



# Employee Handbook

# **EMPLOYEE HANDBOOK**

## **FOR THE EMPLOYEES OF UPSON COUNTY**

The Upson County Board of Commissioners considers the employees to be one of the county's most valuable resources. This handbook has been written to serve as a guide for the employer/employee relationship, and has been adopted by the Upson County Board of Commissioners for that purpose.

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# Chapter 1

## Handbook Introduction

### 1.1 Introduction

This Employee Handbook will give you important information about working at Upson County. The policies explain many of the benefits of working here by outlining our rules and basically explaining what is expected of you as a county employee.

However, this Employee Handbook cannot cover every situation or answer every question about policies and benefits.

The only policy that will never change or cancel is our employment-at-will policy. The employment-at-will policy allows the employee or the employer to terminate your employment at any time for any reason. The employment-at-will policy is further described in the policy titled Nature of Employment. If changes are made to the Employee Handbook, employees will be notified of any change.

This edition of the Employee Handbook shall supersede all previous editions of Employee Handbooks and shall render previous editions void in their entirety. The policies and procedures contained herein are subject to revocation or modification by the Upson County Board of Commissioners at any time and shall be superseded by any changes mandated by state or federal legislation. Any official action taken by the Board of Commissioners will supersede the contents of this Handbook.

The County Manager or designees shall administer the personnel system, the terms of this personnel policy, and its amendments and all future approved personnel policies and operating procedures.

Elected Officials may add to the policies contained in this handbook. Any such modifications shall comply with all applicable laws.

### 1.2 Customer Relations

Our community is very important to us. Every employee represents Upson County to the public and all of us are judged by how we treat them. One of the highest priorities at Upson County is provide excellent customer service.

Your contact with the public, your telephone manners, and any communications you send to citizens reflect not just on you but also on the professionalism of all County employees. Nothing is more important than being courteous, friendly, prompt, and helpful to citizens.

### 1.3 Scope of Coverage

This Handbook supersedes all previous written and unwritten personnel policies that conflict with this handbook. It is intended to be construed in such a manner as to comply with all applicable federal, state, and civil service laws and regulations.

These personnel policies shall apply to all employees. They shall not apply to elected officials and independent contractors. In general, elected officials and department heads are responsible for administering these policies in their respective departments.

If any section of this handbook is held to be invalid by operation of law, the remainder of this handbook and amendments thereto shall remain in force and effect.

Should a conflict arise between the Georgia Code or applicable federal law and this handbook, law shall prevail.

Some policies may vary for offices that do not operate under the Board of Commissioners. If there is a question regarding a particular policy or clarification is needed, contact your Department Head, Constitutional Officer or the Human Resources Department.

*Board Responsibilities:* The Upson County Board of Commissioners has the responsibility as an employer to establish broad employee policies for its employees and to guide the County Manager and the Department Heads in their administration of the policies, development and implementation of supporting policies and procedures, and further delegations of authority. Proposed changes to the policies must be approved by the Board before taking effect.

*Administration:* The County Manager shall be responsible for the overall administration of the Board of Commissioners' employee policies, including changing, revising and updating Board of Commissioners' employee policies as needed, in accordance with Board Policy and guidance.

A regular schedule of review of the Employee Policies, with revision as required, will sustain their effectiveness. Employee input will be considered in the review process. New and revised policies will be announced and training provided, as needed, before their effective date.

## **1.4 Organization and Administrative Structure**

### **1.4.1 The County Board of Commissioners**

The Upson County Board of Commissioners is the overall Governing Authority for Upson County, with such responsibilities, powers, and duties as established by the Constitution and laws of the State of Georgia, and applicable local legislation. In addition to exercising general control over budget appropriations to all county departments and agencies, the Commissioners are directly responsible for all policies and procedures pertaining to personnel matters and local ordinances.

### **1.4.2 County Manager**

The County Manager is chief administrative officer and head of the administrative branch of county government. The manager serves at the pleasure of the Board of Commissioners and is responsible for the efficient administration of all of the affairs of the county over which he/she has jurisdiction. The manager supervises the implementation of policies, ordinances, resolutions, and regulations of The Board of Commissioners and ensures the laws of the state are faithfully executed and enforced.

The manager has the authority to hire and remove all employees of the county and exercise administrative authority and supervision over all departments and personnel under the jurisdiction of the Board of Commissioners, except the county attorney, county auditor, county clerk, and members of the boards, commissions, and authorities, who are appointed or removed by the Board of Commissioners.

### **1.4.3 Constitutional Officers**

Georgia law provides for four Constitutional Officers in Upson County: The Sheriff; the Judge of the Probate Court; the Clerk of Superior Court; and the Tax Commissioner. While recognizing the legal responsibility and authority of those Constitutional Officers to exercise discretion in the management of their offices and the personnel therein, the Commission, in the exercise of its overall authority and responsibility to supervise the proper expenditure of County funds, finds and declares that the adoption of uniform personnel policies in all County departments and agencies is in the best interest of Upson County personnel and the public at large.

Such uniformity of personnel policies will enhance employee morale, improve working conditions, equitable treatment of employees, and promote public confidence in the orderly workings of government, among other benefits. Thus, Commissioners strongly recommend that each Constitutional Officer adopt this personnel handbook for his or her own office. The Commissioners understand that each Constitutional Officer may have departmental policies in his/her respected areas.

Constitutional Officers have the right to hire, discharge and supervise employees in their departments. Due to the particular personnel and operational requirements of their departments of the County, each Constitutional Officers is authorized to establish supplemental rules and regulations applicable only to the personnel of that department. When an employee or group of employees of a Constitutional Officers has a grievance concern the employee shall follow the Constitutional Officers established grievance and appeal procedures.

The County Elected Officials shall have the final responsibility and authority in all matters affecting personnel administration for their respective departments subject to budgetary restrictions.

### **1.4.4 Other Statutory Agencies**

In addition to Constitutional Officers, there are other legally established agencies within Upson County that operate with a certain degree of discretion in control of personnel and other matters within their respective offices. These agencies include: The Magistrate Court, the Board of Elections, the Board of Tax Assessors, and the Board of Equalization.

The Commissioners recommend the adoption of these personnel policies by the above going agencies; understand that each Statutory Agency may have departmental policies in their respected areas.

## **1.5 Whistleblower Policy**

### **1.5.1 Purpose**

The purpose of this policy is to establish a procedure for employees to report on violations of the Upson County Board of Commissioners policies and procedures or suspected violations of law. The policy applies to all Upson County employees in accordance with O.C.G.A. § 45-1-4.

This whistleblower policy is a procedure through which concerns or complaints involving the Board of Commissioners, County Manager, Chief Financial Officer, or other staff can be reported. Matters such as accounting irregularities, internal accounting controls, auditing matters, suspicious acts, violations of Board of Commissioners policies and procedures, as well as complaints regarding possible violations of law may be reported as set forth herein.

### **1.5.2 Responsibility**

The primary responsibility to receive such concerns or complaints will be with the Board of Commissioner's appointed County Attorney and the secondary responsibility will be with Board of Commissioners Human Resources Offices ([hr@upsoncountyga.org](mailto:hr@upsoncountyga.org)).

It is the Board of Commissioner's policy to comply with all applicable laws that protect employees against unlawful discrimination or retaliation because of their lawfully reporting information regarding, or their participation in investigations involving fraud or other violations by Board of Commissioners staff or its agents of federal or state law. This policy prevents any employee from being subject to disciplinary or retaliatory action by the Board of Commissioners or any of its employees or agents as a result of:

(1) the employee disclosing or submitting information to a government or law enforcement agency, County Attorney, or other party with responsibility under this policy, where the employee has a reasonable belief that a violation or possible violation of federal or state law has occurred or is occurring, and/or

(2) an employee providing information or assistance in an investigation or proceeding regarding any concern or complaint.

This policy will be communicated to staff by the County Manager and/or the Human Resources Director.

### **1.5.3 Submitting a concern or complaint**

Specifically, relevant concerns or complaints submitted through this process that involve concerns by employees regarding questionable auditing practices, internal accounting controls, violations of Board of Commissioner's policies and procedures, or possible violations of law pertaining to the Upson County Board of Commissioners should be presented in writing to the County Attorney. Attached to this notice is a form that employees may use to submit concerns regarding such questionable practices. All such submissions by employees will be thoroughly reviewed and investigated. If the employee submits his or her name with the concern or complaint, he or she will receive a response upon completion of the investigation.

Alternatively, a complaint may be filed directly with the Office of the District Attorney by email ([mbroder@pacga.org](mailto:mbroder@pacga.org)) or by writing to the Inspector General at 132 East Solomon Street 4th Floor Griffin, GA 30223 770/467-4310. Fax: 770/467-4205.

**UPSON COUNTY BOARD OF COMMISSIONERS  
EMPLOYEE SUBMISSION REGARDING QUESTIONABLE ACCOUNTING, AUDITING, OR OTHER  
MATTERS**

To: The County Attorney/Upson County Board of Commissioners

Email: Heath English [heath@englishlawgroupllc.com](mailto:heath@englishlawgroupllc.com)

Telephone: (706) 648-0070

Concerns regarding questionable auditing practices, internal accounting controls, violations of the Agency's policies and procedures, suspicious acts, or possible violations of law:

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If additional space is required, please continue using the other side of this sheet or attach an additional page. To enable the County Attorney to communicate with you, you are encouraged to provide your name, address, and a telephone number where you can be reached during the day or evening. You have the right, however, to make the above submission on an anonymous basis.

Employee Name (optional) \_\_\_\_\_

Address (optional)  
\_\_\_\_\_

City, State, Zip (optional)  
\_\_\_\_\_

Daytime or evening telephone number (optional) \_\_\_\_\_

## **Chapter 2**

### **Employment**

#### **2.1 Nature of Employment**

Employment with Upson County is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, Upson County may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between Upson County and any of its employees. The provisions of the handbook have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended or canceled at any time, at Upson County's sole discretion.

#### **2.2 Employee Relations**

If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors. It is proven that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that Upson County amply demonstrates its commitment to employees by responding effectively to employee concerns.

#### **2.3 Equal Employment Opportunity**

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Upson County will be based on merit, qualifications, and abilities. Upson County does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

Reasonable accommodations will be made for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

In addition to a commitment to provide equal employment opportunities to all qualified individuals, an affirmative action program has been established to promote opportunities for individuals in certain protected classes.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or Human Resources.

Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

## **2.4 Business Ethics and Conduct**

The successful business operation and reputation of Upson County is built upon the principles of fair dealing and ethical conduct of our employees. Employees owe a duty to the County, its customers, and shareholders to act in a way that will merit the continued trust and confidence of the public.

Compliance with this policy of business ethics and conduct is the responsibility of every County employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment. Any conduct that violates laws allowing harassment or discrimination will not be tolerated. Also, the County will not tolerate any conduct that, while not unlawful, interferes with the reasonable expectations of county employees to a workplace that is free from offensive, intolerant or otherwise inappropriate comments, actions or material.

Formal news releases concerning county affairs are the responsibility of the County Manager. All media interviews must be approved by the County Manager before the interview. All contacts with the media should be reported to the County Manager as soon as practicable.

No County employee is authorized to speak on behalf of the County without prior authorization from the County Manager or his/her designee. Constitutional Officers, other elected officials, and EMA Director are exempt from this requirement.

## **2.5 Hiring of Relatives**

The employment of relatives or individuals involved in a dating/romantic relationship in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

Relatives of current employees may not occupy a position that will be working directly for or supervising their relative. Individuals involved in a dating relationship with a current employee may also not occupy a position that will be working directly for or supervising the employee with whom they are involved in a dating relationship. The County also reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives or individuals involved in a dating relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

If a relative relationship or dating relationship is established after employment between employees who are in a reporting situation described above, it is the responsibility and obligation of the supervisor involved in the relationship to disclose the existence of the relationship to management. The individuals concerned will be given the opportunity to decide who is to be transferred to another available position. If that decision is not made within 30 calendar days, management will decide who is to be transferred or, if necessary, terminated from employment.



In other cases where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. Employees in a close personal relationship should refrain from public workplace displays of affection or excessive personal conversation.

## **2.6 Employee Medical Examinations**

To help ensure that employees are able to perform their duties safely, medical examinations may be required. Current employees may be required to take medical examinations to determine fitness for duty. Such examinations will be scheduled at reasonable times and intervals and performed at Upson County's expense.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know.

## **2.7 Immigration Law Compliance**

Upson County is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete a new form I-9 with Upson County.

Employees with questions or seeking more information on immigration law issues are encouraged to contact Human Resources. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

## **2.8 Conflicts of Interest**

The term "conflict of interest" refers to a situation in which an employee is in a position to influence a decision that may result in a personal gain or other benefit for that employee or for a relative as a result of county business dealings. Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the County wishes to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the County Manager for more information or questions about conflicts of interest.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to an officer of Upson County as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the County does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the County.

## **2.9 Outside Employment**

Employees may hold outside jobs as long as they meet the performance standards of their job with Upson County. All employees will be judged by the same performance standards and will be subject to the County's scheduling demands, regardless of any existing outside work requirements.

If it is determined that an employee's outside work interferes with performance or the ability to meet the requirements of their job description as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with the county.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals for materials produced or services rendered while performing their county jobs. No outside employment duties can be conducted on county time or property. Prior to engaging in outside employment, the employee should complete an Outside Employment Acknowledgement Form to notify your supervisor or County Manager. Once approved the form will be placed in your personnel file and must be completed annually.

## **2.10 Disability Accommodations**

Upson County is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis. This policy is neither exhaustive nor exclusive. Upson County is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

## Chapter 3

### Employment Status and Records

#### 3.1 Employment Categories

It is the intent to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and Upson County.

Each employee will belong to one other employment category:

- *Full-Time Regular Employee: A full-time regular employee is one who has completed the probationary period and who normally is scheduled to work a minimum of 40 hours per week. Generally, they are eligible for the County's benefit package, subject to the terms, conditions, and limitations of each benefit program.*
- *Part-Time Employee: A part-time employee is those who are not assigned to a temporary status and who are regularly scheduled to work less than 30 hours per week. While they do receive all legally mandated benefits (such as Social Security and workers' compensation insurance), they are ineligible for all of the County's other benefit programs. A part-time regular employee does not accrue paid vacation or sick leave, is terminable-at-will, and is not entitled to grieve personnel actions.*
- *Temporary Employee: A temporary employee is those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. All legally mandated benefits (such as Social Security and workers' compensation insurance) are provided to temporary employees. A temporary employee does not accrue paid vacation or sick leave, is terminable-at-will, and is not entitled to grieve personnel actions. Some other Upson County-sponsored benefits may also be available, subject to the terms, conditions, and limitations of each benefit program.*
- *Probationary Employee: A full-time or part-time probationary employee is one who is hired to fill a regular, established position and who has not yet completed the first six (6) months of employment with the County, from the employee's effective date of employment. An employee hired to a full-time or part-time established position shall begin serving the probationary period on the first day of work in that position.*

The employee must demonstrate their ability to satisfactorily perform the duties required. The immediate supervisor will periodically advise the employee of his/her progress and assure that the employee receives any reasonably necessary training required in order for the employee to successfully perform the job duties. Failure to perform satisfactorily during the probationary period will result in dismissal without right to appeal.

### 3.1.1 Other Classes of Employees

- *Appointed (at will) Employee: An appointed employee is appointed by elected officials or the County Manager, and will serve at the discretion of those officials. Appointed employees shall be terminable at will and may not grieve disciplinary actions. Department heads and unclassified administrative staff who report to the County Manager shall be appointed by the County Manager with the concurrence and ratification of the Board of Commissioners.*
- *Casual Employee: A casual employee is an employee paid by the hour who may be called on short notice and/or on an occasional basis. A casual employee may also be one who regularly works less than twenty (20) hours per week. A casual employee is terminable-at-will, is not entitled to grieve personnel actions, does not receive benefits, does not accrue leave and is not guaranteed any minimum number of working hours.*
- *Seasonal Employee: A seasonal employee is hired to perform County functions on a seasonal basis. No hourly restrictions, maximum or minimum, apply to seasonal personnel. Seasonal personnel may include grass cutters, recreational personnel, and any others deemed necessary by the County Manager. A seasonal employee is terminable-at-will, is not entitled to grieve personnel actions, does not receive benefits, does not accrue leave and is not guaranteed any minimum number of working hours.*
- *Contract Employee: A contract employee is any individual who enters into a contract with Upson County for providing a service for a specified period of time. A contract employee is terminable-at-will, is not entitled to grieve personnel actions, does not receive benefits, does not accrue leave and is not guaranteed any minimum number of working hours.*
- *Intern: An intern is an individual who is a student, paid or unpaid, who works with Upson County on a temporary basis as part of an academic program of study, either for credit or non-credit. An internship may be full-time or part-time and does not imply the promise of regular employment at the end of the internship period. An intern is terminable-at-will, is not entitled to grieve personnel actions, does not receive benefits, does not accrue leave and is not guaranteed any minimum number of working hours.*
- *Inactive Employee: An employee who is on an approved leave of absence without pay, in excess of 31 continuous days but not to exceed 180 days, and who does not accrue length of service credit for any benefit purposes.*

### 3.2 Access to Personnel Files

A personnel file will be maintained on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of the County, and access to the information they contain is restricted. Generally, only supervisors and management personnel who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact Human Resources. With reasonable advance notice, employees may review their own personnel files in Upson County's offices and in the presence of an individual appointed by Upson County to maintain the files.

The County shall comply with Georgia's Open Records Law and other state laws concerning the maintenance, viewing and inspection of official personnel files.

### **3.3 Personnel Data Changes**

It is the responsibility of each employee to promptly notify Human Resources of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, emergency contact information, educational accomplishment, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify Human Resources.

### **3.4 Probationary Period**

The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. This period is used to evaluate employee capabilities, work habits, and overall performance. Either the employee or the County may end the employment relationship at will at any time during or after the probationary period, with or without cause or advance notice.

All new and rehired employees work on a probationary basis for the first 180 calendar days after their date of hire. Employees who are promoted or transferred must complete a secondary probationary period of the same length with each reassignment to a new position. Any significant absence will automatically extend a probationary period by the length of the absence. The probationary period may be extended for a specified period if it is determined that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee's performance.

In cases of promotions or transfers, an employee who, in the sole judgment of management, is not successful in the new position can be removed from that position at any time during the secondary probationary period.

Upon satisfactory completion of the initial probationary period, employees enter the "regular" employment classification. Performance review will be completed by the manager at the time the employee enters into the "regular" classification.

### **3.5 Performance Evaluation**

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance reviews shall be conducted at the end of an employee's probationary period in any new position. This allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position.

Additional formal performance reviews are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

Performance reviews are scheduled approximately every 12 months, coinciding generally with the anniversary of the employee's original date of hire.

Pay adjustments can be awarded based on the employee performance. The decision to award such an adjustment is dependent upon numerous factors, including the information documented by this formal performance review process. See **Chapter 12, Performance Management** for complete details.

### **3.6 Job Descriptions**

Upson County makes every effort to create and maintain accurate job descriptions for all positions within the Upson County. Each description includes:

- *Job Summary*
- *Major Duties*
- *Knowledge Required by the Position*
- *Supervisory Controls*
- *Guidelines*
- *Complexity/Scope of Work*
- *Contacts*
- *Physical Demands/Work Environment*
- *Supervisory and Management Responsibility*
- *Minimum Qualifications*

Job descriptions to aid in orienting new employees to their jobs, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance reviews, and establishing a basis for making reasonable accommodations for individuals with disabilities.

