MONROE COUNTY
BOARD OF COMMISSIONERS

PERSONNEL POLICIES

AND

PROCEDURES

MANUAL

ADOPTED JUNE 22, 2005 **REVISED APRIL 15, 2008**

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PREFACE

These policies have been officially adopted by the Monroe County Board of Commissioners at their special called meeting on June 22, 2005 and revised April 15, 2008. Each employee of the county will be given a copy of the personnel manual and be urged to read the policies. Whenever new employees are hired, they will likewise receive copies and be urged to read the policies. Further, all employees will keep their individual copies of the Personnel Manual up-to-date and current by inserting any copies of changes or amendments which may be subsequently adopted by the Board of Commissioners. Employees will be expected to know the policies and abide by them. Lack of knowledge of these policies by the employee will not be considered as justification for noncompliance.

INTRODUCTION

This manual represents a commitment on the part of Monroe County to conduct personnel administration in a professional manner and to treat all County employees in a professional manner. Efficient and effective operation of a government unit is most likely when there is good morale among the employees of the government. Good morale depends, in large measure, upon personnel problems either not arising or being resolved quickly while still small in scope. Use of this manual should serve to prevent some problems from developing and aid in the resolution of others. However, there is neither a claim nor an expectation of infallibility or performance on the part of this document. It is expected that changes will be made from time to time as necessary. Employees are encouraged to make known to their supervisor any matters of discontent and seek a solution. If satisfaction is not received, the problem should be carried up through successfully higher levels of supervision.

This Personnel Manual shall not be construed in any way as constituting a contractual commitment concerning employment or benefits of employment. Rather, the policies stated herein should only be used as guidelines in your employment and may be altered, amended, or revoked at any time by the County. Nothing contained in this manual should be construed as a guarantee of continued employment, but rather your employment is on an at-will basis. That is, either party may give notice of termination/resignation at any time and for any reason. This disclaimer constitutes the complete understanding concerning your employment terms with the County. No officer or representative of the County has any authority to enter into any agreement for employment for any specified period of time or to make any agreements, express or implied, that is contrary to the foregoing unless it is reduced to writing, and signed by the Board of Commissioners.

The following officials of Monroe County are exempt from the provisions of this personnel policies and procedures manual: Emergency Services Director, Road Superintendent, Zoning Officer, and County Clerk.

STATEMENT OF EXCEPTION

The Monroe County Personnel Policy Manual covers all County employees, including the employees of those Constitutional Officers who chose to place their employees in this system. The manual sets forth certain requirements and procedures that must be met and provides guidelines to deal with issues which have not been expressly addressed in the manual. The County reserves the right at its sole discretion to amend, revise, modify or delete any of the policies set forth in this Personnel Manual or any revised version thereof. Constitutional Officers may, from time to time, adopt personnel and policy rules which exceed those described herein as necessary for matters of statutory and case law, or to comply with professional standards or levels of certification.

SECTION I
PART 1
DEFINITIONS

Adverse Action—an action taken against a regular employee, by the appointing authority or designee, that results in a suspension without pay, salary reduction, demotion, or dismissal.

Adverse Affect—the results of any action or decision which deprives an employee of income or the opportunity to earn more income.

Anniversary Date—for record keeping purposes, the anniversary date will be the date of original appointment in a new position.

Appeal Hearing Officer—the attorney retained by the county to conduct appeal hearings.

Appointing Authority—the person or persons who have, among other authorities, the authority to appoint and discharge covered employees. The Chairman of the Board of Commissioners, Constitutional Officers, and other Boards or Commissions are the appointing authorities for their respective departments in the county.

Constitutional Officers—those officials identified in the Georgia Constitution (Article 9, Section 1, Paragraph 3, Subsection a) including the Clerk of Superior Court, the Judge of Probate Court, the Tax Commissioner, and the Sheriff.

Covered Employees—employees who work for the appointing authorities who are not members of their personal staffs nor policy makers, and whose positions are included in the classification plan.

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

Designee—the person or persons whom the appointing authorities delegate certain authority to for the administration of the county departments.

Disability—(1) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (2) a record of such an impairment; or (3) being regarded as having such an impairment. 42 U.S.C. ~12102(2).

Disability, Qualified Individual—an individual with a disability who satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such position. 42 U.S.C. ~12111(f).

Equal Opportunity Employer—Monroe County does not discriminate in its hiring or dismissal practices based on race, color, sex, religion, national origin, or disability.

Exempt Employee—an employee who is exempt from coverage by the overtime provisions of the federal Fair Labor Standards Act. The County will identify those positions that are not covered by this Act.

Governing Authority—the Board of Commissioners is the governing authority of Monroe County.

Handicap—See disability, supra.

*May—t*he word "may" is conditional, and implies that there is discretion as to whether a condition exists or an act or action will take place.

Non-Exempt Employee—an employee who is not exempt from coverage of the federal Fair Labor Standards Act.

Regular Employee—a full-time or part-time covered employee who has achieved regular employment status by completing all employment requirements including the working test.

Shall/Will—these terms are unconditional and imply that a condition exists or an act or action will take place.

Unlawful Discrimination—employment practices which are prohibited by state and federal laws, and which include discrimination because of race, color, sex, religion, national origin, gender, age, mental or physical disability, or political affiliation.

Probationary Period—a period of time, usually six (6) months, during which a new employee or an employee who has been promoted to a higher position or transferred to a different class is being tested on job capability and performance.

Temporary Employee—employee who is working on a seasonal, irregular, intermittent basis or in the case of an emergency.

SECTION II
PART 1
APPLICATIONS

1-1 ANNOUNCEMENT OF VACANT POSITIONS

Respective department heads or Constitutional Officers shall announce vacancies when internal transfers or promotions cannot fill the position. Announcement of vacant positions shall be advertised in the county's legal organ a minimum of one week. In addition, the county may advertise by any other means that will insure maximum visibility by the public. The announcement of vacant positions shall specify the title and salary range of the respective positions to be filled, necessary qualifications and special requirements, manner of making application (including deadline for submitting applications), and any other information deemed pertinent by the appointing authority or respective department heads or Constitutional Officers. The announcement shall also state that the county is an Equal Opportunity Employer.

1-2 APPLICATION FORMS

Applications for work with Monroe County shall be made on standard forms approved by the Board of Commissioners. Such forms shall be available in the Board of Commissioners office and shall include information concerning training, experience, education and pertinent personal information. All application forms shall be signed by the respective applicants.

1-3 RECEIPT AND DURATION OF APPLICATIONS

When vacancies are announced in the manner specified above, applications will only be accepted for announced positions and only during the time period provided for in the announcement.

Applications will be accepted by the appropriate department head. Applications not submitted for a specific vacancy that has been announced shall not be accepted or retained. Applications to work for Constitutional Officers will be submitted directly to the officers. Applications which are submitted for a specific vacancy which has been announced will be kept in a separate file and shall be accepted for a period of as least five (5) working days after the period for announcement of vacancies. No action may be taken on a vacant position until five (5) working days after the first announcement.

1-4 EMPLOYMENT REQUIREMENTS

All positions shall be open to those individuals that satisfy the requisite skill, experience and education and other job-related requirements of the employment position such individual holds or desires, and who, with or without reasonable accommodations, can perform the essential functions of such position.

1-5 QUALIFICATIONS AND EVALUATIONS

Employees shall satisfy the requisite skill, experience, education and other job-related requirements of the employment position, and who, with or without reasonable accommodation, can perform the essential functions of such position. Discrimination in employment of any person who is an applicant for a county position because of race, creed, color, sex, disability, political affiliation, gender, or national origin is strictly prohibited.

1-6 REVIEW AND REJECTION OF APPLICATIONS

All applicants for vacancies occurring with Monroe County shall be reviewed in an objective and unbiased manner according to the procedures established in this code.

Applications may be rejected by the respective department heads or Constitutional Officers or appointing authority for the following reasons: (1) if the applicant does not satisfy the requisite skill, experience, education, and other job-related requirements of the employment position, and/or who, with or without reasonable accommodations, cannot perform the essential functions of such position; (2) if the applicant practiced, or attempted to practice fraud or deception in completing the application form; (3) if the applicant's past record of employment is determined to be unsatisfactory; or (4) fails to meet drug testing requirements for certain public employees as provided in O.C.G.A. 45-20-110 et seq. Those applications not rejected shall be evaluated, and the most qualified candidate shall be hired. Applicants shall not be rejected because of errors in an application that can be easily corrected prior to the testing or interview process. All other applicants shall be notified within 30 days that the vacant position has been filled.

1-7 EMPLOYMENT OF RELATIVES

An appointed department head or any person serving in a supervisory capacity is prohibited from hiring an immediate family member into a position within his/her line of authority. Immediate family in this case shall include parents, grandparents, children, grandchildren, brothers, sisters and spouse, and immediate family of spouse.

