salary, If a fireman takes vacation or sick time off during a shift where he/she would be paid for overtime if he/she had worked those vacation or sick hours taken, those hours will be counted as hours worked so as not to penalize the employee in his base pay for that shift. It is understood that this applies to vacation and sick leave only and cannot be combined with any other leave or comp time hours in any shift and those hours be counted toward the overtime rate.

Example:

A fireman making $9.00 an hour is scheduled for 120 hours for his shift. He takes 48 vacation hours off when he is scheduled to work and only works 72 hours. Right now he would be paid for all 120 hours at the $9.00 rate or $1,080.

With the new policy amendment he would be paid for 106 hours at the $9.00 rate and 14 hours at the $13.50 overtime rate or $1,143.

In order to place an employee(s) on "Restricted Standby" prior approval must be received from the City Manager or his/her designee.

An employee who is placed on Restricted Standby will be compensated at his/her normal hourly wage for the hours of restricted standby performed.

This policy does not apply to employees exempted under the Fair Labor Standards Act (FLSA).

XII – LEAVE

12.01 Types of Leave

The City recognizes six (6) types of leave that are available to employees. They are: annual leave, sick leave, military leave, court leave, leave-of-absence, and family medical leave (FMLA).

12.02 Annual Leave

Annual leave is leave that is earned to be used for vacations, personal business activities, and other personal activities. Employees will receive vacation hours on his/her anniversary date each year.

A. Eligibility. All full-time employees are eligible. Part-time and seasonal workers are not eligible.

B. Method of Earning Annual Leave

Employees will earn annual leave based on the conditions stated below:

1) New regular employees, once their Working Test is completed, will receive 40 hours of vacation to be used by his/her anniversary date. Police will receive 42 hours and Fire 60.

2) Employees with less than 10 years continuous service.

   (a) Employees working a standard 40-hour week will receive 80 hours of vacation on his/her anniversary date each year.
   (b) Firefighters will receive 120 hours and Police officers will receive 84 on his/her anniversary date.

3) Employees with 10 years or over continuous service.

   (a) Employees working a standard 40-hour week will receive 120 hours on his/her anniversary date.
   (b) Firefighters will receive 180 hours and Police officers 126 on his/her anniversary date.

4) Employees with 20 years or over of continuous service.

(a) Employees working a standard 40-hour work week will receive 160 hours on his/her anniversary date.
(b) Firefighters will receive 240 hours and Police officers 168 hours on his/her anniversary date.

C. Method of Taking Annual Leave

Annual leave may be taken in accordance with the preference of the employee when possible. However, leave must be taken at the convenience of the department, and the Department Director's decision will be final. Seniority will be a major factor in scheduling annual leave.

D. Payment in Lieu of Annual Leave

Employees entitled to 120 hours of annual leave (by virtue of having 10 or more years of service) may receive 40 hours of annual leave payment in lieu of 40 hours of annual leave.

E. Payment of Earned Annual Leave upon Resignation in Good Standing or Retirement.

Employees will be paid for all unused earned annual leave upon Resignation in Good Standing with physically working a two (2) week notice or Retirement.

F. An employee must use his/her annual leave by their following year's anniversary date or the leave will be forfeited.

12.03 Sick Leave

Sick leave is leave accumulated to be taken for bona fide illness and injury and other medical related necessities such as physician appointments, medical examinations, and dental appointments in the immediate family. Immediate family is defined as wife, husband, mother, father, brother, sister, son, daughter or dependent child. Sick leave is available for the care of members of the immediate family.

A. Eligibility. Only full-time employees are eligible to accrue sick leave.

B. Method of Earning Sick Leave. (An Employee will receive sick leave on his/her anniversary date each year).

Employees will earn sick leave based on the conditions stated below.

1) New, regular employees, once their Working Test is completed, will receive 48 hours of sick leave.

City of Moultrie
Personnel Policy Amendment
XII Leave
Effective October 28, 2016

12.02 Annual Leave (Section B, Method of Earning Annual Leave)

4) Employees with 20 years or over of continuous service.

(a) Employees working a standard 40 hour week will earn 6.153 hours per bi-weekly pay period or 160 hours per year.

(b) Employees working a standard work week in excess of 40 hours will earn annual leave on a prorated basis. For example, an employee working a standard 60 hour week will earn 240 hours per year or 9.23 hours per bi-weekly pay period.

(c) Firefighters accrue 9.23 hours per bi-weekly pay period or 240 hours per year. Police Officers accrue 6.462 hours per bi-weekly pay period or 168 hours per year.

2) Employees working a standard 40-hour work week will receive 96 hours of sick leave on his/her anniversary date.

3) Firefighters will receive 144 hours and Police officers 100 on his/her anniversary date.

C. Accumulating Sick Leave

Sick leave may be accumulated to a maximum of 480 hours, 720 hours for Firefighters, and 504 hours for Police Officers. An employee may receive compensation for sick leave accumulated above 480 hours, 720 hours for Firefighters, and 504 hours for Police Officers at the rate of one hour's pay for each two hours sick leave that is accrued annually and unused.

D. Reporting

The employee will be required to report any sick leave absence prior to his or her scheduled work time. Employees are required to call in daily unless otherwise approved. The Department Director will determine the timeframe.

E. Approval

Sick leave requires approval of the Department Director or his/her designee.

F. Physicians Certificate. A medical statement signed by a licensed physician may be required to substantiate sick leave for:

1) **Absences of three (3) or more consecutive workdays.**
2) **To support a request for sick leave during annual leave.**
3) **At any time when absence recurs frequently or habitually provided the employee is forewarned.**

G. Advanced Sick Leave. Advanced Sick Leave in excess of that earned and accumulated will not be granted.

G. Sick Leave on Termination or Resignation of Employment.

Accrued sick leave is forfeited on termination or resignation of employment; however, any employee who retires from the City of Moultrie, in good standing, with a minimum of 10 years service and at the minimum age of 62, will receive payment in salary equal to half the amount of sick time that they have accrued at the date of retirement.