Human Resources and the hiring manager prepare job descriptions when new positions are created. Existing job descriptions are also reviewed and revised in order to ensure that they are up to date. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. All employees will be expected to help ensure that their job descriptions are accurate and current, reflecting the work being done.

Employees should remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities may be assigned as necessary. Contact Human Resources if you have any questions or concerns about your job description.

### **3.7 Salary Administration**

The salary administration program was created to achieve consistent pay practices, comply with federal and state laws, mirror our commitment to Equal Employment Opportunity, and offer competitive salaries within our labor market. Because recruiting and retaining talented employees is critical to our success, the County is committed to paying its employees equitable wages that reflect

the requirements and responsibilities of their positions and are comparable to the pay received by similarly situated employees in other organizations in the area.

Compensation for every position is determined by several factors, including the essential duties and responsibilities of the job, and salary survey data on pay practices of other employers. The detailed compensation plan will be outlined in the separate Compensation Plan Policy. Human Resources will maintain the plan.

Employees should bring their pay-related questions or concerns to the attention of their immediate supervisors, who are responsible for the fair administration of departmental pay practices. Human Resources is also available to answer specific questions about the salary administration program.

### **3.8 Non-Exempt Employees**

Upton County uses compensatory time (comp time) in lieu of payment for overtime, except for designated positions that are classified as on-call. Overtime for non-exempt employees shall begin to accrue once an employee has physically worked over 40 hours in a workweek. All overtime should be pre-approved by the supervisor.

Methods of handling overtime are given in order of preference.

- *The simplest and most preferred method is to not let employees work overtime. Schedule employees as to not have them working over 40 hours a week.*
- *If the above is not possible, the next best method is use of the "time-off" plan. Under this plan, the employee will be off for a sufficient number of hours during the pay period so that the desired wage or salary for the overtime compensation due the employee for each workweek taken separately.*
- *If none of the above can be used, compensatory time shall be given at a rate of one and one-half hours for each hour of overtime worked. The maximum compensatory time which may be accrued by any affected employee shall be 240 hours (not more than 160 hours of actual overtime hours worked).*
- *An employee should use the compensatory time within 3 months of accrual. The request must be approved by the department head and should be scheduled so that it does not unduly disrupt the operations of the said department.*
- *An employee who has accrued the maximum number of compensatory hours shall be paid overtime compensation in cash for any additional overtime hours of work.*
- *Payment for accrued compensatory time upon termination of employment shall be calculated at the average regular rate of pay for the final 3 years of employment, or the final regular rate received by the employee, whichever is the higher.*

### **3.9 Exempt Employees**

Based on the current FLSA standards, exempt employees do not qualify for overtime.

### **3.10 Elected Officials**

Elected officials are totally exempt from the FLSA standards. No provisions of FLSA or Upson County Personnel Policy Handbook outlined here are applicable as there are no control mechanisms governing their work hours.

### **3.11 Law Enforcement Personnel**

The employees of the Sheriff's Department who have the power of arrest are subject to a 28-day work period in which they can work up to 171 hours before overtime compensation has to be paid. For hours over 171 in the 28-day pay period, compensatory time shall be given at a rate of one and one-half hours for each hour of overtime worked.

The maximum compensatory time which may be accrued by any affected employee shall be 240 hours (not more than 160 hours of actual overtime hours worked).

Methods of handling overtime are given in order of preference:

- An employee should use the accrued compensatory time within a reasonable length of time (within 3 months). The request must be approved by the department head and should be scheduled so that it does not unduly disrupt the operations of the said department.
- An employee who has accrued the maximum number of compensatory hours shall be paid overtime compensation in cash for any additional overtime hours of work over the maximum of 240 hours.
- Payment for accrued compensatory time upon termination of employment shall be calculated at the average regular rate of pay for the final 3 years of employment or the final regular rate received by the employee, whichever is the higher.

### **3.12 Control of Overtime**

All overtime must be approved prior to accrual and use. Unauthorized accrual and use of overtime will be dealt with as a violation of county policy. Employees who abuse overtime or supervisors who allow an abuse of overtime as determined by the County Manager will be subject to disciplinary actions and up to termination.



### **3.13 Medical Information Privacy**

This Medical Information Privacy policy describes how health information about employees may be used and disclosed and how employees can get access to this information. Upson County is committed to maintaining and protecting the confidentiality of our employees' personal information in compliance with the Health Insurance Portability and Accountability Act (HIPAA). The Payroll/Benefits Coordinator is the designated Privacy Officer for all employee medical information.

This policy of privacy practices applies to the health plans that are covered by privacy regulations, for example health benefit plans, dental plans, employee assistance plans, and pharmacy benefit programs (collectively referred to as the Benefit Plans). The Benefit Plans are required by federal and state law to protect the privacy of employees' individually identifiable health information and other personal information and to provide employees with notice about their policies, safeguards, and practices. When the Benefit Plans use or disclose employees' protected health information, the Benefit Plans are bound by the terms of this policy, or a revised policy, if applicable.

### **3.14 Social Security Number Privacy**

To protect employees' personal information, the County prohibits the use of employees' Social Security numbers for identification purposes, except as allowed by law.

The County will continue to collect, use, or release Social Security numbers as required by state or federal law, and may use Social Security numbers for internal verification or administrative purposes.

Employees who have questions about this policy or who feel that their Social Security number has been used inappropriately should contact Human Resources.

### **3.15 Identification Policy**

In a continuing effort to provide a safe and secure workplace and to allow for the identification of County employees by and from members of the public, it is the County policy that all employees wear, while on duty, an Identification Badge as provided for by the County.

#### **3.15.1 Identification Procedures**

- *An ID Badge will be issued to all full-time regular, part-time regular, and temporary employees other than those hired for a specific short-time period not to exceed three (3) months. Examples of those not required to wear an ID Badge are temporary Election workers, summer Lifeguards or others who may be identified by Human Resources.*
- *Official ID badges are those issued by the Human Resources Department, the Sheriff's Department and Juvenile Probation. Badges issued by Adult Probation are valid for purposes of this policy.*
- *Employees hired will have an ID badge made as soon as possible after employment and will be worn at all times while the employee is on duty.*

- *Elected Officials, Department Heads, and supervisors are charged with the responsibility to ensure that all employees are identified with either their ID badge or other official Upson County identifiers. Identification must be displayed at all times.*
- *Failure to display Upson County Identification may result in disciplinary action up to and including termination from employment.*
- *The first ID badge issued to an employee will be free of charge. An employee transferring to another department will be issued a replacement badge, at no charge, indicating the change of department. Any and all other replaced badges will be made at the expense of the employee at \$3.00 each.*
- *Badges issued by authorities other than the Human Resources Department will be made and/or replaced as per the individual department regulations.*
- *The Identification badge is the property of the County and shall be surrendered upon termination of employment.*

## Chapter 4

### Employee Benefits Program

#### 4.1 Employee Benefits

Eligible employees are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law.

The County's benefit package is contributory; that is, you are responsible for a portion of the premium for your benefits. A portion of the premium, up to a maximum per month, is contributed by the County. Your contributory cost is deducted from your paycheck.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook.

The following benefit programs are available to eligible employees:

- *Vacation Benefits*
- *Sick Leave Benefits*
- *Personal Leave*
- *Military Leave*
- *Court Leave*
- *Medical Leave*
- *Family Leave (FMLA)*
- *Holidays*
- *Cafeteria: Medical, Dental, Cancer and Accident*
- *Life Insurance*
- *Short-Term Disability*
- *Long-Term Disability*
- *Wellness Program*
- *Pension Plan*
- *Supplemental Medical Coverage*
- *457 Retirement Plan*

Some benefit programs require contributions from the employee, and the County shares the cost with the employee in some of the benefits. Employee benefits are subject to changes.

#### 4.2 Leave

A "Request for Leave" form should be completed for any type of leave taken. Regular Full-Time Employees: All full-time employees shall be entitled to earn and accrue paid time off. *Leave Accrual: No accrual of Vacation Leave or Sick Leave is allowed while on leave of absence*

*without pay, while suspended, or while on workers' compensation or salary continuation in lieu of workers' compensation.*

#### 4.2.1 Vacation Leave

Vacations are for rejuvenating both physical and mental faculties and all employees are urged to avail themselves of vacation periods. Vacation Leave (VL) may be used for vacations, personal use and for injury or illness if no sick leave is available.

*\*\*Temporary and part-time employees: Temporary and part-time employees shall not be eligible for Vacation Leave or Sick Leave. Any temporary/part-time employee hired after February 28, 2017 shall not be eligible for vacation, sick, or personal leave. Part time employees hired prior to February 28, 2017, shall not exceed the Maximum Carry Forward amount for full time employees (see chart). Regular full-time employees are eligible for vacation leave accrual.*

*Leave Accrual: No accrual of Vacation Leave or Sick Leave is allowed while on leave of absence without pay, while suspended, or while on workers' compensation or salary continuation in lieu of workers' compensation.*

Vacation Accrual Rate for Regular Full-Time Employees:

Years of Service	Vacation Leave (VL) per year	Maximum Carry Forward
After 1 year	40	20
2-4	80	120
5-9	96	120
10-14	120	160
15+	160	240

A regular employee is eligible to receive paid vacation time after 12 months of full-time service. Accrued time off may be taken after his/her anniversary date.

Employees must earn and accrue vacation leave before they may be used. Employees can consult the Payroll/Benefits Coordinator regarding the amount of vacation leave they accrue. Any remaining accrued time off may be carried forward into the next year (see chart for limits). Vacation leave does not accrue during any period of extended leave of absence.

All vacation leave must be requested and approved in writing on official county "Request for Leave" forms signed by the employee's department head. The form should be submitted before the leave is taken within a reasonable time (normally not less than two (2) weeks, except in the case of illness) in advance of the beginning date of the leave of absence and shall be made in accordance with the current policies and procedures of the department. Failure by the employee to obtain written leave approval shall be unauthorized leave of absence.

The request form for time off must be sent in advance to a supervisor, who may approve or deny the request based on county resources. Whenever possible, flexibility in approving leave can be granted as long as time off does not interfere with county operations. Vacation leave is granted in one (1) hour increments.

Leave taken outside the guidelines for approval is considered to be unscheduled leave and may result in a charge of absence without official leave (AWOL) and violation of this policy may result in disciplinary action, up to and including termination. The determination of the Department Director on the matter of scheduled vacation leave shall be final.

When extreme operational matters and/or emergencies occur and the employee had requested leave and the leave had been approved, an extension may be granted to use the leave at a later time. Approval of the extension shall be granted in writing by the County Manager.

Employees who are granted this extension shall have ninety (90) days from the date of approval by the County Manager to take the leave or it will be forfeited. It is the intent of these rules to have an employee use vacation leave during the calendar year of accrual.

In the event an employee resigned or retires, the employee may be eligible for payment of accrued vacation leave hours. If a proper notice is given (two (2) weeks for resignation or at least four (4) weeks for retirement), the employee can be paid *up to* 160 hours of accrued vacation leave. The payout formula will be based on the accrual rate for years of service for the employee **and** the carry forward balance, see chart above. For the vacation leave to be paid out, the request must be made at the time of termination.

Once employee has a break in service of six (6) months or longer (terminates and rehires), the accrual rate starts over at 40 hours unless the employee did not receive a payout. This has no effect on the retirement benefits.

#### **4.2.2 Sick Leave**

Sick leave is leave accumulated to be taken for an illness and/or injury, and other medical related necessities such as physician appointments, medical examinations, and dental appointments. Sick leave is available for the employee's personal health care as well as for the care of members of the employee's immediate family residing in the employee's household.

**\*\*Temporary and part-time employees: Temporary and part-time employees shall not be eligible for Personal leave, Vacation leave or Sick leave. Any temporary/part-time employee hired after February 28, 2017 shall not be eligible for vacation, sick, or personal leave. Regular full-time employees are eligible for sick leave accrual.**

Eligible employees will accrue sick leave benefits at the rate of 8 hours per month. Sick leave benefits are calculated on the basis of a "benefit year", the 12-month period that begins when the employee starts to earn sick leave benefits.

Paid sick leave can be used in one (1) hour increments. An eligible employee may use sick leave benefits for an absence due to his or her own illness or injury, or that of a child, parent, or spouse of the employee. A "Request for Leave" form should be completed for any type of leave taken.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday if possible. The direct supervisor must also be contacted on each additional day of absence.

If an employee is absent for three or more consecutive days due to illness or injury, a physician's statement must be provided verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits. Before returning to work from a sick leave absence of 3 calendar days or more, an employee must provide a physician's verification that he or she may safely return to work.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of 480 hours of sick leave benefits. If the employee's benefits reach this maximum, further accrual of sick leave benefits will be suspended until the employee has reduced the balance below the limit.

Employees that need to use SL must notify their supervisor as soon as practicable of this need, but in any event no later than thirty (30) minutes after the employee's scheduled start time. Failure to notify immediate supervisor of the need to use SL in a timely manner may result in any applicable day being classified as AWOL.

In the event an employee resigns or retires, the employee may be eligible for payment of sick leave hours. If a proper two (2) weeks' notice is given, the employee can be paid up to 120 hours of accrued sick leave. The formula will be based on the number of years of service times 8 hours of sick leave. If no two (2) weeks' notice is given, no sick leave benefits will be paid out. For unused sick leave to be paid out, request must be made at time of termination.

### **4.2.3 Leave Donation**

The purpose of leave donation is to supplement an employee's loss of income during the transition period between full-time employment and an extended leave of absence, start of disability retirement, or termination, resulting from that employee's serious illness or injury. Leave donation can only be drawn after all Sick Leave and Vacation leave on the employee's record has been exhausted.

An employee may solicit leave time from other employees in order to assist with extended illnesses or injuries of the employee or immediate family member. (For the purpose of this policy, immediate family members are father, mother, husband, wife, son or daughter of employee.)

In order to be eligible to solicit or receive donated leave time an employee must have been employed continuously for a period of at least twelve (12) months as a full time employee. Also, the employee must exhaust all their leave time and compensatory time prior to utilizing any donated leave time. A review of leave usage, with no record of leave abuse, will be completed by Payroll/Benefits before approval of donated leave can be issued. If a record of leave abuse is found, the employee becomes ineligible to request leave donation.

In order to apply for solicited leave time, the employee must complete a written request. The request must be accompanied by a physician's letter or medial report which justifies the solicitation. The request must be signed by the employee and signed and approved by the employee's Department Head and County Manager.

The Payroll/Benefits Coordinator shall assist the eligible employee in developing a solicitation announcement. The announcement shall be circulated and posted in all county departments for a period of at least fifteen (15) working days.

An employee shall not be eligible to solicit leave donations for any job-related accident, injury or illness that is compensable under workers compensation benefits or that incurred in the course of a commission of a crime or violation of a law.

In order to be eligible to donate leave time an employee must have been employed continuously for a period of at least twelve (12) months as a full-time employee. The employee can only donate accrued leave time. An eligible employee may donate any amount of accrued leave time or compensatory time. All donations must be in one (1) hour increments. All leave donations must be strictly voluntary.

Any eligible employee wishing to donate leave time must submit a Donation Leave Form to their Department Head and to the County Manager. This request must name the recipient and the type and amount of leave being donated. This request must specify that the donor employee surrenders any claim to any donated leave time credited to the recipient employee. This request must be signed by the employee and approved and signed by the employee's Department Head and the County Manager.

#### **4.2.3.1 Abuse of Leave Donation**

Allegations of abuse of sick leave drawn from the leave donation shall be confidentially reported to the Payroll/Benefits Coordinator. Should an investigation disclose abuse, the employee may be expelled from participation in leave donation and will be required to repay the amount of leave used. Other disciplinary action as determined by the Department Director may also be taken.

#### **4.2.4 Personal Leave**

In addition to vacation leave, all full-time employees are entitled to one day (eight hours) of paid personal leave each calendar year, regardless of the number of years of service. Personal leave must be requested as such, and not as any other form of leave, and must be taken within the calendar year it is awarded. Personal leave cannot accumulate from one calendar year to the next. A Personal Day Request Form must be completed and approved by the employee's Department Director.

#### **4.2.5 Medical Leave without Pay**

Request for and granting of medical leave without pay shall be governed by the County's Family and Medical Leave Act Policy.

#### **4.2.6 Military Leave**

Military Leave is governed by Uniformed Services Employment and Reemployment Rights Act (USERRA). The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)

is a federal law that establishes rights and responsibilities for uniformed service members and their civilian employers.

USERRA is a federal law intended to ensure that persons who serve or have served in the Armed Forces, Reserves, National Guard or other uniformed services:

- *Are not disadvantaged in their civilian careers because of their service;*
- *Are promptly reemployed in their civilian jobs upon their return from duty; and*
- *Are not discriminated against in employment based on past, present, or future military service.*

Any regular employee who leaves county employment to join the military forces of the United States during time of war or other national emergency, or is inducted by Selective Service, may, upon written request, prior to induction into the military, be placed on military leave without pay, such leave to extend through a date 90 days after which such service terminates.

Such employee shall be entitled to be restored to the vacated position, or a comparable position, provided the employee makes application to the Payroll/Benefits Coordinator within 90 days of the date of discharge under honorable conditions, and is physically and mentally capable of performing the essential functions of the position with or without reasonable accommodation.

The returning employee shall be entitled to any increases in salary (including cost-of-living increases) or any advancement in grade which would normally be accorded to the incumbent of the position, with the exception of any increases or advancement in grade which would normally be dependent on meritorious performance of the duties of the position.

In the event a position vacated by a person entering the military service as stated above no longer exists at the time he or she qualifies to return to work, such person shall be entitled to be re-employed in another position of the same status, class and pay in the classified service, provided such re-employment does not necessitate the laying off of another employee.

Any regular employee who is a member of the National Guard or an organized military reserve of the United States will be allowed leave of absence with pay not to exceed 18 calendar days (or in compliance with state law) during any calendar year to attend training camps upon presentation of orders concerning such training. Such leave shall not be charged to vacation or personal leave.

Employees requesting military leave must:

- Submit a written request to the County as soon as they become aware of such orders.
- Employees must provide the published order or a written statement from the appropriate military authority with the request for leave.

(Also see Family and Medical Leave Act).

#### **4.2.7 Court Leave**

An employee shall be given necessary time off, without loss of pay, when performing jury duty, or when required by proper authority to be a witness in legal proceedings, provided such call to duty is reported in advance to the employee's department head. Any monies received for jury duty or witness fees shall be returned to the Payroll Department.



Employees will be excused from regularly scheduled work for jury duty. If an employee's jury duty is concluded prior to the completion of the employee's regularly scheduled workday, they must return to work for the remainder of the workday.

The County will compensate an employee who is called to, and reports for, panel and/or jury duty, at the employee's straight time hourly rate for the hours they were scheduled on that day. The employee must give the supervisor prior notice of jury duty, and pay their jury duty fee to the County, in order to receive their regular pay. A "Request for Leave" form should be completed for any type of leave taken.

*Work-Related Proceedings:* Employees who are required to appear in court or other proceeding on behalf of the County, will be paid at their appropriate rate of pay for hours actually worked. Employees who receive a subpoena for work-related matters and have a concern regarding that subpoena should seek assistance from their supervisor, who may then contact the Upson County Prosecutor's Office.