This policy shall become effective at the time of adoption and shall not apply to any employment actions prior to that date. Those who become relatives after their initial employment date due to marriage shall be exempted from this rule for the position occupied at the time of the marriage. Paragraph 1-7 shall not apply to Constitutional Officers. Constitutional Officers must abide by applicable laws and regulations governing their authority.

SECTION II
PART 2
APPOINTMENTS

2-1 APPOINTMENT PROCEDURES

Positions in Monroe County shall be filled through a competitive process open to the general public and incumbent county employees when noncompetitive internal transfers or promotions are not feasible. Generally, such a process may take into consideration ratings of training and experience; written, oral, physical and/or performance tests; or, any combination of the above factors as deemed necessary by the department head or Constitutional Officer to determine fitness for the vacant position. In addition, the applicant's education, experience knowledge, skills and abilities will be evaluated in order to determine the applicant's relative ability to perform in the position sought. In some circumstances, the appointing authority may require the applicant to submit proof of education, military service or any other such documentation deemed necessary or appropriate.

The procedure outlined below for review of applications and selection of candidates for positions with the county shall be used for filling vacant positions in the county and shall be the same across departments.

A. Securing Adequate Selection Of Candidates

When the period of time for announcement of any vacant position(s) with the county has expired, applications for the vacant position(s) will be accepted for a period not less than five (5) working days. No action may be taken in filling the vacant position(s) until five (5) working days after the first announcement.

B. Departmental Recommendations Of Candidates

Upon receipt of the applications, the department head or Constitutional Officer shall be responsible for a selection process, reviewing applications and interviewing those applicants which, in his or her opinion, are the most qualified for the vacant position. In order to assure that the most qualified person is selected the department head or Constitutional Officer should attempt to interview as many qualified applicants as time allows. After applicant interviews, the department head or Constitutional Officer shall select the applicant most qualified to perform the duties of the vacant position based mainly on an objective evaluation of knowledge, skills, abilities, training and education. After a candidate is selected, the department head or Constitutional Officer will forward notice of selection, plus a copy of the application to the County Commissioners Office. The selection process includes only a criterion that is job related.

C. Notice Of Rejection

When a vacant position in the county has been filled according to the procedure outlined above, the respective department head or Constitutional Officer shall notify within 30 days all applicants who were not selected, that the vacancy has been filled.

2-2 TYPES OF EMPLOYMENT

Monroe County recognizes four types of employment positions within the county.

A. Probationary Status

This status is given to an employee upon initial employment in a career position. The probationary status is effective for a six-month period, and successful completion of this probationary period leads to a regular status. The County may use a probationary period for disciplinary purposes as warranted.

B. Regular Status

This status is given to an employee upon successful completion of the probationary period. Regular status with the county brings the employee under the jurisdiction of the provisions of this policy and procedure manual.

C. Substitute Status

At the request of a department head or Constitutional Officer, the appointing authority may approve a substitute appointment of a county employee to temporarily fill a position in a higher classification. A substitute appointment is for a limited period of time only and does not automatically lead to a regular placement in that position. The conditions for a substitute status are as follows:

1. When the need to fill a vacancy exists, and a qualified applicant is not immediately available, a substitute appointment may be made to fill the position until such time as a qualified candidate may fill the vacancy.

2. No such substitute employee shall continue more than six months. If the employee serves in the substitute position for ninety (90) working days or longer, the employee shall be assigned the pay level of that position.

3. An employee may obtain regular status while serving a substitute status position.

D. Temporary Status

Temporary appointments may be made to fill positions when the work of the county requires the services of one or more employees on a seasonal or intermittent basis, or in the case of an emergency. An employee with a temporary appointment may not attain regular status while serving under that appointment. Temporary employees, whether part-time or full-time, shall not accrue sick and annual leave.

SECTION II
PART 3
PROBATIONARY PERIOD

3-1 INTENT

The probationary period shall be regarded as an integral part of the selection process and shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to his or her position and for rejecting any employee whose performance is not satisfactory during the probationary period. Employment with Monroe County is on an at-will basis.

3-2 CONDITIONS OF PROBATION PERIOD

All employees appointed or promoted to regular positions shall serve a probationary period of six months. Employees serving a probationary period shall receive all benefits provided in accordance with this policy noting the following exceptions:

A. The employee may accumulate sick leave but shall not be permitted to take said leave during the probationary period unless denial would create an unusual hardship. The department head or Constitutional Officer shall have the final authority in deciding when an employee may take sick leave during the probationary period. However, at the termination of the probation period, all sick leave accrued during the six-month period shall be applied to the employee's permanent employment with the County.

B. Dismissal during the probationary period shall deny the employee the right to appeal the dismissal. In the case of an employee promoted to a higher position with the County, dismissal during the probation period shall deny that employee the right to return automatically to the position formerly held. In this case, the employee would have to reapply for the position previously held if still vacant.

C. If an employee is laid off during a probationary period, and performance of duties has been satisfactory, if reappointed to the same department then that employee shall be given credit for the portion of the probation period completed prior to the lay-off.

D. No annual leave shall be taken during the probationary period except to the extent, if any, permitted and/or required by federal law, including, but not limited to, the Federal Family and Medical Leave Act of 1993.

3-3 PROBATIONARY PERIOD REPORTS

Prior to the end of the employee's probationary period, the department heads or Constitutional Officer shall notify the County Clerk in writing:

A. Whether the employee requires an extension of the probationary period;

B. Whether the employee should be retained in the position and given a regular appointment;

C. Whether the employee should be discharged.

3-4 DISMISSAL DURING PROBATIONARY PERIOD

A. At any time during the probationary period, the department head or Constitutional Officer may remove an employee if the probationary period indicates that such employee is unable or unwilling to perform the duties of the position satisfactorily, or that his/her habits and lack of dependability do not merit his/her continuance with the service. Upon such removal, the department head or Constitutional Officer will submit to the County Clerk within three days after the effective date of dismissal a written notification of such dismissal. In addition, employees in probationary or post-probationary employment status may be dismissed at-will for violating the policies and procedures of the county.

B. If an employee has committed an offense which is considered cause for disciplinary action under the provisions of these regulations, the department head or Constitutional Officer may dismiss the employee. The written notification described above is mandatory. Category III offenses will result in automatic dismissal.

C. An employee found to have been hired through fraud or through error on the part of the employee may be removed within ten calendar days after discovery of the error. The department head or Constitutional Officer shall notify the Board of Commissioners of such error immediately upon its discovery.

D. A department head or Constitutional Officer may demote any employee under his/her supervision to a lower class position during the probationary period. A written notification of such demotion must be filed with the County Clerk within three days after the effective date of the demotion.

3-5 EXTENSION OF TIME

The department head or Constitutional Officer may extend the duration of the probationary period. No extension shall be allowed which would make the total probationary period longer than one year. A written notification of such extension shall be filed with the County Clerk.

SECTION III
PART 1
ATTENDANCE

1-1 HOURS OF WORK

The established workweek and the hours of work shall, in so far as practicable, be uniform within occupational groups and shall be determined in accordance with the needs of the county service and the seasonable needs of the public who may be required to do business with various county departments.

Where applicable, the workweek shall be established by the Board of County Commissioners, and shall be the same for all persons occupying full-time positions in the same class under the same conditions. The work schedules for each department shall be established by the department heads or Constitutional Officers. The workweek, hours of work and work schedules are subject to change at the County's discretion as its business needs require.

1-2 ATTENDANCE

Each department head or Constitutional Officer shall be responsible for the punctual attendance of all persons in his or her department. Employees shall be allowed 8 (eight) days of unexcused tardiness and/or absences, in any combination, in any twelve month period, before disciplinary actions occur. Determination of excused or unexcused shall be left up to the discretion of the department head. Complete attendance records including vacation leave, sick leave, and overtime shall be reported on the appropriate forms and forwarded to the County Clerk's office.

1-3 LUNCH PERIOD

Each department head or Constitutional Officer shall be responsible for scheduling employee lunch periods. Employees are expected to utilize their lunch period during the hours designated by their supervisors. This time cannot be accumulated beyond one day and saved for the purpose of leaving work early and must have the approval of the department head or Constitutional Officer.

1-4 OVERTIME

Department heads or Constitutional Officers and supervisors shall arrange the work schedules of their employees so as to accomplish the required work within the standard workday. Employees shall be required to work overtime only in emergencies, and the overtime shall be considered work performed by an employee at the direction of a department head, Constitutional Officer, or authorized representative, which exceeds the established workweek of the employee. There is no recognized overtime when a position involves professional, managerial, executive and/or administrative work as defined by the

Fair Labor Standards Act of 1938, as amended. It shall be a condition of employment for all new employees that they accept compensatory time off in lieu of overtime payments.

However, the Board of Commissioners may designate employees to receive overtime rather than compensatory time at their discretion. When an employee works overtime, his supervisor shall schedule that employee to receive full compensatory time off. If the supervisor fails to schedule the compensatory time, the employee shall be paid overtime for those overtime hours worked. In all cases, the county shall seek compliance with the Fair Labor Standards Act Compensatory time shall be used before annual time.

