

PERSONNEL POLICIES & PROCEDURES



Adopted October 6, 2014
Franklin County Board Commissioners

WELCOME TO FRANKLIN COUNTY

Starting a new job is sometimes unsettling and a little confusing. This employee handbook has been developed to help you get acquainted and answer many of your questions.

As an employee of Franklin County, the importance of your contribution cannot be overstated. Our goal is to provide the finest quality services to the people and businesses in Franklin County and to do this efficiently and effectively.

You are an important part of this process because your work directly influences the County's reputation and how the County is perceived by its residents, visitors, taxpayers and other branches and levels of government.

This employee handbook explains our personnel policies and benefits. To be responsive to the County's needs, changes or additions to this handbook may be made from time to time. You will be informed when these changes are made.

We are glad you have joined us and hope you will find your work to be both challenging and rewarding.

Sincerely,

Chairman
Franklin County Board of Commissioners

Franklin County Georgia

Where you want to Invest!

Franklin County was established in 1784 as Georgia's 9th county and has the distinction of being the first county formed after the Revolutionary War. The County was named in honor of Benjamin Franklin. Today Franklin County is much smaller than it was when it was formed from territory ceded to the United States by the Cherokee (Treaty of Long Swamp, 1782) and Creek (Treaty of Augusta, 1783) Indians. County business was conducted in the home of Warren Philpot in (Sweet) Gum Log on the Tugaloo. George Walton was the first chief justice. In 1788 a courthouse was approved by the state legislature, but it would take another three years before they approved the funds. In 1794, the first courthouse for Franklin was completed on John Mullins' Ford on the Tugaloo River. In 1806, a courthouse was completed in downtown Carnesville.

Franklin Springs was a popular stop with early visitors and by 1800 a fledgling tourist industry of sorts began to develop, although the land was still remote. The county seat of Carnesville was established in 1806. Work on Travelers Rest, then in the northern part of the county, began about this time. Carnesville was recognized with a post office in 1811. In 1878, the Elberton-Airline Railroad reached Aquilla, later named Lavonia (in February 24, 1880) after Mrs. Lavonia Jones. In 1826, another courthouse was constructed in Carnesville, adjacent to the old one. In 1906 this building would be torn down and another courthouse would be built for the county, this is the courthouse still used today. The historic depot on Lavonia was built in 1910 and currently serves as the town's Chamber of Commerce.

That same year the citizens of Cromer's Mill built a covered bridge (still standing) over Nail's Creek. About the same time, a young man from Royston began to make a name for himself in the relatively new game of baseball -- Ty Cobb. During the next 24 years "The Georgia Peach" would set virtually every record in the game. In a 1950 Sporting News poll he would be named the best player in the history of the sport.

A WORD ABOUT THIS HANDBOOK

This handbook contains a summary of the personnel policies and procedures of Franklin County, Georgia henceforth referred to as the County. Additional details may be obtained from the County Manager and/or your department head. If you have any questions regarding policies or procedures, please discuss them with the County Manager or department head.

This handbook is intended to provide a better understanding of County policies and procedures. The policies outlined in this handbook should be regarded as guidelines which may change from time to time. The policies contained in this handbook are not intended to and do not create a contract of employment and may be added to, terminated or changed at any time by the County. Your employment is at will and for no specific period of time. This handbook does not limit your right or the County's right to terminate the employment relationship at any time.

The County Manager is responsible for administering the policies in this handbook and any amendments thereto. The County Manager or Board of Commissioners (BOC) may establish additional supplemental personnel rules or procedures in keeping with the spirit and intent of the personnel policies as deemed necessary and appropriate.

Section 1

Introduction

Purpose

- A. Establish uniform benefits and procedures for employees
- B. Ensure equal opportunity employment
- C. Comply with all Federal and State laws related to employment

Administration

The County Manager, as the chief executive officer of the County, with the cooperation of the participating Elected Officials, is responsible for administering and maintaining these policies. The daily implementation and routine administrative duties associated with the system and the policies may be delegated to the County Manager's designee. The County may establish additional supplemental personnel policies or procedures in keeping with the intent of the personnel policies as deemed necessary and appropriate.

Equal Employment Opportunity

Franklin County is an equal opportunity employer. Franklin County provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, disability, genetic information, marital status, amnesty, or status as a covered veteran in accordance with applicable federal, state and local laws.

Franklin County complies with applicable state and local laws governing non-discrimination in employment in every location in which the County has facilities. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, training, benefits, social, recreational, and County sponsored educational programs. Any employee or applicant who has questions or concerns about our practices is encouraged to contact the County Manager.

Recruitment

Every reasonable effort will be made to attract qualified applicants for available jobs. When positions become available they may be open to internal competitive, external competitive or both. Positions that are available within the County may be posted on a public job board, in the legal organ or on the County website amongst other locations. All potential candidates for available positions must submit to and clear a pre-employment drug screen, physical or fitness for duty test, (MVR) Motor Vehicle Record check, Criminal Background screen and possibly a Credit Verification Report and an Educational Verification report before employment may begin.

The announcements shall specify the title and salary range of the vacant positions, qualification requirements, manner of making applications and any other pertinent information. In addition they will specify the date, time and place of any applicable examinations.

Refusal to Accept Applications

The County Manager may reject an application which indicates that the applicant does not qualify for a vacant position. An applicant may also be rejected for the practice or attempted practice of fraud or deception in the completion of the application, or if the applicant's past record of employment is determined to be unsatisfactory.

Receipt of Applications

When a position is advertised by public announcement as vacant, applications from all interested persons who apply, internal and external, will have their employment application placed on. Solicited or unsolicited applications may be

held for a maximum of one year and considered when a position becomes available for which the applicant is qualified. After one year, the application is discarded and the applicant must submit a new application.

Political or Partisan Endorsement Prohibited

No consideration shall be given to political or partisan endorsement for hiring or promotions within the county.

Employment at Will

These Personnel Policies and Procedures do not form an employment contract between the County and its employees. No employee shall have a property interest in employment or continued employment. The employee relationship between the County and its employees shall be at will.

Printing and Distribution

The County Policies and Procedures will be printed and distributed to each employee upon hire at orientation. Copies of the manual can be obtained from the Human Resources Clerk upon request.

Suggestions and Ideas

The County encourages suggestions by both citizens & its employees which will improve the quality and level of service provided to the citizens of the County and within county government. It is recognized that not all suggestions can or will be implemented. Adoption of suggestions reflects positively on the employee and is considered to be integral to fully effective job performance.

Handbook Creation and Amendment

Any employment matter which is not specifically included in the handbook or any question which may arise relating to policies not expressly set out herein shall be resolved at the discretion of the County Manager and/or Board of Commissioners (BOC) and in accordance with any Federal and State laws. If you have any questions concerning eligibility for a particular benefit or the applicability of a policy or practice to you, you should address your specific questions to the Human Resources Director.

Neither this handbook nor any other County document confers any contractual right; either expressed or implied, to remain in the County's employ. Nor does it guarantee any fixed terms and conditions of your employment. The procedures, practices, policies and benefits described here may be modified or discontinued from time to time. We will try to inform you of any changes as they occur.

These policies and procedures may be amended at any time by the County Manager and the BOC. If amended a copy of any changes will be issued for each employee to sign. Any employee that does not sign and return the signed amendment remains bound by the policies in effect for the County.

Definitions

For the purpose of explaining and clarifying the personnel policies of Franklin County, the following words and phrases shall have the meanings respectively ascribed to them by this section of word definitions:

Allocate - To allocate a position means assigning the position to an appropriate class on the basis of the similarity of work and level of responsibility performed in the position.

Board of Commissioners or Board (BOC) - Governing authority of Franklin County.

Class - Class means a group of positions sufficiently similar as to duties performed, level of responsibility, minimum

requirements of training, experience or skill, and such other characteristics that are of the same title and the fitness level. The same examination for selection and the same rate of compensation may be applied to each position in the group.

Classification and Pay Plan - The system of assigning jobs to classes and to an appropriate pay grade based on the similarities of positions.

Days - When the word “days” is used as a method of counting it means calendar business days, excluding weekends and holidays unless otherwise stated.

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

Department - Department means a unit of County government with specific duties for the County.

Department Head - An employee in charge of a specific unit of County government with specific duties.

Dismissal - The termination or discharge of an employee. Note: for purposes of this manual, the terms discharge, termination, and dismissal shall be synonymous.

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

Examinations - Methods used to determine eligibility of applicants for employment and to test employees after training in their specific unit. Examinations may include but shall not be limited to, written, oral, physical, drug, or performance tests, rating of training and experience, or any combination of these.

Good standing - An employee who is at work with no disciplinary actions pending against him or her.

Immediate Family - Included are the employee’s spouse, children, parents, brothers, and sisters. The definition is extended to any other person who resides in the employee’s household and who is recognized by law as a dependent of the employee.

Layoff - An employee may be separated from the County’s employment due to lack of work, lack of funds, abolishment of the position, or for other material changes in duties or organization.

Outside Employment - Any paid employment performed by an employee of the County in addition to his or her employment with the County.

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

Position - An office or post in a department of the County involving duties requiring the services of one person. It can be part-time, full-time, seasonal, and occupied or vacant.

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

Resignation - An employee's request to leave the employment of the County.

Salary increase - An increase in the rate of pay to an employee.

Seasonal position - A temporary position that coincides with a particular season or seasons of the year and may recur regularly from year to year. A "seasonal employee" is one hired for a seasonal position.

Suspension - An enforced leave of absence, with or without pay, for either a disciplinary purpose or pending an investigation of criminal charges against an employee.

Temporary employee - An employee filling a temporary position for a special project or other work of a temporary nature. The duration of a temporary position will not exceed a period of ninety days without special accommodation by the County Manager. No temporary employee will be eligible to accrue privileges or benefits provided other classes of employees.

Transfer - The movement of any employee within the County government, from one position to another, has the same salary range and the same level of responsibility.

Vacancy - A position duly created and still in existence, but not currently occupied by an employee.

Section 2

Orientation, Job Status & Compensation

Orientation

Purpose

All newly hired employees, employees promoted to a new position, and employees transferring to a position that has different qualifications than the position the employee held immediately prior to the transfer shall be subject to an orientation period extending through the employee's first three (3) months in said position. The orientation period may be waived, lengthened, or shortened in writing by the County Manager. During the orientation period, an employee may be discharged from employment at any time without the right to appeal or hearing. The purpose of an orientation period is to orient, train and evaluate the employee in the job duties of the position and determine if the employee is able to perform the duties satisfactorily.

Evaluation

During the orientation period, the Department Director shall evaluate the performance of the employee at least once. At the conclusion of the orientation period, the Department Director shall submit in writing to the County Manager an evaluation of the employee indicating whether the job performance during the period was "satisfactory" or "unsatisfactory" and a request to either continue or terminate their employment. The employee will be notified on or before the last day of the period whether his/her employment will be continued or terminated.

Completion

Upon successful completion of the orientation period, the employee will be placed on regular employee status. Such placement on regular employee status remains "at will" and does not create a property right, contract, or claim of entitlement to the job.

Categories of Employment

A. Full Time Employment

Employment is full time when the employee is not hired as a part-time or seasonal employee and is hired to work at least thirty (30) hours per regular workweek. A full time employee can be exempt or non-exempt dependent on the job classification and the guidelines per the Fair Labor Standards Act.