12.04 Military Leave

In accordance with Georgia law and the Military Selective Service and Training Act, employees who are members of the Georgia National Guard or any reserve unit of the United States Armed Forces shall be entitled to military leave without loss of pay, performance rating, or other benefits (specifically medical, life and retirement benefits) for up to eighteen (18) days in any one (1) calendar year for the purpose of training or other such duties as required by the appropriate authority. In addition, such employees ordered to serve during an emergency shall be entitled to a leave of absence without loss of pay, etc. as set forth above for a period not to exceed twelve (12) additional days. The employee will be paid their full city pay for such periods of duty without regard to military pay they may receive for a total of thirty (30) days per calendar year.

Any full-time employee who leaves the City employment to enter military service with the United States on full-time active duty status during a Declared State of Emergency by the Governor or National emergency shall be placed on Military leave of absence without pay. Employees returning from such absence will be re-instated in accordance with applicable laws and regulations if they apply for reinstatement within the time period provided by law.

Individuals hired to replace full time employees who leave City employment to enter military service on full-time active duty status during the time of War or National emergency will vacate jobs upon employee(s) return in accordance with applicable laws and regulations if they apply for reinstatement within the time period provided by law.

12.05 Court Leave

An employee performing court duty, a subpoenaed witness, or juror will be granted leave with pay. The employee will be permitted to retain all fees and allowances as well as retaining full city pay.

12.06 Leave of Absence

A. **For Military Purposes. According to Georgia Code 38-2-279 as amended, any voluntary member of the Reserve or National Guard shall be entitled to absent himself/herself and shall be deemed to have a leave of absence as any employee while in attendance at any service school conducted by the Armed Forces of the United States for a period up to five (5) years.**

B. **For Temporary Disability and Other Reasons. A disabled employee may exhaust all accrued sick and annual leave. When paid leave is exhausted, the employee may be placed on leave of absence, depending on the duration and the need to fill the position. A doctor's statement will be requested to determine the length of leave necessary. Maternity and other temporarily disabling conditions associated with pregnancy will be treated as any other disability. The City Manager may grant leave of absence for other purposes such as educational enrichment, etc.**

C. **Benefits During Leave of Absence. A leave of absence prevents a break in service, but no benefits such as leave or time toward retirement shall be accrued during leave of absence.**

D. **Reinstatement to Position on Return from Leave of Absence. Upon returning from an authorized leave of absence, every effort will be made to reinstate the employee to his/her same position or a similar position.**

12.06a Bereavement Leave for Immediate Family

An employee may take no more than three (3) days with pay for funerals of immediate family. If an employee needs more than three (3) days leave, annual or sick leave must be used and approved by Department Director. Immediate family is defined as wife, husband, mother, father, brother, sister, son, daughter and dependent child.

12.07 FMLA

FAMILY MEDICAL LEAVE POLICY

The United States Department of Labor regulations implementing the FAMILY MEDICAL LEAVE ACT (FMLA) entitles eligible employees to take up to twelve (12) weeks of unpaid leave during any twelve month uniform period as a result of the birth of a child, placement of a child for adoption or foster care, to care for a spouse or immediate family member with a serious health condition, or when employees are unable to work due to a serious health

condition. The law requires employers to maintain pre-existing health coverage during the leave. Employees also must be reinstated to the same or equivalent jobs when they return to work and not lose employment benefits that accrued prior to start of leave.

When an employee requests leave under FMLA, any of the employee's available accrued paid vacation or sick leave, if applicable, must be used for the leave under FMLA. Once all paid leave is exhausted, the remainder of the 12 weeks of leave will be unpaid.

In order to qualify for leave under the FMLA an employee must meet the following criteria:

1. **Have worked for the City of Moultrie at least one year and for 1,250 hours over the previous twelve (12) months.**

2. **Ordinarily provide thirty (30) days advance notice when leave is "foreseeable."**

3. **Provide medical certification to support request for leave that may include a second or third opinion (a second or third opinion will be at employer's expense).**

4. **A request for leave can only be approved by the City Manager/Designee.**

5. **Provide a fitness for duty report to return to work.**

6. **The twelve (12) month period will be measured forward from the date any employee's first FMLA leave begins.**

HEALTH BENEFITS PREMIUM POLICY / FAMILY MEDICAL LEAVE ACT / GEORGIA WORKERS' COMPENSATION LAW

Once an employee has utilized all of his/her accumulated paid leave and reverts to leave without pay under the Family Medical Leave Act (FMLA) or Georgia Workers' Compensation Law, the City of Moultrie will maintain the health benefits of the employee, excluding premiums for supplemental benefits (e.g., dental, vision, disability, etc.) for a period not to exceed twelve (12) weeks in a twelve (12) month period.

The City will pay the portion of the health benefit premium that would normally be paid by the employee during this twelve (12) week period and arrangements to recover these payments from the employee will be made upon return of the employee to work.

In order to maintain health benefits, an employee will have a minimum of thirty (30) calendar days grace period in which to make premium payments after the twelve (12) week period has concluded. If an employee loses coverage due to non-payment of premium, he/she will not be eligible to rejoin the plan until the next open enrollment period.

In order to maintain supplemental benefits, an employee will have a minimum of thirty (30) calendar days grace period in which to make premium payments after all accumulated paid leave has been exhausted.

HEALTH BENEFITS PREMIUM POLICY

Insurance premiums for products provided through the City's Health, Dental or Supplemental Plans paid by participants in the plan while employed will not be reimbursed in whole or in part upon their voluntary or involuntary termination of employment with the City.

XIII – TRANSFERS

13.01 Initiation and Authority for Transfers

The City Manager may initiate a transfer or an employee may request a transfer.