*Personal Matters:* Employees who are required to appear in court on personal matters, or on matters unrelated to their employment, must seek approved vacation leave or unpaid leave of absence.

Employees will be granted a maximum of 4 hours of paid time off to appear in court as a witness at the request of a party other than Upson County. Employees will be paid at their base rate and are free to use any remaining paid leave benefits (such as vacation leave) to receive compensation for any period of witness duty absence that would otherwise be unpaid.

The subpoena should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

#### **4.2.8 Maternity Leave**

Maternity leave is a period of approved absence for incapacitation related to pregnancy and confinement. Maternity leave may be charged to sick, vacation or personal leave and leave without pay. A "Request for Leave" form should be completed for any type of leave taken.

The employee desiring maternity leave should report the pregnancy to the department head. Such notification shall include a written statement from the attending physician specifying the approximate date of birth.

An employee will be permitted to continue work, with reasonable accommodation, so long as the conditions of the pregnancy do not adversely impair work performance or health. An employee shall be granted leave without pay for maternity purposes in accordance with FMLA.

#### **4.2.9 Leave of Absence without Pay**

A department head, with approval of the Payroll/Benefits Coordinator, may grant a regular employee a leave of absence without pay for a period not to exceed three (3) months. Leave of

absence without pay for a period exceeding three months and not more than one year may be granted with the approval of the Board of Commissioners.

All departments are required to adhere to the following regulations:

- Leave without pay shall be granted only when it will not adversely affect the interests of the county service.
- 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.
- Any employee who has been granted leave of absence and who wishes to return before the leave period has expired shall be required to give his or her department head at least a one (1) week notice. Upon receipt of such written notice, the employee shall be permitted to return to work.
- No vacation, sick or personal leave will be earned by an employee for the time that such employee is on leave without pay. An employee may elect to have health insurance continue to be provided, with the employee paying the total amount of the premium. An employee shall return from leave without pay to the same salary grade as at the time of commencement of leave.
- An employee who obtains either part-time or full-time employment elsewhere while on an authorized leave of absence without pay is required to notify his or her department head in writing within three days of accepting such employment.
- An employee returning from a leave of absence without pay shall be entitled to employment in the same or equivalent class wherein employed when said leave commenced if a position is then available.

#### **4.2.10 Absence without Leave**

When an employee has taken leave of any kind or is absent without leave, his or her department head shall notify the Payroll Department in writing within the same pay period in which the leave is taken or the absence without leave occurs.

Such notification may be by notation on a time card or attendance sheet or by memo, giving specific information covering type of leave, dates, hours, and other pertinent data.

#### **4.2.11 Family and Medical Leave**

Family and medical leave shall be granted in accordance with the Family and Medical Leave Act of 1993 (P.L. 103-3). Under the FMLA, an employee may be eligible for an unpaid family and medical leave of absence under certain circumstances, if the employee works within a seventy-five (75) mile radius of fifty (50) or more county employees.

Under the federal FMLA, a person who has worked as an employee of this county for at least 1,250 hours for twelve months is eligible for FMLA leave. Up to twelve weeks of unpaid leave per year is available for the following reasons:

- *The birth of a child and to care for the newborn child;*
- *Placement of a child into adoptive or foster care with the employee;*
- *Care for a spouse, son, daughter or parent who has a serious health condition; or*
- *Care for the employee's own serious health condition.*

If the need for leave is foreseeable, employees should notify a supervisor 30 days prior to taking FMLA leave. If the need for FMLA leave arises unexpectedly, employees should notify a supervisor as soon as practicable, giving as much notice to the county as possible.

Employees may be required to provide: medical certifications supporting the need for leave if the leave is due to a serious health condition of the employee or employee's family member; periodic recertification of the serious health condition; and periodic reports during the leave regarding the employee's status and intent to return to work.

Employees must return to work immediately after the serious health condition ceases, and employees who have taken leave because of their own serious health condition must submit a fitness-for-duty certification before being allowed to return to work.

Leave may be taken on an intermittent or reduced schedule to care for an illness; yet, may not be taken intermittently for the care of a newborn or newly adopted child. When leave is taken intermittently, the county may transfer the employee to another position with equivalent pay and benefits, which is better suited to periods of absence.

Subject to certain conditions, the employee or the County may choose to use accrued paid leave (such as sick leave or vacation leave) concurrent with FMLA leave. The county will maintain group health insurance coverage for an employee on family and medical leave on the same terms as if the employee had continued work. If applicable, arrangements will be made for the employee to pay their share of health insurance premiums while on leave. The county may recover premiums paid to maintain health coverage for an employee who fails to return to work from family and medical leave.

If an employee would like the County to maintain other paid benefits during the period of leave, premiums and charges which are partially or wholly paid by the employee must continue to be paid by the employee during the leave time.

Family and medical leave will not result in the loss of any employment benefit accrued prior to the date on which the leave commenced. However, an employee on family and medical leave does not continue to accrue benefits (e.g., sick leave or vacation leave) during the period of family and medical leave. Questions regarding particular benefits should be directed to the Payroll/Benefits Coordinator. Upon returning from FMLA leave, an employee will be restored to his/her original job or an equivalent job with equivalent benefits, pay, seniority, and other employment terms and conditions as provided by the Family and Medical Leave Act.

#### **4.2.12 Administrative Leave**

An employee placed on administrative leave shall receive written notice. Such notice will include the requirement that employee will be on call and available to report for duty at any time during their normal working hours unless otherwise indicated on the notice. At the time notice is given, current contact information including a valid phone number must be provided.

#### **4.2.13 Holidays**

The Board of Commissioners may change the holidays and from time to time, declare additional days as employee holidays.

Upson County will grant holiday time off to all employees on the holidays listed below:

- *New Year's Day (January 1)*
- *Martin Luther King, Jr. Day (third Monday in January)*
- *Good Friday (Friday before Easter)*
- *Memorial Day (last Monday in May)*
- *Independence Day (July 4)*
- *Labor Day (first Monday in September)*
- *Veterans Day (November 11)*
- *Thanksgiving (fourth Thursday in November)*
- *Day after Thanksgiving*
- *Christmas Eve (December 24)*
- *Christmas (December 25)*
- *New Year's Eve (December 31)*

Full-time employees, other than Public Safety, scheduled to work on an official Upson County holiday shall be paid at a rate one and one-half (1.5) times the regular hourly rate for each hour worked during the actual holiday, in addition to the employee's holiday pay. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day.

To be eligible for holiday pay, employees must work the last scheduled day immediately preceding and the first scheduled day immediately following the holiday. A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

If eligible non-exempt employees work on a recognized holiday, they will receive holiday pay plus wages at one and one-half times their straight-time rate for the hours worked on the holiday. Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

Part time employees are not eligible for holiday pay.

#### **4.2.14 Time Off for Voting**

Employees are encouraged to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule.

If employees are unable to vote in an election during their nonworking hours, he/she will be granted up to 2 hours of paid time off to vote.

Employees should request time off to vote from their supervisor at least two working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

#### **4.2.15 Bereavement Leave**

Upson County Board of Commissioners will allow 3 days of Bereavement Leave for immediate family. Please see DEFINITIONS for listing of immediate family. For the absence to be paid time off, the employee can use sick, vacation or personal leave. Regular full-time employees are eligible. A "Request for leave" form must be completed for any type of leave taken.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with their supervisors' approval, use any accrued vacation leave, personal leave or leave without pay for additional time off as necessary.

### **4.3 Workers' Compensation**

As required by law, the county provides workers' compensation benefits for the protection of employees with work-related injuries or illnesses. Workers' compensation insurance provides coverage to employees who receive job related injuries or illnesses.

If an employee is injured or becomes ill as a result of his/her job, it is the employee's responsibility to immediately notify a supervisor of their injury in order to receive benefits. Report every illness or injury to a supervisor, regardless of how minor it appears. The county will advise the employee of the procedure for submitting a workers' compensation claim. If necessary, injured employees will be referred to a medical care facility. Employees should retain all paperwork provided to them by the medical facility.

Failure to report a work-related illness or injury promptly could result in denial of benefits. An employee's report should contain as many details as possible, including the date, time, description of the illness or injury, and the names of any witnesses.

An insurance carrier administers the worker's compensation insurance. Representatives of this insurance carrier may contact injured employees regarding their benefits under the plan. Additional information regarding workers' compensation is available from the Human Resources Coordinator.

Vacation and sick leave do not accrue for employees paid under the Workers' Compensation Act.

Nothing in this policy shall or is intended to conflict with the Georgia State Workers' Compensation law. In the event any information of this policy is in conflict with the law the law prevails. Any questions of the application of the Worker's Compensation Law or interpretation of this policy shall be immediately addressed to Human Resources.

The Human Resources Department administers and monitors all phases of the County's Worker's Compensation Program. The Human Resources Coordinator will ensure that all employees, supervisors and department directors comply with procedures relative to the Worker's Compensation Program. If you have questions, concerns or recommendations, contact the Human Resources Coordinator. There is no absolute in the prevention of workplace accidents and injuries. Even with a comprehensive safety program accidents and injuries can only, at best, be minimized.

So, when injuries or illnesses do occur, this program will assist the county in doing everything possible to provide prompt medical care and to assist in the injured employee in returning to full, productive employment.

### **4.3.1 Workers Compensation Benefits**

Benefits are defined in the Workers' Compensation Law which pays for lost income and medical services directly resulting from a compensable injury or disease.

The first seven calendar days are not payable unless the employee is out over twenty-one calendar days. If available, accrued leave will be used for the first seven days. An employee must be out seven (7) consecutive days before Workers' Compensation benefits are paid. Two thirds of the employees' average gross wages will be paid up to maximum benefit per week as allowable by State law.

Disability - The inability of an injured employee to return to suitable work which is a direct result of his or her compensable injury or disease and is supported by an authorized treating physician.

Panel Of Physicians: Official Notice - The list of physicians chosen by Upson County to provide medical services to employees who sustain a compensable injury or an occupational disease. This information is posted in all departments.

Georgia State Board of Workers' Compensation - The State Board that is authorized by law to administer Workers' Compensation matters. The Board is empowered to:

- Make and enforce rules and regulations;
- Hold hearings concerning disputed issues;
- Assess penalties for non-compliance and approve settlements of disputed issues.

### **4.3.2 Responsibilities**

- Report immediately the accident or injury to the Supervisor or the Human Resources Coordinator.
- Ensure that the injured employee is provided with first aid treatment or if necessary is provided with emergency medical care.

- File a *First Report of Injury* with the Human Resources Department no later than 24 hours after being made aware that a job-related accident/injury has occurred or is being alleged.
- Thoroughly investigate the accident or alleged accident and includes the results of the investigation in the *First Report of Injury*. If all information is not available the report may be submitted as an initial report by marking the appropriate box on the form.
- If an employee is not able to return to work, the supervisor will periodically check on the employee by telephone to inquire about the employee's recovery. Communicate with Payroll/Benefits Department to advise them of the employee's condition and progress.
- Those employees who are witnesses to a job-related injury must fill out a *witness statement*.
- Supervisor and/or department head assist the employee in receiving medical treatment from a panel physician, or if appropriate on weekends, holidays or nights from an emergency room. If appropriate the supervisor and/or the department head should accompany the injured employee to the physician's office or emergency room.

### **4.3.3 Clearance to Return to Work**

For minor injuries treated at an emergency room the employee is expected to return to work as soon as the treatment has been given.

For injuries treated by a panel physician or a referral specialist, the authorized treating physician will make a medical determination of the employee's return to work status and will give the employee a written slip to be given by the employee to his supervisor or department head.

### **4.3.4 Responsibilities after Clearance to Return to Work**

#### **4.3.4.1 Injured Employee**

- Have any or all specific job-related restrictions approved by county designated physicians, as necessary.
- Report all job-related restrictions to the Human Resources Coordinator and your immediate Supervisor.
- Keep both the Human Resources Coordinator and immediate Supervisor informed of any change in job-related restrictions.
- Adhere to all medical advice and directives as prescribed by your treating physician, nurse, or other medically qualified professional.
- Question any medical directives which you may not understand.
- Do NOT perform any activity which is not in accord with your job-related restrictions, both on and off the job.

Employees must be re-evaluated by a county designated physician within 30 days of their last examination to determine whether their modified duty status should be continued. NOTE: Failure to adhere to any work-related restrictions may result in disciplinary action.

#### **4.3.4.2 Supervisors**

- Insure all employees with job-related restrictions are adhering to their restrictions as noted on the modified duty form.
- Assign employees with job-related restrictions to jobs which can accommodate their restrictions. If no jobs are available within your department, contact the Human Resources Coordinator to discuss options or arrange for departmental transfer.
- Compile and maintain a list of departmental job duties that meet light duty requirements. List to be given to the Human Resources Coordinator.

#### **4.3.4.3 Human Resources Department**

- Arrange for temporary work assignment of modified duty employees where no work is available within the employee's regular department.
- Contact all County designated physicians and inform them of our modified duty policy. Provide periodic updates and any change of status relating to the modified duty program.
- Review the employee's case on a regular basis
- Maintain contact with the medical provider; keep records and case information confidential.

#### **4.3.5 Transitional Duty Program**

The purpose of this policy is to provide guidelines for administering a modified duty program to employees who are injured on the job. This program is necessary to limit the number of lost workdays an injured or ill employee may incur by providing meaningful work of a restricted or limited nature. Transitional Duty is a proactive approach, endorsed by many care providers, designed to help restore injured workers to their former lifestyle in the safest and most effective manner possible.

A major benefit for both the injured worker and employer is the Transitional Duty focus on an earlier return to maximum work capacity than would be possible using a non-specialized treatment plan.

As all the stakeholders fulfill their responsibilities, Transitional Duty programs can realize their full potential to:

- *Reduce the financial burden on employers, on workers, and on the families of workers;*
- *Reduce the negative effects on workers by reducing the length of time off work;*
- *Allow the medical care provider to develop more specialized plans; and*
- *Provide support for the primary care provider in the return-to-work decision.*

The most important element in the creation of a Transitional Duty program is commitment. By consistently applying the procedures developed to each job-related injury or illness, the County will to save money on workers' compensation insurance costs.



### **4.3.6 Suggested Alternate Duty Positions**

- *Office – Copying, Typing, Filing*
- *Receptionist*
- *Delivery - Supplies/Materials,*
- *Sort/Deliver Mail*
- *Shred Files – Record Retention*
- *Computer - Data Entry*
- *Records Retention/Destruction*
- *Take Inventory*
- *Pick up litter*

Should there be any questions about the Return-to-Work Program, please contact the Human Resources Coordinator.

## **4.4 Health Insurance**

The Upson County Board of County Commissioners is pleased to be able to offer you and your family the opportunity to participate in a comprehensive benefits package which provides several benefits to you at no cost, while you share in the cost of others. The County's contribution to your benefits represents a significant part of your total compensation.

The health insurance plan provides employees and their dependents access to medical and dental insurance benefits. Employees in the following employment classifications are eligible to participate in the health insurance plan:

### **Regular full-time employees**

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between the County and the insurance carrier. Employees are eligible for benefits the first day of the month following thirty (30) days of employment. Eligible employees must select options for insurance after eligibility period, open enrollment or at a qualifying event.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) Policy for more information.

Contact the Payroll/Benefits Coordinator for more information about health insurance benefits.

## **4.5 Life Insurance**

Life insurance offers you and your family important financial protection. Employees are provided with a basic life insurance plan for eligible employees. Eligible employees must select options for insurance after eligibility period, open enrollment or at a qualifying event. Additional supplemental and/or dependent life insurance coverage may also be purchased.

Accidental Death and Dismemberment (AD&D) insurance provides protection in cases of serious injury or death resulting from an accident. AD&D insurance coverage is provided as part of the basic life insurance plan. (Additional may be purchased.)

Employees in the following employment classifications are eligible to participate in the life insurance plan:

#### **Regular full-time employees**

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between the County and the insurance carrier. Contact the Payroll/Benefits Coordinator for more information about life insurance benefits.

### **4.6 Short-Term Disability**

A short-term disability (STD) benefits plan is available for an additional cost. STD is for those unable to work because of a qualifying disability due to an injury or illness. Employees in the following employment classifications are eligible to participate in the STD plan:

#### **Regular full-time employees**

Eligible employees may participate in the STD plan subject to all terms and conditions of the agreement between the County and the insurance carrier. Eligible employees must select options for insurance after eligibility, open enrollment or at a qualifying event.

Disabilities arising from pregnancy or pregnancy-related illness are treated the same as any other illness that prevents an employee from working. If an employee is receiving Workers' Compensation benefits, he/she cannot receive STD.

Details of the STD benefits plan including benefit amounts, when they are payable, and limitations, restrictions, and other exclusions are described in the Summary Plan Description provided to eligible employees. Contact the Payroll/Benefits Administrator for more information about STD benefits.

### **4.7 Long-Term Disability**

Long-term disability (LTD) benefits plan to help eligible employees cope with an illness or injury that result in a long-term absence from employment. LTD is designed to ensure a continuing income for employees who are disabled and unable to work. Eligible employees must select options for insurance after eligibility period, open enrollment or at a qualifying event.

Employees in the following employment classifications are eligible to participate in the LTD plan:

### **Regular full-time employees**

Eligible employees may participate in the LTD plan subject to all terms and conditions of the agreement between the County and the insurance carrier. Eligible employees may begin LTD coverage only after completing 180 calendar days of service. LTD benefits are offset with amounts received under Social Security or workers' compensation for the same time period.

Details of the LTD benefits plan including benefit amounts, and limitations and restrictions are described in the Summary Plan Description provided to eligible employees. Contact the Payroll/Benefits Administrator for more information about LTD benefits.

## **4.8 457(b) Savings Plan**

A 457(b) savings plan has been established to provide employees the potential for future financial security for retirement. The 457(b) savings plan allows you to elect how much salary you want to contribute and direct the investment of your plan account, so you can tailor your own retirement package to meet your individual needs.

Because your contribution to a 457(b) plan is automatically deducted from your pay before federal and state tax withholdings are calculated, you save tax dollars now by having your current taxable amount reduced. While the amounts deducted generally will be taxed when they are finally distributed, favorable tax rules typically apply to 457(b) distributions.

Complete details of the 457(b) savings plan are described in the Summary Plan Description provided to eligible employees. Contact the Payroll/Benefits Coordinator for more information about the 457(b) plan.

### **4.8.1 Retirement**

The County has previously established and presently maintains a defined benefit plan for your benefit as an Eligible Employee. Please see The Retirement Plan Booklet for specific information regarding the Retirement Plan. Employee must be employed at least six (6) months to be enrolled in the Retirement Plan. For an employee to become fully vested in the retirement plan, he/she will need to complete seven (7) full years of service.

## **Chapter 5**

### **Timekeeping and Payroll**

#### **5.1 Timekeeping**

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require Upson County to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

##### **5.1.1 Non-Exempt Employees**

Nonexempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

Nonexempt employees should report to work no more than 5 minutes prior to their scheduled starting time nor stay more than 5 minutes after their scheduled stop time without expressed, prior authorization from their supervisor. Any time absent should be documented on a "Request for Leave" form.

##### **5.1.2 Exempt**

Exempt employees are to record all leave taken. The "Request for Leave" form needs to be approved by their supervisor and submitted to the Payroll Department. It is the employees' responsibility to sign their time records to certify the accuracy of all time recorded. Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

The supervisor will review and then initial the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.