B. Part Time Employment

This category of employee is paid the appropriate hourly rate of pay for hours worked. No benefits will be provided unless otherwise directed by federal or state law.

C. Seasonal Employment

When employment is seasonal, the appropriate hourly rate of pay shall be paid for the hours actually worked. Seasonal employees are not eligible for benefits unless otherwise directed by federal or state law.

Compensation

Compensation Determination

Franklin County employees must be classified as full-time, part-time, or temporary and as exempt or nonexempt for the purposes of compensation administration. It is our intention to use a compensation system that will determine the salary range of a position based on the skills, knowledge and behaviors required according to the job description. The system used will be objective and non-discriminatory in theory, application and practice.

Step Increases in Compensation

It is the policy of the County Manager to reward good job performance by establishing an equitable system of providing pay increases. The system herein established shall be governed by the following principles:

A. Performance Increases

After the initial year of employment, each employee will receive a performance evaluation each year. If budgetary constraints permit, employees that receive an acceptable performance rating as certified by the department head and County Manager will receive an increase. The County Manager shall certify that the performance rating has been prepared to adhere to the policy of this manual.

B. Other Step Increases

Step increases other than those outlined above shall be given only upon recommendation by the department head and with the approval of the County Manager.

Exceptional Salary Increases

An employee who performs in an outstanding manner and whose work is well above expectations and vital to the County's continued successful operation may be considered at any time for special merit pay increase of an amount determined by the County Manager, but within budgetary constraints.

Employee Performance Evaluations

The County Manager shall prepare or cause to be prepared a job-related system for evaluating the work performance of all County employees, how well they are performing their work; and how they can improve their work performance. The performance evaluation may also be used in determining salary increments, as a factor in determining order of layoff, as a basis for training, promotion, demotion, transfer or dismissal and for such other

purposes as set forth in these guidelines.

Evaluation Procedure

All evaluations shall be written on the evaluation form provided by the County. All evaluations shall be prepared by the immediate supervisor of each employee and reviewed with the employee in a private meeting. The employee shall sign his or her evaluation after the meeting. The supervisor will forward the signed evaluation to their department head who shall review all evaluations of his or her departmental employees. If the employee will not sign the evaluation, the department head shall note on the evaluation the date of the review and that the employee refused to sign. The department head shall submit all employee evaluations to the County Manager after the passage of ten (10) working days from the employee review date. Upon the request of a department head, the County Manager may approve a period to exceed ten (10) days in which to submit an evaluation.

Employee Review and Disagreement

The evaluator shall discuss each performance evaluation with the employee being evaluated. If an employee disagrees with any statement in an evaluation, he or she may submit to the department head a written statement that shall be attached to the evaluation form. Such written disagreements must be submitted within ten (10) days following the conference between the employee and his or her supervisor.

Department Head Changes to an Evaluation

A department head that desires to alter a performance evaluation form shall submit a written request to the County Manager and shall set forth the reasons for the request. The County Manager has the sole discretion to change an evaluation form.

Period of Evaluation

All employees, except for exempt temporary and seasonal workers shall be evaluated annually. In addition to the annual evaluation, a department head or the County Manager can evaluate any employee at any time.

Year End Compensation Adjustment

Depending on the financial position of the County and the judgment of the County Manager, employees of Franklin County may be eligible for an end of the year compensation adjustment

On Call Compensation

Pay for on call will be \$70.00 per on call week, in addition to the employee's regular salary. The \$70.00 will be paid in addition to any regular or overtime hours worked by the employee. The employees eligible for on call pay are maintenance, road and water department employees who are scheduled for the on call week.

Changes in Employment Status

Promotions

It will be the policy of the County to promote from within when possible. A promotion is a change from a lower to a higher job classification. A promotion may also result in a salary increase, as approved by the County Manager or the BOC if the County Manager is under consideration.

Transfers

If a position is open at an equivalent pay level, an employee may request a transfer to that position. If the knowledge, skills, and abilities required for that position are the same as for the present position, the employee may be transferred without an orientation period provided that the County Manager, at their discretion, waives the

orientation period in writing. If the knowledge, skills, and abilities required for the new position are not the same as those required for the employee's current position, then the employee will be interviewed and if transferred to the new position will be subject to a 3-month orientation period.

Demotions

Employees may request demotion to an available position at a lower pay grade if they are qualified for the position. If the request is granted, the employee's salary may be reduced to an appropriate level for the new position. Disciplinary demotions will be administered according to the policies and procedures. Disciplinary demotions may result in a salary reduction.

Resignations

Resignations of employees should be made in writing to the County Manager. Employees shall give not less than two (2) weeks prior written notice of resignation. The County Manager may choose to terminate the employment relationship prior to completion of the two weeks.

Reduction in Force

A "reduction in force" may be necessary when a position or group of positions must be closed because of lack of work funds. Employees who are separated in a reduction in force will be treated as if they were on leave-of-absence for one (1) year and will receive preference in rehiring should the position for which they are qualified opens within one year, (12 months). Temporary or part-time positions are exempt from this policy.

Job Abandonment

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

Suspensions

A regular employee may be suspended without pay as a disciplinary action for a period not to exceed ten (10) working days. An employee in his or her orientation period may be suspended without pay or without cause for an unlimited period of time. Any regular employee being suspended in accordance with the provisions of the disciplinary policies will be provided with a written notice of suspension.

At Will Status

All employees are employed on an "at-will" basis, and nothing herein shall be construed to the contrary.

Section 3

Records and Reporting

Payroll

Each department head shall be responsible for the attendance recording for all persons in their department. The department head will review and sign time sheets before they are submitted to payroll. Payroll records will be maintained according to Georgia Records and Retention Management found in O.C.G.A. §50-18-5, et al.

Payroll Changes

Any change in payroll will not take effect until the change has been approved by the County Manager in writing.

Payroll Corrections

Any errors in payroll must be reported to the department head or payroll department immediately. Every effort will be made to correct an error to the satisfaction of the employee and the county. A shortage in pay will be corrected at the earliest possible time. Any overpayments will be satisfied according to state and federal regulations.

Garnishments

Upon receipt of a court ordered garnishment the employee will be made aware of the payroll deduction according to the order provided by the court. The garnishment will remain an active deduction until the payroll department has been notified by the court to cease the deduction.

Advancements

Franklin County will not provide payroll advancements.

Employee Records

The County requires employees to keep their employment history current by submitting notice of change of address, telephone number, and educational status, marital and benefit status, etc., immediately. Notice of change should be submitted to the Human Resources Clerk.

Storage and Maintenance

The Human Resources Clerk shall maintain personnel records on each employee.

Confidentiality of Records

Personnel files and records for employees are confidential records. Access to such records shall be at the discretion of the Human Resources Clerk, County Manager or County Clerk. Any disclosure of information contained in the personnel files and records to persons other than the foregoing shall require written authorization of the employee affected; provided, however, that the Human Resources Clerk shall have the right to disclose any such information in the course of an appeal of disciplinary action initiated by the employee or if required by subpoena, court order, or other judicial process.

Public Record

Franklin County is committed to conducting business in a manner that complies with all legal requirements, fosters citizen confidence in county government, and promotes efficient and effective governmental operations. The county recognizes the importance of communicating information to citizens and other interested parties and will cooperate in supplying requested information which is considered a matter of public record.

Open Records

Franklin County will adhere to the state law regarding the Georgia Open Meetings Act, Georgia Open Records Act and Record Retention and Management (O.C.G.A. §50-14, et al and O.C.G.A. §50-18, et al). Except as otherwise required by law, all personnel records of employees of Franklin County are confidential and the property of the county.

Section 4 Standards of Conduct

Americans with Disabilities Act Amendments Act (ADAAA) Statement

It is the policy of Franklin County to comply with all federal and State laws concerning the employment of persons with disabilities and act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our County policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

When an individual with a disability is requesting accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, he or she will be given the same consideration for employment as any other applicant. Applicants who pose a direct threat to the health, safety and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired.

Franklin County will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to Franklin County. Contact Human Resources with any questions or requests for accommodation.

All employees are required to comply with the County safety standards. Current employees who pose a direct threat to the health and/or safety of themselves or other individuals in the workplace will be placed on appropriate leave until an organizational decision has been made in regard to the employees' immediate employment situation. Individuals who are currently using illegal drugs are excluded from coverage under the County ADA policy.

The Human Resources department is responsible for implementing this policy, including resolution of reasonable accommodation, safety/direct threat and undue hardship issues.

Definition of Terms used in this Policy

As used in the ADA policy, the following terms have the indicated meaning:

1. **Disability** means a physical or mental impairment that substantially limits one or more major life activities of the individual, a record as such impairment or being regarded as having such impairment.
2. **Major life activities** include the following, but are not limited to: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working.
3. The ADAAA also includes the term "**major bodily functions**," which may include physical or mental impairment such as any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin and endocrine. Also covered are any mental or psychological disorders, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
4. **Substantially limiting:** In accordance with the ADAAA final regulations, the determination of whether impairment substantially limits a major life activity **requires an individualized assessment, and** an impairment that is episodic or in remission may also meet the definition of disability if it would substantially limit a major life activity when active. Some examples of these types of impairments may include, but are not limited to, epilepsy,

hypertension, asthma, diabetes, major depressive disorder, bipolar disorder and schizophrenia. Impairment such as cancer that is in remission but that may possibly return in a substantially limiting form also is considered a disability under EEOC final ADAAA regulations.

5. **Direct threat** means a significant risk to the health, safety or well-being of individuals with disabilities or others when this risk cannot be eliminated by reasonable accommodation.

6. **Qualified individual** means an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.

7. **Reasonable accommodation** includes any changes to the work environment and may include making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, telecommuting, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

8. **Undue hardship** means an action requiring significant difficulty or expense by the employer. In determining whether an accommodation would impose an undue hardship on a covered entity, factors to be considered include, but are not limited to:

- The nature and cost of the accommodation.
- The overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation; the number of persons employed at such facility; the effect on expenses and resources; or the impact of such accommodation upon the operation of the facility.
- The overall financial resources of the employer; the size, number, type and location of facilities.
- The type of operations of the company, including the composition, structure and functions of the workforce; administrative or fiscal relationship of the particular facility involved in making the accommodation to the employer.
- The impact of the accommodation on the operation of the facility.

9. **Essential functions of the job** refer to those job activities that are determined by the employer to be essential or core to performing the job; these functions cannot be modified.

Non-Harassment Policy

Franklin County remains committed to an environment which permits an employee to develop and pursue opportunity free from harassment on the basis of race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, disability, genetic information, marital status, amnesty, or status as a covered veteran. Any employee who feels that they are the subject of harassment or that they have witnessed any harassment should immediately contact their supervisor or the County Manager. If someone in the employee's direct chain of command is the alleged harasser, the employee may proceed outside the chain of command and take his or her complaint directly to the County Manager or Chairman of the Board of Commissioners. All complaints of harassment will be promptly investigated. Franklin County will preserve the confidentiality of harassment complainants and witnesses as much as possible consistent with a thorough investigation.

There will be no retaliation against any employee who reports harassing conduct. Prompt, corrective action, up to and including termination of employment will be taken when an investigation of a harassment complaint confirms the allegations.