Budgeted overtime shall be utilized at the discretion of the department head or Constitutional Officer. Those departments with no budgeted overtime may not schedule overtime without prior approval of the Board of Commissioners except in the case of an emergency involving public safety concerns.

1-5 HOLIDAYS (NINE PER YEAR)

The following days are designated as official holidays for employees in the personnel system:

New Year's Day
Martin Luther King's Birthday
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Friday after Thanksgiving
Christmas Eve
Christmas Day

Whenever a holiday falls on Saturday, the preceding Friday shall be designated a substitute holiday and observed as the official holiday for that year. When the holiday falls on a Sunday, the following Monday shall be designated as the official holiday for that year. An employee who is not on approved leave and who fails to report on a scheduled workday before or after a holiday shall not be paid for the holiday.

Holidays, which occur during annual or sick leave, shall not be charged against annual or sick leave. All regular employees shall be paid at their regular rate for holidays based on an eight-hour day whether they work or not. Additionally, all employees who work on a holiday shall accrue one and one-half (1½) hours compensatory time off for each hour actually worked. Temporary and part-time employees will accrue one and one-half hour compensatory time off for each hour actually worked on such a day provided that they work the scheduled day before and the scheduled day after. Holidays will run from 12 AM to 11:59PM.

SECTION III
PART 2
LEAVE

2-1 ANNUAL LEAVE

A. General

Annual leave is for the purpose of ensuring both physical and mental well being, and all employees are urged to avail themselves of annual leave. No employee shall receive pay in lieu of annual leave, except in the event of separation from service. To the extent permitted and/or required by the FMLA, annual leave must be taken in lieu of medical leave, family leave, maternity leave, and/or sick leave.

B. Eligibility

All employees in the personnel system shall be entitled to accrue annual leave. Temporary employees shall not be eligible for annual leave.

C. Rate Of Leave Accrual

Full-time and part-time regular employees accrue annual (vacation) leave immediately upon employment. Employees under temporary appointments will not be granted annual leave under these policies.

Vacation is accrued according to the following yearly schedule:

Years of Service	Non-Exempt Employees	Exempt Employees
0-1	6½ days (4 hours per 160 regular hrs worked)	6½ days (4 hrs per 4-week period)
1-10	13 days (8 hrs per 160 regular hrs worked)	13 days (8 hrs per 4-week period)
10-15	16¼ days (10 hrs per 160 per regular hrs worked)	16¼ days (10 hrs per 4-week period)
15-20	19½ days (12 hrs per 160 regular hrs worked)	19½ days (12 hrs per 4-week period)
20+	26 days (16hrs per 160 regular hrs worked)	26 days (16hrs per 4-week period)

D. Request For Leave

A request for leave shall be submitted to the employee's immediate supervisor. Leave may be taken only after approval by the appropriate Department Head or Constitutional Officer so that the department can function without hiring additional temporary help.

E. Maximum Allowable Accumulation

Unused accrued leave not to exceed 240 hours may be carried into the next calendar year.

F. Payment For Unused Annual Leave

When an employee is separated from the service, he shall be paid for all unused accrued leave.

G. Official Holidays And Annual Leave

If an official holiday observed by Monroe County should fall during an employee's scheduled annual leave period, that official holiday shall not count as a day of annual leave.

H. Annual Leave Substituted For Sick Leave

If an employee has used up his or her allotment of sick leave, the employee may substitute annual leave in the case of extended illness. Such use of annual leave must be approved by the appropriate department head or Constitutional Officer.

I. Records Of Annual Leave

The Commission Clerk shall be responsible for keeping accurate and current records of all annual leave scheduled and taken by county employees.

2-2 SICK LEAVE

A. General

Sick leave shall be allowed to all eligible employees for employee sickness, physical or mental impairment that prevents the employee from performing, with or without reasonable accommodations, the essential functions of the employees job or for medical, dental or eye examination and treatment that cannot be scheduled outside of normal working hours; and when the employee is required to care for a sick or injured spouse, child or other immediate family member. Sick leave, however, is not to be considered a right that an employee may use at discretion, but a privilege not to be abused. Abuse of sick leave may result in the employee's dismissal.

B. Persons Entitled

All full-time and part-time regular county employees are eligible to use sick leave. Temporary employees are not eligible for sick leave.

C. Accrual Of Sick Leave

Full-time and part-time employees shall accrue sick leave eight hours per 160 regular hours worked for non-exempt employees, and eight hours per 4-week period for exempt employees, subject to the forfeiture of sick leave upon separation from employment as set forth in Paragraph I, below.

D. Accumulation Of Sick Leave

There will be a cap of 720 hours of sick leave which an employee may accumulate. Any unused sick leave in a given year will be carried over to the following year.

E. Reporting Of Sick Leave

An employee who is absent from work due to illness must notify his or her department head or Constitutional Officer to this effect within one hour of the employee's regular reporting time, and will be expected to keep the department head or Constitutional Officer informed of their medical condition on a daily basis thereafter. Where a relief employee is required in a department which must provide 24-hour continuous service, the employee must report absence due to illness at least two hours before designated reporting time. In the event of failure to comply with these provisions, the employee may be charged with leave without pay.

F. Records Of Sick Leave

The County Clerk shall keep records of employee absence due to illness, disability or medical treatments or examination. When an employee returns to work after said absence, he or she shall be responsible for completing a sick leave form indicating number of hours taken, date taken and reasons for taking. This form shall be reviewed and verified by the department head or Constitutional Officer and submitted to the County Clerk who shall keep records of sick leave accrued and taken in the employee's personnel file.

G. Sick Leave For On-The Job Injury

An employee who sustains an injury on the job must at the time of the injury or as soon as possible thereafter notify the employee's department head, Constitutional Officer, or supervisor. Sick leave will not be charged for absence due to injuries or illnesses incurred in the performance of the employee's assigned job. If an employee suffers a job-related injury, then that employee will receive the benefits established in the County's Workman's Compensation Policy. Employees will not accumulate annual or sick leave while on Workman's Compensation.

1. Return To Work Policy—Work Related Injuries Or Illness

The County is committed to returning injured employees to work, within safe and healthy medical practices, as soon as practical. As soon as possible after the

injury, and when the employee is medically able to return to work, a written medical release from the designated medical provider must be received by the county personnel department. If the medical release specifies that the employee must return to work, the employee will be returned to work immediately or as soon as practical. The medical release should be on a county-approved Physician's Report Form. The County reserves the right to require any treating physician to review the employee's job description, including a description of essential duties, and express an opinion as to whether the employee may safely perform the essential job duties, before putting the employee back to work without temporary modifications or more permanent accommodations.

H. When Sick Leave Is Exhausted

Upon written approval of the appropriate department head or Constitutional Officer, an employee may use annual leave when earned sick leave has been exhausted.

I. Forfeiture Of Sick Leave

An employee who separates from the county service shall forfeit all unused sick leave, and no employee shall be paid for unused sick leave.

J. Certification By Physician

A medical certificate signed by a licensed physician may be required by a department head or Constitutional Officer to substantiate a request for sick leave for the following reasons:

1. Any period of absence consisting of two or more consecutive working days;

2. To support a request for sick leave during a period when the employee is on vacation leave;

3. Leave of any duration if absence from duty recurs frequently or habitually provided the employee has been notified or warned that a certificate will be required.

K. Sick/Vacation Donation

Employees may donate sick and annual leave to another employee, who is on sick leave upon recommendation of Department Head or constitutional Officer and approval by the Board of Commissioners. Donations must follow the conditions set forth below.

1. The donee has to have a critical extended illness.

2. The donee has to have a good attendance record for the previous two years before the beginning of the illness. Good attendance is no more than five shifts of absence per year due to sickness of employee or immediate family member.

3. The donee has to have been an employee of Monroe County for at least two years prior to illness.

4. All sick, annual, and compensatory time accumulated by the donee has to be exhausted first.

5. Written recommendation and request of the Department Head is needed.

6. Maximum donated hours donee may receive is 240 hours of sick leave. After maximum donated sick leave is reached, donee may receive donated vacation leave.

7. Donee must have adequate or noteworthy job performance evaluations.

8. Approval of the majority of the Board of Commissioners is needed for sick and annual leave donation. Decisions will be made on a case by case basis.

9. Employee donating sick leave must maintain a minimum balance of 360 hours of accumulated sick leave unless otherwise approved by the Board of Commissioners.

2-3 FORFEITED LEAVE

You can save up to 30 days (240 hours) of annual leave and up to 90 days (720 hours) of sick leave. Any hours you earn over these amounts are forfeited. However, a record or your forfeited leave is maintained by Monroe County.

Free long-term disability insurance. In the case of a long-term disability, your forfeited leave can be restored to you on an as needed basis. This would provide you full income protection.