A. **If a position is open at an equivalent pay grade, an employee may request transfer to that position.**

B. **If the knowledge, skills, and abilities required for that job are not the same as for the present job, the employee will be interviewed for the new position.**

C. **If transferred to the new job, the employee will be placed on a working test for the new job.**

D. **The discretion to grant a transfer, if requested, rests with the City Manager.**

XIV – JOB ABANDONMENT

14.01 Job Abandonment

Employees who are absent from work for three (3) consecutive days without having received leave approval or without having called in to report the absence will be considered as having voluntarily abandoned their jobs. The separation will not be in good standing and may affect opportunities for re-employment.

XV - REDUCTION IN FORCE

15.01 Reduction in Force

A reduction in force may be necessary when a position or group of positions must be closed because of lack of work or lack of funds. Employees who are separated in a reduction in-

force may receive preference in rehiring should a position, for which they are qualified, open within one year. When the reduction in force involves several employees performing

the same job, the order of layoff will be based on longevity and past performance levels. Employees may not grieve a reduction in force except when they feel that they were laid off out of order for reasons outlined in Section 8.02.

XVI PROMOTIONAL GOALS

16.01 Promotional Goals

All vacancies will be advertised internally by written announcement to all City Departments, and shall be posted a minimum of three (3) days in a location accessible to employees.

All vacancies may be filled with applicants external to the City's work force. The Department Director in each case determines whether open public (external) or promotional competition (internal) will be the best approach for attracting qualified applicants.

16.02 Effect of a Promotion

If a formal job classification plan is in effect, a promoted employee will be placed in his/her new job class. If no formal plan is in effect, the employee will be paid a salary deemed appropriate by the City Manager, and in line with added responsibility.

16.03 Effective Date

The effective date of any promotion, for compensation purposes, will be the first day of the next pay period following the date of promotion.

16.04 Merit Pay Eligibility Criteria

NEW HIRES

When a new hire has been employed for a period of six (6) months in a position of original appointment, and has successfully completed his/her working test by the next scheduled annual performance evaluation date, the new hire will be eligible for a merit pay increase. If an employee is hired above starting salary because of experience/ qualifications, and the starting salary of the employee is above minimum adjustments and he/she is not eligible for a merit raise, he/she may receive a raise on his/her employment anniversary date upon the recommendation of the Department Director and approval of the City Manager. The increase will not exceed the annual minimum adjustment percentage.

16.05 Promotions

If an employee has been promoted, and at the time of promotion received a pay increase, the promotion and pay increase will not interfere with the employee being eligible for a merit pay increase at the next scheduled annual performance evaluation date.

When an employee who has been promoted does not successfully complete his/her working test, the Department Director may terminate the employee, offer a demotion to the employee's former position or to another lower position. The pay increase that the employee received as a result of the promotion will be rescinded effective the first day of the next pay period following the date the working test was interrupted. The rescinded pay shall not include the merit pay increase that was a result of the last annual performance evaluation.

If an employee has been promoted, he/she will receive a salary increase adjustment to the minimum salary in the pay grade the new position is slotted into the hierarchy. If the employee is at a salary already above the minimum in the new grade when promoted, then a 4% maximum increase in salary will be awarded.

If moving the promoted employee to the new minimum pay grade slot does not result in a 4% minimum increase in salary, then an adjustment to assure a minimum increase of 4% will be awarded with the promotion.

XVII – RESIGNATION

17.01 Resignation Defined

Resignation is the separation of an employee from the City through the submittal of a notice that he/she wishes to resign.

17.02 Resignation in Good Standing

Employees are expected to provide a minimum of two weeks notice in order to resign in good standing. This must be in written form. Failure to provide such notice may adversely affect the employee's chances for re-employment with the City should a re-employment application be submitted at a later date.

Employees must give a proper written two weeks notice in order to receive unused earned annual leave pay. Employees who do not resign in good standing will not be paid for unused earned annual leave.

17.03 Refusal to Accept Resignation

Under certain circumstances, a Department Director may choose not to accept an employee's resignation and may instead choose to dismiss the employee.

XVIII-- CAREER DEVELOPMENT PROGRAM

18.01 The City of Moultrie realizes that providing financial assistance to employees for education purposes beyond high school such as vocational or college courses leading to at maximum a Master's Degree, will only enhance the service rendered to the City and assist employees to equip themselves for advancement in the organization.

The City Manager, upon recommendation of an employee's Department Director and certification that the criteria set forth in this policy has been met, has sole discretion in paying tuition, books, and transportation for advance course work not to exceed a Master Degree. Program funding may be withdrawn at City Council discretion.

PROGRAM POLICIES

18.02 To be eligible for assistance an employee must:

A. Be a permanent full-time employee of the City or an Organization to which the City funds more than 50% of its annual budget and have completed one year of service.

B. Complete an application to participate in the City of Moultrie Career Development Program.

C. Participate in an annual career counseling session with the Director of Human Resources, and his/her Department Director; or for those departments which have approved Career Development Program, participate in an annual counseling session with the department's Career Development Officer, to identify the long term career goals of the employee and the short-term objectives necessary to achieve those goals; to review the employee's career progress during the previous year; to insure that individual goals and objectives are compatible with the immediate and long term goals and objectives of the organization; to develop a plan of education and/or training and/or work assignment which would contribute to achievement of the employee's and organization's mutual objectives and to review employee personnel file to insure the thoroughness and accuracy thereof.

D. Have the degrees, which are pursued, or individual course in which the employee plans to enroll certified as job related or enhancing by his/her Department Director. The State of Georgia Board of Regents must accredit any institution in order for city to provide financial assistance.

E. Provide a transcript of grades to the City at the end of the quarter/semester for which the City incurred education expenses.

F. Having reimbursed the City of Moultrie for all financial assistance paid in previous quarter(s) semester(s) for course work, which was not satisfactorily completed.

G. A full-time employee must maintain no less than an over all grade point average 2.0 (C) in order to be eligible for subsequent financial assistance.