Sexual Harassment

It is the policy of Franklin County to prohibit sexual or other unlawful harassment, specifically including religious, gender and racial harassment in the workplace by any person and in any form. It is the purpose of this policy to provide a work environment free from all forms of sexual or other unlawful harassment or intimidation. The County is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal opportunities and prohibits discriminatory practices.

A. Prohibition of Sexually Harassing And Other Unlawful Harassing Conduct

Any sexually harassing or other unlawful harassing conduct of any form in the workplace, or in any work related setting outside the workplace such as business trips and business-related social events, whether committed by department directors or non-supervisory personnel, is strictly prohibited. Such prohibited conduct includes, but is not limited to: actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, or any other legally-protected characteristic.

Specific *examples* of excluded activity include:

- (1) Sexual flirtations, advances, touching, or propositions;
- (2) Verbal or written abuse of a sexual nature;
- (3) Graphic verbal comments about an individual's body;
- (4) Sexually degrading words used to describe an individual;
- (5) The display of sexually suggestive objects or pictures;
- (6) Telling or engaging in sexually degrading jokes; and
- (7) Sexual innuendo.

B. Prohibition of Conditional Treatment or Threats

No officer or department director shall make any adverse decision in regard to employees or applicant's employment, evaluation, wages, advancement, assigned duties, shifts, career development, opportunities, or other terms or conditions of employment based upon the employee's refusal to submit to sexual or any other unlawful harassing advances. No department director shall threaten or insinuate, either explicitly or implicitly, that an employee's or applicants refusal to submit to sexual advances will adversely affect or limit the employee's or applicant's employment, evaluation, wages, advancement, assigned duties, shifts, career development, opportunities, or other terms or conditions of employment.

C. Complaints

Any *employee* who has a sexual harassment or any other unlawful harassment complaint must promptly notify his or her Department Director, the County Manager, or the Human Resources Clerk, each of whom may be contacted at the County administrative offices. Individual telephone contact information is more specifically provided below.

Any *applicant* who has a sexual harassment or any other unlawful harassment complaint must promptly notify the County Manager or County Clerk or the Human Resources Clerk, each of who may be contacted at the County

offices located at:

141 Athens St.
Carnesville, GA 30521
706-384-2483

It is the purpose of this complaint procedure to offer alternate channels of reporting. In no case is any employee or applicant required to notify the County through any person who is the subject of the complaint. If the complaint involves anyone to whom sexual or any other unlawful harassment may be reported pursuant to this policy, then the employee or applicant must inform any of those persons designated above to receive his or her complaint other than the person whom the complaint involves.

Any employee or applicant who has reported sexual or any other unlawful harassment but not received a satisfactory response, must notify the County Manager, or if the County Manager is a subject of the complaint then the Human Resources Clerk or County Clerk. (Contact information provided above.)

Any employee or applicant who feels uncomfortable notifying or talking with anyone of a particular gender about the harassment will, upon request to any person designated above to receive complaints, have a person of the other gender provided to receive the complaint or otherwise talk with the affected employee or applicant about the complaint.

D. Investigation and Action

All complaints will be promptly investigated and handled, and corrective action if appropriate will be taken. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have witnessed any conduct complained of. The employee or applicant notifying the County of a sexual or any other unlawful harassment complaint, along with all other employees involved or who have knowledge relevant to the complaint, must cooperate with the County in the investigation of the complaint. Upon completion of the investigation, a County representative investigating the complaint will follow up with the complaining employee or applicant to inform him or her of the outcome and to determine the complaining employees or applicants satisfaction with the handling of the complaint.

E. Complaint Confidentiality

Privacy safeguards will be applied in handling sexual or any other unlawful harassment complaints. Confidentiality will be maintained throughout the investigatory process to the extent practical and appropriate under the circumstances. The County will maintain confidential documentation of all allegations and investigations of sexual or any other unlawful harassment.

F. Advising the Offender

An employee or applicant who believes he or she is being sexually or unlawfully harassed is under *no obligation* to talk directly to the offender if he or she is uncomfortable in doing so. Nevertheless, the County encourages any employee or applicant who believes he or she is being sexually or unlawfully harassed to promptly notify the offender that his or her conduct is unwelcome, before or in addition to notifying the County according to the complaint procedures set forth above. Should that notification fail to immediately stop any inappropriate conduct, and then the employee or applicant must promptly report the harassment to the County through a designated person other than the offender according to the complaint procedures set forth above.

G. Protection against Retaliation

There shall be no retaliation against any individual for reporting sexual or any other unlawful harassment or assisting in providing information pertaining to a claim of sexual or any other unlawful harassment. Acts of retaliation must

be reported immediately to the persons designated to receive complaints of sexual or any other unlawful harassment and in accordance with the complaint procedures for sexual and any other unlawful harassment set forth in Section 3, subsection A above. Any such report will be investigated and handled in accordance with the provisions set forth above for complaints of sexual or any other unlawful harassment, and corrective action if appropriate will be taken.

H. Disciplinary Action

Any department director, agent, or other employee who is found after appropriate investigation to have engaged in sexual or any other unlawful harassment, retaliation for the reporting of sexual or any other unlawful harassment, or retaliation for the providing of information pertinent to a claim of sexual or any other unlawful harassment will be subject to appropriate disciplinary action up to and which could include termination.

Drug Free Workplace Substance Abuse & Testing Policy

The County is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any employee illegally uses drugs on or off the job; comes to work under the influence of drugs; possesses, distributes, or sells drugs in the workplace; or abuses, possesses, consumes, or is under the influence of alcohol on the job. Therefore, the County has established the following policy in accordance with the Georgia Drug-Free Workplace Programs Act (O.C.G.A. § 34-9-11, O.C.G.A. § 45-23 and the federal Drug-Free Workplace Act of 1988 (41 U.S.C. 10, Sections 701-707) :

(1) It is a violation of County policy for any employee to use, possess, sell, trade, offer for sale, offer to buy, manufacture, distribute, or dispense illegal drugs or otherwise engage in the illegal use of drugs on County property or worksites.

(2) It is a violation of County policy for any employee to engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on County property or worksites.

(3) It is a violation of County policy for any employee to report to work, to be on duty, or to engage in any business of the County while under the influence of or while possessing in his or her body, blood, or urine illegal drugs in any detectable amount.

(4) It is a violation of County policy for any employee to report to work, to be on duty, or to engage in any business while under the influence of or impaired by alcohol. It is also a violation of County policy for any employee to consume or possess alcoholic beverages on County premises, (provided that County-sponsored activities which may include the serving of alcoholic beverages are not included in this provision).

(5) It is a violation of County policy for any employee to use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than as prescribed, or to sell, dispense, or distribute prescription drugs illegally or for illegal use at the workplace or on the job. (Nothing in this policy precludes the appropriate use of legally prescribed medications.)

(6) In order to protect the safety and property of all employees, the County reserves the right to inspect employees' lockers, toolboxes, desks and cabinets as well as County vehicles. Failure to cooperate with such inspections is a violation of this policy.

Violations of this policy are subject to disciplinary action up to and including termination.

Federal Drug-Free Workplace Act

The Federal Drug-Free Workplace Act applies to all federal grant recipients and all employers with federal procurement contracts of \$100,000 or more and requires that covered employers certify to the federal government that they do the following:

- A. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the employer's workplace and specifying the actions that will be taken against employees for violations;
- B. Notify employees in this same statement that, as a condition of employment, the employee must abide by the terms of the statement and notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction;
- C. Establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the employer's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed on employees for drug abuse violations;
- D. Require that each employee involved in the federal work be given a copy of the employer's drug-free workplace statement;
- E. Notify the granting agency within 10 days after receiving notice of an employee's conviction under any criminal drug statute conviction for a violation occurring in the workplace;
- F. Impose a sanction within thirty (30) calendar days on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee convicted under any criminal drug statute conviction for a violation occurring in the workplace; and
- G. Make a good faith effort to continue to maintain a drug-free workplace.

For purposes of this policy, the term “drugs” includes amphetamines, cannabinoids, cocaine, phencyclidine (PCP), methadone, opiates, barbiturates, benzodiazepines, propoxyphene, and any metabolite of any such substances.

For purposes of this policy, the term “controlled substance” means a controlled substance listed in the 21 U.S.C. Section 812, schedules I through V.

For purposes of this policy, the term “alcohol” includes ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced, including all alcoholic beers, wines, and liquors.

It is the responsibility of County department directors to counsel employees whenever they see changes in performance or behavior that suggest an employee has a drug or alcohol problem. Although it is not the department directors job to diagnose personal problems, the department director should encourage such employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintaining a safe work environment, and co-workers should encourage anyone who has a drug or alcohol problem to seek help.

The County offers resource information on various means of employee assistance in our community, including but not limited to drug and alcohol abuse programs. For more information on employee assistance resources, Employees may contact the 24-hour Drug Abuse Helpline in Georgia at 1-800-338-6745.

It is the responsibility of any employee engaging in substance abuse to seek help before the employee violates this policy and before drug and/or alcohol problems lead to disciplinary action up to and including termination. When a violation of this policy occurs, that the affected employee has sought or is seeking rehabilitative or counseling assistance will not necessarily lessen disciplinary action and may, in fact, have no bearing on the determination of appropriate disciplinary action.

General Procedures for Employee Reporting to Work Visibly Impaired

An employee reporting to work visibly impaired will be deemed unable to properly perform required duties and will not be allowed to work. The department director will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred. If, in the opinion of the department director, the employee is considered impaired, the employee will be sent home or to a medical facility by taxi or other safe transportation alternative, depending on the determination of the observed impairment, and accompanied by the department director or another employee if necessary. The County may require a drug and/or alcohol test may be in order in accordance with the provisions set forth below. An impaired employee will not be allowed to drive.

Drug Testing

The County will not tolerate alcohol abuse or the use of other intoxicants and mind-altering substances, including illegal drugs. Our employees may be required to submit to drug screens, blood alcohol tests, breathalyzer tests and medical examinations under the following circumstances.

- A. When an employee is suspected of working or reporting to work with intoxicants or mind-altering substances in his or her system;
- B. When an employee suffers an on-the-job injury or is involved in an accident while at work;
- C. On a periodic or random basis.

Refusal of an employee to undergo testing or to cooperate fully with any of these tests is also a violation of our policy and may be subject to discipline up to and including termination.

Violation of any aspect of the County's Drug and Alcohol policy will result in discipline up to and including immediate termination

Pre-Employment Drug Testing

All job applicants for employment with the County will undergo testing for the presence of illegal drugs as a conditional offer of employment. Any applicant with a confirmed positive test will be denied employment. For purposes of this policy, the terms "job applicant" and "applicant" mean a person who has applied for a position and has been offered employment conditioned upon successfully passing a substance abuse test. The terms "job applicant" and "applicant" shall also include any person who the County may allow to begin work pending the results of the test, but nothing herein shall be construed to require that the County allow any person to begin work prior to receipt of results showing that said person has successfully passed a substance abuse test.