Retirement credit. For members of the Employee's Retirement System, forfeited leave can be used to extend your years of service so that you can retire earlier. A combination of accrued sick and annual leave can be combined with the forfeited sick and annual leave for this benefit.

The County will continue to provide health insurance benefits during the period that the employee is using forfeited leave as disability insurance or retirement credit. Paychecks will continue during the approved time. Employee will be eligible for cost of living raises. An employee who has worked at least 1,250 hours during the prior twelve (12) months will be eligible for merit evaluation at his/her merit review date.

Benefit accruals such as vacation, sick leave, or holiday benefits, will be suspended during the approved time.

2-4 MILITARY LEAVE

Georgia law requires that paid leave be granted to members of the Reserve and National Guard under certain conditions, and leave-of-absence is required under other conditions. The county's policy is to grant leave in compliance with the law.

A. Notice Of Impending Duty

Any persons ordered to duty or volunteering for military service shall provide their supervisor with a dated copy of their orders to report within two days of having received such orders. Such notification is necessary in order to allow the department head or Constitutional Officer to find a substitute for the departing employee. An employee not providing such notice may be subject to disciplinary action.

B. Ordered Duty

In compliance with Georgia Code 38-2-279 and federal law, including the Veterans Reemployment Rights Act of 1958, any employee ordered to military duty shall be placed on military leave with pay for a period of time not exceeding a total of eighteen (18) days in any one calendar year and not exceeding eighteen (18) days in any one continuous period of absence.

C. Declared Emergency

According to Georgia Code 38-2-279, in the event the Governor declares an emergency and orders any employee to State active duty as a member of the National Guard, the employee shall receive pay for a period not exceeding thirty (30) days in any one calendar year and not exceeding thirty days (30) in any one continuous period of active duty service.

D. Leave-Of-Absence

According to Georgia Code 38-2-279, 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 an employee while in attendance at any service school conducted by the Armed Forces of the United States for a period up to six (6) months during any four year period. Leave-of-absence may be granted in cases of temporary disability and possibly other emergency situations. In the case of a regular leave-of-absence (non-military), leave prevents a break in service, but no benefits such as leave or time toward retirement shall accrue during leave-of-absence. For military leave-of-absence, federal guidelines on benefits will be followed in such circumstances.

2-5 LEAVE FOR ATTENDING JUDICIAL PROCEEDING

In compliance with O.C.G.A. ~34-1-3, a county employee shall be granted leave with pay when required to be absent from work for jury duty or as trial witness. A copy of the subpoena or summons shall be submitted with the leave request form. Upon release from jury duty or witness duty, employees are to report back to work if three or more hours remain on his/her shift. If payment is received for such service, the employee must endorse over to the county or have an equivalent deduction made from his/her rate of pay, whichever option is preferred by the Payroll Officer. It should be noted that the law enforcement officers testify in court in the performance of their duties and should not be considered eligible for paid jury duty leave in such circumstances.

2-6 FUNERAL LEAVE

A full-time regular county employee will be granted three (3) days (24 hours) of paid funeral leave for a death occurring in the employee's or employee's spouse's immediate family, i.e. spouse, children, grandchildren, parents, grandparents, siblings, or for any relative who is domiciled in the employee's household.

2-7 MATERNITY LEAVE

A. Maternity leave is a period of approved absence for incapacitation related to pregnancy and childbirth. The Family and Medical Leave Act of 1993 (FMLA), which permits leaves due to pregnancy, provides that to be eligible, the employee must have worked for the employer for at least twelve (12) months and at least 1,250 hours during the prior twelve (12) months. 29 U.S.C.~2611(2)(A). Maternity leave may be charged to any combination of sick leave, annual leave, or leave without pay. Accrued annual leave and accrued sick leave will be taken during maternity leave as permitted by the FMLA.

B. The employee desiring maternity leave should give the employer not less than thirty (30) days notice of the date the leave is requested. 29 U.S.C.~2612(e). Such notification shall include a written statement from her physician specifying the approximate date of birth, and her physician's recommendation on how long the employee will be physically able to continue working. Maternity leave shall be granted to county employees upon written request filed by the employee at least two weeks prior to the effective date (unless emergency conditions prohibit the filing on such prior notice, in which case it shall be filed as soon as possible). In addition, Monroe County will continue to comply with the Pregnancy Discrimination Act.

C. An employee may be permitted to continue work so long as she can, with or without reasonable accommodation, perform the essential functions of her position.

D. An employee may be granted leave without pay for maternity purposes for a period not to extend beyond twelve (12) weeks after the date of delivery. A substitute or temporary employee may be utilized to fill in for an employee on maternity leave until the employee can return to work.

2-8 LEAVE WITHOUT PAY

A. Leave Without Pay Defined

When it is deemed in the best interest of the County, a regular status employee may be granted leave without pay for personal or other reasons, provided such leave is approved by the appointing authority. An employee who has worked for the County for at least twelve (12) months and at least 1,250 hours during the prior twelve (12) months may take up to twelve (12) weeks of unpaid leave. 29 U.S.C.~2611(2)(A). Accrued annual leave and accrued sick leave will be taken by the employee during a leave provided in this section as permitted by the FMLA. Non-regular employees are not eligible for grants of leave.

B. Reasons For Granting

The appointing authority may grant leave without pay for a period not to exceed six months, when it is deemed to be in the best interest of the county. Valid reasons shall be confined to the following: prolonged illness or disability of the employee or a member of the employee's household, educational or training enrichment, pregnancy and childbirth. Military leave without pay is addressed separately.

C. Family Leave

The county provides family leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill family obligations relating directly to the birth or adoption of a child or the illness of a child, spouse, or parent. Regular full-time employees are eligible to request family leave as described in this policy. The County and its employees will comply with the Family and Medical Leave Act of 1993 (FMLA). As soon as eligible employees become aware of the need for a family leave of absence, they should request a leave from the department head or Constitutional Officer. The FMLA requires employees to give the employer at least thirty (30) days notice of the date of the foreseeable leave; otherwise the leave can be delayed under certain circumstances. 29 C.F.R. ~825.304 (b). If the employee fails to give the employer (30) days advance notice of a foreseeable leave, and the employee has given no reasonable excuse for the failure to provide timely notice, the employer can deny the employee's taking of FMLA leave until at least thirty (30) days after the employee gives the notice to the employer. ~29 C.F.R. 825.304 (b); 29 C.F.R. ~825.312 (a).

Employees requesting family leave related to the illness of a child, spouse, or parent may be required to provide a physician's statement verifying the illness, its beginning and expected ending dates, the need for the employee to provide care, and the estimated time required.
Eligible employees may request up to 12 weeks of family leave within any 12-month period. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than ten calendar days.

With the department head's or Constitutional Officer's approval, an employee may take any available vacation leave as part of the approved period of leave.

Requests for family leave will be evaluated based on a number of factors, including anticipated workload requirements, staffing considerations, and hardship to the county's operations during the proposed period of absence. Requests that cannot be accommodated may be denied or deferred.

Subject to the terms, conditions, and limitations of the applicable plans, the county will continue to provide health insurance benefits for the full period of the approved family leave.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

When a family leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. Except when legally required, the county cannot guarantee reinstatement. The FMLA provides generally that the employee has a right to be restored to an "equivalent" position. 29 U.S.C. ~2614 (a); C.F.R. ~~825.218, 825.312(a).

If an employee unequivocally advises the employer that the employee does not intend to return to work, the employment relationship is deemed terminated, and the employee's entitlement to reinstatement, continued leave, and health benefits ceases. The County will make a reasonable inquiry to determine whether the employee will return to work and, if it appears the employee is unwilling to return, the County should deliver, in person or by certified mail, written confirmation of the employee's voluntary termination. An employer may require an employee on FMLA leave to report periodically on the employee's status and intention to return to work.

D. General Procedures

All departments are required to adhere to the following practices in granting leave without pay.

1. Failure of an employee to return to work at the expiration of approved leave shall be considered as absence without leave and ground for dismissal.

2. An employee granted leave without pay and who wishes to return before the leave period has expired, shall be required to give his or her department head or Constitutional Officer at least one week's notice. Upon receipt of such written notice, the employee may be permitted to return to work at the discretion of the appointing authority.

3. No sick leave, annual leave, nor credit toward merit increases will be earned by and employee for the time that the employee is on leave without pay.

4. An employee shall return from leave without pay to the same step of his or her salary grade as at the time of commencement of leave.

5. An employee while on an authorized leave of absence without pay, who obtains either part-time or full-time employment elsewhere is required to notify his or her department head or Constitutional Officer in writing within three days of accepting such employment.

6. An employee who takes family leave will not lose seniority.

E. Procedure For Requesting Leave Without Pay

Application for leave without pay shall be submitted in writing one month in advance showing the employee's reason for requesting such leave, and shall contain a statement that the employee intends to return to the county upon expiration of such leave, and the employee agrees to the terms and conditions as outlined in these policies. In emergency situations, when an employee does not have accrued leave and is unable to return to work as scheduled as result of illness or emergency reasons, the employee's department head or Constitutional Officer may recommend approval of the granting of leave without pay without prior application by the employee.