H. A first time program participant is eligible to receive a 100% advance on expenses, future advancements will be based on current overall grade point average, as listed below in the Financial Assistance Criteria.

I. This program will be available to a limited number of employees at any given time. The number will be restricted to not more than 10 employees and/or 100 quarter/semester hours on first come, first serve basis.

J. Upon receiving the assistance described herein, the employee will sign a "note payable" to the City of Moultrie in the amount of the assistance received. These and all related notes will self-cancel when the employee reaches his/her second anniversary date with the City after the assistance is received. In the event that the participant's employment ceases prior to the conclusion of the two-year period after receiving assistance, any applicable notes of indebtedness will require repayment immediately.

K. Financial assistance granted to an employee through the City of Moultrie Career Development Program in instances where an employee chooses to enroll in a private institution instead of a public institution, will conform to what is customary and usual at a public institution with respect to expenses incurred in reference to books and tuition, unless circumstances dictate otherwise which requires approval of the City Manager.

L. All applications for financial assistance will be subjected to a fourteen (14) Day review period.

M. Upon satisfying the above requirements, an employee will be eligible to receive financial assistance under the following established criteria:

FINANCIAL ASSISTANCE CRITERIA

Grades	Assistance
3.5 – 4.0	100%
3.0 – 3.4	75%
2.0 – 2.9	50%

Employees who are eligible to receive federal, state or other scholarships must have all eligible expenses paid by those scholarships. An employee who receives federal, state or other scholarships is eligible to receive an out of county travel allowance from the City for $100.00 per quarter/semester.

The City is also interested in promoting in-service training to employees. The City Manager may establish standards for training, see that training is available as approved; prepare certificates or other forms of recognition to persons who satisfactorily complete approved courses and programs; and develop supervisory and management training and other types of training programs common to all departments. All in-service training cost will be paid fully by the City.

XIX UNIFORM POLICY

19.01 The City of Moultrie recognizes the importance of the image city employees present to the public, and that employees perform jobs that place the clothing they wear at risk of being damaged or permanently soiled. Therefore, when an employee whom is designated by the city manager to wear a uniform is engaged in carrying out the duties of his/her position, the employee is required to wear the appropriate uniform.

The purpose of this policy statement is to establish a mandatory Uniform Policy as a City of Moultrie Policy; to ensure that city employees are recognizable as city employees when in contact with the public; and to designate responsibility and enforcement.

The Uniform Policy applies to all employees who are to wear uniforms. The City Manager will determine which employees are required to wear uniforms. It is especially important that all managers and supervisors demonstrate their commitment to and support this policy by their strict adherence to it.

All employees designated to wear uniforms are mandated to do so when performing the duties of his/her job. Disciplinary Action for Non-Compliance within a Department will be the responsibility of the Department Director. The Uniform Policy shall be enforced in the same manner, and with the same enforcement tool, as any other work policy. Disciplinary actions will be administered to employees under the provisions of section VII of the Personnel Policy, which may result in demotion or dismissal.

XX – ALCOHOL AND CONTROLLED SUBSTANCE POLICIES

20.01 Alcohol and Controlled Substance Policies

It is the position of the City of Moultrie that alcohol and controlled substance abuse is the number one health problem in the United States today. The costs involved with this problem include human costs such as lost jobs, morale problems, injuries, illnesses, and deaths, as well as economic costs such as insurance costs, and the costs involved in replacing and retraining new employees. It is a problem of epidemic proportion, reaching every community in the United States.

The use of alcohol or controlled substances by City of Moultrie Employees while on the job constitutes a direct threat to property and the safety of others. The work involved in many positions is inherently dangerous, and the safety of citizens and employees depends upon the ability of fellow employees to think clearly with unimpaired faculties.

It is the objective of the City of Moultrie to provide safe and effective public service. To meet this objective, the problem of alcohol and controlled substance abuse must be identified, confirmed and defeated. In order to achieve this, the City of Moultrie has developed a comprehensive alcohol and controlled substance policy. This policy consists of three interrelated programs: 1) An Employee Education/Supervisor Training Program; 2) An Employee Assistance Program (EAP) and (3) An Alcohol and Controlled Substance Testing Program. The overall responsibility for the Alcohol and Controlled Substance policy lies with the City of Moultrie Human Resource Department. Drug tests and any other expenditures for program costs will be cleared through and approved by the City Manager. Although these programs cost money to implement, they should prove to be cost effective if they eradicate alcohol and controlled substance abuse among employees. The City of Moultrie considers its employees to be its most valuable resource, and sincerely wishes to assist its employees with any alcohol or controlled substance related problems they might have. As used in this Policy, the term "controlled substance" shall have the meaning and include the substance related problems they might have. As used in this Policy, the term "controlled substances" in the Georgia Controlled Substances Act, O.C. GA S –16-13-30, et. Seq., and especially O.C.GA., S-16-12-21 (4) as said section and said Act shall appear from time to time.

20.02 Regulations

A. The use of/or personal possession of alcohol or any controlled substance while on work time or work premises shall be prohibited.

B. The sale, distribution, or possession of alcohol or any controlled substance while on work time or work premises shall be prohibited.

C. Reporting to work, or working, while intoxicated or otherwise impaired by alcohol or controlled substance use shall be prohibited. A point .04 BAC shall be considered, for purpose of these policies, as impaired.

D. Alcohol or controlled substance related off duty conduct that tends to undermine the reputation of the City or tends to impair the operation or efficiency of the employee or the City is prohibited.