Each Applicant will be required to submit voluntarily to urinalysis and/or other testing at a laboratory or clinic chosen by the County and will be required to sign such form(s) as may be required evidencing such consent and releasing, holding harmless, and indemnifying the County, its agents, employees, and designees, including any physician, clinic, and/or laboratory designated to administer the testing and the respective agents and employees of same, from and against any liability arising in whole or in part out of the collection of specimens, testing,

interpretation of results, and use of the information from said testing in connection an application for employment.

If the physician, official, or lab personnel have reasonable suspicion to believe that the job-applicant has tampered with the specimen, the applicant will be denied employment.

The County will not discriminate against applicants for employment because of a past history of drug and/or alcohol abuse. It is the current abuse of drugs and/or alcohol preventing employees from performing their jobs properly we will not tolerate.

Opportunity to Contest or Explain Results

At the time of testing, an employee or job applicant shall have the opportunity to record any information he or she considers relevant to the test, including identification of currently or recently used prescription or non-prescription medications or other relevant medical information. The providing of information shall not preclude the test, but shall be taken into account in interpreting any positive confirmed test results by the designated physician or lab.

Testing Expenses

The County shall pay the cost of all substance abuse tests, initial and confirmation, which is required of its employees and job applicants.

Confidentiality

The confidentiality of any information received by the County through the substance abuse testing program shall be maintained, except as otherwise provided by law.

Disclosure of Applicable Law

The Georgia Drug-Free Workplace Programs Act sets forth requirements for substance abuse policies to be certified under said Act and is codified in the Official Code of Georgia Annotated at Title 34, Chapter 9, Article 11. The Federal Drug-Free Workplace Act sets forth drug-free workplace requirements for persons or entities which seek to be awarded certain contracts for the procurement of property or services or which seek to be the recipient of federal grants as more specifically set forth therein and is codified in the United States Code, Chapter 23, Title 45.

Section 5 Employment Practices

Attendance

Work Hours

In general the maximum workweek for hourly employees will be forty (40) hours in a seven (7) consecutive day period. Because of the differences in job requirements in the different departments, the required workweek will vary from job to job and department to department. Each department will have a written policy on hours of its operation. Standard hours, unless different in department policy, will be 8:00 a.m. to 4:30 p.m., Monday through Friday.

Overtime

Overtime is defined as those hours worked in excess of forty (40) hours during a workweek and defined as those hours worked in excess of forty three (43) hours during a workweek for deputies. Department heads will arrange the employment and work schedules of hourly paid employees in such a way that overtime will not normally be required. An hourly employee may not perform overtime work without the prior knowledge and consent of his or

her department head. Under no circumstances may an hourly employee donate work time to the County.

All employees considered "non-exempt" under the Fair Labor Standards Act will be paid at the rate of time and one-half (1 1/2 times their regular rate of pay) according to federal regulations. Only the hours actually worked by an employee are considered for overtime compensation. Hours paid to an employee under personal leave, holidays or under any other paid or unpaid leave policy of the County are not included in hours worked. For example, if an employee works thirty seven hours during Monday through Thursday, and Friday is a paid holiday, the employee has not accrued any overtime for that workweek.

Employees considered "exempt" under the Fair Labor Standards Act will not be paid for overtime or hours worked in excess of forty (40) hours per week.

Compensatory Time

No non-exempt employee will be allowed to earn compensatory time. All overtime hours worked will be compensated with overtime pay. Non-exempt employees are responsible for reporting any overtime hours worked so that the proper compensation amount can be calculated.

Travel Expenses

Travel must be approved by the Department Head and the County Manager. An employee that is required to travel, outside of their normal scope of employment, shall be reimbursed for transportation costs if traveling by public carrier and if by private automobile, at the legal mileage rate authorized by the IRS. Employees will also be reimbursed for the cost of lodging if applicable. Meals and incidentals are not to exceed \$38.00 for one day. Any amounts spent on meals above the approved costs shall be the employees' responsibility. Upon return itemized receipts must be submitted to accounts payable with an expense report for reimbursement.

Credit Card Use Policy

The County will provide select employees with county credit cards when deemed necessary by the County Manager for the sole purpose of county business.

1. All credit cards are the property of Franklin County.
2. Each cardholder must read and sign a statement agreeing to adhere to the card policy.
3. Credit cards may not be used for personal expenditures of any kind.
4. There must be an authorized expense report and itemized receipts for every purchase.
5. Reports will be reviewed by purchasing and the County Manager before a statement is paid.
6. Any employee noting cardholder irregularities will report the information, confidentially, to the County Manager or the Chairman.

Under no circumstances is a cardholder permitted to use the credit card for personal purchases. Using the card for personal purchases will result in disciplinary action, up to and including termination from County employment and criminal prosecution. The official Code of Georgia, Annotated (O.C.G.A.), §50-5-80 states that any cardholder who knowingly uses the card for personal purchases under \$500 is guilty of a misdemeanor. A cardholder who knowingly uses the card for personal purchases of \$500 or more is guilty of a felony punishable by one to 20 years in prison. Department Heads or other approving officials who knowingly, or through willful neglect, approve personal or fraudulent purchases are subject to the same disciplinary actions as cardholders. The card may not be used to purchase fuel, alcohol, entertainment, or to obtain cash advances.

Use of Communications Equipment and Devices

The County will provide communication channels, electronics and written documents/resources, as well as equipment to ensure employees proper/safe communications and access to information necessary to perform their job. This equipment, these documents and resources are and remain the property of the County. This equipment, documents or resources are provided for the safe and efficient performance of work related to the business of the County and its residents.

Employees shall use all County communications equipment, systems, resources, and documents for business purposes only. This equipment/resources includes paper documents, electronic data, photographs taken on the job or in relation to the job, electronic data devices, video devices, video or voice recordings taken on the job or in relation to the job, telephonic equipment and data, and any other communications equipment, documents, or recordings provided by the County .

While the County recognizes that it is sometimes necessary to engage in personal communications during normal business hours, employees are encouraged to limit the use of business and personal telephones and other communications devices, for personal communications, while on County work time. Employees who receive faxes, mail, email, text messages, other electronic data or messages, or telephone calls at the work address shall have no expectation of privacy with regard to these communications. Employees, who use their personal phone, email for a work event subject the device to open records requests.

Employees shall not charge long-distance personal calls to the County's account.

Communications while using business telephones, personal or County -provided cellular phones, County provided email or personal email using County computers or systems, facsimiles, radios and other means of communication in the workplace or related to work, shall be professional, courteous, and respectful at all times. This includes verbal communications as well as written communications. Employees should remain aware of other employees or customers who may overhear or see such communications and to use proper protocol and good judgment at all times.

Email communications are official government documents, are the property of the County, and represent the County. Such communications must be professional and contents must be appropriate to the business environment. Personal opinions, personal "tag lines", religious notations, are inappropriate and will not be used. Slang or inappropriate abbreviations should be avoided. Any logo or message must represent the County as a whole and be approved by County Manager or County Clerk in advance of its use. Care should be taken to use proper grammar and appropriate language as in any other written document. Any and all opinions communicated using the email system; whether express or implied, are those of the individual and do not necessarily express the opinions of the County, its administration, or its elected officials.

All communications and information transmitted by, received from or stored in the County's email system are County records and the property of the County.

Personally owned communications equipment and devices used for County business must be reviewed and approved by Information Technology (IT) staff with regard to compatibility, viruses, and other negative impact on County systems and resources. This includes any data storage device. Employees, who use their personal phone, email for a work event subject the device to open records requests.

Employees are encouraged to be mindful of the effect of personal radios in the workplace. The content or volume may be distracting to employees or others in the work area. The content and volume of music or other programs in

the workplace must be appropriate and inoffensive to others.

The County regards the Internet, electronic mail, and other communication channels as valuable tools to assist its employees in their professional and work activities. The County expects and requires that its employees will utilize these communication channels and tools for authorized County purposes and business.

The Internet is a public network and any individual who has an account with an Internet Service Provider can access it. It can provide employees with access to an extensive amount of information for researching various subjects related to their professional and work activities. This information has been published by many different individuals and organizations and may or may not be reliable. Employees should consider the source of information when relying upon it for business purposes.

The County reserves the right to inspect all e-mail files, other storage of electronic data, and all documents arriving at or existing in the workplace. The County Manager has the authority to request a copy of the contents of any electronic mailbox of employees. The County Clerk may also request a copy of any electronic mailbox in the normal course of any investigation or inquiry.

Employees should understand that "deleted" e-mails may remain on hard disk or back-up medium until written over by different electronic data. Thus, merely deleting or erasing an e-mail or other electronic file does not necessarily remove the data from storage.

No employee shall disguise the sender or originator of any e-mail.

Each employee's computer password is the property of the County. No employee is permitted to access or attempt to access another employee's computer or computer files without permission of the other employee, except the County Manager.

All communications (electronic or otherwise), sent inside and outside the County organization, will be in good taste and adhere to generally accepted standards of respect for other individuals. Employees are prohibited from forwarding or sending messages that are abusive, harassing, offensive, humiliating, or which otherwise may be understood or interpreted as demeaning to one's sex, race, sexual orientation, age, national origin, or religious or political beliefs. Any use of electronic communications systems which violate the County's Equal Employment Opportunity or Non-discrimination Standards of Practice will result in disciplinary action up to and including termination of employment.

Employees are prohibited from forwarding chain letters, virus warnings, hoaxes, or to support other such "re-mailing" activities. Additionally, any use of unauthorized messaging or Internet Chat is prohibited. Personal online publishing while at work or using County resources while on or off duty for personal reasons, or representing the County or the employee's position with the County, is prohibited, including forms of blogs, newsgroups, message boards, bulletin boards, or online forums, including 'Facebook', 'Twitter' and other related forums for personal use.

Use of Internet or e-mail access is a privilege that may be revoked by the County Manager with or without cause.

Any employee who engages in excessive, improper, or abusive use of the Internet, electronic mail, telephone, radio communications, or other communication devices, systems or channels will be subject to appropriate disciplinary action up to and including dismissal. The use of computer games on County computers is considered improper. No employee is permitted or authorized to download any files, images, programs or other electronic data from the

Internet without the proper permission from IT or the County Manager. The County will monitor and record the use of the Internet including downloads and web sites visited/accessed through County Internet browsers. The County will monitor the use of e-mail and internet.

Employees are allowed modest use of County email for personal reasons on a very limited basis. All emails must be appropriate, professional, and in good taste. Such use must not interfere with County work. Any inappropriate use of email may result in revocation of the privilege of further personal use.

No employee is permitted or authorized to record meetings, presentations or conversations of other employees, customers, or others in the course of business or on County premises without the express consent of all individuals involved. This policy shall not interfere with Police investigations, internal affairs investigations, or other authorized use of tape recording devices.

Any documents, data, recordings, or data storage devices, which are the property of the County and which are taken off County premises are to be used for County business only. County documents and data placed or created on personal equipment remain the property of the County.

Vehicle Use, Care, and Maintenance

Franklin County will provide safe, well-maintained, vehicles for use by County employees in the performance of their work. The County will ensure the safety of the citizens we serve and the employees who operate such vehicles through the use of standard guidelines for the care, maintenance, and operation of vehicles, as well as the qualifications, selection, and training of its drivers and operators.

Driver Guidelines and Reporting Requirements

A. Fleet vehicles are to be driven by authorized employees only, except in case of medical emergencies. Spouses, other family members, or other non-employees are not authorized to drive County vehicles.