#### **5.2 Paydays**

All employees are paid biweekly on every other Thursday. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

In the event that a regularly scheduled payday falls on a day off such as a holiday, employees will receive pay on the last day of work before the regularly scheduled payday. If a regular payday falls

during an employee's vacation, the employee's paycheck will be available upon his or her return from vacation.

Employees are required to participate in direct deposit. Employees will have pay directly deposited into their bank accounts by providing Direct Deposit authorization to Payroll/Benefits Coordinator. Employees will receive an itemized statement of wages when direct deposits are made.

### **5.3 Employment Termination**

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- *Discharge* - involuntary employment termination initiated by the organization.
- *Resignation*-Voluntary employment termination initiated by the employee.
- *Dismissal*-Involuntary employment termination initiated by the organization for discipline or inappropriate conduct.
- *Retirement*-Voluntary employment termination initiated by employee when employee has reached the appropriate amount of service.

Since employment is based on mutual consent, both the employee and the County have the right to terminate employment at will, with or without cause, at any time.

Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

### **5.4 Pay Deductions and Setoffs**

The law requires that employers take certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The County also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base". The County matches the amount of Social Security taxes paid by each employee.

Programs and benefits are offered beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs. Pay setoffs are pay deductions taken, usually to help pay off a debt or obligation.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, your supervisor can assist in having your questions answered.

## **5.5 Administrative Pay Corrections**

The Payroll Department takes all reasonable steps to assure that employees receive the correct amount of pay in each paycheck and employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of his/her supervisor who will notify the Payroll/Benefits Coordinator so that corrections can be made as quickly as possible.

Once underpayments are identified; they will be corrected in the next regular paycheck.

Overpayments will also be corrected in the next regular paycheck unless this presents a burden to the employee (where there is a substantial amount owed). In that case, the County will attempt to arrange a schedule of repayments with the employee to minimize the inconvenience to all involved.

## Chapter 6

### Work Conditions and Hours

#### 6.1 Safety

A workplace safety program has been established to assist in providing a safe and healthful work environment for employees, customers, and visitors. This program is a top priority for all county employees. The County Manager or Human Resources has responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all.

Information is provided to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Employees and supervisors will receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards. A safety committee has been established to assist in these activities and to facilitate effective communication between employees and management about workplace safety and health issues.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Any employee who violates safety standards, or cause hazardous or dangerous situations, or fails to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures. The supervisor shall notify the County Manager or Human Resources as soon as appropriate to do so.

#### 6.2 Work Schedules

The normal work schedule for all employees is 8 hours a day, 5 days a week. Supervisors will advise employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Flexible scheduling, or flextime, is available in some cases to allow employees to vary their starting and ending times each day within established limits. Flextime may be possible if a mutually workable schedule can be negotiated with the supervisor involved.

However, such issues as staffing needs, the employee's performance, and the nature of the job will be considered before approval of flextime. Employees should consult their supervisor to request participation in the flextime program.

### **6.3 Workweek**

The workweek for all county employees will begin at 12:00 a.m. on Thursday and end at 11:59 p.m. on the following Wednesday. Normal business hours are Monday-Friday 8:00 a.m. to 5 p.m.

### **6.4 Fair Labor Standards Act and Overtime Provisions**

This policy is based on regulations contained in the U. S. Department of Labor, Wage and Hour Division Publication 1459 of which excerpts: this policy will serve as the agreement with each individual employee as per the regulations noted in paragraph 553.23 of the Federal Register with a signed statement by each employee to go in individual personnel files stating they have received a copy of this policy prior to performance of any work under this policy.

### **6.5 Use of Phone and Mail Systems**

To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

We recognize that periodically, personal phone calls must be made or be received during the business hours. Such calls should be held at a minimum so that they do not interfere with the workflow. Also, in order to provide an optimum work environment, employees are expected to have personal cell phones turned off during work hours. Personal cell phones should only be used during breaks/lunches and outside of the office.

The use of County -paid postage for personal correspondence is not permitted.

### **6.6 Smoking**

With the intent to provide a safe and healthful work environment, smoking in the workplace is prohibited except in those locations that have been specifically designated as smoking areas. In situations where the preferences of smokers and nonsmokers are in direct conflict, the preferences of nonsmokers will prevail.

This policy applies equally to all employees, customers, and visitors.

### **6.7 Rest and Meal Periods**

Each workday, full-time nonexempt employees are provided with 2 rest periods of 15 minutes in length. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted rest period time.



All full-time Regular employees are provided with one meal period of 60 minutes in length each workday. Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

## **6.8 Use of Equipment and Vehicles**

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines. See also Vehicle Usage Policy.

Please notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment. Please see **Chapter 9, Vehicle Usage Policy** for entire policy.

## **6.9 Emergency Closings**

At times, emergencies such as severe weather, fires, power failures, or other situations beyond County control, can disrupt normal operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs during nonworking hours, local radio and/or television stations will be asked to broadcast notification of the closing.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid. In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request available paid leave time such as unused vacation benefits.

## **6.10 Workplace Violence Prevention**

Upson County is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the following guidelines have been adopted to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous

to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of any county property or building without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening. All reports of threats of (or actual) violence and of suspicious individuals or activities will be investigated promptly and thoroughly. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, employees may be suspended, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

Employees are encouraged to bring their disputes or differences with other employees to the attention of their supervisors or Human Resources before the situation escalates into potential violence.

Upson County will assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

## **6.11 Hands Free Policy**

It is the intent of this policy to comply with all applicable federal, state and local laws and regulations. On May 2, 2018, Governor Deal signed into law HB 673, known as the Hands-Free Georgia Act, effective July 1, 2018. HB 673 prohibits actions which distract a driver while operating a motor vehicle; provides for the proper and safe use of wireless telecommunications devices and stand-alone electronic devices while driving; and prohibits certain actions while operating a commercial motor vehicle.

While you are operating a motor vehicle, you may not hold your phone or other telecommunications/electronic device. Additionally, your device may not touch any part of your body while operating a vehicle (i.e. on your lap, etc.). Any employee who receives a citation for conducting this activity while operating an Upson County owned vehicle or personal vehicle during working hours will be responsible for paying any associated fees and/or fines.

# Chapter 7

## Employee Conduct and Discipline

### 7.1 Employee Conduct

To ensure orderly operations and provide the best possible work environment, employees are expected to follow rules of conduct that will protect the interests and safety of all employees and the Organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- *Theft or inappropriate removal or possession of property*
- *Falsification of timekeeping records*
- *Working under the influence of alcohol or illegal drugs*
- *Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment*
- *Fighting or threatening violence in the workplace*
- *Boisterous or disruptive activity in the workplace*
- *Negligence or improper conduct leading to damage of employer-owned or customer-owned property*
- *Insubordination or other disrespectful conduct*
- *Violation of safety or health rules*
- *Smoking in prohibited areas*
- *Sexual or other unlawful or unwelcome harassment*
- *Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace*
- *Excessive absenteeism or any absence without notice*
- *Unauthorized absence from work station during the workday*
- *Unauthorized use of telephones, mail system, or other employer-owned equipment*
- *Violation of personnel policies*
- *Unsatisfactory performance or conduct*
- *Misuse of credit cards or gas cards*

Employment is at the mutual consent of Upson County and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

### 7.2 Sexual Harassment & Hostile Working Environment

It is the policy that all employees should enjoy a working environment free from all forms of discrimination, reverse discrimination & sexual harassment. No employee, either male or female, should be subjected to unsolicited and unwelcome sexual, racial, and other discriminatory conduct, either verbal or physical in nature.

Any alleged harassment claims will be investigated and effectively remedied when an allegation is determined to be valid. Any form of sexual harassment, racial discrimination, reverse discrimination or other factors of discriminatory conduct that creates a hostile working environment will not be

tolerated and disciplinary action will be taken against any employee or supervisor found to be engaging in such conduct.

If anyone feels that unwelcome sexual advances, discriminatory comments or conduct, language or other forms of harassment is interfering with their productivity or comfort at the work place, or if they feel that any terms or conditions of employment depend on sexual favors, the employee should report that to his or her department manager immediately.

However, it should be understood that a claim of sexual harassment, discrimination or other elements of a hostile working environment bypasses the normal grievance procedure and that the claim can first be expressed privately to Human Resources if necessary. If the claimant feels that reporting to Human Resources may adversely affect his or her employment, the claim may be expressed in writing to the County Manager and copied to the County Attorney.

Sexual harassment is not limited to demands for sexual favors. It may also include, but is not limited to, such actions as:

- *Sexually- oriented verbal “kidding,” “teasing,” or jokes;*
- *Repeated offensive sexual flirtations, advances, or propositions;*
- *Continued or repeated verbal abuse of a sexual nature;*
- *Graphic or degrading comments about an individual or any aspect of his or her appearance;*
- *The display of sexually explicit or sexually suggestive objects or pictures;*
- *Subtle or overt pressure for sexual activity; and*
- *Inappropriate physical contact.*
- *Unwanted sexual advances.*
- *Offering employment benefits in exchange for sexual favors.*
- *Making or threatening reprisals after a negative response to sexual advances.*
- *Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.*
- *Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.*

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment must immediately advise Human Resources or any member of management so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

Annual training maybe required in the prevention of sexual harassment and hostile work environment.

## **7.3 Employee Work Rules**

### **7.3.1 Attendance and Punctuality**

To maintain a safe and productive work environment, employees are expected to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other

employees. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence. Leaving a message with another staff member or on voicemail does not constitute as an accepted notification of absence. Contact must be made with direct supervisor.

If you become ill at work or must leave the office for some other reason before the end of the workday, be sure to inform your supervisor of the situation. In the event of inclement weather, we remain open for business during regularly scheduled working hours. You are expected to report for work in inclement weather if it is at all possible to do so safely. In the event we close due to inclement weather, someone in your work group will contact you. Please keep your work group and manager informed on how to reach you on such occasions.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

### **7.3.2 Personal Appearance**

Work attire should complement the County's core values, reflecting a customer-oriented and professional organization. Employees who are required to wear uniforms shall follow the personal appearance policy as well as their departmental standard operating procedures governing the issuance and wearing of uniforms.

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image presented to customers and visitors.

During business hours or when representing Upson County, you are expected to present a clean, neat, and tasteful appearance. You should dress and groom yourself according to the requirements of your position and accepted social standards. This is particularly true if your job involves dealing with customers or visitors in person.

In order to balance the image with the employee's freedom to make wardrobe choices, casual business wear will be acceptable in the office environment during regular business hours.

Casual business wear means clean, professional, properly sized, appropriately maintained and neat clothing, in good repair, that communicates a professional attitude and is appropriate to the duties of its wearer and the reasonable expectations of all persons with whom the employee will come into contact in the course of the employee's normal duties.

The general parameters for casual business wear include using good judgment about what to wear during work days and apply to both men's and women's attire. Department directors will establish and announce in writing specific workplace attire policies, as necessary needed. The policy may vary based on safety regulations, the tasks the employees perform and the customers they serve. These standards may be modified from time to time as deemed necessary.

Your supervisor or department head is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstances, you will not be compensated for the time away from work. Consult your supervisor if

you have questions as to what constitutes appropriate appearance. When necessary, reasonable accommodation may be made to a person with a disability.

Without unduly restricting individual tastes, the following personal appearance guidelines should be followed:

- *Shoes must provide safe, secure footing, and offer protection against hazards.*
- *Apparel typically worn to the beach or for work in the yard or gym, tank tops, tube or halter tops, or shorts may not be worn under any circumstances.*
- *Mustaches and beards must be clean, well-trimmed, and neat.*
- *Offensive body odor and poor personal hygiene is not professionally acceptable.*
- *Perfume, cologne, and aftershave lotion should be used moderately or avoided altogether, as some individuals may be sensitive to strong fragrances.*
- *Jewelry should not be functionally restrictive, dangerous to job performance, or excessive.*
- *Facial jewelry, such as eyebrow rings, nose rings, lip rings, and tongue studs, is not professionally appropriate and must not be worn during business hours.*
- *Torso body piercings with visible jewelry or jewelry that can be seen through or under clothing must not be worn during business hours.*
- *Visible excessive tattoos and similar body art must be covered during business hours.*
- *Garments meant to be worn as underwear should not be seen.*
- *Attire with graphics or text that is inappropriate or offensive should not be worn, or*
- *Any attire that poses a safety hazard should be avoided.*

When an employee disagrees with the supervisor's interpretation of the dress code, the department director will determine if clothing meets the workplace attire standards.

### **7.3.3 Return of Property**

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. All county property must be returned by employees on or before their last day of work. Where permitted by applicable laws, Upson County may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. Action may be taken to recover or protect the property.

### **7.3.4 Discipline and Progressive Discipline**

Employees are at-will and may be disciplined or discharged with or without notice and with or without cause. Nothing in this policy is intended to create a property interest in employment. When just cause exists, any benefited employee regardless of occupation, position or profession may be warned, demoted, suspended or dismissed by the appointing authority. The degree and type of action taken shall be based upon the sound judgment of the appointing authority in accordance with the provisions of this policy. An employee should not be dismissed for unsatisfactory work performance without having been counseled by his or her Department Director or supervisor and the procedures for dismissal are followed.

### **7.3.4.1 Progressive Discipline**

The purpose of this policy is to administer equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

The best interest of the County is to ensure fair treatment of all employees and to make certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment is based on mutual consent and both the employee and the County have the right to terminate employment at will, with or without cause or advance notice, progressive discipline may be used.

It is important that disciplinary action, demotion, suspension and dismissal be administered in as near a uniform manner as possible. Training will be conducted for all supervisors on the proper use of the disciplinary policy.

Disciplinary action may call for any of four steps -- verbal warning, written warning, suspension with or without pay, or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed.

Certain types of employee problems are recognized as serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, the Employee Conduct and Work Rules policy includes examples of problems that may result in immediate suspension or termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline.

The County recognizes four (4) degrees of progressive actions that fall into two general categories:  
*Reprimands*

- *Verbal Warning*
- *Written Warning*

*Adverse Actions*

- *Suspension without pay*
- *Termination (Dismissal)*

A Department Head shall have these four (4) forms of disciplinary action when disciplining an employee as defined below:

#### **7.3.4.1.1 Reprimands**

A reprimand is a formal means of communicating to the employee a warning that a problem exists and that it must be corrected. There are two (2) degrees of reprimands; verbal and written.

- *Verbal Warning: A verbal warning is a progressive disciplinary measure which may be issued for an incident, action, or behavior which does not warrant more severe disciplinary action. In the oral reprimand, the supervisor will verbally and privately explain to the employee that he or she is being reprimanded, describe the problem, and indicate what must be done to correct the problem. Documentation in the official Personnel file is required, and will be considered expired after twelve months. An oral reprimand is not appealable.*
- *Written Warning: In a written warning, the supervisor will verbally and privately explain to the employee that he or she is being reprimanded and describe the problem and what must be done to correct the problem. A written warning should be presented to the employee and the employee should be made aware that corrective action will be taken. A written warning is not appealable. Warnings will become part of the permanent personnel file.*

#### **7.3.4.1.2 Adverse Actions**

An adverse action is an action taken for any reason by the Department Head or their designee that results in a disciplinary suspension without pay or disciplinary dismissal. Human Resources shall be consulted prior to any adverse action and the County Manager made aware of pending action prior to delivery of the notice by Human Resources.

- *Suspension Without Pay - An employee may be suspended without pay by the Department Head or their designee. A short-term suspension is anywhere from 8 hours to 24 hours. A long-term suspension is anything above 24 hours to a maximum of 14 days.*
- *Dismissal – An employee may be dismissed for disciplinary reasons when all other alternatives have failed to solve the problem or if, in the judgment of the Department Head, dismissal is the appropriate action.*

An employee who is under criminal indictment or who has a warrant taken out against him/her for a serious criminal offense, after investigation by Human Resources and/or Elected Official or Department Head, may be suspended without pay for an indefinite period pending the resolution of the criminal charges.

If, and in the event, an employee enters a plea of guilty, nolo contendere, guilty under the First Offender Act, or is found guilty by a Judge or jury, he/she shall be discharged from employment by the county.

#### **7.3.4.2 Disciplinary Actions**

Disciplinary action may be required to enforce established rules, standards, and policies. The purpose of discipline is to provide the employee with information and guidance needed to make the required improvements to continue their employment with the County.



### 7.3.4.2.1 Conduct Subject to Disciplinary Action

The following is a non-exclusive list provided for illustration of "cause" for disciplinary action; but the imposition of disciplinary action shall not be limited to the offenses set forth:

- *The Commission of a Crime: Any felony or misdemeanor crime whether committed at or away from the workplace or during or outside of working hours, that is or may be work related which may impair the employee's ability to perform his/her duties, or which is so disruptive to the work relationship between the County and the employee or the employee and their coworkers that the Department Head feels compelled to terminate the employee rather than tolerate the disruptions and inefficiencies that continued employment may cause.*
- *An employee with excessive absenteeism. (Three unexcused absences within six months). Failure to call in to the department prior to the absence or failure to adequately document an absence shall be considered an unexcused absence.*
- *Absences Without Authorization: Failure to report for work, failure to give actual reasons for an absence, leaving work during shift without permission, or failure to return to work upon the expiration of a vacation or authorized leave.*
- *Abuse of leave, chronic tardiness or excessive absenteeism.*
- *Insubordination: Disobedience, unwilling to submit to established authority, the refusal to perform assigned work unless such performance would constitute a safety hazard or illegal act.*
- *Neglect of Duty or Dereliction of Duty: Engaging in any activity or personal business which causes the employee to neglect or be inattentive to his/her job responsibilities. Inefficiency or incompetence, which is the failure to meet the requirements set forth in the job classification or failure to meet reasonable work performance standards.*
- *Abuse, misuse, or theft of county property including credit card misuse. The borrowing of county equipment or use of county vehicles for personal use. Employees shall follow all rules and regulations of the county's Vehicle Use Policy.*
- *The loss of a job requirement, such as the loss of a necessary license or certification, which prevents the adequate performance of the essential functions of the position.*
- *The willful making of false statements to supervisors, officials, the public, boards, commissions, or agencies.*
- *Failure to cooperate or provide requested information in an investigation conducted by the Board of Commission, Elected Officials, and the County Manager, County Attorney or their agents.*
- *The violation of county ordinances, administrative regulations, departmental rules, or these rules and regulations.*
- *The consumption, sale, or possession of alcoholic beverages and/or illegal substances while at work, or being intoxicated on the job, or being otherwise affected on the job because of the prior use of some illegal substance.*
- *The discovery of a false statement in an application.*
- *Political activity in conflict with established Policies and Procedures.*
- *Engaging in offensive conduct, use of indecent, obscene, coarse, vulgar or offensive language, including but not limited to racist or sexist slurs, directed toward or in the presence of the public, a supervisor or fellow employees.*
- *Harassment on the basis of race, color, sex, religion, national origin, citizenship, age, or disability.*
- *Conduct Unbecoming a County Employee including misconduct reflecting discredit on the department or the county government.*
- *Assault or threat directed toward the public or fellow employees.*
- *Misuse or abuse of power when dealing with members of the public for personal gain.*
- *Unauthorized Use of County Time, Property or Equipment. Deliberately destroying, damaging*

- or defacing County property or records.*
- *Misappropriation or theft or the improper use of County property, funds or services; or the property/funds of co-workers in the workplace.*
  - *Making a bribe, accepting a bribe, or soliciting a bribe in the course of County business. Acceptance of gratuities in conflict with state law or county ordinance.*
  - *False or fraudulent statements or fraudulent conduct by an employee or such actions by others with his/her collusion. Falsifying records or reports.*
  - *Violation of State, County, or Departmental work rules, policies, safety rules or regulations.*
  - *The attempt to induce an officer or employee of the County to commit an illegal act or violate any lawful and reasonable departmental regulation.*

#### **7.3.5.2.1 Not All Inclusive**

The offenses listed herein are not intended to be all inclusive. Conduct which, in the judgment of the Department Head and/or Human Resources Coordinator, although not listed, would seriously undermine the effectiveness of the County's activities or the employee's performance, should be treated as an offense to be dealt with consistently with the provisions herein.