E. The use or possession of prescription drugs while on work premises, or while working, shall be prohibited UNLESS:

1. **The prescribing physician has been notified of the duties involved with the employee's position, and has approved the use of the drug while that employee is performing those duties; and**

2. **The employee's immediate supervisor has been notified in writing by the employee that he/she is using a prescription drug and that the employee's physician has approved the use of the drug while the employee is at work. The written notification shall be forwarded to the Director of Human Resources.**

F. Individuals shall submit to alcohol and/or controlled substance testing:

1. **At a convenient time as directed by the Human Resources Department.**

2. **Annual random testing for a minimum of five (5) employees.**

3. **When, in the opinion of supervisory personnel, there is a reasonable suspicion that an employee of the City of Moultrie has violated any provision of the Alcohol and Controlled Substance Policy dealing with the use of alcohol or any controlled substances.**

4. **When involved in an accident, which results in any property damage or personal injury.**

5. **Authorization forms for testing will be provided by the City of Moultrie Human Resources Department.**

Employees required to report for alcohol and/or controlled substance testing will be accompanied by Supervisory Personnel.

20.03 Violations of Alcohol and Controlled Substance Policy

When an immediate Supervisor has a reasonable suspicion that an employee on duty or scheduled for duty is intoxicated or under the influenced of alcohol or drugs, the employee

may be ordered by the Department Director to submit to a drug and or alcohol test. Refusal of an employee to submit to the test will be cause for discipline, including termination.

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

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

1. **Direct observation of prohibited drugs or alcohol use**
2. **Slurred speech**
3. **Alcohol beverage odor on breath**
4. **Unsteady walking and movement**
5. **An accident involving City property**
6. **Physical altercation**
7. **Verbal altercation**
8. **Lapse in cognitive abilities**
9. **Aggressive, hostile, threatening, disruptive or unusual behavior**
10. **A report of prohibited drug or alcohol use provided by a reliable and credible source**
11. **Evidence that a drug or alcohol test of the employee has been tampered with**
12. **Evidence that the employee is involved in the use, possession, sale, solicitation or transfer of prohibited drugs**
13. **Tardiness or absence indicative of off-duty use of alcohol or prohibited drugs, which renders employee unable or unwilling to perform duties.**

<u>Random Testing</u>

Safety Sensitive Positions: In addition to the situations described above, individuals employed in safety sensitive positions shall be subject to testing on a random basis. The random basis means that every member of the safety sensitive population has an equal chance of being selected for testing. The City Council in consultation with the City Manager and Department Directors shall determine the frequency and number of such random selectees to be tested.

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

a) **Sworn Public Safety personnel**
b) **All operators of large equipment including construction equipment operators and heavy equipment operators, skilled laborers; per DOT Manual etc.**
c) **Operators of vehicles or equipment requiring the Commercial Drivers License (CDL); additional job classifications may be added by the City Manager.**

20.04 Natural Gas Controlled Substance Policy

Effective January 6, 2015, the City of Moultrie updated its Natural Gas Controlled Substance Policy. The policy update is available in the City of Moultrie Human Resources Department.

APPENDIX A

Reasonable Cause Observation Checklist
(Strictly Confidential)

Employee: _____

Period of Evaluation: _____

Supervisor #1: _____ **Phone No.** _____

Supervisor #2: _____ **Phone No.** _____

This checklist is intended to assist a supervisor in referring a person for drug testing.
Has the employee manifested any of the following behaviors? Indicated (D) if documentation exists.

A. Quality and Quantity of Work

Yes	No	
_____	_____	**1. Clear refusal to do assigned tasks**
_____	_____	**2. Significant increase in errors**
_____	_____	**3. Repeated errors in spite of increased guidance**
_____	_____	**4. Reduced quantity of work**
_____	_____	**5. Inconsistent, "up and down" quantity/quality of work**
_____	_____	**6. Behavior that disrupts work flow**
_____	_____	**7. Procrastination on significant decisions or tasks**
_____	_____	**8. More than usual supervision necessary**
_____	_____	**9. Frequent, unsupported explanations for poor work performance**
_____	_____	**10. Noticeable change in written or verbal communication**
_____	_____	**11. Other (please specify)** _____

B. Interpersonal Work Relationships

Yes	No	
_____	_____	**1. Clear refusal to do assigned tasks**
_____	_____	**2. Significant increase in errors**
_____	_____	**3. Repeated errors in spite of increased guidance**
_____	_____	**4. Reduced quantity of work**
_____	_____	**5. Inconsistent, "up and down" quantity/quality of work**
_____	_____	**6. Behavior that disrupts work flow**
_____	_____	**7. Procrastination on significant decisions or tasks**
_____	_____	**8. More than usual supervision necessary**
_____	_____	**9. Frequent, unsupported explanations for poor work performance**
_____	_____	**10. Noticeable change in written or verbal communication**
_____	_____	**11. Other (please specify)** _____

XXI POLITICAL ACTIVITY

21.01 Political Activity

It is the City's Policy to encourage employees to exercise their individual rights and to participate in the political process to the fullest extent desired and legally possible. In this regard, employees may:

- **Register to vote**
- **Assist in voter registration drives**
- **Express opinions about candidates and issues**
- **Contribute money to political organizations**
- **Wear or display political badges, buttons or stickers outside the workplace**
- **Attend political rallies and meetings**
- **Join political clubs or parties and hold office in same**
- **Sign nomination petitions**
- **Campaign for or against referendum questions, constitutional amendments, county or municipal ordinances**
- **Organize or manage political rallies or meetings in any club, organization or party**
- **Serve as poll officials, clerk or other workers in a primary or other election.**

21.02 Prohibited Political Activity

City employees may participate in the same political activity as any other individual as long as they do not represent themselves as an agent of the City in the process, or as long as they do not do so while actively engaged in duties and responsibilities of their assigned positions. Strictly prohibited is:

1. **The use of any official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for the office.**

2. **The direct or indirect coercion, attempt to coerce, command or advise a state or local officer or employee to pay, lend or contribute anything of value to a party, committee, organization agency or person for political purposes.**

If there is a realistic potential for conflict or overlap in an employee seeking public office the City may consider placing the employee on leave pending the outcome of the election process and separating the employee's employment at the time he/she assumes the duties of the elected position.