F. Rights Of Employee On Leave Without Pay

1. Reinstatement Of Former Position

Employees, with the rare exception for some "key employees," have the right to be restored to an "equivalent" position. 29 U.S.C.~2614(a).

2. Continuity Of Service

Employees granted leave without pay shall not be considered to have affected a break in service. Continuation of county insurance benefits for eligible employees during the time the employee is on leave without pay shall be in accordance with the FMLA. 29 U.S.C.~~2614©, 29 C.F.R.~~825.209(f)(e).

G. Temporary Filling Of Position Of Employee On Leave Without Pay

During the employee's approved leave of absence, the employee's position may be filled by temporary or substitute appointment. At the expiration of leave without pay, the employee shall be reinstated in the employee's former position without loss of status or benefits.

2-9 LEAVE OF ABSENCE FOR BLOOD DONATION

Employees of the County shall be allowed a leave of absence, without loss of pay, of not more that eight (8) hours in each calendar year for the purpose of donating blood. This absence shall be computed at two hours per donation, up to four times per year.

2-10 ABSENCE WITHOUT LEAVE

An absence of an employee from duty, including an absence for a single day or part of a day, that is not authorized by a specific grant of leave of absence under the provisions of these regulations shall be deemed to be an absence without leave. Any such absence shall be without pay and shall be cause for disciplinary action.

2-11 NOTIFICATION OF COUNTY CLERK

When an employee has taken leave of any kind or is absent without leave, his or her department head or Constitutional Officer shall notify the County Clerk in writing within the same pay period in which the leave is taken or the absence without leave occurs. Such notifications may be by notation on a time card or attendance sheet or by memo, giving specific information covering type of leave, dates and hours, and other pertinent data. Such information will then be recorded in the appropriate employee's personnel file by the County Clerk.

SECTION IV
PART 1
EMPLOYEE TRANSFERS

1-1 INTRA-DEPARTMENTAL TRANSFERS

The appropriate department head or Constitutional Officer may, at any time, transfer an employee in the county service under his or her jurisdiction from one position to another in the same class in the same department. An intra-departmental transfer of an employee to a position of another class shall be made only with the approval of the appointing authority and only between classes within the same pay range.

1-2 INTER-DEPARTMENTAL TRANSFERS

A transfer for an employee from one department to another shall have the approval of both department heads or Constitutional Officers concerned and the appointing authority. Requests for such transfers shall show how the employee concerned meets the qualification requirements of the class to which the transfer is proposed.

1-3 PAY RATE AFTER TRANSFER

An employee who is granted a voluntary transfer within the county service shall be assigned the pay rate applicable to the requested position, unless otherwise provided for by the Board of Commissioners.

SECTION IV
PART 2
PAY ADMINISTRATION

2-1 OBJECTIVE

The objective of this guideline is to define the county's pay administration philosophy and to establish a uniform and consistent method for adjusting the compensation and pay received by the employees of the county.

2-2 USES OF POSITION CLASSIFICATION

Position classification is the foundation upon which are constructed all major phases of a personnel program. Each class specification contains a general description of the nature and degree of difficulty and responsibility involved in the work of the class and provides a statement of the qualifications that are required for successfully performing its duties and responsibilities. Please be advised that the following description endeavors to list any of the important functions of the position classification plans, and does not and is not intended to provide an all-exhaustive and/or all-inclusive list of all of the important activities, duties, and responsibilities of each position classification plan. These position classification plans are not permanent and are subject to change, modification, or addition at the discretion of the County.

For Management, the Position Classification Plan:

1. Forms the basis of an objective recruitment program;

2. May be used by each department head or Constitutional Officer in perfecting or revising organizational structure, clarifying lines of authority fixing responsibility, and weighing personnel requirements;

3. Provides the background information for setting salary and wage plans to assure equal pay for equal work;

4. Serves as the basis for establishment of work-related written, oral, performance, or other examinations; employee efficiency rating programs; employee training and counseling; regulations governing original employment, promotion transfer, demotion, lay-off and discharge; safety programs; and research studies.

5. Provides uniform job terminology for payroll activities and for use of all persons concerned with personnel activities;

6. Facilitates the budgetary processes, the continuous review and control of operations and the most advantageous placement and use of personnel;

7. Keeps top management informed of personnel assignments at all times and helps locate duplication of functions, faulty organization, and bottlenecks in the flow of work; assists in planning for increases or decreases in workloads; and generally provides information necessary for practically all problems involving the management of personnel.

8. This list of the nature, responsibilities, and goals of this plan is not all-inclusive and/or all exhaustive of important factors.

For The Employee, a Well-Developed Position Classification Plan:

1. Gives the employee a better concept of the activities of his/her own department, of his/her own work assignments, and of the municipal services as a whole;

2. Shows the employee avenues of advancement which may serve as incentive to improve his/her status through more intensive attention to duties and by securing additional training or education;

3. Allows the employee to see the position and its duties and responsibilities, rather than the person occupying the position. An objective look at his/her own position and other positions may answer many questions that have long affected an employee's morale (for example, "I've been here longer" or "I work harder" "Why is Mary or Joe paid more than I am?"). The position classification plan shows the employee that classification and pay are based on the level of difficulty of assigned duties and responsibilities. At the same time, it provides the information needed for judging how well the employee is performing his/her duties when the supervisor evaluates for purposes of salary increments or promotion. Employees may review the county's position classification by contacting their department head or Constitutional Officer.

4. Assures the employee that his/her position was reviewed objectively in relation to other positions and that political or other non-job related considerations were not used as the basis of its classification and pay.

5. This list of the nature, responsibilities, and goals of this plan is not all-inclusive and/or all exhaustive of important factors.

2-3 ALLOCATION OF OFFICES AND POSITIONS TO CLASSIFIED SERVICE OR EXEMPT FROM THE CLASSIFIED SERVICE

A. General Allocation. All officials and positions of the County shall be classified or exempt from the classification services as listed.

B. Classified Position. Classified positions shall include all full-time positions that are not specifically listed as exempt from the classified service by the Board of Commissioners.

C. Exempt Service. Positions listed as exempts from the classified service include all elected officials, seasonal or part-time employees, and volunteers.

2-4 SCOPE OF SECTION

The provisions of this section hereafter set forth shall apply only to those positions listed under Section 2-3 (b) unless otherwise specifically provided herein.

2-5 CHANGES IN CLASSIFICATION PLAN

The classification plan may be amended from time to time by the Board of Commissioners. Such changes may result in the reclassification or creating of new positions, or changes in assigned duties and responsibilities. The Board of Commissioners shall review all requests for (1) creation of new positions; (2) abolition or consolidation of present positions; (3) reclassification of positions to different job classes; or (4) the reallocation of positions to new salary ranges. In such a review, the Board of Commissioners shall study the current duties and responsibilities of the position(s) concerned to determine if such action is necessary.

Each department head or Constitutional Officer shall report to the Board of Commissioners any changes in his/her organization or the assignment of duties and responsibilities to a given employee which may result in reclassification of a position.

An employee may submit a request in writing to his/her department head or Constitutional Officer at any time requesting a review of the duties and responsibilities of his/her position. The request will include the employee's description of his/her current duties and responsibilities. If the employee's responsibilities and duties are significantly greater than the employee's current responsibilities and duties, then the department may reclassify the position.

2-6 ABOLISHMENT OF POSITION; EFFECT THEREOF

A position may be abolished or the number of personnel reduced by the Board of Commissioners for reasons of economy. Every effort shall be made to reassign any affected permanent employee to another position in the service of the county for which the employee is qualified. If no such position is available immediately, the name of the affected employee shall be kept on file and shall be offered employment should a vacancy occur in a position for which they are qualified prior to taking applications for the vacancy. If an employee is demoted because of economy or department reorganization, he shall be placed in a new salary grade.

SECTION IV
PART 3
EMPLOYEE PERFORMANCE EVALUATION

3-1 OBJECTIVE

To establish a uniform method of evaluating an employee's performance on the job for the purpose of employee development.

3-2 MERIT REVIEW

Salary adjustments and/or promotions shall be determined on the basis of merit as confirmed by the performance evaluation. The merit review procedure as contained in this section shall serve as the basis for advancing employees in the pay plan. Criteria used in the employee performance evaluation shall be as follows:

A. Attendance

B. Punctuality

C. Conformance to policies and procedures (including safety).

D. Conduct and effort while interacting with coworkers and the public.

E. Performance of duties and response to supervisory instruction.

F. Ability to make sound, responsible decisions in the absence of direct supervision.

G. Ability to perform duties under physical and/or mental stress or hardship.

H. Job knowledge and skills.

I. Employee's response to constructive criticism.

J. Employee's overall performance during rating period.

3-3 MERIT REVIEW PROCESS

The departmental supervisor shall conduct the performance evaluation once a year and when such evaluation is complete, upon request of the employee, the supervisor shall meet with employees on an individual basis to discuss the evaluation, findings, and recommendations. If the employee has not requested a discussion period with the supervisor ten days after completion of the performance evaluation and notification to the employee, a record of the evaluation, findings, and recommendations shall be made on the employee's permanent personnel file. The employee shall have the right to appeal the

decision reached by his/her supervisor to the department head or Constitutional Officer, whose decision concerning the performance evaluation will be final and conclusive.