#### **7.3.5.2.2 Emergency Action**

The County Manager and/or Department Head may take immediate action against an employee under emergency situations. The immediate action will be to place the employee on administrative leave until an investigation can be conducted.

If discipline is appropriate, the foregoing disciplinary procedures will be followed. Examples of emergency situations include crimes of moral turpitude, commission of a felony, injurious or dangerous behavior, and damage to or destruction of public property.

*Administrative Leave:* The temporary prohibiting of an employee from performing his/her duties. The leave period shall be with pay. Employees are placed on administrative leave, when necessary, for the purpose of conducting investigations in order to determine whether or not disciplinary action is appropriate.

#### **7.3.5.3 Grievance and Appeal Procedures**

A permanent, full-time employee, not otherwise exempted by these policies, who is subjected to a disciplinary dismissal, shall have a right of appeal as outlined in Appeal Procedure.

Employees of Constitutional Officers will have to follow the procedure as provided by that Office.

Employee grievances should receive prompt consideration and equitable resolution. Wherever possible, grievances should be resolved or adjusted informally, and both supervisors and employees shall be expected to make every effort to do so. With respect to those grievances which cannot be so resolved, employees shall be entitled to process the grievances as hereinafter provided.

Upson County is committed to the fair and equitable treatment of all employees and encourages employees to bring their concerns forward without fear of reprisal. Prompt reporting, open, honest communications, and timely processing of complaints are vital to facilitating an effective resolution of grievances without fear, coercion or discrimination.

While this complaint resolution process is provided to employees as a mechanism for expressing concerns about employment, it is not intended to alter in any way the employment at-will relationship between the County and its at-will employees or those employees working under the terms of an employment contract, if applicable.

Employees who have been formally notified that they are to be dismissed from employment, who have tendered their notice of resignation, or whose contract will not be renewed are not eligible to bring forward a complaint under this policy.

Any individual who supplies false or misleading information in conjunction with a complaint or anyone who attempts to harass, intimidate, or retaliate against an individual for filing a complaint or for providing information in connection with a complaint will be subject to disciplinary action or dismissal.

#### **7.3.5.3.1 Grievances**

A "Grievance" is a disagreement regarding an interpretation and/or application of administrative rule, regulation, policy, plan or procedure which exists under the personnel administration system of Upson County which an employee feels is unjust or unfair.

Any regular employee in the classified service shall have the right to utilize the grievance and appeal procedure hereinafter set forth.

A formal grievance shall not be initiated unless and until the employee has discussed the grievance with the department head or, in the case of an applicant, with Human Resources. Such discussion shall be held within ten (10) working days after the occurrence or within ten (10) working days after the employee or applicant becomes aware of the occurrence of a Grievance matter.

The Department Head, or Human Resources in the case of an applicant, shall render a decision on the matter within five (5) working days after the grievance has been discussed. A "working day" for this policy is defined as any day of business between working hours of 8:00 a.m. and 5:00 p.m. excluding Saturday, Sunday and Upson County observed Holidays.

#### **7.3.5.3.2 Non-Grievance Areas**

- *Issues that are pending or have been concluded by other administrative or judicial procedures.*
- *Work assignments that are within the scope of the employee's job description.*
- *Budget allocations.*
- *The selection of an individual to fill a position through appointment, promotion or transfer, except when the employee can show that he or she has been adversely affected because of unlawful discrimination.*
- *Disciplinary actions except when the employee can show that he or she was disciplined*

*because of unlawful discrimination.*

- *Any matter that is not within the jurisdiction or control of the Department Head;*
- *Decisions, policies, practices, resolutions, or ordinances made or passed by the governing authority or the department that are not job or work related and that do not contradict these policies.*

Grievances follow two (2) procedures—one for general grievances and one for grievances alleging prohibited practices.

### **7.3.5.3.3 General Grievances**

Employees may file a General Grievance with their supervisor related to the following actions:

- *Needs Improvement Performance Review Rating (For all other ratings, an employee may write a response indicating any concerns).*
- *Unsafe working conditions*
- *An employee who fills their productivity has been adversely affected by unfair treatment;*
- *Unsafe or unhealthy working conditions;*
- *Erroneous or capricious application of county policies and procedures; or*
- *Unlawful discrimination;*

Employees must file a written grievance with their supervisor/manager within 10 working days from the date an issue which is the basis for the grievance occurs or is discovered. A copy will be sent to Human Resources.

The grievance should contain the following information:

- *The decision, action, or policy the employee does not agree with*
- *The basis on which the action is wrong or unfair*
- *The proposed resolution the employee is seeking*

Supervisors must submit a written response to the employee within 10 working days. A copy must be sent to Human Resources. If the employee is not satisfied with the response, they may appeal up to the department director.

### **7.3.5.3.4 Grievances Alleging Prohibited Practices**

Employees may file a grievance with Human Resources if it involves allegations related to the following:

- *Harassment*
- *Sexual harassment*
- *Discrimination based on age, race, color, sex, national origin, religion or sexual orientation*
- *Discrimination against the disabled*
- *Pregnancy discrimination*
- *Discrimination against veterans*
- *Retaliation*

Employees must file a written grievance with Human Resources within 30 days from the date of the alleged event. The grievance should contain the following information:

- *The decision, action, or policy that allegedly violates prohibited practices, for example, discrimination based on age, race, color, sex, national origin, religion, disability or political affiliation;*
- *A list of witnesses or relevant documents supporting the allegation;*
- *The proposed resolution the employee is seeking.*

Human Resources will investigate and will make a written report to the appropriate department director, who will take appropriate action to resolve the grievance. The employee will be notified by letter of the grievance finding(s) and closure.

An employee or applicant not be satisfied with the decision of the department head or Human Resources the employee or applicant; within five (5) working days, shall state the grievance in writing and file a standard grievance form in accordance with the provisions of the appeal procedure described in below.

#### **7.3.5.3.5 Appeal Procedure**

Adverse Actions: The procedure for commencing an adverse action against an employee shall be as follows:

- *The issuance of the adverse action from the supervisor to the employee shall occur in a meeting between the supervisor and the employee where the supervisor explains the reason(s), as documented, for the adverse action.*
- *The supervisor shall warn the employee on the appropriate notice form of the type of further possible disciplinary action which could be imposed if the behavior at issue is not corrected.*
- *The supervisor shall provide the employee an opportunity to comment in writing.*
- *The supervisor shall provide the employee an opportunity to sign the document. Should the employee refuse to sign, the supervisor shall note such refusal on the document where appropriate.*
- *The supervisor shall notify the employee in writing of the employee's right to appeal (if any) in accordance with the County's Adverse Actions Appeal procedure.*
- *The supervisor shall provide the employee a copy of the document at the end of this meeting.*
- *The supervisor shall place all documentation generated by this process in the employee's file.*

#### **7.3.5.3.6 Procedure to Appeal Adverse Actions**

The employee must present a written appeal request to their Department Head within five (5) work days of when the adverse action was issued to the employee. The Department Head shall issue a written decision supporting, reversing, or modifying the adverse action to the employee within five (5) work days of receipt of the written request for review.

The written decision shall also notify the employee of the employee's right to appeal (if any) in accordance with the County's Appeal procedure. The written decision shall be provided to the employee and placed in the employee's personnel record.

If the employee is dissatisfied with the decision of the Department Head, the employee may request that the adverse action be reviewed by the County Manager. The employee must present a written request to the County Manager within five (5) work days of receipt of the written decision of the Department Head.

The County Manager shall review all the documentation surrounding the adverse action and render a written decision supporting, reversing, or modifying the adverse action within five (5) work days of receipt of the written request for review.

The written decision of the County Manager will be the final decision in the appeal process. The written decision shall be provided to the employee and placed in the employee's personnel record. Any further action taken by the employee must be through civil court proceedings.

## **Chapter 8**

### **Travel**

#### **8.1 Travel and Business Expenses within the County**

##### **8.1.1 General Provisions**

Due to the nature of the County's operational requirements periodic travel is required from time to time to conduct county business. The preferred method of transport for employees traveling within the county for business purposes is a county vehicle. However, in certain circumstances, the only other available method is the use of vehicles owned by the employee. We will follow General Services Administration (GSA) standards regarding reimbursements. Please see County Travel Procedures for in-depth instructions.

##### **8.1.2 Travel Reimbursement for the Use of Privately Owned Vehicles**

Use of a privately owned vehicle is permitted, but subject to the Vehicle Usage Policy. If private automobiles are used, employees will be reimbursed based on the rates consistent to those established and published by General Services Administration (GSA) rate for automobile use. There must be justification for mileage reimbursements. Claims exceeding mileage computed by the most direct route from the point of departure to destination (due to field visits, picking up passengers, etc.) must be explained on the Expense Statement form.

##### **8.1.3 Responsibility**

Employees are expected to show good judgment and proper regard for economy in incurring travel expenses. Required records must be kept of expenditures at the time incurred, submitted on the expense report and completed in strict accordance with these regulations.

Trips should be planned in advance to avoid excessive and wasteful travel. The County Manager or Appointing Authority (defined as the Chairman of the Board of Commissioners or Department Heads) may disallow reimbursement if it is determined that excessive or wasteful travel is taking place.

##### **8.1.4 Reimbursement Oversight**

A diligent effort should be made by Department Heads and persons responsible for approving claims for travel or meal(s) reimbursement to see that the Expense Statements submitted are reasonable, accurate and cover only expenses actually incurred by an employee traveling in the interest of the County.

### **8.1.5 Submitting Reports**

Employees should submit Expense Statements for reimbursement, along with proper documentation, within five (5) working days after the end of the month for which the travel was incurred.

### **8.1.6 Statement of Propriety**

Each County employee on travel status should consider seriously the wording of the statement to be signed in submitting a claim for reimbursement, which reads as follows: "I do solemnly swear under criminal penalty of a felony for false statements subject to punishment by fine of not more than \$1,000 or by imprisonment for not less than one nor more than five years, that the above statements are true and I have incurred the described expenses and the county use mileage in the discharge of my official duties for the county.

Section O.C.G.A. § 16-10-20 of the Official Code of Georgia Annotated:

O.C.G.A. § 16-10-20 (2016)

*§ 16-10-20. False statements and writings, concealment of facts, and fraudulent documents in matters within jurisdiction of state or political subdivisions.*

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

### **8.1.7 Meal Reimbursement**

Reimbursement will be made for actual costs of meals including tips and taxes but excluding alcoholic beverages. Reimbursement for meals may be allowed within the 30-mile radius and for noon meals not associated with overnight lodging if the employee claiming reimbursement was on official County business with someone other than another County employee, based on the GSA regulations.

No other reimbursement shall be allowed for meals within the 30-mile radius or for noon meals not associated with overnight lodging, or for county appointed board/advisory committee meetings (where meals are budgeted), except where pre-approved by the County Manager or Appointing Authority. No reimbursement will be allowed for meetings of a social nature. The request for reimbursement of local meals should including the following information: (1) Date; (2) Place; (3) Meeting Attended; (4) Specific Reason for Attendance; (5) Other Persons in Attendance.



## **8.2 Travel and Business Expenses Outside of the County**

### **8.2.1 General Provisions**

These travel and expense regulations are designed to assist Upson County elected and appointed officials and employees (hereinafter collectively called employees) who are required to travel away from their official headquarters in the course of performing their official duties, and aid the County in the payment of travel expenses. Each employee required to travel is entitled to reimbursement for reasonable, necessary and allowable expenses incurred. Proper documentation along with an Expense Statement must be submitted for reimbursement. These regulations are intended to indicate what constitutes reasonable and necessary expenses and to provide uniformity among the various departments of County Government.

### **8.2.2 Allowable Travel**

It is the County's purpose to allow travel arrangements on a limited basis provided:

- *Travel appropriations are available,*
- *Travel is duly authorized and*
- *Travel is within the scope of the employee's employment and the discharge of his/her official duties.*

Out-of-state travel requires prior approval by the County Manager in writing.

### **8.2.3 Responsibility**

Employees are expected to show good judgment and proper regard for economy in incurring travel expenses. Required records must be kept of expenditures at the time incurred, submitted on the Expense Statement and completed in strict accordance with these regulations.

A diligent effort should be made by Department Heads and persons responsible for approving claims for travel reimbursement to see that the Expense Statements submitted are reasonable, accurate and cover only expenses actually incurred by an employee traveling in the interest of the County.

Employees should submit travel Expense Statements, along with proper documentation, for reimbursement within five (5) working days after returning from the trip. Employees should follow the GSA standards.

### **8.2.4 Approval for Reimbursement of Claims**

Reimbursement claims for subsistence (meals and lodging), transportation, and miscellaneous expenses are to be reported on an "Expense Statement" form by date, location, and amount for each meal, lodging and other allowable expenses claimed.

Reimbursement claims submitted by employees other than elected officials, the County Manager, and appointed department heads shall be approved by the appropriate department head and the County Manager or his designee.

Reimbursement claims submitted by appointed department heads shall be approved by the County Manager or designee. Reimbursement claims submitted by the County Manager shall be approved by the County Commission Chair or the Vice-Chair.

Reimbursement claims submitted by the County Commissioners shall be approved by the Chair, except that reimbursement claims submitted by the Chair shall be approved by the Vice-Chair.

### **8.2.5 Meal Reimbursement**

Reimbursement will be made for actual costs of meals including tips and taxes but excluding alcoholic beverages; provided, however, that the maximum daily reimbursement for meals shall not exceed the General Services Administration (GSA) Meals and Incidental Expenses (M&IE) per diem then in effect for the travel location in Georgia.

Reimbursement is limited to the cost of meals for County employees and others associated with County business, such as legislators and other government officials and their spouses.

Any exceptions to these requirements must be approved in writing with an explanation as to why the exception is justified by the County Manager, the County Commission Chair, or the Vice-Chair as appropriate.

Employees are entitled to reimbursement for breakfast expenses if they depart from Upson County prior to 6:30 a.m. and for dinner expenses if they return later than 7:30 p.m. This entitlement is based on the premise that early departure and late return times as provided above are out of necessity and not at the discretion or convenience of the employee.

The noon meal is not reimbursable unless overnight lodging is required.

### **8.2.6 Lodging Reimbursement**

Reimbursement may be made for actual lodging expenses based on reasonable rates. All lodging claims must be documented by receipts. Travelers should always endeavor to obtain suitable accommodations at the most economical rates available, based on GSA standards. It is expected that reservations will be made in advance whenever practical, that minimum rate accommodations available will be utilized, that deluxe hotels/motels will be avoided and that government rates will be obtained whenever possible. Many hotels and motels grant government rates to government employees upon request.

Charges exceeding reasonable rates must be explained on the Expense Statement and approved by the Department Head and/or County Manager. More costly lodging may be justified to some extent if an employee stays at a more expensive accommodation where a meeting is held in order to avoid excessive transportation cost between a lower cost motel and the location of the meeting. An employee on travel status, if accompanied by someone, who is not a county employee on travel status, will be entitled to reimbursement on a *single* room rate. Reimbursement for lodging shall be limited to the

minimum number of nights required to conduct the assigned County business.

The cost for overnight lodging of spouses is allowable if reasonable and the spouse accompanies the employee upon written approval of the County Manager, County Commission Chair, or Vice-Chair as appropriate.

### **8.2.7 Tax Exemptions for Lodging**

Local government officials and employees should not be charged local hotel/motel excise tax on lodging while traveling on official government business inside the State of Georgia.

The form "Exemption of the Local Hotel/Motel Excise Tax" is to be completed and presented at the hotel registration desk when registering. The form can be obtained from the County Finance Office.

### **8.2.8 Transportation Reimbursement**

First priority for travel within the state should be given to use of County owned vehicles, if available. Otherwise, travelers may choose between using a personal vehicle or common carrier. Departments should approve transportation based on the most economical mode, consistent with the purpose of the travel. The reimbursement for transportation expenses incurred by use of personally owned vehicles will be at the then-current mileage rate allowed by the GSA.

When possible, employees should attempt to travel together to the same destination in one vehicle. Actual odometer readings must be reported; however, personal mileage will be excluded in determining the mileage for which reimbursement will be made. Claims exceeding mileage computed by the most direct route from the point of departure to destination (due to field visits, picking up passengers, etc.) must be explained on the Expense Statement.

The authorized mileage rate is intended to cover the normal expenses incurred in the operation of a personal vehicle. In addition, parking and toll expenses will be paid for official travel in personal or county vehicles. A receipt should be provided when possible; if not, a written explanation should be included on the expense statement.

Employees sharing a ride with another County employee using either a personal or county vehicle, and not claiming reimbursement for mileage, should indicate in the automobile mileage record section of the expense statement the name of the person they rode with and the dates of the trip(s).

### **8.2.9 Taxi Service**

Taxi service during out-of-town business sessions will be reimbursed if such service is reasonable and necessary to the conduct official business. It is expected that shuttle service will be utilized when available.

If a receipt cannot be obtained, employees must provide explanation of the travel, such as a point-to-point explanation when requesting reimbursement. Since many taxi services do not fill out receipts in detail, please have the receipt countersigned by a fellow business traveler, or, if traveling alone, a supervisor upon return.

### **8.2.10 Miscellaneous Expenses**

Registration fees required for participation in workshops, seminars or conferences which an employee is directed and/or authorized to attend are allowed. Any part of a registration fee applicable to meals will be reported as meal expense and not as a registration fee if the costs can be separately identified.

Expenses for telecommunications messages to conduct official county business which must be paid for by the traveler are allowable. If no other means of communicating are available (although a pooled cell phone for travel use is recommended), one telephone call per day from a room of lodging to communicate with family members for a limited duration is allowed.

Reimbursement claims will indicate the location from which made, the person contacted, and justification for communication. Claims for laundry, valet service, shoe shines, theater, movies or videos, entertainment, excessive personal telephone calls, tobacco products, and alcoholic beverages will not be reimbursed.

### **8.2.11 Statement of Propriety**

Each employee on travel status should consider seriously the wording of the statement to be signed in submitting a claim for reimbursement, which reads as follows: "I do solemnly swear under criminal penalty of a felony for false statements subject to punishment by fine of not more than \$1,000 or by imprisonment for not less than one nor more than five years, that the above statements are true and I have incurred the described expenses and the county use mileage in the discharge of my official duties for the county.