B. Any employee who has a driver's license revoked or suspended shall immediately notify the County Manager and immediately discontinue operation of the County vehicle. Failure to do so may result in disciplinary action, up to and including termination of employment.

C. Every vehicle operator shall perform an inspection at the start of the workday. The operator is responsible for their equipment during hours of operation. Any defects shall be corrected before operation. If repairs to the vehicle are necessary the Department Head should be notified.

D. All accidents in County vehicles or County rented vehicles, regardless of severity, must be reported to the local law enforcement and to the Human Resources Clerk and/or County Clerk. Accidents are to be reported immediately (from the scene, during the same day, or as soon as practicable if immediate or same day reporting is not possible). Failing to stop after an accident and/or failure to report an accident may result in disciplinary action, up to and including termination of employment.

E. Accidents involving the employee's personal injury must be reported to Human Resources for Worker's Compensation purposes. County employees who use the vehicle to transport non-employees (for example, spouses or other non-employees) traveling to conferences or other work related activities must understand that non-employees shall hold the County harmless for any accidents that occur. The non-employees medical cost would be the responsibility of their medical insurance, Medicare, etc.

F. Drivers must report all ticket violations received during the operation of a fleet vehicle, or while driving a rental vehicle on County business within 72 hours to the Human Resources Clerk or County Clerk.

Standard Operating Procedure for Vehicle Safety

The County has declared that any and all passengers, including the driver, riding in a vehicle owned by the County are required to properly wear installed seat belts when operating a County vehicle. In addition to following all traffic regulations, all employees and their passengers are required to use a seat belt when traveling in any County vehicle. The requirement applies to business travel in a vehicle owned by the County, in a rental vehicle and in a vehicle owned by an individual employee, while working.

The County has also declared that it is standard operating procedure for vehicle safety to include wearing seat belts when operating County equipment if a seat belt is available for wear.

A. Failure to use your seat belt is a violation of State Law, O.C.G.A. 40-8-76 and is not to be taken lightly. Proper use constitutes proper adjustments as well as proper latching of the unit. Employees who receive an auto allowance or for any other reason are operating their personal vehicle on County business are required to wear their seat belts in their personal vehicles as well as those in County vehicles. The use of seat belts is to be considered a condition of employment with the County. Failure to abide by this stated policy will be considered a breach of that condition of employment and subject the person in violation to disciplinary action, up to and including termination.

B. The County has declared that all employees while in operation of a County vehicle or rental car for business use shall adhere to the State laws § 40-6-241.1. (See Georgia code below)

Definitions; prohibition on certain persons operating motor vehicle while engaging in wireless communications; exceptions; penalties

(a) As used in the Code section, the term:

(1) "Engage in a wireless communication" means talking, writing, sending, or reading a text-based communication, or listening on a wireless telecommunications device.

(2) "Wireless telecommunications device" means a cellular telephone, a text-messaging device, iPad, a personal digital assistant, a stand-alone computer, or any other substantially similar wireless device that is used to initiate or receive a wireless communication with another person. It does not include citizens band radios, citizens band radio hybrids, commercial two-way radio communication devices, subscription-based emergency communications, in-vehicle security, navigation, and remote diagnostics systems or amateur or ham radio devices.

(b) Except in a driver emergency and as provided in subsection (c) of this Code section, no person who has an instruction permit or a Class D license and is under 18 years of age shall operate a motor vehicle on any public road or highway of this state while engaging in a wireless communication using a wireless telecommunications device.

(c) The provisions of this Code section shall not apply to a person who has an instruction permit or a Class D license and is under 18 years of age who engages in a wireless communication using a wireless telecommunications device to do any of the following:

(1) Report a traffic accident, medical emergency, or serious road hazard;

(2) Report a situation in which the person believes his or her personal safety is in jeopardy;

(3) Report or avert the perpetration or potential perpetration of a criminal act against the driver or another person;
or

(4) Engage in a wireless communication while the motor vehicle is lawfully parked.

(d) (1) Any conviction for a violation of the provisions of this Code section shall be punishable by a fine of \$150.00. The provisions of Chapter 11 of Title 17 and any other provision of law to the contrary notwithstanding, the costs of such prosecution shall not be taxed nor shall any additional penalty, fee, or surcharge to a fine for such offense be assessed against a person for conviction thereof. The court imposing such fine shall forward a record of the disposition of the case of unlawfully operating a motor vehicle while using a wireless telecommunications device to the Department of Driver Services.

(2) If the operator of the moving motor vehicle is involved in an accident at the time of a violation of this Code section, then the fine shall be equal to double the amount of the fine imposed in paragraph one (1) of this subsection. The law enforcement officer investigating the accident shall indicate on the written accident form whether such operator was engaging in a wireless communication at the time of the accident.

(e) Each violation of this Code section shall constitute a separate offense. Contained in O.C.G.A. 40-6-241.1 (2010) as well as any amendments henceforth.

***County business is defined as driving at the direction, or for the benefit, of the employer. It does not include normal commuting to and from work.**

Take home vehicles

Employees shall use County vehicles and equipment for County business ONLY. Employees shall operate County vehicles and equipment only in appropriate locations. Employees may not use County vehicles for personal errands during work hours.

A. It is permissible to make personal stops while driving to and from work locations before or after business hours and during the lunch break.

B. Careful consideration should be made as to the nature and location of the stop as well as public perception.

C. Employees shall not use the County vehicles when off duty for any other personal use except that noted in 2.14.1 (A).

D. Take home vehicles must be approved and signed off by the County Manager.

Confidential Matters

Upon employment with the County and as a condition of continuing employment, the County requires that all employees (including temporary employees) agree to protect the confidential affairs of the County. Disclosure of confidential information is prohibited and may result in disciplinary action up to and including immediate discharge.

Unauthorized disclosure of another employee's payroll or medical information may lead to action up to and including termination of the employee involved. It is the County's policy not to discuss payroll, personnel or related issues with spouses of employees. Any inquiries should be made directly by the employee.

The County also requires that employees not disclose to anyone, other than authorized County representatives, any information which has not been cleared for public disclosure, released to the news media, published in a newsletter, or otherwise approved for general distribution. No information, records, or material concerning the County may be used, released or discussed with anyone outside the office or with other employees without the authorization of the County Manager, and all open records requests should be directed to the County Manager and/or County Attorney and/or County Clerk. Violation of this policy may result in immediate discharge.

Nothing herein shall limit the right of an individual to make and access documents that fall within the Open Records Act. All Open Records requests shall be forwarded to the County Clerk or the County Manager before any records are compiled.

Privacy in the Workplace

A. Mail

All mail that is delivered to the County is presumed to be related to County business. Mail sent to you at the County will be routed to your department. If you do not wish to have your correspondence handled in this manner, please have it delivered to your home.

B. E-mail

E-mail is a business tool for the County and the County retains the right to monitor, review and intercept, access or discloses E-mail created and/or received on County property.

C. County Property

All desks, file drawers and other physical property of the County is owned by the County and the County has the right to inspect any and all office space. In order to protect the safety and property of all employees, the County reserves the right to inspect any areas and items that are owned by the County. Failure to cooperate with such inspections is a violation of County personnel policy and may be a reason for immediate termination.

Political Activity

No employee shall be permitted to solicit funds for political or partisan purposes during working hours, use any supplies or equipment of the County for political purposes. Any County employee who chooses to run for political office shall not be required to resign their current position with the County. Campaigning for any political candidate shall not be performed on County time by any County employee or elected official.

Hatch Act

The Hatch act is a federal statute prohibiting public employees from running for partisan political office. The Hatch Act applies only to employees of the federal government and to employees of other government agencies, including state and local whose employment is in connection with an activity which is financed in whole or part by federal funds. The Hatch Act does not prohibit “an individual holding elective office,” from running for a partisan political office.

Employment “in connection with” federal funds can be directly or indirectly from federally funded activities regardless of the funding for the salary. If the situation presents itself, County officials should discuss with the employee any possible violations of the Hatch Act, alert the employee to possible penalties, and give the employee

information on contacting the Office of Special Counsel.

Dress Code

Employees are expected to maintain the highest standards of personal cleanliness and present a neat, professional appearance at all times. The employee's department head in consultation with the County Manager will address situations in which inappropriate attire is worn and/or any exceptions to the dress code. Employees who are improperly attired may be required to leave work to change their attire. Employees will not be compensated for the time they are away from work to change improper attire.

Nepotism

Relatives of a person currently employed by the County may be hired only if they will not be working directly for or supervising a relative. Relatives are defined as grandparent; parent; child; siblings and fiancées. If employed by the County, relatives cannot be transferred into or remain in such a reporting relationship. If the relationship is created while in the employ of the County, the individuals will decide who will transfer or choose to terminate employment. If the decision is not made within 30 days, the decision will be made by the County Manager. In cases where conflict or potential for arises, regardless of supervisory relationship, the parties may be separated by reassignment or terminated from employment.

Outside Employment

Outside employment is any paid employment performed by an employee in addition to his or her employment with the County.

1. Such employment shall not interfere with the efficient performance of the employee's duties.
2. Such employment shall not involve a conflict of interest or conflict with the employee's duties.
3. Such employment shall not involve the performance of duties which the employee performs as part of his or her employment with the County.
4. Such employment shall not occur during the employee's regular or assigned working hours unless the employee is on either personal leave or leave without pay.
5. 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.
6. Any employee accepting outside employment under the terms of this rule shall make arrangements with the outside employer to be relieved from his or her outside duties if or when called for emergency service by the County.
7. County equipment may not be used for outside employment purposes (or for any purpose except use in the County's employment).

Conflict of Interest

If the County Manager determines that any outside employment creates a conflict of interest situation between the employee and the County, that employee will be expected to resign one of the positions held.

News and Publications Releases

All news releases must be approved by the Board of Commissioners Chairman or the County Manager.

Work Ethics Policy

Franklin County will comply with all applicable laws and with all regulations and expects volunteers, employees and elected officials to conduct business in accordance laws and refrain from dishonest or unethical conduct.

Employees shall, during both working and nonworking hours, act in a manner which will inspire public trust in their integrity, impartiality and devotion to the best interests of the County, its customers and citizens.

Gifts and Gratuities

An employee shall not accept gifts, gratuities or loans from organizations, business, or individuals with whom he or she has an official relationship on business of the County government. These limitations are not intended to prohibit the acceptance of articles of negligible value, which are distributed generally, or to prohibit employees from accepting social courtesies which promote good public relations, or to prohibit employees from obtaining loans from regular lending institutions.

If an employee has any doubts about accepting gratuities, ask before accepting. It is particularly important that inspectors, contracting officers and enforcement officers guard against relationships that might be construed as evidence of favoritism, coercion, unfair advantage or collusion. Violations of the policy will result in disciplinary action up to and including immediate dismissal.

Inclement Weather

Procedure

Franklin County will make every effort to maintain normal work hours even during inclement weather. However, where extraordinary circumstances warrant, the County Manager reserves the right to close the county facilities with the exception of first responders and all other emergency personnel.

The County Manager and the Chairman of the Board of Commissioners will make the decision to open County offices late; close offices early; or to not open the County offices because of inclement weather after an assessment of road conditions by the County EMA Director and or EMS Director.