3-4 PROMOTION

Candidates for promotion shall be chosen on the basis of an existing or anticipated job opening, on their qualifications, and on their work records—without regard to age, sex, race, color, creed, religion, national origin, or disability. Performance appraisals and work records for those persons, who in the discretion of the department heads or Constitutional Officers have the requisite education, skill, experience, and ability for the position, shall be carefully examined when openings for positions in higher classifications occur.

Vacancies in positions shall be filled as far as practicable by the promotion of employees in the service of the organization, subject to the limitations set forth in this Policy Manual.

3-5 DEMOTION

A department head or Constitutional Officer, in his or her discretion, may demote an employee at any time. An employee who wishes to accept a position with less complex duties and responsibilities may be demoted by his/her department head or Constitutional Officer for reasons other than unsatisfactory performance of duties or failure in personal conduct.

SECTION V
PART 1
DISCIPLINARY ACTIONS

1-1 INTENT OF DISCIPLINARY ACTION

It is the intent of Monroe County that effective supervision and employee relations will avoid most matters that necessitate disciplinary action. The purpose of these rules, and disciplinary action for violation of such rules, is not intended to restrict the rights of anyone, but to insure the rights of all and secure cooperation and orderliness throughout the County service. The County reserves the right to terminate and discharge an employee at any time without first resorting to any lesser form of discipline. Progressive discipline shall be the guiding principle.

1-2 TYPES OF DISCIPLINARY ACTION

Except as otherwise provided for by General Statutes of the State of Georgia, the following provisions shall govern disciplinary action affecting county employees. The recommended penalties provided below are not to be considered absolute, but as guidelines dependent on factors, including but not limited to, the severity of the offense, the employee's job performance, and the discretion of the appropriate department head or Constitutional Officer. It is the responsibility of the appropriate department head or Constitutional Officer to administer, in his or her discretion, disciplinary action.

A. Group 1 Offense

1. Failure to work assigned hours, including overtime.

2. Quitting work, wasting time, loitering, or leaving assigned work area during work hours without permission.

3. Taking more than the specified time for meals or for rest periods.

4. Failure to meet required standards of productivity or workmanship.

5. Continual careless mistakes.

6. Disregarding job duties, as evidenced by loafing or neglect of work during working hours.

7. Chronic tardiness.

8. Chronic absenteeism.

9. Absence without permission or leave.

10. Violation of a safety rule or practice.

11. Failure to report an accident or injury incurred on the job.

12. Engaging in horseplay or other malicious mischief, catcalling or other disorderly conduct on the job.

13. Creating or contributing to unsafe or unsanitary conditions on the job.

14. Failure to keep department and personnel office notified of correct address and phone number.

15. Use or possession of another employee's tools or equipment without that employee's consent.

16. Failure to follow any internal policies and procedures.

17. Using abusive and/or obscene language and/or gestures.

18. And other offenses, activity and/or misconduct that are similar in nature and degree to the ones listed above.

In most cases discipline for Group I Offenses will follow the progressive steps listed below. However, the county reserves the right, in its sole discretion, to impose any form of discipline up to and including termination without following the steps listed below.

First Offense	Verbal reprimand.
Second Offense	Written reprimand.
Third Offense	One to five day suspension.
Fourth Offense	Suspension pending discharge investigation.

B. Group II Offense

1. Provoking or instigating a fight on the job or fighting at any time on county property.

2. Threatening, intimidating, coercing or using abusive language toward fellow employees or supervisors.

3. Sleeping during working hours unless otherwise provided for in certain jobs.

4. Gambling or engaging in games of chance on the job.

5. Leaving the job during regular work hours without permission.

6. Careless mistakes that affect or could affect the safety of county personnel or bystanders.

7. Vending, soliciting or collecting contributions for any purpose at any time on county premises without permission of department head, Constitutional Officer or Commissioner's Office.

8. Job-related careless mistakes damaging material, parts or equipment.

9. And other offenses, activity and/or misconduct which are similar in nature.

In most cases, discipline for Group II offenses will follow the progressive steps listed below. However, the County reserves the right, in its sole discretion, to terminate and discharge an employee at ant time or to impose any form of discipline up to and including termination without the following the steps listed below.

First Offense	Written reprimand and two-to-five day suspension.
Second Offense	Suspension pending discharge investigation.

C. Group Offense III

1. Wanton and willful neglect in performance of assigned duties.

2. Deliberate misuse, destruction, damage, or pilferage of any county property or property of an employee.

3. Falsification of personal or county records including (but not limited to) employment applications, accident records, purchase orders, time records, work records, and administrative records.

4. Making false claims or misrepresentation in an attempt to obtain sickness or accident benefits, worker's compensation benefit or unemployment compensation benefits or dishonest acts.

5. Insubordination through the refusal to perform work assigned or to comply with written or verbal instructions of the supervisory force.

6. Insubordination through discourtesy (including but not limited to use of abusive language) to anyone with whom an employee may have contact on the job.

7. Unauthorized possession of any weapon or explosive on the job (possession of weapons or explosive must be job-related and authorized by superior authority).

8. Theft or unauthorized removal from county locations any property of the county or of a fellow employee.

9. The use, sale, or possession of any illegal drugs or hallucinogens while on the job.

10. Proven incompetence or inefficiency in the performance of assigned duties (sufficient documentation is necessary what is sufficient will be determined through administrative proceedings).

11. Use or attempted use of political influence or bribery to secure an advantage in any matter, including assuming work duties outside of the employee's normally scheduled duty of work shift (when not vitally necessary), or carrying a county provided weapon when not on duty (and not personally authorized to carry it when off duty).

12. Concerted curtailment or restriction of production or interference with work in or about county work stations, including, but not limited to, leading or participating in any walkout, strike, slowdown or other work stoppage or refusal to return to work when scheduled.

13. In continuous operations, leaving workpost at the end of scheduled shift with no relief at this point.

14. Reporting for work under the influence of intoxicants or consumption of alcohol or other intoxicants on the job.

15. And other offenses, activity, and/or misconduct, which are similar in nature and/or degree to the ones listed above.

Violators of Group III Offenses may be suspended pending discharge investigation. However, the County reserves the right, in its sole discretion, to terminate the employee immediately without resorting to suspension pending discharge investigation.

D. Suspension Before Discharge

An employee accused of committing a discharge offense is to be suspended with pay, until the charge is investigated and the administrative due process requirements are satisfied. No suspension will last beyond thirty (30) working days and if discharge is necessary, the employee will be terminated effective the last day worked.

1-3 RECORDS OF DISCIPLINARY ACTION

In all cases of disciplinary action, the appropriate department head shall forward to the commission clerk and the Board of Commissioners pertinent data concerning the disciplinary action such as; name of employee involved, offense committed, date offense committed, and type of disciplinary action received. This information shall be included in the employee's personnel folder and the employee shall receive written notification of the disciplinary action. Records of disciplinary action shall be maintained for at least five years after the date of employee's separation from the county. Constitutional Officers

shall be responsible for compiling and retaining data concerning disciplinary action of their own employees.

1-4 DISCIPLINARY ACTION CONCERNING APPOINTED DEPARTMENT HEADS

The Board of Commissioners has the authority to administer disciplinary action to appointed county department heads in accordance with the provisions of this subsection.

1-5 RIGHTS OF APPEAL

Any employee who has received disciplinary action, and who has completed his or her probationary period, shall have the right to appeal disciplinary action.

SECTION V
PART 2
SEPARATIONS

2-1 RESIGNATION

A. Voluntary Resignation

To resign in good standing, an employee must in writing, give his or her department head or Constitutional Officer at least fourteen calendar days notice. Normally, failure to comply with this rule shall be entered in the service employment record of the employee, and may result in denial of reemployment rights. However, the department head or Constitutional Officer, with the approval of the appointing authority, may exempt from any or all of these penalties an employee who has given less than the required notice when, in his or her judgment, exceptional circumstances warrant such exception.

B. Return After Voluntary Separation

If a person is rehired after voluntary separation he/she shall not retain sick leave or any other benefits having to do with longevity and/or seniority.

C. Return After Retirement

If a person is rehired after retiring, they shall be regarded as a new employee.

D. Compulsory Resignation

An employee, who without valid reason, fails to report to work for three consecutive days without authorized leave, may be separated from the payroll and reported as a compulsory resignation. Such an employee may not be eligible for reemployment.