It is the responsibility of the employee to contact the City's Director of Human Resources, inform him/her of their desire, and schedule a meeting to discuss the particulars.

XXII–HARASSMENT POLICY

22.01 The City is committed to providing a work environment that is free of unwanted harassment. In keeping with this commitment, the city strictly prohibits sexual harassment in any form including verbal and physical.
Harassment is the unwanted, unsolicited, unwelcome annoyance of one employee by another or other individuals while serving as agents for the City. The annoyance may be of either a sexual or any of the other unlawful discriminatory conditions, which are strictly prohibited under Title VII of the 1964 Civil Rights Act.

Using the guidelines established by the Equal Employment Opportunity Commission interpreting relevant provisions of the 1964 Civil Rights Act, Sexual harassment is defined as follows:

"Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature will constitute sexual harassment when:

- **Submission to such conduct is made either explicitly or implicitly a term or condition of employment**
- **Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals or**
- **Such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile or offensive working environment."**

An employee who believes he/she has been harassed by a co-worker, supervisor, agent of the city or citizen should promptly report the facts of the incident(s) and the names of the individual involved, to their supervisor or Director of Human Resources. Supervisors should immediately report any incident(s) of harassment to the Department Director and the Director of Human Resources. The Director of Human Resources will assist the Department Director in investigating and insuring that corrective action is taken. If the harassment involves the Director of Human Resources it should be reported to the City Manager. If the harassment involves the City Manager then it should be reported to the Mayor, who in consultation with the City Council, shall direct an investigation if warranted.

Any reported violation of this policy will receive prompt and appropriate action. The City will investigate all complaints alleging harassment and all instances potentially constituting harassment that comes to its attention. When conducting an

investigation, care will be taken to protect confidentiality to the highest degree possible, while still permitting the City to conduct the investigation.

Following an investigation, the City of Moultrie will take prompt and appropriate corrective action to remedy any harassment. Employees who are found to have engaged in harassment will be subject to corrective action, up to and including dismissal.

Finally, this policy is intended to protect everyone and if it is proven that an employee has knowingly and intentionally falsely accused another employee of harassment, it will be considered that the former is guilty of harassment and will be appropriately disciplined.

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

XXIII SAFETY POLICY

23.01 Safety Policy

The safety of the public, city employees, and property is the number one priority of the City of Moultrie. This policy is designed to reduce accidents in the work place, improve safety in our working environment, and create equality across departments when discipline is required when accidents occur due to negligence on behalf of an employee(s).

Each employee is required to report any accident resulting in injury to persons or damage to property. Failure to do so will result in disciplinary action. Employees who are involved in an accident are required to immediately submit to a drug test. Failure to agree to drug testing will result in termination.

All reported accidents will be investigated by department directors. In those cases where it is determined that the accident resulted due to negligence or failure to follow city or department policy, the Department Director will recommend disciplinary action. The level of discipline will be dependent on the extent of the act of negligence on behalf of the employee(s) and the potential for injury to persons or damage to property. The Director of Human Resources and the City Manager will monitor all discipline, which is recommended due to an accident, to ensure that discipline is equitable across city departments.

Following completion of the Department Director's investigation, a memorandum will be provided to the City Manager explaining whether the accident was avoidable or not. In cases where the accident was avoidable, the Department Director will

provide recommendation on steps to be taken to ensure that similar accidents do not occur in the future. The City Manager will take these recommendations into consideration in the development of policies designed to improve safety in the work place and working environment.

23.02 Seat Belt Policy

All City Employees shall properly utilize seat belts while driving or riding in any vehicle licensed for road use, construction equipment, and any other equipment equipped with seat belts while conducting business for the City of Moultrie.

Failure to properly use seat belts is grounds for disciplinary action up to and including termination of employment. Additionally, the City may deny the supplemental income benefits (Workers' Compensation) otherwise provided to employees injured on the job, if an employee has failed to properly use seat belts and is injured in an auto accident, regardless of fault.

23.03 Safety Meetings/Training Policy

The City of Moultrie is committed to providing and maintaining a healthy and safe work environment for its workers and to taking all reasonable precautions to prevent occupational illness and injury. To express that commitment, the City issues the following policy on occupational health and safety.

POLICY

As the employer, the City is responsible for the health and safety of its workers and will make every effort to provide a healthy and safe work environment. The City is dedicated to the objective of eliminating the possibility of injury and illness.

Supervisors will be trained and held responsible for ensuring that the workers, under their supervision, follow this policy. Supervisors are accountable for ensuring that workers use safe work practices and receive training to protect their health and safety. Supervisors also have a general responsibility for ensuring the safety of equipment and facility.

The City of Moultrie, through all levels of management, will cooperate with the designated Safety Committee members to create a healthy and safe work environment. The workers of the City of Moultrie will be required to cooperate with the organization's health and safety committee representative(s) and others exercising authority under the applicable laws.

It is the duty of each worker to report to the supervisor or department head, as soon as possible, any hazardous conditions, injury, accident or illness related to the workplace. Also, workers must protect their health and safety by complying with

applicable Acts and Regulations and to follow policies, procedures, rules and instructions as prescribed by the City's Local Government Risk Management Services Coordinator / Human Resources Director.

The City of Moultrie recognizes the worker's duty to identify hazards, and supports and encourages workers to play an active role in identifying hazards, and to offer suggestions or ideas to improve the health and safety program.

The City of Moultrie Safety Committee will meet no less than quarterly to obtain the input of senior management, address training needs of workers, to educate workers on their roles and responsibilities in maintaining a safe, healthy workplace, and supply proper supervision and enforcement of safe work practices.

The City of Moultrie requires a minimum of two safety self-inspections, each six months, and will provide proof that the Safety Meeting/Training Policy and the self-inspection practice has been implemented.