Essential personnel are required to report to work to include (EMS; E911; Sheriff; Road and Water). The employees of these departments are required to contact their immediate supervisor for work schedules during inclement weather.

Non-essential employees will not report to work when the County offices are closed due to inclement weather unless there is a need to report to work as a part of their job duties. Non-essential employees who do not report to work are required to take paid personal leave or may take leave without pay as determined by their immediate supervisor or department head.

Safety Procedure Statement

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

Each department head is responsible and will be held accountable for the loss control performance within his or her department. Our safety coordinator (Risk Manager) has been appointed to coordinate our overall loss control program. It is expected that department heads will complement the effort of the safety coordinator to reduce accidents and provide for the safety of the public. These loss control responsibilities are continuous and equal in importance with all other operational considerations.

All employees are responsible for cooperating with and supporting our loss control program activities and objectives. All employees are expected to adopt the concept that the safe way to perform a task is the most efficient and only acceptable way to complete the task. One employee from each department is required to attend a quarterly safety meeting, perform a safety inspection, and then report that information to their perspective departments.

Loss control is every employee's responsibility. In addition to the quarterly meetings employees will be required to utilize the appropriate safety equipment when in the field. Only with your help can we continue to maintain a safe environment for both our employees, officials, and the citizens we serve. To ensure safety each department will be required to submit a safety self-inspection quarterly to the Safety Coordinator.

Grievance Procedure

When an employee believes that he or she is being mistreated in his or her employment on account of a violation of state or federal law, County policy or procedure, unsafe or unhealthy conditions, or unfair treatment, employees are encouraged to come forward and discuss their views with their supervisor and/or the County Manager. The County Manager's decision after consulting with the Ethics Board with regard to employee grievances/complaints shall be final.

Filing a Grievance

An employee may file a written grievance with his/her department head, the Human Resources Clerk or the County Manager within thirty (30) days of the occurrence of an event. The grievance statement must be in writing and clearly state the claim.

Administrative Review

The employee grievance procedure provides for three (3) steps of administrative review before the grievance reaches the hearing stage:

1. The Department Head and Human Resources Clerk will hear the grievance;
2. If it is not mutually resolved at that level, the County Manager will hear the grievance;
3. If it is not mutually resolved at that level, the grievant may request a hearing before the Franklin County Ethics Board.

Scheduling and Notification of Administrative Reviews

1. If the grievance is substantiated, the first administrative review with the Department Head should be held within five (5) days after the grievance is filed. The Department Head should notify the grievant of his/her decision in writing within five (5) days of the review.
2. If the grievant wishes to have a review by the County Manager, he/she should notify him or her within five (5) days after receiving the first decision. The County Manager should schedule the second review within fifteen (15) days of receiving the request. If there is a second review, the County Manager

should notify the grievant of his/her decision within fifteen (15) days of the review.

The Hearing

1. The grievance hearing is intended to create a formal means for the grievant to communicate his/her complaint in an informal setting. The hearing officer shall be the County Manager or his/her designee. 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 a witness to the hearing to testify. Both the grievant and the hearing officer may question the witness. An interpreter when necessary may accompany a handicapped employee.

2. The hearing officer shall conduct a separate fact-finding hearing with all other parties implicated or referenced in the hearing for the grievant. Such parties may give testimony and be questioned by the hearing officer.

Review and Reporting

After the hearing, the County Manager or his designee will review the claim, evidence, and requested relief, and should report his/her decision in writing to the grievant within fifteen (15) days of the hearing. The decision of the County Manager will be the final decision in the grievance procedure. However, the grievant may request an appeal hearing, including a name clearing hearing before the Ethics Board. An appeal is a formal review by the Ethics Board of an action or a decision made by the County Manager or his designee.

Purpose of Appeal

The purpose of appeal is to ensure that due process is available to employees and to give employees an opportunity to voice their views formally. It is also intended to help prevent violations of these policies and unlawful discrimination.

Causes for Appeal

An appeal to the Ethics Board may be filed by covered employees as a result of:

1. An adverse action;
2. Unlawful discrimination against an employee;
3. Unlawful or unjust coercion or reprisal; or
4. Other unlawful or unjust practices that adversely affect an employee.

Filing an Appeal

An appellant must file an appeal with the Chairman of the County within fifteen (15) days of learning of the event or decision. The appeal shall contain a statement describing what is being appealed. The County Chairman will determine if the case is appealable, with merit, and properly filed. If applicable, the County Chairman will notify the appellant of the date, time, and place of the hearing and the name of the hearing officer.

Appeal Hearing Officer

The Chairman of the Ethics Board will serve as hearing officer for all appeals.

Appeal Hearing

The appeal hearing 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 Courts will be used. The Commission Chairman will compile evidence, prepare fact-findings and conclusions of law, and issue a recommendation to the Ethics Board.

Representation

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

The Decision

The appeal-hearing officer shall submit the recommendation to the Appeal Board within fifteen (15) days after completion of the hearing, and the Chairman of the County will notify the appellant of the final decision within seven (7) days after receiving the recommendation. The decision of the Appeal Board will be the final decision.

Anti-Fraud

Franklin County has established an anti-fraud policy to enforce controls and to aid in the prevention and detection of fraud, waste, or abuse against the County. This policy applies to any fraud, theft, waste, or abuse or suspected fraud, theft, waste, or abuse involving an employee (including management), elected official, a consultant, vendor, contractor, or person doing business with the County or in any other relationship with the County.

The County does not tolerate any type of fraud, theft, waste or abuse. County policy is to promote consistent, legal, and ethical organizational behavior.

Franklin County reserves the right to pursue prosecution if the results of an investigation indicate the possibility of criminal activity.

Definitions

Fraud is defined as an intentional deception designed to obtain a benefit or advantage or to cause some benefit that is due to be denied. Examples of fraud include:

- Forgery or alteration of a check, bank draft, or any other financial document;
- Theft of a check or other diversion payments;
- Making payroll checks out to “phantom” employees;
- Delaying the processing of termination papers for one or two payroll cycles and keeping the checks;

Falsifying time sheets or payroll records, including but not limited to reporting hours not worked or a Department Head not allowing the reporting of all hours worked by hourly employees;

Listing of beneficiaries individuals who do not qualify (or no longer qualify) as family members for Healthcare benefits; Writing off of delinquent receivables that have been collected;

Misappropriation of funds, securities, supplies, or other assets; Impropriety in the handling or reporting of money or financial transactions; Profiteering as a result of insider knowledge of operations;

Waste is the loss or misuse of federal, state and local resources that results from deficient practices, system controls, or decisions.

Abuse is the intentional, wrongful, or improper use of resources or misuse of rank, position, or authority that causes the loss or misuse of resources, such as tools, vehicles, computers, copy machines, etc. Examples of abuse include:

- Using County equipment or supplies to conduct personal business;
- An employee using non-confidential information to get new customers for his/her outside business.

Theft is defined as the act of taking something from someone unlawfully. An Example of theft is taking home a printer belonging to the County and keeping it for personal use.

Reporting Suspected Fraud

Each employee is required to report any suspected fraud, theft, waste or abuse or other dishonest conduct to the employee's management or to the Ethics Board.

Management is required to report suspected fraud, theft, waste or abuse or other dishonest conduct, including reports from employees or other individuals, to the Ethics Board.

Management does not have the authority to determine the merits of a report of suspected fraud – the Ethics Board makes this determination with the assistance of the County Manager.

The identity of an employee or complainant who reports suspected fraud will be protected to the full extent allowed by law.

Suspected improprieties and/or misconduct concerning an employee's ethical conduct should be reported to the County Manager or the Ethics Board. Note that there are many instances of prohibited actions that do not rise to the level of fraud, such as an improper relationship with a vendor.

Guidelines for Report Received

Whether the initial report is made to the County Manager or the Ethics Board, the reporting individual should receive the following instructions and information:

Do not contact the suspected individual in an effort to determine facts or demand restitution.

Allow the Ethics Board to conduct the investigation. Do not further investigate the allegations.

Observe strict confidentiality. Do not discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by the Ethics Board, the County Manager or the General Counsel.

Retaliation will not be tolerated.

Every effort will be made to protect the rights and the reputations of everyone involved, including the individual who in good faith alleges perceived misconduct as well as the alleged violation(s). (See: Disciplinary Action for the consequences of making a fraud in bad faith.)

The identity of an employee or other individual who reports a suspected act of fraud will be protected by this policy. (See: Responsibility to Report suspected Fraud.)

Investigation Guidelines

The Ethics Board is responsible for the full investigation and documentation of suspected fraud.

The Ethics Board has primary responsibility for the investigation of reported wrongdoing and all suspected fraud and for coordinating investigative activities with the County Manager and General Counsel. Each employee involved in an investigation of suspected fraud shall keep the content of the investigation strictly confidential to the full extent provided by law. Investigation results shall not be disclosed or discussed with anyone other than those who have a

legitimate need to know.

Any required investigative activity shall be conducted without regard to the suspected wrongdoer's length of service, position/title or any other perceived mitigating circumstance.

The Ethics Board shall maintain appropriate documentation regarding incidents of fraud and turn them over to the County Manager upon completion of the investigation.

If an investigation substantiates fraudulent activities, the Ethics Board will prepare an incident report to the County Manager, Board of Commissioners, General Counsel and the Department Head of the division in which the fraud occurred. The Ethics Board shall prepare the report as soon as possible after the fraud is confirmed and shall document the content of the investigation, the findings, and any disciplinary action taken as a result of the finding.

Any inquiries from the suspected individual, his or her attorney/representative, or any other inquirer shall be directed to the Ethics Board or County Manager.

Disciplinary Action

Failure to comply with any part of this policy is grounds for disciplinary action, including immediate termination.

Section 6 Employee Benefits

Holidays

The following days are designated as official holidays for employees of the County:

- New Year's Day
- Good Friday
- Memorial Day Observed
- Independence Day
- Labor Day
- Thanksgiving
- Day after Thanksgiving
- Christmas Eve Day
- Christmas Day

Employees working on a rotating shift or other hours will be given holiday hours to closely match the number of hours above, but approved by the Department Head and County Manager.

Other holidays may be declared by a vote of the Board of Commissioners.

For employees who normally work Monday through Friday, whenever a holiday falls on a Saturday, the preceding Friday shall be designated a substitute holiday and observed as the official holiday for that year.

When a holiday falls on a Sunday, the following Monday shall be designated as the official holiday for that year. An employee who is not on approved leave and fails to report on his or her scheduled workday before or after a holiday

will not be paid for holidays not worked. Holidays which occur during personal leave shall not be charged against personal leave.

Holdover Holiday

Employees who are required to work on a designated holiday shall receive a commensurate day off at a later date (within one (1) month after the holiday) at a time agreed upon by his or her supervisor. In lieu of a commensurate day off, the department head, with the approval of the County Manager, may pay the employee their regular work rate for the holiday worked and additionally pay the employee an amount equal to one (1) regular workday.

Personal Leave

This section covers vacations and sick leave. Part-time and seasonal employees are not eligible for paid personal leave. Personal leave is paid leave that is available to regular, full-time employees only. Paid leave accrues only when an employee is at work or out on paid leave.

All regular full-time County employees begin earning personal leave days upon the first day of employment. An employee's personal leave accrual is computed on a per bi-weekly basis from the day physical work began, not the hire date.