2-2 LAY-OFFS

Lay-off is the termination of employment of a county employee when, for any valid reason, it may be necessary to abolish one or more positions due to reorganization, lack of work or lack of funds. Lay-off does not reflect discredit upon the service of the employee.

A. When for any reason, it becomes necessary to reduce the work force in a department or division, the department head or Constitutional Officer shall make recommendations to the appointing authority who shall consider length or service in class, length of service with the county, and the average performance rating for the last three years in determining which employees shall be laid off. The chief basis of the decision shall be the relative competence of the employees for the job that remains. In choosing between two employees, the employee most competent for the

job that remains shall be retained. If it is found that two or more persons in the organizational unit in which lay-off is to be made have equal ratings as determined by review of employee records and evaluation ratings, the order of lay-off shall be the last employee to enter the service shall be the first to be laid off.

B. If a regular employee is scheduled to be laid off, he or she shall be offered a demotion to a lower class is a vacancy exists and he or she is qualified to fill the position in the lower class involved.

C. Prior to a reduction in force, the names and job titles of any and all regular employee scheduled for lay-off shall be submitted to the appointing authority for approval and until the appointing authority has approved and confirmed the names submitted for lay-offs, no lay-off shall be consummated.

D. Full-time employees to be laid off shall be notified in writing by the appointing authority at least fourteen calendar days prior to the effective date of the lay-off.

E. Employees who are laid off will be treated as if they were on leave of absence for six (6) months and will receive preference in rehiring should a position for which they are qualified opens within that six-month period.

2-3 DISABILITY OR HANDICAP

The County reserves the right to request employees to submit to medical examinations subject to the limitations of the Americans with Disabilities Act. Any department head or Constitutional Officer may direct an employee to be examined by a physician employed by the county. When a disability of any kind is discovered which impairs the effectiveness of an employee, or makes continuance on the job a danger to the employee or others, one of the following actions shall be taken:

A. If the disability or handicap is correctable, a specified period of time shall be allowed for its correction.

B. If, in the opinion of the examining physician, the disability or handicap cannot be corrected, the department head or Constitutional Officer shall make all reasonable efforts to accommodate the needs of the employee so that they can retain their position and perform satisfactorily.

C. If the disability or handicap cannot be accommodated in the employee's existing position, the appointing authority may transfer the employee to another position which can be performed satisfactorily. Interdepartmental transfer may be made for this purpose.

D. If no position can be found which the employee can perform satisfactorily, the employee shall be separated from employment with the county through retirement or lay-off.

2-4 LOSS OF JOB REQUIREMENTS

Any employee who is unable to do the assigned job adequately because of loss of a necessary license or other requirements may be separated by a lay-off or placed in another position for which the employee may be qualified.

2-5 WRITTEN NOTIFICATION OF BENEFITS

Any employee who leaves the employment of Monroe County shall be given written notification of the status of his/her benefits within 30 days of separation.

SECTION VI
PART 1
GRIEVANCE

1-1 GRIEVANCE PROCEDURE

A. Purpose

The purpose of the employee grievance procedure is to provide an orderly process for hearing the grievable claims of non-probationary employees, and claims of unlawful discrimination by probationary employees. The object of the process is to provide the employee the opportunity to voice his or her grievance. The employee and manager should make an effort to resolve any grievance informally before initiating a formal procedure. An employee may only bring a grievance on his own behalf and shall not bring a grievance on behalf of another employee.

B. Definition

A grievance is a claim by a regular employee alleging:

1. that his or her employment has been adversely affected by unfair treatment;

2. unsafe or unhealthy working conditions;

3. erroneous or capricious application of county policies and procedures; or

4. unlawful discrimination; or a claim by a probationary employee alleging unlawful discrimination.

C. Filing

An employee may file a written grievance with his or her immediate supervisor within fifteen (15) calendar days after the occurrence of the event being grieved, or within fifteen (15) calendar days after becoming aware of the event. The grievance statement must be submitted to the supervisor in writing, and it must state the specific claim and the specific relief desired. Constitutional Officers may establish a unique grievance procedure for their own employees provided that such a procedure follows the basic procedures outlined in this section, at a minimum.

D. Steps

The employee grievance procedure must provide for a minimum of two (2) steps, or levels of review, for covered employees below the position of department head or Constitutional Officer. Normally, the immediate supervisor will hear the grievance in

the first step and the department head or Constitutional Officer will hear the grievance in the second step. For department heads, and other employees reporting directly to the appointing authority, the sole grievance hearing will be conducted by the appointing authority.

E. Notification And Scheduling

If the claim is grievable, the first hearing will be held within twenty (20) calendar days after the grievance is filed. The first hearing officer must notify the grievant of his or her decision in writing within fifteen (15) calendar days of the hearing. If the grievant wishes to have a second hearing, he or she will notify the department head or Constitutional Officer within fifteen (15) calendar days after receiving the initial decision. The second hearing officer will notify the grievant of his or her decision within fifteen (15) calendar days of the hearing.

F. Hearing

The grievance hearing is intended to create a formal means for the grievant to communicate his or her complaint in an informal setting. Therefore, the hearing officer will not be argumentative nor present the opinions of management at the hearing. The hearing officer will listen to the grievant's presentation and question the grievant to obtain pertinent facts about the claim and the situation relevant to the claim. The employee will represent himself/herself, but may bring witnesses to the hearing to testify. Both the grievant and the hearing officer may question the witness. A handicapped employee may be accompanied by an interpreter when that is necessary. Since the grievance hearing is an internal administrative process, it shall be closed to the public.

G. Review And Reporting

After the hearing, the hearing officer will review the claim, evidence, and requested relief, and will report his or her decision in writing to the grievant according to the schedule in Paragraph E. The decision of the hearing officer will be the final decision in each step of the grievance process.

H. Non-Grievable Areas

The following areas are not grievable:

1. Issues which are pending or have been concluded by other administrative or judicial procedures;

2. Work assignments which do not result in a demotion or salary reduction:

3. Budget allocations and expectations, and organizational structure, including the persons or number of persons assigned to particular jobs or units;

4. The selection of an individual by the appointing authority 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.

5. Disciplinary actions other than reprimands;

6. Any matter which is not within the jurisdiction or control of the appointing authority;

7. Internal security practices established by the appointing authority or the governing authority; and

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

I. Posting Procedures

Each department will post a grievance procedure that is specific to that particular office.

SECTION VI
PART 2
APPEAL

2-1 APPEAL

An appeal before an appeal hearing officer is a formal review of a decision, action, or condition which exists, which adversely affects the claimant, and which is a violation of these policies, unlawful, or unjust, and which is listed in Paragraph B.

A. Purpose

The purpose of the appeal is to ensure that due process is available to regular employees in their jobs, and to both regular employees and probationary employees who claim they have been adversely affected by unlawful discrimination.

B. Reasons

An appeal to the appeal hearing officer may be filed as a result of:

1. An adverse action;

2. Unlawful or unjust practices that adversely affect a permanent employee; or

3. Unlawful discrimination.

C. Filing

An appellant must file a written appeal with the appointing authority within fifteen (15) calendar days of learning of the event or decision. The appeal shall contain a statement describing what is being appealed. The appeal hearing officer will determine if the case is appealable, with merit, and properly filed. If appealable, the appeal hearing officer will notify the appellant in writing of the date, time, and place of the appeal hearing within (15) calendar days after reviewing the written appeal, which shall be within thirty (30) calendar days of receipt of the written appeal by the appeal hearing officer.

D. Hearing

The appeal hearing officer, or board, will conduct the appeal hearing. The hearing process is intended to be less formal than a court hearing, but orderly. To ensure orderliness, the hearing procedure of a civil case in Georgia's Superior Court will be used. The hearing officer will compile evidence, prepare findings of facts, conclusions of law, and issue a recommendation to the appointing authority. The

hearing will be recorded. Appeal hearings shall be held in an open manner consistent with the requirements of similar due process actions.

E. Representation

Both the county and the appellant may represent themselves at the appeal hearing, or either may choose to be represented by an attorney.

F. The Decision

The appeal hearing officer shall submit the recommendation to the appointing authority within fifteen (15) calendar days after completion of the hearing, and the appointing authority will notify the appellant of the final action to be taken within fifteen (15) calendar days after receiving the appeal hearing officer's recommendation. The decision of the appointing authority will be the final decision of Monroe County.

G. Hearing Costs

The Court appeal costs shall be shared equally between the County and appellant. A cash bond of $200.00 shall be deposited to the County by the appellant.

SECTION VI
PART 3
DEFENSE OF CIVIL, CRIMINAL OR SEMI-CRIMINAL ACTIONS

3-1 POLICY

Whenever there is the potential for the violation of the civil liberties of the governing members, officers, or employees of Monroe County by either civil, criminal, or semi-criminal actions against said governing member, officer, or employee, the governing authority of Monroe County shall make a determination upon the facts made known to them whether or not to pay all or a portion of the attorney's fees, court costs, or other litigation costs associated with the defense or other response to the action.