Section O.C.G.A. § 16-10-20 of the Official Code of Georgia Annotated:

*O.C.G.A. § 16-10-20 (2016)*

*§ 16-10-20. False statements and writings, concealment of facts, and fraudulent documents in matters within jurisdiction of state or political subdivisions.*

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

## **8.2.12 Out-Of-State Conferences and Meetings**

Any out-of-state travel must be pre-approved by the County Manager if such travel is: a) reasonable and necessary; b) within their budgeted line-item amount; and, c) is within the Southeast United States. The Southeast United States is defined as the direction and farthest state boundaries away from Upson County, designated below:

- a) Maryland, Virginia, North Carolina, South Carolina (generally the Atlantic Ocean)
- b) Louisiana, Arkansas, Tennessee, Kentucky (generally the Mississippi River)
- c) Kentucky, Virginia, Maryland, Washington, D.C. (generally below the Ohio River, exclusive of Pennsylvania)
- d) Florida, Alabama, Mississippi (generally the Gulf of Mexico)

All other out-of-state travel shall be submitted as an agenda item to be approved in advance by the Board of Commissioners with proper justification. The Sheriff's Department is exempted for travel relating to law enforcement purposes.

The submission of all early bird registration opportunities for conferences is encouraged. Spontaneous registration where an early bird registration was otherwise available is discouraged and may be subject to disapproval.

No more than two (2) employees of Upson County may attend the same out-of-state conference or meeting at the County's expense.

## Chapter 9

### Vehicle Usage

#### 9.1 Vehicle Usage Policy

##### 9.1.1 General

It is the responsibility of the Board of County Commissioners to establish a policy that is functional for the entire County. It is the responsibility of the Elected Officials and Department Heads to ensure that the policy is followed and enforced. It is the responsibility and obligation of the employee to follow the rules established to minimize County exposure to accidents and damage to County property.

The purpose of the Vehicle Usage Policy shall be to establish a policy on the use of County vehicles; to ensure proper preventive maintenance procedures are being followed; repairs are being handled correctly and cost efficiently, and that vehicles are being utilized correctly. The Vehicle Use Policy also addresses employees' use of personal vehicles while conducting County business.

The Board of County Commissioners delegates to the County Manager the authority to deviate from this Policy as the Manager deems necessary to serve the best interests of the County. In addition, use of Sheriff's vehicles for law enforcement activities shall be at the discretion of the Upson County Sheriff. Any such deviation from this Policy or discretionary use of vehicles must, however, comply with applicable law.

Furthermore, the operator must abide by all applicable State law and Federal law.

##### 9.1.2 Guidelines

This policy provides guidelines and assigns responsibility for the safe operation and use of all vehicles operated by authorized individuals of the Upson County Board of Commissioners. It is the intent of this policy to ensure that County vehicles are safe, and that operators adhere to all local, state and federal laws.

It is the policy of Upson County that all employees shall follow these procedures for the assignment and utilization of County vehicles.

Every employee who drives or operates an Upson County vehicle at any time, or who operates any motor vehicle (i.e., employee's personal vehicle, rental vehicle) on, or in the course of County business must strictly adhere to the following requirements:

- *The employee must have and maintain at all times, without interruption, a valid driver's license and the minimum automobile insurance coverage required by Georgia law. Employees are solely responsible to make sure that their licenses and automobile insurance are properly renewed and maintained.*
- *Employees are responsible to make sure that the Georgia Department of Motor Vehicles (DMV) has the employee's correct mailing address. If the DMV sends notification of a license*

- suspension or other mailing to the address in its records, the employee is deemed to be properly notified and held responsible for having knowledge of the suspension or other matter.*
- *If the employee's driver's license and/or insurance are expired, suspended, revoked, or otherwise invalid, the employee shall immediately report this fact to their immediate supervisor, and immediately stop driving on, or in the course of County business. The employee's Department Director, with the concurrence of the County Manager, may allow the employee to resume driving on, or in the course of County business upon the employee providing acceptable proof of insurance coverage and driver's license (or appropriate occupational driving privileges granted by a court of competent jurisdiction). Other conditions may be imposed as appropriate in light of the circumstances of each individual case.*
  - *Driving records are public information. Management has the authority and does conduct routine inspections of the driving records of its employees. Employees who are required to drive on, or in the course of County business are encouraged to periodically monitor the status of their license.*
  - *All occupants (including non-employees) of any motor vehicle being used on, or in the course of County business are required to wear a safety belt at all times. (See Safety Belt Usage)*
  - *Employees must follow all traffic laws and parking regulations. Employees are solely responsible for the cost of any driving/moving infraction/violation, parking tickets; impound charges, towing charges, and/or storage charges incurred while driving a county fleet vehicle or any vehicle on, or in the course of County business.*
  - *The use of alcohol and/or other controlled substances – including a prescription or over the counter medication, which may temporarily render an employee unable to operate a vehicle safely – is strictly prohibited.*
  - *Smoking is prohibited in all County-owned vehicles, buildings, offices and facilities. Violation of this policy is subject to disciplinary action up to and including termination.*
  - *An employee involved in a motor vehicle accident must strictly adhere to the vehicle accident reporting requirements set forth in Vehicle Accident Reporting Procedure of this policy.*
  - *Each operator should inspect the County-owned vehicle prior to operation to ensure that it is safe to drive. This is to include the headlights, turn signals, brakes and brake lights, windshield wipers, horn, steering, tire pressure and any other feature which may affect the safe operation of a vehicle. When a vehicle is considered to be unsafe, or in need of repair it will be immediately reported to the operator's supervisor.*
  - *Only passengers on County business are allowed in County vehicles, for example, local Government officials and contractual relationships.*
  - *Employees cannot drive County owned vehicles home outside the County boundaries without prior Board of Commissioners approval.*
  - *Assigned drivers/departments are responsible for vehicle condition and should make every reasonable effort to return the vehicle in substantially the same condition as it was received, with ordinary wear and tear expected. Vehicle abuse will not be tolerated.*

Any failure to conform to the requirements set forth in this policy constitutes an infraction which may result in disciplinary action, up to and including termination.

### **9.1.3 Responsibility of Department Heads**

It shall be the responsibility of Department Heads to manage the vehicles assigned to their department. Department Heads shall verify that all employees provide a copy of their driver's license, complete the Driver Acknowledgement Form and forward to the County Managers office. Department

Heads shall ensure that their employees keep all County vehicles assigned to their departments clean and presentable.

It shall also be the responsibility of the Department Heads to ensure that the license plate, gas card and insurance card of each vehicle assigned to his/her department are turned into the County Clerk when the vehicle is removed from service. Once all County property has been removed from the vehicle, the Department should contact the County Shop for surplus instructions.

#### **9.1.4 Registration, Title and Tags**

The County Managers office shall be responsible for the proper registration, title and tags of all County vehicles and the appropriate paperwork on all new vehicles should be forwarded to his/her office. All vehicle titles shall be maintained and filed in the office of the County Manager.

#### **9.1.5 License Requirements**

An employee who operates any County vehicle or equipment which requires a license shall be required to have a current active license for that vehicle or equipment any time he/she operates it. An employee who operates any County vehicle or equipment which requires a license for legal operation shall notify his or her supervisor of any change in the status of that license.

An employee whose job involves operation of any County vehicle or equipment requiring a license for its legal operation shall be subject to possible job change or termination if that license is suspended or revoked. An employee whose job involves operation of any County vehicle or equipment requiring a license for its legal operation, but who is deemed uninsurable by the County's vehicle insurance carrier even though the employee's license has not been revoked or suspended, shall be subject to possible job change or termination.

#### **9.1.6 Driver Qualification Procedure**

Before operating a vehicle for county business, Upson County employees must complete a Driver Acknowledgement Form to certify they are qualified to safely operate the vehicle. Employees who routinely operate a vehicle for county business will be required to complete a new form annually.

Employees are to complete a Driver Notification Form to notify their immediate supervisor within two (2) business days of activities (traffic violations, accidents, etc.) that at any time may affect their eligibility to operate a motor vehicle for county business.

#### **9.1.7 Safety Belt Usage**

Safety belts are an important item of personal protective equipment. They save lives and reduce the severity of injuries to those who wear them. It is the County's commitment to do everything



reasonable to prevent injuries to employees and damage to property and to protect the County, its employees and the general public from the results of vehicle accidents.

This policy applies to all employees and to all occupants of vehicles driven by employees on County business. Occupants shall use safety belts in all vehicles driven on County business (whether County owned or privately owned vehicles). It is especially important that all employees demonstrate their commitment to and support of this policy by their strict adherence to it.

Any employee who is cited by a law enforcement agency for not wearing a safety belt will be responsible for any fines or other actions that may result as part of the citation. Employees who violate this policy may be subject to disciplinary action, up to and including termination.

### **9.1.8 Cellular Phones or Other Wireless Communication**

Employees are prohibited from using cellular phones or other wireless communication equipment for any purpose including, but not limited to, placing calls, text messaging or instant messaging, while driving a county vehicle unless a hands-free device is in use. The use of a cellular phone or other wireless communication equipment for any purpose to conduct County business without a hands-free device while driving a county vehicle or a personal vehicle is prohibited.

### **9.1.9 County Gas Card**

A gas card is assigned to each county vehicle. The employee driving the vehicle is responsible for the proper use of the gas card and any misuse of the County's gas card is grounds for termination. This card will stay with the vehicle and/or equipment at all times. A personal security code is a requirement to activate the gas card. The card is used for County purchases only.

## **9.2 County Vehicle Assignments**

Employees may be assigned an automobile or a truck for the normal performance of his/her work duties but not authorized for take-home use.

The County may assign a take-home automobile or truck designated for the use of an individual employee in the normal performance of his/her duties including the commute from home to work.

County-owned vehicles are to be used for official business only with reasonable consideration for use for meals, while in the course of performing business on behalf of the County. For individuals assigned vehicles for overnight use, stopping between work and home to perform some minor personal business may be acceptable but any such use should be the exception rather than the rule, and only if the stop is directly in route from work to the employee's residence.

County-owned vehicles are not assigned for, nor shall they be used for, the convenience of the employee with regard to transportation needs or other nonbusiness activities.

Alcoholic beverages or any illegal drugs are not permitted in county vehicles at any time. Law enforcement personnel as approved by proper police authority may transport lawfully confiscated alcoholic beverages or drugs.

Any employee assigned a vehicle is responsible for maintaining the entire vehicle in a clean condition and will ensure the vehicle receives preventative maintenance, including vehicle inspections and maintain proper registration. If there is evidence of damage to the vehicle, the operator will make a written report to their immediate supervisor. Any vehicle found to be unsafe will not be driven.

### **9.2.1 Assignment Procedures for Work Related Vehicles**

Department Heads shall make the determination on whether an employee requires the use of a County vehicle in the normal performance of his/her duties but not authorized for take-home use. Assignments are not permanent. When priorities or circumstances have changed, vehicles should be reassigned. The following conditions should be considered:

- *Requirements of the job;*
- *Productivity;*
- *Availability of County vehicles;*
- *Cost to the County;*

Public safety personnel permitted to use an individually assigned vehicle during their normal tour of duty may use the vehicle for commuting purposes in accordance with the department's standard operating procedures as approved by the Sheriff.

Employees will comply with the Vehicle Usage Policy requirements regarding personal use of County provided vehicles. This policy prohibits personal use of County owned vehicles by employees. The policy consists of the following:

- *When the vehicle is not used for official County business, it is kept on County premises unless it is temporarily located elsewhere (for example, for maintenance or because of a mechanical failure);*
- *No passengers may be transported in County-owned vehicles except as required for official duties or as approved by the Department Head and/or County Manager;*
- *Under the policy of the County, neither an employee, nor any individual whose use would be taxable to the employee may use the vehicle for personal purposes, except for minimal personal use.*

### **9.2.2 Assignment Procedures for Take-Home Vehicles**

Department Heads shall make the determination on whether an employee satisfies the requirements to be authorized for take-home use of a County-owned vehicle. The employee must possess a valid Georgia driver's license, maintain a safe driving history, and meet the following requirements: The employee is:

- *Subject to frequent after-hours emergency callback, unscheduled work, or temporary seasonal assignment; and*
- *Such callback arrangements are to locations other than the employee's normal duty station; and*

- *Such callback arrangements involve the first response to a real or present threat to life or property requiring an immediate response; and*
- *A specialized vehicle, tools, or equipment are required for the performance of these duties; and*
- *An unacceptable delay in the response would result from the employee's return to the normal duty station to retrieve the needed equipment.*

All take home vehicle assignments must be reviewed and evaluated by the Department Heads with the County Manager annually and the approved list presented to the Board of Commissioner before January 1<sup>st</sup> of each year.

No personal use of take-home vehicles is permitted. For the purposes of this policy, the daily commute to and from the employee's work location and normal meal periods within on-duty hours are considered official use.

Except as approved by the Board of Commissioners, take-home vehicles may not be used for commuting travel outside the county. No passengers may be transported in County-owned vehicles except as required for official duties or as approved by the Department Head and/or County Manager. Employees permitted to take a vehicle home (commute) from their work station may do so for job-related reasons and not as a compensatory measure.

### **9.3 Vehicle Maintenance**

The purpose of vehicle maintenance is to establish proper preventive maintenance (PM) procedures that repairs are being handled correctly and cost efficiently, and that vehicles are being utilized correctly. These guidelines provide how county vehicles shall be maintained through a scheduled preventive maintenance program.

The objective of the Vehicle Maintenance Plan is to optimize the value of the funded dollar while protecting taxpayer's investment. The primary goals of the plan are:

- *Maintain vehicles in safe operating condition;*
- *Maximize vehicle life;*
- *Minimize loss of accessibility due to equipment failure.*
- *Maintain vehicle exterior and interior appearance.*
- *Maintain a system of permanent vehicle maintenance records;*
- *Adhere to a strict preventive maintenance schedule.*

#### **9.3.1 Maintenance and Repair**

All vehicles must be properly maintained in conformity with the vehicle manufacturer's suggested schedule. For assigned vehicles, the assignee is responsible for establishing a maintenance file on their assigned vehicle for the purpose of assuring that a full regularly scheduled service is being completed.

For other vehicles, the Department Head is responsible for establishing a maintenance file on their departmental vehicles and assuring that a full regularly scheduled service is being completed.

A full regularly scheduled service consists of changing oil and checking filters, brakes, all fluids, belts, air pressure in tires, and any physical condition that may present problems later. Employee assigned to county-owned vehicles shall take proper care of the interior and exterior appearance and ensuring the assigned vehicle is serviced at the scheduled times.

All preventive maintenance performed on county vehicles must be coordinated through the Road Department. To ensure proper stewardship of county assets, vehicles are scheduled for preventive maintenance (PM) based on time and usage. The standard PM schedule for a county vehicle is twice per year or every 5,000 miles, whichever comes first.

Maintaining the maintenance schedule requirements are the responsibility of the Department Head and the assignee of assigned vehicles.

Scheduled maintenance intervals must be adhered to ensure a vehicle's reliability, continued economic operation, and operator safety. A vehicle that has not been serviced at the designated interval, within a 30-day/1,000-mile grace period, should be considered unsafe and placed out of operation until the maintenance is done.

All operators of County vehicles shall check the tires of the vehicles they drive to ensure that the tires have adequate tread and that the tire pressure is maintained in accordance with the vehicle specifications. Any unsafe County vehicle shall be reported promptly to the appropriate Department Head.

## **9.4 Vehicle Log Book**

Vehicle logs may be placed in vehicles at certain times by Administration to help gather information for the County to assess its vehicle needs and usage patterns. When this happens, each driver will be responsible for ensuring that there is a vehicle log in his or her vehicle and that it is filled out each day. When a page is filled out completely, the driver is responsible for getting his or her Department Head's initials on the sheet showing that they have reviewed the record.

If vehicle logs are placed in the vehicles for usage studies, Department Heads shall be responsible for ensuring that these vehicle logs are located in each vehicle assigned to their department and that the individual drivers are filling them out daily. The Department Heads shall verify this by initialing each vehicle log sheet as it is completed.

Failure to comply with requirements of this section could result in loss of driving privilege or termination from employment.

The Upson County Board of Commissioners delegates to the County Manager the authority to deviate from this Policy as the Manager deems necessary to serve the best interests of the County. In addition, use of Sheriff's vehicles for law enforcement activities shall be at the discretion of the Upson County Sheriff. Any such deviation from this Policy or discretionary use of vehicles must, however, comply with applicable law.

## **9.5 Vehicle Accident Reporting Procedure**

For purposes of this policy, a “vehicle accident” is an accident that results in property damage and/or physical injuries to any parties involved in the accident.

### **9.5.1 Employee Responsibility**

An employee involved in a vehicle accident either, (1) occurring in the course of County business in a private/rental vehicle, or (2) occurring in a county vehicle at any time, must follow the following steps:

- *Remain at the accident site unless it is necessary to immediately go to hospital.*
- *Contact the appropriate authorities (i.e., dial 911).*
- *Contact the County Managers Office at 706-647-7012 (County Clerk for damage or Human Resources for injuries).*
- *Contact their immediate supervisor.*

After such accidents, the employee may be required to submit to an alcohol and drug test depending on the circumstances. (For more information on see the County’s drug/alcohol testing policies and procedures.) Therefore, the employee shall remain at the accident site (unless it is necessary to immediately go to hospital) until they receive further instruction from their supervisor, department head or the County Manager.

Note: An employee who has physical injures that requires transporting by EMS to the hospital as a result of a vehicle accident shall contact their immediate supervisor as soon as possible.

### **9.5.2 Supervisor Responsibility**

Upon receipt of notification of a vehicle accident involving a County employee, the supervisor shall immediately notify the County Clerk at 706-647-7012.

Additionally, the following:

- *A copy of the Driver Exchange Report and the accident report as soon as it is available;*
- *Give information about the vehicle condition; (if the vehicle is drivable, where it is located; etc.)*
- *Take the vehicle to a collision center of choice and get an estimate on the needed to repair(s) if it is repairable.*
- *Make contact with claims assessor to determine the amount of the claim.*
- *Proceed with repairs and let the County Manager’s Office know of any charges incurred.*

The County Clerk or Designee/Administrative Assistant will administer all claims.

## 9.6 Vehicle Usage Policy Administration

The County Manager will coordinate an annual review and update of the Vehicle Usage Policy. Any revisions of the policy, requirement and procedures will be presented to the Upson County Board of Commissioners for approval and once approved by the Board distributed to county personnel.

Violation of the Vehicle Usage Policy is subject to disciplinary action up to termination.