Each employee can carry over from one calendar year to the next a maximum of 480 hours of personal leave. Any employee that has over 480 hours of personal leave on December 31st can transfer 240 hours to catastrophic leave. (i.e. It can only be used if you are out of work due to an approved medical illness.)

Upon satisfactory completion of service with the County you will be paid for any unused personal leave. (You will not be paid for any catastrophic leave unless you are out due to an approved medical illness.)

Full-time employees will accrue personal leave in accordance with this schedule:

<u>Years of Service</u>	<u>Personal Leave Accrual Rate</u>
0 - 1	.038500 per each hour worked/accrued bi-weekly
1 - 5	.057750 per each hour worked/accrued bi-weekly
5 - 10	.065375 per each hour worked/accrued bi-weekly
10 - 15	.077000 per each hour worked/accrued bi-weekly
15 and over	.084625 per each hour worked/accrued bi-weekly

Requests for planned personal leave must be to the department head and will be granted when possible; however, planned leave must be taken at the convenience of the department. In the case of unplanned absence for illness, emergency, etc., the employee is required to notify their immediate supervisor as soon as possible of the absence and the projected length of the absence.

Personal leave cannot be taken in increments of less than one half hour. Payment in lieu of personal leave is authorized only when an employee is separated from the County employment by resignation, death or disability.

Certification by Physician

A medical certificate signed by a licensed physician may be required by a department head or the County Manager to substantiate unapproved leave for the following reasons:

1. A period of absence consisting of three or more consecutive days.

2. Leave of any duration if absence from duty occurs frequently or habitually.

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. Affected employees must provide the County with a copy of his/her orders as soon as they are issued. These policies are in compliance with the law.

A. USERRA

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable. Employees will receive partial pay for two-week training assignments and shorter absences. Upon presentation of satisfactory military pay verification data, employees will be paid the difference between their normal base compensation and the pay (excluding expense pay) received while on military duty.

The portion of any military leaves of absence in excess of two weeks will be unpaid. However, employees may use any available paid time off (PTO) for the absence. Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible. PTO and holiday benefits will continue to accrue during a military leave of absence. Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time.

Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws. Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service. Contact the Human Resources Clerk or County Clerk for more information or questions about military leave.

B. Ordered Duty

In compliance with Georgia Code 38-2-279, any employee ordered to military duty shall be placed on military leave with pay and all normal benefits for a period of time not exceeding a total of eighteen (18) days in one calendar year and not exceeding eighteen (18) days in one continuous period of absence.

C. Declared Emergency

According to Georgia Code 38-2-279, in the event that 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 and all normal benefits for a period not exceeding thirty (30) days in one calendar year and not exceeding thirty (30) days 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 National Guard shall be entitled to absence himself 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 (4) year

period. Leave of absence prevents a break in service, but no benefits such as personal leave or time toward retirement shall accrue during leave of absence for military purposes.

Civil Leave

An employee shall be given time off with pay when performing jury duty or when subpoenaed to appear before any public body or County. If such employee receives payment for such service, he or she shall be required to endorse such payment over to the County or to have an equivalent deduction made from the regular rate of pay, whichever option is preferred by the County Manager.

Funeral Leave

In the event of death in an employee's family, he or she will be granted paid funeral leave of up to twenty-four (24) hours. The employee will receive normal pay for any scheduled workday – up to 24 hours that occurs during this period of funeral leave.

Family for funeral leave is described as a spouse; child or stepchild and their spouse; father; mother; mother-in-law; father-in-law; brother; sister; brother-in-law; sister-in-law; grandparents; grandchild; or any person domiciled in the employee's household.

Worker's Compensation Act

All employees are covered by workers' compensation insurance, which compensates an employee for lost time, medical expenses, and loss of life or dismemberment from an injury arising out of or in the course of work. Employees must report any accident or injury immediately to his/her supervisor and the Human Resources Department so that the necessary paperwork may be completed.

An employee receiving Worker's Compensation payments for lost time may supplement that pay with personal leave up to and not exceeding their regular rate of pay.

Temporary Disabilities not Covered by Worker's Compensation

An employee who becomes temporarily disabled shall be allowed to exhaust his or her personal leave. Any employee who takes paid or unpaid leave under the County leave policy, and the leave qualifies under the Family Medical Leave Act (FMLA), will have his or her FMLA leave reduced accordingly. After all personal leave has been used; further extension of leave (either with or without pay) must be specifically authorized by the County Manager upon a recommendation of the department head (see FMLA).

Unpaid Leave of Absence

A department head, with the approval of the County Manager, may grant a full-time employee a leave of absence without pay. All departments are required to adhere to the following practices:

1. Leave without pay shall be granted only when it will not adversely affect the interest of Franklin County.
2. Failure of an employee to return to work at the expiration of approved leave shall be considered as absence without leave and grounds for disciplinary action, up to and including termination.
3. An employee granted leave of absence and who wishes to return before the leave period has expired, shall be required to give his or her department head at least two weeks' notice. The department head, with the approval of the County Manager, may allow an employee to return before the end of the two-week notice period.
4. An employee will not accrue personal leave during the time the employee is absent without leave and or pay.

5. An employee shall return from authorized leave without pay to the same compensation as at the time of commencement of leave.

6. An employee returning from a leave of absence without pay shall be entitled to employment in the same department in the same equivalent class wherein employed when leave begins. This placement is dependent upon availability of a suitable position.

Family and Medical Leave

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

A. General Provisions

Under this policy, Franklin County will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

B. Eligibility

To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

1) The employee must have worked for the County for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.

2) The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

3) The employee must work in a worksite where 50 or more employees are employed by the County within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

C. Type of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- 1) The birth of a child and in order to care for that child.
- 2) The placement of a child for adoption or foster care and to care for the newly placed child.
- 3) To care for a spouse, child or parent with a serious health condition (described below).
- 4) The serious health condition (described below) of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position. A serious health condition is defined as a condition that requires inpatient care

at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what illnesses are covered under this FMLA policy or under the company's sick leave policy are encouraged to consult with the Human Resources Clerk.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the County may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

4) Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty. An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: short-notice deployment, military events and activities, child care and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities and additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

(a) Eligible employees are entitled to FMLA leave to care for a current member of the Armed Forces, including a member of the National Guard or Reserves, or a member of the Armed Forces, the National Guard or Reserves who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, and members on the permanent disability retired list.

(b) In order to care for a covered service member, an eligible employee must be the spouse, son, daughter, or parent, or next of kin of a covered service member.

(1) A "son or daughter of a covered service member" means the covered service member's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered service member stood in loco parentis, and who is of any age.

(2) A "parent of a covered service member" means a covered service member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member. This term does not include parents "in law."

(3) Under the FMLA, a "spouse" means a husband or wife as defined under the law in the state where the employee resides (5) The "next of kin of a covered service member" is the nearest blood relative, other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of

military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered service member, all such family members shall be considered the covered service member's next of kin and may take FMLA leave to provide care to the covered service member, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered service member's only next of kin. For example, if a covered service member has three siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered service member's next of kin. Alternatively, where a covered service member has a sibling(s) and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered service member's next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered service member pursuant to § 825.122(j).

“Covered active duty” means:

(a) “Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.

(b) “Covered active duty” for members of the **reserve** components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a) (13) (B) of title 10, United States Code. (a) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

(6) Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran.

An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks in a single 12-month period to take care of leave to care for that service member.

Next of kin is defined as the closest blood relative of the injured or recovering service member.

The term “covered service member” means:

(a) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or

(b) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term “serious injury or illness means:

(a) in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and

(b) in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service member, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered service member in the line of duty on

active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank or rating.

(c) Outpatient status, with respect to a covered service member, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

D. Amount of Leave

An eligible employee can take up to 12 weeks for the FMLA circumstances (1) through (5) above under this policy during any 12-month period. The County will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the County will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time. An eligible employee can take up to 26 weeks for the FMLA circumstance (6) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, the County will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for the County and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the County and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

E. Employee Status and Benefits during Leave

While an employee is on leave, the County will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. The leave period is not to exceed a time period of 12 months unless authorized by the County Manager. The employee will provide the County Manager with documentation for the need for the leave to be extended at the time of the request.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the County will require the employee to reimburse the County the amount it paid for the employee's health insurance premium during the leave period.

Under current County policy, the employee pays a portion of the health care premium if they carry dependent coverage. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Human Resources Department by the 15th day of each month. If the payment is more than thirty (30) days late, the employee's health care coverage may be dropped for the duration of the leave. The employer will provide fifteen (15) days' notification prior to the employee's loss of coverage.

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the employer may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the employer may discontinue coverage during the leave. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

F. Employee Status after Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider. This requirement will be included in the employer's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions. The County may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

G. Use of Paid and Unpaid Leave

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all paid vacation, personal or sick leave prior to being eligible for unpaid leave. Sick leave may be run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy.

Disability leave for the birth of the child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. For example, if an employer provides six weeks of pregnancy disability leave, the six weeks will be designated as FMLA leave and counted toward the employee's twelve (12) week entitlement. The employee may then be required to substitute accrued (or earned) paid leave as appropriate before being eligible for unpaid leave for what remains of the twelve (12) week entitlement. An employee who is taking leave for the adoption or foster care of a child must use all paid vacation, personal or family leave prior to being eligible for unpaid leave.

An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation and personal leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation, personal leave or sick leave (as long as the reason for the absence is covered by the company's sick leave policy) prior to being eligible for unpaid leave.

H. Intermittent Leave or a Reduced Work Schedule

The employee may take FMLA leave in twelve (12) consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of twelve (12) workweeks (or twenty-six (26) workweeks to care for an injured or ill service member over a twelve (12) month period).

The County may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care. For the birth, adoption or foster care of a child, the County and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule.

Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child. If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the County before taking intermittent leave or working reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

I. Certification for the Employee's Serious Health Condition

The County will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition.

The County may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The County will not use the employee's direct supervisor for this contact. Before the County makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the County will obtain the employee's permission for clarification of individually identifiable health information.

The County has the right to ask for a second opinion if it has reason to doubt the certification. The County will pay for the employee to get a certification from a second doctor, which the County will select. The County may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third doctor. The County and the employee will mutually select the third doctor, and the County will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

J. Certification for the Family Member's Serious Health Condition

The County will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition.

The County may directly contact the employee's family member's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The County will not use the employee's direct supervisor for this contact. Before the County makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the County will obtain the employee's family member's permission for clarification of individually identifiable health information.

The County has the right to ask for a second opinion if it has reason to doubt the certification. The County will pay for the employee's family member to get a certification from a second doctor, which the County will select. The County may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third doctor. The County and the employee will mutually select the third doctor, and the County will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

K. Certification of Qualifying Exigency for Military Family Leave

The County will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

L. Certification for Serious Injury or Illness of Covered Service member for Military Family Leave

The County will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Service member.

M. Recertification

The County may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the County may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. The County may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

N. Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the Human Resources Clerk. Within five business days after the employee has provided this notice, the Human Resources Clerk will complete and provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the company's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

O. Designation of FMLA Leave

Within five business days after the employee has submitted the appropriate certification form, the Human Resources Clerk will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice.