The governing authority of the county shall retain the maximum discretion allowed in determining what actions, if any shall be contributed to for the best interest of the county. Payments shall not be authorized to furnish a defense to any persons charged with a criminal offense involving theft, embezzlement, or other like crime with respect to the property or money of or in which said county has an interest; however, costs of defense in such cases may be reimbursed after termination of such action if the facts and circumstances show that there was, in fact, no such theft or embezzlement and the actions so charging were brought wrongfully or in bad faith.

SECTION VII
PART 1
TRAINING AND DEVELOPMENT ACTIVITIES

1-1 EMPLOYEE SAFETY AND DEVELOPMENT

It shall be the responsibility of the Board of County Commissioners to organize with department heads, Constitutional Officers, employees and others to foster and promote programs of safety and training for the county service and in-service training of employees for the purpose of improving the quality of personal services rendered to the county and of aiding employees to prepare themselves for advancement in the service.

1-2 ADMINISTRATION OF EMPLOYEE DEVELOPMENT PROGRAM

The Board Of Commissioners Shall:

A. In concert with the department heads or Constitutional Officers be responsible for fostering and promoting in-service training of employees for the purpose of improving the quality of service, and to assist employees in preparing themselves for advancement.

B. See that training is carried out as approved and have prepared certificates or other forms of recognition for persons who satisfactorily complete approved courses and programs.

C. Direct department heads or Constitutional Officers in developing and conducting training to meet the specific needs of their departments in developing and utilizing other techniques for increasing employee efficiency and effectiveness.

D. Develop and conduct supervisory and management training and other types of training and employee development programs common to all departments.

E. Direct department heads or Constitutional Officers in establishing standards of performance and procedures for evaluating employee effectiveness.

F. Make available information concerning job requirements and training opportunities in order to assist employees in increasing their efficiency and effectiveness in their present positions, and in preparing themselves for promotions to higher positions within the county.

G. Upon the recommendation of the appropriate department head or Constitutional Officer, the Board of Commissioners may authorize an employee to receive reimbursement for the cost of tuition or books for any job-related course successfully completed. Any training or education required by federal or state regulation or by order of the Board of Commissioners will be paid for by the Board of Commissioners. Personal enrichment courses shall not be eligible for reimbursement.

H. The respective department head or Constitutional Officer shall keep a record of all approved training programs and courses and a record of employees who successfully complete such courses and programs. Eligible training programs and courses must be specifically job-related.

SECTION VIII
PART 1
OUTSIDE EMPLOYMENT

1-1 RULES

Outside employment is any paid employment performed by an employee in addition to his or her employment with Monroe County. Constitutional Officers are authorized to establish their own policies and guidelines for outside employment for employees within their own departments. The following criteria will apply to outside employment (excluding Constitutional Officers):

A. Such employment shall not interfere with the efficient performance of the employee's duties or efficient operation of the department;

B. Such employment shall not involve a conflict of interest or conflict with the employee's duties;

C. Such employment shall not involve the performance of duties which the employee should perform as part of his or her employment with the county;

D. Such employment shall not occur during the employee's regular or assigned working hours unless the employee is on either annual leave or military leave;

E. No employee granted permission to engage in outside employment shall work at said outside employment for a longer period of time than stated in his or her request for permission to engage in such employment;

Any employee accepting outside employment under the terms of these rules shall make arrangements with the outside employer to be relieved from his or her outside duties if and when called for emergency service by the county.

1-2 PROCEDURE

A. Any employee desiring to perform outside employment shall first file a request in writing with his or her department head for permission to engage in outside employment. The request shall state the type of employment and the hours of work, the name of the perspective employer and place of prospective employment and be filed with the county clerk.

B. The department head may either disapprove or recommend approval of the request. The decision of the department head shall be final.

SECTION IX
PART 1
ACCEPTANCE OF GIFTS AND GRATUTIES

1-1 EMPLOYEE ACCEPTANCE OF GIFTS

An employee shall not accept gifts, gratuities or loans from organizations, business concerns, or individuals with whom the employee has official relationships on business of the county government. These limitations do not apply to articles of negligible value nor loans from regular lending institutions, nor shall they prohibit employees from accepting social courtesies which promote good public relations. Accepting tips is prohibited. It is particularly important, however, that all employees guard against relationships which might be construed as evidence of favoritism, coercion, unfair advantage or collusion. Constitutional Officers may adopt more stringent policies for their own employees.

SECTION X
PART 1
USE OF COUNTY PROPERTY

1-1 DRIVERS LICENSE REQUIREMENT

Employee's driving county vehicles are required to have such driver's license for the vehicles being driven as is required by the Georgia State Law, irrespective of whether the employee drives the vehicle on a regular, occasional or other basis, and whether or not this requirement is included or omitted in the description of the class to which the employee was appointed. Violation citations, fines or other actions taken by any police jurisdiction against any employee while driving a county vehicle in violation of this rule shall be the responsibility of the employee and may be cause for disciplinary action. Constitutional Officers may adopt a policy that is more stringent than this one in order to meet statutory and legal requirements.

1-2 PROPERTY ABUSE PROHIBITED

Anyone misusing or abusing county property, using county property for other than approved purposes, or taking property home when not approved by the department head shall be subject to appropriate disciplinary action, including dismissal if deemed appropriate. At the discretion of the Board of Commissioners, an employee may be required to pay for the replacement and/or repair of any county property that he/she damages.

SECTION XI
PART 1
POLITICAL ACTIVITIES

1-1 POLITICAL ACTIVITIES

Generally, employees shall neither use their position nor county time for political purposes. The employees may express their political opinions publicly and privately when they are not on county time, and the officers of the County encourage the employees to vote for the candidates of their choice. In addition, other political activities may be prohibited by Federal Law.

Constitutional Officers may establish a more stringent policy for their own employees.

SECTION XII
PART 1
UNLAWFUL ACTS PROHIBITED

1-1 FRADULENT ACTS PROHIBITED

No person shall make any false statements, certificate, mark or report with regard to any test, certification, or appointment made under any provision of this law or in any matter commit or attempt to commit any fraud preventing the impartial execution of this law and policies.

1-2 PAYMENT TO GAIN POLITICAL ADVANTAGE PROHIBITED

No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any money, service, or other valuable consideration for any appointment, proposed appointment, promotion or proposed promotion to, or any advantage in, a position in this county service.

1-3 SEXUAL AND OTHER UNLAWFUL HARASSMENT

Monroe County is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, disability, or any other legally protected characteristic will not be tolerated. As an example, sexual harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited.

Any employee who wants to report an incident of sexual or other unlawful harassment should promptly report the matter to his or her department head or Constitutional Officer. If the department head or Constitutional Officer is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the County Commission Chairperson or the County Clerk. Employees can raise concerns and make reports without fear of reprisal.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment should promptly advise the County Commission Chairperson or the County Clerk, who will handle the matter in a timely and confidential manner.

Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

1-4 RIGHT TO EMPLOYMENT

No employee of the county or other person shall defeat, deceive or obstruct any person in the person's right to examination, eligibility, certification or appointment under this law, or furnish to any person any special or secret information for the purpose of affecting the rights or prospects of any person with respect to employment in the county service.

SECTION XIII
PART 1
RECORDS AND REPORTS

3-1 PERSONNEL TRANSACTIONS

All appointments, separations and other personnel transactions shall be made on standard forms designated by the Board of County Commissioners. A separate file folder shall be prepared and maintained for each employee and shall contain the original or a copy of all pertinent documents.

When not in conflict with state or federal laws, the current retention schedule adopted by the Board of Commissioners shall determine the time limit that personnel records shall be kept on file, and shall determine the final disposition of such records.

3-2 PERSONNEL RECORDS

All personnel records of employees of Monroe County covered under these policies and all other records and materials relating to the administration of the personnel system shall be considered confidential and the property of the county. Information which is obtained in the course of official duties shall not be released by any employee other than those charged with this responsibility as part of their official duties.

The following information relative to employees and former employees is available for public inspection at reasonable times and in accordance with such procedures as the County Commissioners may prescribe; name, class, title and salary. Selection records and performance rating reports are accessible only to the department head or Constitutional Officer concerned, County Commission, and the employee involved. Other personnel information may be made available for official purpose only at the discretion of the County Commission, who shall cause a record of such discretionary release to be affixed to the personnel file folder of the employee in question.

SECTION XIV
PART 1
LIFE-THREATENING ILLNESSES IN THE WORKPLACE

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. Monroe County supports these endeavors as long as employees are able to meet acceptable performance standards. As in the case of other disabilities, the County will make reasonable accommodations in accordance with all legal requirements, including the Americans with Disabilities Act, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Medical information on individual employees is treated confidentially. The county will take reasonable precautions to protect such information from inappropriate disclosure. Department heads, Constitutional Officers, and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

Employees with questions or concerns about life-threatening illnesses are encouraged to contact the County Clerk for information and referral to appropriate services and resources.