## 9.7 Use of Personal Vehicle

A County employee who is required to drive or operate their personal vehicle on, or in the course of County business must adhere to the following additional requirements:

- *The employee's personal vehicle's automobile registration must be current. If the employee's personal vehicle's automobile registration expires or is otherwise invalid, the employee must immediately notify his or her supervisor and immediately stop driving in the course of County business.*
- *The employee's Department Head, with the concurrence of the County Manager, may allow the employee to resume driving their personal vehicle on, or in the course of County business upon the employee providing acceptable proof of valid automobile registration.*
- *Every employee who submits an Expense Statement for operating a personal vehicle on, or in the course of County business, certifies that he or she has a valid driver's license, vehicle registration, financial responsibility (insurance), and personally operated the vehicle for which the travel expense is claimed.*
- *Personal vehicles used in the course of County business must in a good and safe operating condition.*
- *An employee or official using a personal vehicle for transportation on County business shall be reimbursed for actual mileage traveled at the rate set by the General Service Administration (GSA) standards. When two or more employees travel in the same vehicle, only one may claim mileage reimbursement. An Expense Statement, completed in daily detail, must be submitted, approved by the Department Head, and turned in to the Accounting Office for processing.*

## Chapter 10

### SUBSTANCE ABUSE POLICY STATEMENT

#### 10.1 Substance Abuse Policy

Upson County Board of Commissioners 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 Upson County employee illegally uses drugs on or off the job, comes to work under the influence, possesses, distributes or sells drugs in the workplace, or abuses alcohol on the job. Therefore, the County has established a policy providing guidelines for the detection and deterrence of alcohol and drug abuse. The county seeks to eliminate any substance abuse (alcohol, illegal drugs and illegal use of prescription drugs or any other substance which could impair an employee's ability to safely and effectively perform the functions of his/her job) which increases the potential for accidents, absenteeism, substandard performance, poor employee morale or tends to undermine the public confidence in the county's workforce. All persons covered by this policy should be aware that violations of the policy may result in discipline, up to and including termination or not being hired. The following specific policy against substance abuse is hereby adopted by this county:

- It is a violation of the policy for an employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.
- It is a violation of the policy for any employee to report to work under the influence or while possessing in his or her body, blood or urine illegal drugs in any detectable amount.
- It is a violation of the policy for any employee to report to work under the influence of or impaired by alcohol.
- It is a violation of the 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. (However, nothing in this policy precludes the appropriate use of legally prescribed medications.)
- The county reserves the right to search, without employee consent, all areas and property in which the county maintains joint control with the employee or full control. All county vehicles are subject to search by appropriate management personnel.
- Violations of this policy are subject to disciplinary action up to and including termination.

It is the responsibility of the supervisors to counsel employees whenever they see changes in performance or behavior that suggest an employee has a drug problem. Although it is not the supervisor's job to diagnose personal problems, the supervisor 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 problem to seek help.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive and drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs and the abuse of alcohol are incompatible with employment at Upson County.

The purpose of this policy is to establish standard operating procedures for the implementation of the Upson County Drug & Alcohol Testing Policy; as well as, to comply with drug and alcohol testing

requirements to ensure employee fitness for duty and to protect our employees and the general public from risks posed by the use of alcohol and prohibited substances.

## **10.2 Employee Assistance Program**

The County offers an Employee Assistance Program (EAP) benefit for employees and their dependents. The EAP provides confidential assessment, referral and short-term counseling for employees who need or request it. Some costs may be covered by the employee's medical insurance; but the cost of such services is the employee's responsibility.

Confidentiality is assured. NO information regarding the nature of the personal problem will be made available to the supervisors, nor will it be included in the permanent personnel file. Participation in the EAP will not affect an employee's career advancement, nor will it protect an employee from disciplinary action if substandard job performance continues. The EAP is a process used in conjunction with discipline, not a substitute for discipline. **The EAP can be accessed by an employee through self-referral or through referral by a supervisor.**

## **10.3 General Procedures**

An employee reporting to work visibly impaired will be deemed unable to properly perform required duties and will not be allowed to work. If possible, the employee's supervisor will first seek another supervisor's opinion to confirm the employee's status. Next the supervisor will consult privately with the employee to determine the cause of the observations, including whether substance abuse has occurred. If, in the opinion of the supervisor, 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 supervisor or another employee if necessary. A drug test may be in order. An impaired employee will not be allowed to drive.

This policy applies to off-site lunch periods or breaks when an employee is scheduled to work. A copy of this written policy shall be distributed to all employees and any applicable volunteers, interns or contractors. Adherence to this policy and its provisions are a condition of employment whether in a safety sensitive position, as determined herein or by the county, or in any other type of position.

## **10.4 Opportunity to Contest or Explain Test Results**

Employees and job applicants who have a positive confirmed test result may explain or contest the result to the County within five (5) working days after contact has been made with the employee or job applicant and shows him/her the positive test result as it was received from the laboratory in writing.



## **10.5 Confidentiality**

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

## **10.6 Pre-employment Drug Testing**

All job applicants will undergo testing for the presence of illegal drugs as a condition of employment. Any applicant with a confirmed positive test will be denied employment. Applicants will be required to submit voluntarily to a specimen test at a laboratory chosen by the County, and by signing a consent agreement will release Upson County from liability.

If the physician, official or lab personnel has reasonable suspicion to believe that the job-applicant has tampered with the specimen, the applicant will not be considered for employment. Upson County will not discriminate against applicants for employment because of a past history of drug abuse. It is the current abuse of drugs, preventing employees from performing their jobs properly, that the County will not tolerate.

Individuals who have failed a pre-employment test may initiate another inquiry with the County after a period of not shorter than six (6) months; but they must present themselves drug-free as demonstrated by urinalysis or other test selected by Upson County.

## **10.7 Employment Testing**

Upson County has adopted testing practices to identify employees who use illegal drugs on or off the job or who abuse alcohol on the job. It shall be a condition of employment for all employees to submit to substance abuse testing under the following circumstances:

### **10.7.1 Random**

Employees in all positions shall be subject to random, unannounced testing. The minimum annual percentage rate for random alcohol testing shall be 10% (\*set by DOT) of the average number of employees. The minimum annual percentage rate for random controlled substances testing shall be 25% (\*set by the DOT) of the average number of employees. (\*the Upson County has the right to go above this % rate).

The administering of random testing shall be spread reasonably throughout the calendar year and throughout all times of day when work functions are performed. Each covered employee who is notified of selection for random drug and alcohol testing shall immediately proceed to the testing site.

Random alcohol testing shall be conducted while an employee is performing or just before the employee is to perform a work function or just after the employee has performed a work function. Random urine drug testing may be conducted anytime while an employee is on duty or on-call to perform work functions.

The selection of employees for random drug and alcohol testing shall be made by a scientifically valid method. The selection process shall provide each covered employee an equal chance of being tested each time selections are made. A computer based random number generator that is fair and equitable for the covered employees shall extract the list.

### **10.7.2 Reasonable Suspicion**

Department heads and supervisors are responsible for consistent enforcement of this policy. Any supervisor or department head who knowingly permits a violation of this policy by employees under his/her direct supervision shall be subject to disciplinary action. Supervisors or department heads may request that an employee submit to a drug and/or alcohol analysis when there is “reasonable suspicion” to believe that an employee is using illegal drugs or abusing alcohol. ‘Reasonable suspicion’ is based on a belief that an employee is using or has used drugs or alcohol in violation of the employer’s policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon, but not limited to, the following:

- Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse;
- Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
- A report of substance abuse provided by a reliable and credible source;
- Evidence that an individual has tampered with any substance abuse test during his or her employment with the current employer;
- Information that an employee has caused or contributed to an accident while at work; or
- Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer’s premises or while operating the employer’s vehicle, machinery, or equipment.

### **10.7.3 Post-Accident Testing**

When employees have caused or contributed to an on-the-job accident that resulted in a loss of work-time, which means any period of time during which an employee stops performing the normal duties of employment and leaves the place of employment to seek care from a licensed medical provider.

### **10.7.4 Follow-up Program Treatment**

As part of a follow-up program for employees who have requested help for a drug or alcohol abuse problem, he/she will be placed on administrative leave without pay for a period of no less than 90 days. The employee will be required to attend a drug or alcohol abuse educational or rehabilitation program to maintain employment. Failure to attend the program will result in termination from Upson County. A negative return to duty test will be required for the employee to return to work. A minimum

of five (5) unannounced follow up tests will be performed for a period of one (1) year after the employee returns to work.

## **10.8 Random Pool Selection**

Any and all employees are subject to Random, Reasonable Suspicion, Post- accident, Follow-up Program Treatment. Employees who work in positions classified as safety sensitive are placed in separate random pools for selection.

### **10.8.1 Safety sensitive pool employees include:**

- All who operate a County owned vehicle when such is required to be operated by a Commercial Driver's License (CDL) holder;
- All who perform maintenance on a County owned vehicle or equipment used in Upson County service including mechanics and technicians;
- All who perform any safety sensitive functions in a supervisory or training role;
- All who are responsible for the operation and maintenance of water filtration or pollution control equipment.

### **10.8.2 Public Safety safety-sensitive pool employees include:**

- All school crossing guards;
- All certified Fire personnel;
- All sworn personnel and all personnel having direct contact with prisoners.

## **10.9 Confirmed Positive Test Result (Random)**

Employees with a confirmed positive test result may, at their option and expense, have a second confirmation test made on the same specimen. An employee will not be allowed to submit another specimen for testing.

If the physician, official, or lab personnel has reasonable suspicion to believe that the employee has tampered with the specimen, the employee is subject to disciplinary action up to and including termination. If an employee is dismissed for confirmed positive test result, the employment record will be coded as "ineligible for rehire".

## **10.10 Alcohol**

The consumption or possession of alcoholic beverages on the County's premises is prohibited. (Upson County Board of Commissioners sponsored activities which may include the serving of alcoholic beverages are not included in this provision.) An employee whose normal faculties are impaired due to the

consumption of alcoholic beverages, or whose blood alcohol level tests 0.08 or higher, while on duty/County business shall be guilty of misconduct and shall be subject to discipline up to and including termination. Failure to submit to a required substance abuse test also is a violation of this substance abuse policy, and shall be subject to disciplinary action up to and including termination. If the employee is dismissed for “refusal to test”, the employment record will be coded as “ineligible for rehire”.

### **10.11 Refusal to Test (Drug or Alcohol)**

All employees will be subject to urine drug testing and breath alcohol testing as described in this policy. An employee who fails to cooperate with the testing process or attempts to thwart the testing process will be considered to have “refused testing”. Refusal to submit to required testing is a violation of this substance abuse policy. Per Upson County Board of Commissioners, violation of this substance abuse policy will result in termination of employment and/or exclusion from hire.

The following actions constitute a “refusal to test”:

- a. Failure to appear for any test within a reasonable time, as determined by the employer, after being directed to do so by the employer (pre-employment testing not applicable).
- b. Failure to remain at the testing site until the testing process is completed (after the process has been started).
- c. Failure to provide a urine specimen for any drug test required.
- d. Failure to provide a sufficient breath specimen.
- e. In the case of a directly observed or monitored collection in a drug test, failure to permit the observation or monitoring of your provision of a specimen.
- f. Failure to provide a sufficient amount of urine when directed.
- g. Fail or decline to take an additional drug/alcohol test the employer or collector has directed you to take.
- h. Failure to undergo a medical examination or evaluation, as directed by Upson County.
- i. Failure to cooperate with any part of the testing process.

Refusals to test will result in employee’s immediate removal from duties. If the employee is dismissed for “refusal to test”, the employment record will be coded as “ineligible for rehire”.

### **10.12 Employee Training**

All employees will receive at least 60 minutes of training annually on the effects and consequences of prohibited drug use and alcohol misuse on personal health, safety, and work environment and on the signs and symptoms that may indicate prohibited drug use.

After providing the alcohol and drug misuse materials to the employees, Upson County shall obtain a signed confirmation from each covered employee certifying that the employee received this information, and said signed confirmation shall be kept on file in the Human Resources Department. Supervisors who make reasonable suspicion determinations shall receive at least 60 minutes annually of training on the physical, behavioral and performance indicators of probably drug and alcohol use and/or misuse.

### **10.13 Drug or Alcohol Conviction**

It is a violation of this policy for any employee to not immediately notify Upson County of any criminal drug statute conviction and/or a DUI conviction whether or not adjudication is withheld, or the entry into a diversionary program in lieu of prosecution. Violating employee shall be immediately removed from safety sensitive duties and an immediate review will be conducted by the department and appropriate action will be taken.

## Chapter 11

### General Computer Usage Policy

#### 11.1 General Computer Usage

Upson County Board of Commissioners requires a General Computer Usage Policy to accomplish its business objectives in a secure and timely manner. Instituting such a policy demonstrates the commitment Upson County has to safeguard information assets. That commitment must extend from every individual involved in business operations.

- All data on information systems is classified as proprietary information.
- Any attempt to circumvent the County's security procedures is strictly prohibited.
- Unauthorized use, destruction, modification, and/or distribution of Upson County's information or information systems is strictly prohibited.
- All information systems will be subject to monitoring and auditing at all times. Users acknowledge that they have no expectation of privacy with regard to their activity on the County's information systems.
- Use of any Upson County's information systems or dissemination of information in a manner bringing disrepute, damage, or ill- will against Upson County is not authorized.
- Individual passwords will be kept strictly confidential. In no situation should a username and password be given to another individual.
- Misuse, as defined in this policy, will be handled directly with the offender and could include disciplinary action up to and including discharge.

#### 11.2 Internet Usage

Internet usage is provided to employees to conduct work-related business. Incidental and occasional personal use is permitted. This privilege should not be abused and must not affect a user's performance of employment related activities.

#### 11.3 E-mail Usage

E-mail accounts are provided to employees to conduct work-related business. While this resource is to be used primarily for business, the County realizes that employees may occasionally use this privilege for personal matters, and therefore permits limited personal e-mail use.

- All e-mail on Upson County's information systems, including personal e-mail, is the property of Upson County. As such, all e-mail is subject to open records laws.
- Outgoing and incoming e-mail of an offensive, pornographic, or otherwise inappropriate nature is prohibited. Violations of this may result in disciplinary action, up to and including termination of employment. The County realizes that incoming email, to include SPAM, is sometimes out of an employee's control. Any inappropriate incoming email should be deleted immediately. Replying to or forwarding inappropriate email is not authorized.

## **11.4 Desktop Services**

The County discourages/prohibits the downloading of software from the Internet, with the exception of authorized updates of operating system and legitimate application software, because of significant risk of infecting information systems with a virus and the unreliability of such downloaded software. All information systems will be subject to periodic inventory and inspection for compliance.

## **11.5 Online Social Networking Policy**

Upson County is committed to maintaining a good relationship with employees and with the outside world. If the County sustains a positive reputation and excellent image in the public eye, it directly benefits us as a whole in addition to putting you in an advantageous situation as an employee. The way the public views Upson County is vital to promoting business, gaining new business, retaining first-class employees, recruiting new employees and marketing ourselves.

While the County has no intentions of controlling employees' actions outside of work, it is important that employees practice caution and use discretion when posting content on the Internet, and especially on social networking sites that could affect Upson County's operations or reputation. This policy serves as a notice on the practice of social networking for all employees to read and understand.

### **11.5.1 Purpose**

The purpose the Online Social Networking Policy is:

- To guarantee a constructive relationship between the County and its employees.
- To reduce the possibility of risk to the County or its reputation.
- To discourage the use of company time for personal networking.
- To ensure employees are aware of their actions while engaging in social networking, the number of individuals who can access information presented on social networking sites and the consequences associated with these actions.

### **11.5.2 Social Networking**

Social networking is defined as any activity that involves interaction in online communities of people. This interaction includes, but is not limited to, browsing other users' profiles, browsing other users' photos, reading messages sent through social networking forums and engaging in online communities' instant messaging services.

Standard working hours are from 8 a.m. to 5 p.m. Monday through Friday. An hour lunch period is taken at any hour, which is mutually agreeable between the employee and supervisor.

### **11.5.2.1 Social Networking Sites**

Social networking sites are specific online communities of users, or any Web site that links individuals electronically and provides a forum where users can connect and share information. These Web sites can be general or tailored to specific interests or certain types of users. Examples of popular social networking sites include Facebook®, Twitter®, MySpace®, Flickr®, Friendster®, Classmates.com®, LinkedIn®, Xanga®, Tiktok®, Instagram® and Bebo®. The list of domains that constitute social networking sites is ever-growing and changing because of the nature of the Internet.

### **11.5.2.2 Social Networking Profile**

Social networking profile is a specific user's personalized web page within a certain social networking site, usually containing personal information such as name, birthday, profile photo, interests, etc.

## **11.5.3 Micro-blogging**

Micro-blogging is the practice of publishing your recent whereabouts, thoughts or activities on a social networking site for other users to see. This is the main focus of social networking sites such as Twitter, but it also includes features like "status updates" on Facebook.

## **11.5.4 Business Purposes**

Social networking for business purposes is using a social networking site for the company's gain, usually as a task or assignment given by a manager/supervisor. This can be done either through a specific company account on a given social networking site or through a personal account for the purposes of recruiting or marketing for Upson County.

## **11.5.5 Working Hours**

For the purpose of this policy working hours are defined as Monday – Friday from 8 a.m. – noon and from 1:00 p.m. – 5 p.m. Normal hours may vary by department.

## **11.5.6 Prohibited Use**

It is important that employees use their time while at work to conduct company business. Employees are not blocked from access to social networking sites on County computers because under some circumstances, social networking is a powerful business tool that can be channeled to gain positive publicity for the company and to connect with clients. However, access to such Web sites does not mean they can be used at any time.



## 11.5.7 Prohibited Conduct

Having your own, individual social networking account and using it on your own time is certainly permissible. However, keep in mind that some actions on your personal site are visible for the entire social networking community and are no longer private matters. While the County will not be continuously monitoring employees' personal conduct on social networking sites, it might be a good guideline to assume that anything posted on your personal social networking profile could potentially be seen by anyone at the company. While this section of the policy is a sensitive one, Upson County put it in place to protect not only the County, but you and your job. It is for your own security and defense that you follow these guidelines:

- Do not use micro-blogging features to talk about company business on your personal account, even on your own time. Do not post anything you would not want your manager/supervisor to see or that would put your job in jeopardy.
- Do not use the County addresses or other information in your personal profile. This is for your physical safety as well the safety of everyone else at the company and the protection of the County's name.
- Do not post any pictures or comments involving the County or its employees that could be construed as inappropriate.
- You are also responsible for what other users post on your individual social networking profile. Do not allow inappropriate or sensitive information regarding Upson County anywhere on your profile, even if it is generated by a different user.
- Remember that if your personal profile is visible to other employees at the County, supervisors, managers or peers, practice caution. You have control over yourself but not over other employees, and it just one inappropriate picture or comment taken out of context could fall into the wrong hands and damage your reputation as well as lead to disciplinary action.

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## Chapter 12

### Performance Management

#### 12.1 Philosophy and Purpose-Performance Management

The Performance Management System should add value, identify organizational barriers, offer the opportunity to explore career aspirations and provide employees with feedback and honest dialogue. The formal meeting between the supervisor and employee serves many purposes that are listed below and ideally it will:

- Provide a meaningful, sincere and well-planned process that generates honest and open dialogue, including corrective and constructive feedback about performance and conduct, within which two-way feedback about the workplace can occur;
- Allow the employee and supervisor to create clear and concise performance standards that relate to the County's and Department's priorities and directions;
- Ensure that performance standards reflect key areas of the employee's responsibilities and duties as indicated in the position description;
- Use a combination of resources (which may include peers, customers, coworkers and the employee's supervisors) to gather data from which the employee and supervisor will jointly identify the employee's:
  - *Skills, knowledge and attitude* that are adequate, exceptional, or those that need improvement.
  - *Opportunities for growth* through changes in the position description or short-term assignments.
- Allow for collaboration in developing and implementing a plan that identifies training and other learning opportunities to assist the employee in attaining his or her job and career goals, as well as expected levels of performance;
- If appropriate, review identified performance and behavior problems for which coaching was received throughout the year. The process will document specific performance and behavior improvements that are expected;
- Celebrate milestones and recognize achievements;
- Identify opportunities for dialogue and feedback throughout the year.

#### 12.2 Process

##### 12.2.1 Timing

The performance evaluation period is January 1-December 31. Every employee will be evaluated on or before his/her anniversary date (hire date). Human Resources will establish the annual review due date based on significant change in job duties or appointment to a new position. It is suggested that four weeks prior to the annual review due date, employees and supervisors should begin preparing

for the review. Information will be shared with employees on how to prepare for the formal Performance Evaluation meeting.