P. Intent to Return to Work from FMLA Leave

On a basis that does not discriminate against employees on FMLA leave; the County may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Absence without Leave

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

Notation of Employee Leave

When an employee has taken leave of any kind or is absent without leave, his or her department head shall notify the

County Manager in writing within the same pay period in which the leave is taken or the absence without leave occurs. Such notification may be by notation on a time card or attendance sheet or by memo and shall give specific information governing type of leave, dates and hours, and other pertinent data.

Health Care Plans

The County provides health care coverage and supplemental insurance for eligible employees. Eligible employees for health care are those who work a minimum of thirty (30) hours per week. Health insurance may be offered to elected officials as determined by the Board of Commissioners. The coverage offered is subject to the annual approval of the Board of Commissioners. Requests for specific plan benefits should be directed to the Human Resources Clerk or County Clerk.

Retirement Plan

The County provides retirement plans for its employees. Requests for specific plan benefits should be directed to the Human Resources Clerk or County Clerk. Separated, vested employees may receive retirement funds, in the vested amount accumulated upon separation, subject to the terms of the retirement plan.

COBRA

The Consolidated Omnibus Budget Reconciliation Act (COBRA) requires employer-sponsored group medical plans to allow covered employees and their dependents to elect to have their current medical coverage continued at the employee and dependents' expense, at group rates, for up to 36 months following a qualifying loss of coverage.

Qualified persons who must be permitted to continue group medical coverage are:

- A. An employee whose coverage terminates due to a reduction in work hours or termination of employment, other than termination due to gross misconduct;
- B. A spouse and dependent children who lose eligibility for coverage under the group plan as a result of: (1) divorce or legal separation; (2) the employee's death, termination of employment or reduction of work hours; (3) loss of dependent child status due to age or marriage.

Continuation is not available to persons who are covered under another group plan or eligible for Medicare.

Group health premium rates for individuals electing continuation are the same as for active employees and their dependents plus an administrative charge. Individuals electing continuation must pay the entire premium amount in advance.

You will be notified by the County or its agent upon employment and at the time of a qualifying event as explained above. It is the employee's responsibility to keep the administrative department informed of any address changes or other pertinent information regarding themselves and their dependents.

Section 7 Progressive Discipline & Termination

General Comments

One of the most difficult aspects of the Department Director is that of disciplining an employee. Situations where formal disciplinary action is needed can usually be prevented by proper selection of employees, clear and adequate instructions, frequent observation and communication, and appropriate recognition. Sometimes, however, some employees will still violate established rules and standards. In such cases, the prompt application of appropriate disciplinary measures is an imperative and inescapable obligation of the department director.

The County has adopted the process known as “progressive discipline” which can usually satisfy fairness, promptness, and legal sufficiency. The County subscribes to this concept of discipline, and it is this process that guides these disciplinary policies and procedures.

Definition

Progressive discipline is a process in which disciplinary action is applied in several steps of increasing severity, culminating, if necessary, in dismissal. The usual sequence is oral reprimand, written reprimand, and suspension without pay, demotion, and dismissal. Each step, therefore, moves closer to termination, and each one is designed to stimulate a change in the behavior that necessitated the disciplinary process. The steps are so timed that the employee has the opportunity to correct his or her behavior prior to the next step. The goal is to apply the minimum level of discipline that will bring the employee's performance up to the expected level.

Essential Prerequisites to Discipline

Before discipline is administered, department directors should observe the following prerequisites to discipline:

- (1) Make sure that the employee understands his or her duties and is aware of the policies and procedures that apply to him or her.
- (2) Enforce the policies and procedures with consistency. The penalties for violation of policies and procedures must not be based on personal bias, favoritism, or other irrelevant factors. However, penalties may vary because of relevant factors such as the presence or absence of intent, the work record of the employee, or other factors.
- (3) When a violation of a policy or procedure occurs, be certain of the facts and circumstances, determine the appropriate disciplinary measure, apply discipline promptly, being careful to observe the procedural requirements for the type of discipline imposed, and conclude the process as quickly as feasible and resume normal operations.

Types of Discipline

There are five types of progressively severe disciplinary actions that are recognized as permissible but not all are required (based on severity of issue). In general order of severity, they are:

- (1) Oral Reprimand
- (2) Written Reprimand;
- (3) Suspension without Pay;
- (4) Demotion; and
- (5) Dismissal.

The five disciplinary actions fall into two categories: "reprimands" and "adverse actions." Oral and written reprimands are warning procedures and are the least harsh of the five types of actions. The more serious types of discipline (adverse actions), suspension, demotion, and dismissal, are all subject to specific procedural requirements prescribed by these Policies and Procedures. None of these actions should be initiated by a Department Director without prior consultation with the County Manager.

Exceptions to Progressive Discipline

There are occasions when an employee must be removed from the job without delay. This includes such circumstances as when it is likely that the employees has committed a felony or other such crime involving moral turpitude, or when his or her continued presence on the job might be dangerous for him or her or others or be unduly

disruptive to the operations. In such instances, the employee should be immediately removed from the job and the County Manager contacted immediately for appropriate actions.

Reasons for Disciplinary Action

Franklin County is an at-will employer and shall be under no obligation to provide reasons for its employment decisions, unless required by law. Franklin County is under no obligation to dismiss only for so-called "just causes." However, the following list of possible reasons for disciplinary action is intended to provide examples of reasons justifying adverse action in employment:

- (1) Negligence or inefficiency in performing duties of the position held;
- (2) Unfitness to perform duties;
- (3) Insubordination;
- (4) Misconduct;
- (5) Conduct reflecting discredit on Franklin County;
- (6) Failure to report for work without justifiable cause;
- (7) Chronic activity in violation of these policies;
- (8) Political activity in violation of these policies;
- (9) Violation of or refusal to comply with federal, state or local laws or regulations, including applicable state and local traffic laws and ordinances;
- (10) Theft, destruction or damage to County property;
- (11) Abuse of alcohol or drugs or use of alcohol or drugs while on duty;
- (12) Discourtesy to the public;
- (13) Falsification of records, including employment application;
- (14) Conduct that jeopardizes harmony among coworkers or the maintenance of discipline by the employee's immediate Department Director;
- (15) Conduct that jeopardizes a close working relationship, where such close working relationship requires personal loyalty and confidence is necessary to the employee's job;
- (16) Acceptance of money or other valuable consideration given with the intent of influencing the employee in the performance of his or her official duties;
- (17) Improper use of official position for personal profit or advantage;
- (18) Release of false or misleading information concerning;
- (19) Unauthorized release of any records or files designated as confidential including employee personnel record(s); and
- (20) Violation of any provision of these Policies and Procedures.

These reasons are neither exclusive nor collectively exhaustive. Discipline for any of these reasons, for any combination of these reasons, or for any other reason(s) but for reasons that would constitute an unlawful basis for an adverse employment decision.

Appendix

- A. Handbook Acknowledgment
- B. Vehicle Policy Acknowledgement
- C. Authorization for Take –home Vehicle
- D. Authorization for Record’s Release
- E. Accident/Incident Report
- F. Return to Work Policy
- G. Quick Reference Guide

Vehicle Policy Acknowledgment

Driver Guidelines and Reporting Requirements for Franklin County

1. Fleet vehicles are to be driven by authorized employees only, except in case of medical emergencies. Spouses, other family members, or other non-employees are not authorized to drive County vehicles.
2. Any employee who has a driver's license revoked or suspended shall notify the County Manager immediately and immediately discontinue operation of the County vehicle. Failure to do so may result in disciplinary action, including termination of employment.
3. All accidents in County vehicles or County rental vehicles, regardless of severity, must be reported to the local law enforcement and to the County Manager. Accidents are to be reported immediately (from the scene, during the same day, or as soon as practicable if immediate or same day reporting is not possible). Failing to stop after an accident and/or failure to report an accident may result in disciplinary action, up to and including termination of employment.
4. Accidents involving the employee's personal injury must be reported to the Human Resources for Worker's Compensation purposes. County employees who use the vehicle to transport non-employees (for example, spouses or other non-- employees) traveling to conferences or other work related activities must understand that non-employees shall hold the County harmless for any accidents that occur. The non-employees medical cost would be the responsibility of their medical insurance, Medicare, etc.
5. Drivers must report all ticket violations received during the operation of a fleet vehicle, or while driving a rental vehicle on company business*, within 72 hours to the Human Resources Clerk.

Standard Operating Procedure for Vehicle Safety

1. The County has declared that any and all passengers, including the driver, riding in a vehicle owned by County are required to properly wear installed seat belts when operating a County vehicle. In addition to following all traffic regulations, all employees and their passengers are required to use a seat belt when traveling in any county vehicle. The requirement applies to business travel in a vehicle owned by the county, in a rental vehicle and in a vehicle owned by an individual employee, while working.
2. Failure to use your seat belt is a violation of State Law, O.C.G.A. 40-8-76 and is not to be taken lightly. Proper use constitutes proper adjustments as well as proper latching of the unit. Employees who receive an auto allowance or for any other reason are operating their personal vehicle on county business are required to wear their seat belts in their personal vehicles as well as those in county vehicles. The use of seat belts is to be considered a condition of employment with this company. Failure to abide by this stated policy will be considered a breach of that condition of employment and subject the person in violation to disciplinary action, including suspension and possible termination.
3. The county has declared that all employees while in operation of a vehicle or rental for business use shall adhere to the State laws contained in O.C.G.A. 40-6-241.1 (2010) as well as any amendments henceforth. In addition the county requires that anyone operating a county vehicle/rental will adhere solely to hands free communication while the vehicle is in operation, except where warranted by emergency personnel. If an electronic communication device is not hands free, the operator must pull the vehicle from the roadway and to a complete stop prior to accepting/making any electronic transmission including calls.
40-6-241.1. Definitions; prohibition on certain persons operating motor vehicle while engaging in wireless communications; exceptions; penalties
(a) As used in the Code section, the term:
(1) "Engage in a wireless communication" means talking, writing, sending, or reading a text-based communication, or listening on a wireless telecommunications device.

*Company business is defined as driving at the direction, or for the benefit, of employer. It does not include normal commuting to and from work.

This is to certify that I have read and understand the Vehicle Usage Policy

Employee Signature

Date

Witness

Date

Authorization for Records Release for Franklin County

Exact name on Driver's License

Date of Birth

License Number

I certify that I have read and understand the Vehicle Policy and Hiring Procedures. I authorize the Human Resources Director to obtain my driving record (MVR) with the State of Georgia or any other entity to ensure compliance with this policy.

Employee Signature

Date

***Please attach a copy of your Driver's License**

Accident/Incident Report for Franklin County

**Forward this report immediately to the Human Resources Clerk or County Clerk.
Do not wait for the police report to send this form.**

Time & Date of Event:

Location: _____

Emergency

Responders:

Case Number: _____

Department

Name:

Supervisor: _____

Report Date: _____

Description of City vehicle or property involved in the accident/incident, if vehicle include VIN

List all witnesses

Damage to non-City employee property/vehicle

Name/Address/Phone:

Description of damaged property

Employee statement:

Return to Work Policy
Work Related Injuries or Illness

Franklin 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 release from the designated medical service provider must be received by the county personnel department. If the medical release specifies that the employee may 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.

Franklin 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 with or without temporary modifications or more permanent accommodations.

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