23.04 Disciplinary—Vehicular Avoidable Accidents / Reward Measures—Accident Free

POLICY (Effective November 18, 2014)

Points for avoidable accidents will be determined based upon incremental property damage repair/replacement costs, with additional points added separately for contributing factors and/or results, including cell phone usage, traffic violation(s) or employee negligence, and/or bodily injury(s). These points will be added together to determine the total number of points earned for each avoidable accident which will determine the appropriate disciplinary action to be taken.

Avoidable accident points will be added to previous points earned by an employee for any other avoidable accident during the previous three year period to establish a grand total number of points. The grand total number of points will determine the appropriate incremental discipline given for each avoidable accident, ranging from Counseling to Termination. Points earned for previous avoidable accidents will roll off after a period of three years from the date they were earned.

Employees will have the option to pay for total property damage repair/replacement costs related to an avoidable accident when the accident involves the employee only and City of Moultrie property. Should an employee pay property damage costs, no points will be earned for that avoidable accident.

For employees who maintain an accident free record, the employee will be awarded three (3) points each year to "bank" against an avoidable accident. Earned points will max out at nine (9) points and will return to zero (0) banked points should an avoidable accident occur.

The following charts will be used to determine total number of points earned for each avoidable accident and disciplinary action to be taken.

Category	Points
Cell Phone usage	15
Traffic violation(s) or Employee Negligence	5
Bodily Injury	5
Property Damage	**Based on incremental repair or replacement costs per city policy and operational procedures

**Accident Cost	Points	Accident Cost (continued)	Points
$ 200.00	1	$ 5,200.00	26
400.00	2	5,400.00	27
600.00	3	5,600.00	28
800.00	4	5,800.00	29
1,000.00	5	6,000.00	30
1,200.00	6	6,200.00	31
1,400.00	7	6,400.00	32
1,600.00	8	6,600.00	33
1,800.00	9	6,800.00	34
2,000.00	10	7,000.00	35
2,200.00	11	7,200.00	36
2,400.00	12	7,400.00	37
2,600.00	13	7,600.00	38
2,800.00	14	7,800.00	39
3,000.00	15	8,000.00	40
3,200.00	16	8,200.00	41
3,400.00	17	8,400.00	42
3,600.00	18	8,600.00	43
3,800.00	19	8,800.00	44
4,000.00	20	9,000.00	45
4,200.00	21	9,200.00	46
4,400.00	22	9,400.00	47
4,600.00	23	9,600.00	48
4,800.00	24	9,800.00	49
5,000.00	25	10,000.00	50

Incremental Repair or Replacement Cost / Point Examples

Property Damage Accident Cost	Property Damage Only	Property Damage with Cell Phone Usage	Property Damage and Bodily Injury(s)	Property Damage with Traffic Violation(s) or Employee Negligence	Property Damage / Cell Phone Usage / Traffic Violation(s) or Employee Negligence	Property Damage / Cell Phone Usage and Bodily Injury(s)	Property Damage / Traffic Violation(s) or Employee Negligence and Bodily Injury(s)	Property Damage / Cell Phone Usage / Traffic Violation(s) or Employee Negligence and Bodily Injury(s)
$200	1	16	6	6	21	21	11	26
$1,000	5	20	10	10	25	25	15	30
$2,000	10	25	15	15	30	30	20	35
$3,000	15	30	20	20	35	35	25	40
$4,000	20	35	25	25	40	40	30	45
$5,000	25	40	30	30	45	45	35	50
$6,000	30	45	35	35	50	50	40	55
$7,000	35	50	40	40	55	55	45	60
$8,000	40	55	45	45	60	60	50	65
$9,000	45	60	50	50	65	65	55	70
$10,000	50	65	55	55	70	70	60	75

Grand Total Points	Discipline
1	Counseling
20	8 Hours Suspension
30	24 Hours Suspension
40	40 Hours Suspension
50	80 Hours Suspension
60	120 Hours Suspension
70	Termination

CITY OF MOULTRIE

PERSONNEL POLICY AMENDMENT

EFFECTIVE NOVEMBER 1, 2015

XXV-TOBACCO/NICOTINE FREE POLICY

25.02 EFFECTIVE NOVEMBER 1, 2015 The City of Moultrie will not consider Applicants for employment that use any form of Tobacco/Nicotine products including use of Electronic Cigarettes. Applicants who are hired will be tested for Tobacco/Nicotine use as part of their Pre-Employment Physical and through future annual Wellness Testing. This policy applies only to employees hired on or after November 1, 2015.

XXIV SECURITY CLEARANCES

24.01 **In employment areas such as public safety and finance where the public has a compelling interest in the security of property and life, applicants for employment, promotion and transfer may be asked to supply personal information that would not be needed in other employment areas.**

XXV - ~~NO SMOKING POLICY~~ (Section Rewritten)
XXV – TOBACCO / NICOTINE FREE POLICY—EFFECTIVE OCTOBER 1, 2014

25.01 **Effective October 1, 2014, the City of Moultrie institutes a Tobacco / Nicotine Free workplace. Use of any form of Tobacco and/or Nicotine—including the use of electronic cigarettes—in City facilities, vehicles, or property is prohibited.**

XXVI - DEPARTMENT DIRECTOR SEVERANCE PAY POLICY

26.01 **When a Department Director's employment is unwillingly terminated except for cause, the Department Director will receive one week of salary at their current rate of pay for each year of employment as a Department Director. (Calculated from the anniversary date of employment in the position. More than six months from the anniversary date will be recognized as a full year). Regardless of years of service, severance pay may not exceed twelve (12) weeks of salary. The following employee positions are subject to severance Pay Policy:**

Department Director
Executive Assistant to City Manager
Management Specialist

XXVII – RE-EMPLOYMENT POLICY

27.01 **Terminated employees, whether voluntary or involuntary, who apply for re-employment within twelve (12) months of termination will require the City Manager's approval.**

All former employees re-employed within thirty (30) days of resignation to the exact same position in the same department will earn annual and sick leave immediately; one half (1/2) of accumulated sick leave will be reinstated; no lapse in Pension Plan participation; no Working Test; Health Insurance reinstated after ninety (90) days; years of service reinstated.

All former employees re-employed within thirty (30) days of resignation to a different position will earn annual and sick leave immediately; one half (1/2) of accumulated

sick leave will be reinstated; no lapse in Pension Plan participation; Institution of Working Test; Health Insurance reinstated after ninety (90) days; years of service reinstated; Accumulated Annual Leave will be reinstated.

XXVIII – OFFICIAL COPY

28.01 General

The official copy of this Personnel Policy will be attested by, and placed upon file in the City Manager's office.

ATTEST: _____

XXIX– EMPLOYEE COPY

Each employee will be expected to sign a statement that they have received a copy of the policies.

APPENDIX

(DEFINITIONS)

Appointing Authority – the person who has, among other authorities, the authority to appoint and discharge all employees. The Appointing Authority for the City of Moultrie is the City Manager.

Corrective Disciplinary Actions – Corrective Disciplinary Actions have the objective of correcting violations, improving performance, avoiding recurrence, and/or protecting the interest of the organization.

Department Director – An individual with the authority to assign, direct, and review the work of the employees within the respective department of which he/she Directors.

Mayor and Council – The governing authority and financial authority of the City.

Days – when the word "days" is used as a method of counting, it means calendar days unless stated otherwise.

Department – This term refers to the different departments in the City service.

Designee – The person or persons to whom the City Manager delegates certain authorities for the administration of their offices.

Disciplinary Probation – Occurs when an employee has been performing at an unsatisfactory level of performance or there occurs an event (on or off duty), which could bring discredit to this organization. An employee in this status will receive a performance review no less than monthly and may be discharged at any time under the guidelines of any other probationary status.

Should – This word denotes a condition that is desirable but not mandatory.

Unlawful Discrimination – Employment practices which State and Federal Laws prohibit, and which include discrimination because of race, color, sex, religion, national origin, age, mental or physical handicap, or political affiliation.

Working Test – A period of time, during which a new employee or an employee who has been transferred or promoted to a higher position is being tested on job capability and performance.

Work Day – Normal office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday, with a 60 minute lunch break.
Due to Public Safety operations, employees are assigned to shift work. Normally, Police officers and Firefighters work 12 hour and 24 hour shifts respectively.

GRIEVANCE COMPLAINT FORM

Name: _____ **Job Title:** _____

Department: _____

Name of Immediate Supervisor: _____

Statement of Complaint: _____

_____

Action Requested: _____

_____

Employee Signature: _____ **Date:** _____

Complaint Submitted to: (Check One)

Department Director _____ **Employee Supervisor** _____

Supervisor/Department Director Signature _____

Date Receive by Above: _____

VOLUNTARY RESIGNATION

NAME: _____

DATE: _____ **TIME:** _____

I HEREBY SUBMIT MY RESIGNATION TO THE CITY OF MOULTRIE EFFECTIVE:

_____

I AM LEAVING BECAUSE: _____

_____

_____

I WISH TO MAKE CLEAR THAT I HAVE NO CLAIMS OR GROUNDS FOR ANY CLAIMS AGAINST THE CITY OF MOULTRIE AS MY EMPLOYER DURING MY TIME OF EMPLOYMENT.

_____
EMPLOYEE SIGNATURE

_____
WITNESS

EMPLOYEE CONSENT AND NOTICE

SUPERVISOR REFERRAL

EMPLOYEE ASSISTANCE PROGRAM

It has been determined that you have violated the City of Moultrie Alcohol and Controlled Substance Policy. You have been referred to the Employee Assistance Program. By signing this form, you acknowledge that you understand this referral is your "last chance", that you will cooperate with the EAP coordinator and follow any directions the EAP coordinator may give you, and that you understand you will be subject, upon completion of the program, to random alcohol and controlled substances screening tests for a period of 12 months.

If you fail to abide by this agreement, you will be terminated consistent with Section 7.01 and 7.02 of the City's Personnel Handbook.

Date: _____ **Signature:** _____

Print Name: _____

Social Security #: _____

Witnessed by Authorized City of Moultrie Employee:

_____

PRE-EMPLOYMENT CONSENT AND NOTICE:
ALCOHOL AND CONTROLLED SUBSTANCE TESTING

As a condition of employment by the City of Moultrie, you must submit to a physical examination. This examination will include an alcohol and controlled substance screening test. In order to be employed by the City of Moultrie, you must successfully pass this screening test.

By signing this form, you are acknowledging that you consent to such a screening test, and that you understand that such a screening test is part of the City of Moultrie's Alcohol and Controlled Substance Policy. You hereby agree to abide by this policy.

Date: _____ **Signature:** _____

Print Name: _____

Social Security #: _____

Witnessed by Authorized City of Moultrie Employee:

_____

EMPLOYEE CONSENT AND NOTICE:

ALCOHOL AND CONTROLLED SUBSTANCE TESTING

UPON REASONABLE SUSPICION THAT VIOLATION OF

ALCOHOL AND CONTROLLED SUBSTANCE POLICY HAS OCCURRED

It is the opinion of the City of Moultrie that there is reasonable suspicion to believe that you have been involved in a violation of the Alcohol and Controlled Substance Policy of the City. As provided in that policy, you are required to submit an alcohol and controlled substance screening test. In order to retain your position as a City of Moultrie employee, you must successfully pass this screening test or at the City's discretion, participate in the Employee Assistance Program.

By signing this form, you are acknowledging that you consent to such screening test, that you consent to the release of test results to your supervisors, and that you understand that such a screening test is part of the City of Moultrie's Alcohol and Controlled Substance Policy.

You will not be admitting you have violated the Alcohol and Controlled Substance Policy by signing this form.

Date: _____ **Signature:** _____

Print Name: _____

Social Security #: _____

Witnessed by Authorized City of Moultrie Employee:

_____