## 12.2.2 Formal Performance Evaluation Meeting Process

- **Employee:** After your review you should:
  - Think about the review process and note suggestions regarding ways to build upon what went well or to improve the process.
  - Share those thoughts with your supervisor at the Performance Evaluation meeting, at a time that is mutually convenient for both of you.
  - Sign Performance Evaluation Form and receive a copy for your records.
  
- **Supervisor:** After you conduct the initial session you should:
  - Complete the Performance Evaluation form.
  - Share the completed Performance Evaluation form with your employee at the Performance Evaluation meeting, at a time that is mutually convenient for both of you.
  - Give a copy of the completed form to the employee and retain a copy for yourself.
  - Think about the review process and note suggestions regarding ways to build upon what went well or to improve the process.
  - Route Performance Evaluation forms to the Director and/or County Manager, then onto the Human Resources.
  - Start the planning process for the upcoming year with “check-ins” with your employee to measure progress on objectives, ensure the objectives are clearly understood, give any feedback on their performance, and confirm that the objectives are still viable.

**\*\*REMEMBER – The review is a year-round, ongoing process, not just an annual event.\*\***

- **Manager (if applicable)/County Manager:** If you are the supervisor of a supervisor who conducts reviews, you should:
  - Read the reviews you receive – Does each review reflect what you have been hearing about the employee’s performance? Are they complete, including signatures? Are you seeing the same issues/barriers/problems recurring in reviews? How can you assist the supervisor in helping the employee achieve their career goals? Any items you want to talk to the supervisor about?
  - Forward any recurring themes to your management team for resolution. Ideally, this should occur at the lowest level possible, however, some issues may need to be taken to higher levels.
  - Conduct performance evaluations on your supervisors. Give your supervisors feedback year-round by following the process above.

## 12.2.3 Leadership Team and Human Resources Tracking

For an employee to be considered for a salary increase, a performance evaluation must be completed and turned in to Human Resources before the employee’s anniversary date. Related

salary adjustments will be effective the next full pay period. If a supervisor does not complete a performance evaluation for each of their staff by employee's anniversary date, the supervisor's evaluation will receive an unsatisfactory rating for not following directions. Any salary adjustments are based on County finances and are not guaranteed.

The County Manager is responsible for considering and acting on major barriers and current program and widespread systematic issues. Department directors should communicate any trends and barriers identified during the review process to the County Manager.

#### **12.2.4 On Going Dialogue, Feedback and Education**

While the formal review and planning process occurs at different times for every employee, you are expected to engage in continuous dialogue and feedback throughout the year concerning specified goals and work activities. The annual review should not result in any surprises, but should be a culmination of previous communication and identification of future expectations. Supervisors requiring initial or desiring refresher performance review training or coaching should receive it prior to engaging in the performance review and planning process.

### **12.3 POLICY DIRECTIVE**

#### **12.3.1 EMPLOYEE PERFORMANCE REVIEW**

Employee performance reviews are part of the County's performance management system. They provide a time for supervisors and their employees to formally discuss the past year's objectives, to review accomplishments, to identify barriers and to plan for the future. In addition to the formal performance review process, supervisors are encouraged to provide feedback to their employees on an ongoing basis. Ongoing feedback linked with employee self-assessment is the key to a quality performance evaluation review.

Employee performance reviews will help ensure that:

- Employees are given timely and useful performance feedback;
- Career advancement and personal development are discussed by the supervisor and employee;
- All County employees are evaluated in a consistent manner based upon their contribution to the County's work plans;
- The best use is made of the talents and abilities of each employee;
- Systems and barriers which impede employee performance are identified and targeted for change;
- The County's mission and objectives are met as effectively as possible.

Every employee shall receive an annual Performance Evaluation. Additionally, department heads and supervisors must complete training for conducting effective performance evaluations. Supervisors, with their employees, shall set and evaluate work objectives and performance standards. Supervisors also have the responsibility to help develop employees' skills, knowledge and abilities to better meet the unit's objectives and standards. Every employee is expected to develop the skills, knowledge and abilities to enable them to perform consistently within the County's objectives and standards.

Employees are entitled to know how their performance is reviewed and how they can improve or enhance performance.

#### **12.3.1.1 Regular Reviews**

Every employee's performance will be reviewed on a regular basis, as provided below, and communicated to the employee.

1. All permanent (full or part time) will be formally reviewed at least once per year using the Performance Evaluation Form. More frequent formal evaluations may be necessary if there are continuing performance problems. Review of temporary employees is strongly encouraged but not required, as this can be beneficial for extended employment opportunities or rehire.
2. Review and planning sessions along with formal annual reviews should be conducted several weeks prior to the employee's anniversary date each year.
3. Employees will also be reviewed during their probationary period using the Performance Evaluation Form.
4. The supervisor should acquaint the new employee with the performance review process when the position description is explained. The supervisor should conduct a performance review near the end of sixth month of employment for all probationary employees. The results of the review will be used as the basis for completing the probationary period.

#### **12.3.1.2 Review Based on Criteria**

Employee performance must be reviewed against established objectives and standards, or other criteria made known to the employee in sufficient time to allow meeting the required level of performance. New objectives, standards or other criteria will be established as part of the performance review and planning process. They normally will be discussed and agreed to by both supervisor and employee in writing. In case of disagreement, the supervisor has the authority to establish them. The standards and objectives become the employee's work responsibilities for the coming year. They may be modified through subsequent formal or informal sessions.

#### **12.3.1.3 Review of Job Responsibilities**

The annual review process should reflect all significant job responsibilities during the entire evaluation period. Position descriptions, current work plans, and the County mission, goals and objectives are useful in identifying appropriate standards and objectives.

1. In order to generate a more comprehensive, meaningful and accurate assessment of performance, standards and objectives should be established in areas that go beyond work specific tasks and responsibilities. These areas assess the *quality* of work including how it is approached, managed, and completed. Skill development areas are also an important part of the performance review and planning process. These include interpersonal skills development (i.e., customer service, work relationships, team work and contributions, establishing partnerships, communication, etc.) and managerial skills development (i.e., leadership, decision making, project management, problem solving, quality improvement, staff development, coaching, etc). A third area that should be included is the identification of specific developmental activities to enhance career mobility and employee learning. In

situations where there have been chronic or episodic performance deficiencies, developing standards and objectives where concentrated time and effort are needed to get performance back to an acceptable level may be helpful. Performance deficiencies may include work habits that are impeding an individual's or a work unit's productivity. Effective performance standards and objectives have certain characteristics. They are specific, attainable, measurable, job related, nondiscriminatory and timed. Standards and objectives should challenge the employee to stimulate, create additional learning opportunities and prevent boredom.

2. If a new, major responsibility is assigned during the year, an appropriate objective or standard must be developed at that time.
3. During the performance review process, the entire year is to be considered. The supervisor must consider objectives and standards completed earlier in the year and documented in interim reviews. If the employee has worked for more than one supervisor during the year, all supervisors involved should conduct a review for the employee for the specified time period. All ratings will be considered.

#### **12.3.1.4 Discussion of Employee's Work**

The performance review process should also include discussions on organizational barriers and systems issues that may be impeding an employee's work. These should be documented on the formal Performance Evaluation form along with suggested solutions. Finally, accomplishments, special awards, other forms of recognition and other items not captured elsewhere should be documented and celebrated during the performance review session.

#### **12.3.1.5 Address Training and Development**

The employee's training and development needs should also be evaluated and documented using the Performance Evaluation Form. **See Chapter 14 about Training, Education and Development (TED).**

#### **12.3.1.6 Update Job Description**

Review and update the employee's position description if necessary.

## Chapter 13

### Motor Vehicle Records Policy

#### 13.1 Motor Vehicle Records (MVRs)

It is the intent of this policy to comply with all applicable federal, state and local laws and regulations. Vehicle operations can create substantial risk for our organization. A best practice for reducing vehicle risk is to ensure that only drivers with safe driving records are permitted to operate vehicles on county business.

The following constitutes our MVR policy:

- All drivers must have a valid driver's license with the proper class and appropriate endorsements for the vehicles they are operating.
- Drivers must not drive if their license has been suspended or revoked.
- Drivers must report all accidents, moving violations and license suspensions to their supervisor immediately.

Prospective employees will be required to report all accidents and moving violations during the applicant screening process. Existing employees moving into driving positions will be required to complete a similar report at the time of transition. All drivers will be required to complete a Certification of Violations and Accidents form annually.

MVRs will be obtained on new drivers at the time of employment or when transitioning into a driving position. MVRs will be obtained annually thereafter.

#### 13.2 Evaluating

During the interview and selection process, a review of the driving record and previous employment history of all applicants should be done to verify individuals have an acceptable safe driving history during the past 3 years. If the applicant does not have an acceptable driving record, he/she may be disqualified from the position.

For existing employees, driving records and safety performance will be reviewed at least annually to verify they continue to have an acceptable safe driving record. The results of the driving record and safety performance review (positive or negative) should be noted on the employee's annual performance evaluation.

Violations are generally classified as major (serious), minor and non-moving.

Major violations generally include:

- Leaving the scene of an accident
- Driving under the influence of drugs or alcohol
- Excessive speed (>20 mph over the limit)
- Reckless, negligent or careless driving
- Felony homicide or manslaughter involving the use of a motor vehicle
- License suspension or revocation resulting from accidents or moving violations

Minor violations generally include:

- Speeding <20 mph
- Failure to obey signs
- Failure to yield
- Illegal turn

Non-moving violations generally include:

- Parking tickets
- Motor vehicle equipment violations
- Failure to have a valid operator's license available where one actually exists

Non-moving violations are typically not included when evaluating MVRs.

The State of Georgia uses a Point System for license holders with certain convictions. An employee of Upson County must have less than 9 points imposed on their license at any given time, in addition to following the chart below. Both conditions must be met to continue to drive for county business and/or stay employed with Upson County.

\*Please note a driver with 15 points in a 24-month period will have their license suspended per Georgia State Code.

### 13.2.1 MVR Evaluation Grid

Human Resources will determine the acceptability of a driver's MVR. Prospective employees must have a MVR that is CLEAR or ACCEPTABLE in order to be hired for positions requiring driving. Current drivers must have a MVR that is CLEAR, ACCEPTABLE or BORDERLINE. Management may restrict the driving privileges of individuals with BORDERLINE records or require drivers to receive additional training or monitoring. Drivers with POOR records will be suspended from driving on county business.

Minor moving Violations (past 3 years)	Preventable Accidents (past 3 years)			
	0	1	2	3+
0	<b>CLEAR</b>	<b>ACCEPTABLE</b>	<b>BORDERLINE</b>	<b>POOR</b>
1	<b>ACCEPTABLE</b>	<b>ACCEPTABLE</b>	<b>BORDERLINE</b>	<b>POOR</b>
2	<b>ACCEPTABLE</b>	<b>BORDERLINE</b>	<b>POOR</b>	<b>POOR</b>
3	<b>BORDERLINE</b>	<b>POOR</b>	<b>POOR</b>	<b>POOR</b>
4+	<b>POOR</b>	<b>POOR</b>	<b>POOR</b>	<b>POOR</b>
Any Major Violations (Past 5 Years)	<b>POOR</b>	<b>POOR</b>	<b>POOR</b>	<b>POOR</b>

### 13.2.2 Moving Violation and Accident Reporting

Employees should report any and all violations and accidents immediately to their supervisor. This includes accidents involved with county owned vehicles as well as personal owned vehicles. If an employee reports a violation or accident on their personal time or in a privately owned vehicle, the employee must complete the Certification of Violations and Accidents form and return it to Human Resources. An employee who does not report a violation or accident could receive disciplinary action up to and including termination.



## Chapter 14

### Training, Education and Development (TED)

#### 14.1 Policy statement-TED

The Upson County Board of Commissioners recognizes that training, education and development (TED) are integral components of work performance, and are inherently tied to the county mission, goals, strategic planning, workforce planning, and finally the provision of services to the public. Training, education and development are essential in attracting and retaining a knowledgeable and skilled workforce and supports the overall quality of services rendered to the public. The training must improve or maintain the employee's competence in the knowledge, skills and abilities directly related to the employee's current job responsibilities or help the employee attain competence in the knowledge, skills, and abilities related to other positions he/she may realistically seek within county government based on organizational need. Generally, courses must be taken through an accredited public or private institution, conference or accrediting agency.

#### 14.2 Budget/Funding

Department specific training shall be budgeted for and funded by individual departments each fiscal year. Funding is strictly based on county finances and is not guaranteed. Individual TED must be discussed during annual departmental budget meetings and approved by the County Manager before application can be filed.

#### 14.3 Eligibility

Participation in the Training, Education and Development (TED) program is available to all County employees provided they are a permanent, full time employee, have a positive work record and have been employed for at least six (6) months. Educational courses must apply to the employee's field of work or directly contribute to the individual's professional development plan. The education/training must be documented on the employee's evaluation and/or Training, Education and Development (TED) Plan established jointly between the supervisor and the employee. Employees must seek prior written approval before beginning the program.

Please see Responsibilities section for process. Pay increases are not guaranteed and are based on county finances. Ultimately, the County Manager will give final approval based on the submission date and all necessary documentation received. Please note any degrees or certifications earned before January 1, 2020 or prior to hire date are not eligible under this plan.

The maximum number of "step" increases is limited to 5 per pay grade.

## **14.4 Application**

To participate in training, education and development, and prior to course registration, employees shall complete and submit the Training, Education and Development Application to their immediate supervisor. The supervisor shall review the application with the Department Head and forward the application to the Human Resources Office with Department level signature approval. All participation in TED must receive prior authorization from the County Manager.

Prior to course registration, the Human Resources Coordinator shall review the employee's application and eligibility and provide a written response to the applicant indicating approval or disapproval.

## **14.5 Web-based/distance learning courses**

These courses are only eligible if they are related to the employee's field of work or directly contribute to the individual's professional development plan.

## **14.6 Degree Plan**

The pursuit of a degree is not eligible for use of county funds. Only a salary increase is possible if the degree is applicable to the employee's field of work or directly contributes to the individual's professional development plan. Many of the County's positions do not require advanced degrees.

## **14.7 Professional License/Certification Fees**

Employees embarking on a course of study to achieve a job-related professional license or certification shall be eligible for payment or reimbursement with County funds for some or all of the examination expenses, initial license or certification application fees, subsequent renewal fees, related preparation costs and required continuing education or training courses. Said funds must be within annual budget constraints and the course of study shall have been approved in advance by the Department Head and County Manager. Examination expenses for a specific license or certification may be paid or reimbursed for the first and second attempts and the final passing exam only. Any costs for additional examination attempts shall be covered by the employee.

If an employee receives salary change and/or reimbursement under this policy, he/she may not use the license or certification to perform related work or services for personal gain or profit.

## **14.8 Renewal/Continuing Education**

Any employee receiving a pay increase for achieving a certification/designation with continuing education requirements shall annually confirm that said certification/designation remains valid (if recertification or continuing education credits are required). Any employee failing to report such status or failing to retain/maintain any certification/designation for which a pay increase was previously awarded shall have his or her current salary reduced by the same amount they were previously awarded retroactive to the date of loss of certification or standing.

## **14.9 Responsibilities**

### **Employees:**

1. Complete the TED Plan with their Supervisor outlining educational/career goals, skills/expertise to be developed and the benefit to Upson County. Attach a copy of the degree plan if pursuing a degree. Attach a copy of the educational track (list of courses required) for certification.
2. Submit the TED Application to their Supervisor prior to registering for course(s). A Continuing Education Application should be completed each year or when new tracks, degrees or certifications are sought.
3. Once degree or certification has been completed, forward notice of completion to Human Resources for processing.

### **Supervisors:**

1. Ensure that a current Performance Evaluation has been completed with the employee.
2. Discuss all TED with County Manager prior to application process.
3. Ensure funding for training/conferences is available each fiscal year.
4. Review request based on criteria in this policy/guideline, the employee's eligibility, and TED Application. Recommend approval or denial of request to Human Resources Coordinator. A Continuing Education Application should be completed each year or when new tracks, degrees or certifications are sought.
5. If approved, submit the employee's request to the Human Resources Coordinator for review.

### **Human Resources Coordinator:**

1. Review and recommend approval/denial request based on employee's TED Plan, supported by criteria in this policy/guideline and the employee's eligibility.
2. Update and maintain training records.
3. Handle any disputes through collective bargaining agreement and plan provisions.
4. Ultimately, the County Manager will give final decision based on all factors involved. Please note any degrees or certifications earned before January 1, 2020 or prior to hire date are not eligible under this plan.
5. Employee and Supervisor will be notified of final decision and amount of salary increase if applicable. Notice of completion must be received by Human Resources to process any salary increases.

## 14.10 Repayment

If an employee voluntarily resigns or is terminated involuntarily within two years of completing any approved course(s), he/she shall reimburse the county the full amount paid by the county for the course(s), lab fees, certifications, renewal fees, registration fees and/or associated training/continuing education costs. The reimbursement will be due at the time of resignation/termination. Any reimbursements due to the County and not paid at the time of resignation/termination shall be deducted from the employee's final pay. In the event there is a balance due after this deduction, the employee will have 30 calendar days to make payment in full to the Board of Commissioners to avoid legal action of recovery.

## 14.11 Salary Increases

5 steps on the salary plan (at any pay grade)	Doctorate Degree/Master's Degree in direct field or 100+ hours for certification/license
4 steps on the salary plan (at any pay grade)	Bachelor's Degree in direct field or 70+ hours for certification/license
3 steps on the salary plan (at any pay grade)	Associate's Degree in direct field or Bachelor's Degree/ Master's Degree in related field 50+ hours for certification/license
2 steps on the salary plan (at any pay grade)	30+ hours for certifications/license
1 step on the salary plan (at any pay grade)	10+ hours for certifications/license

TED increases in the same field/course plan are limited to five (5) steps per every three (3) years per pay grade. Recertifications and continuing education do not qualify for salary increases. Before the salary adjustment can be processed, notice of completion must be received by Human Resources. Human Resources will process according to effective date of the certification. The education/training must be documented on the employee's evaluation and a TED Plan must be established jointly between the supervisor and the employee with prior approval from the County Manager. Employees must seek prior approval before beginning the training, education and development program.

For salary increases to be awarded, employees must have prior approval and must successfully complete the entire certification/license.

## 14.12 New Hires

When hiring employees, the above chart can be used in addition to the salary plan for appropriate salaries. If the potential employee has the qualifications (and the qualifications are noted in the job description), the salary will be based on the amount of education/training he/she has. Address any questions to the Human Resources office.

## Chapter 15

### DEFINITIONS

#### 15.1 Definitions

Absence Without Leave- (AWOL) - The absence period is unscheduled. It is considered unauthorized by the granting party. AWOL will be unpaid and shall be cause for disciplinary action, up to and including termination.

Administrative Leave - Paid leave not charged to annual leave or sick leave, temporarily prohibiting an employee from performing his/her duties.

Alternate Duty - Duties assigned to an injured or industrially ill employee which require the employee to transfer to another job position or department on a temporary basis.

Anniversary Date - The date used in some merit-pay systems at which a review of the employee's salary occurs. It may be the anniversary of hiring, last pay increase, promotion or some other reference point.

Appeal - The right of a regular employee to appear before the Personnel Board to be heard on matters of discrimination, unfair practices or other grievances of such person in the manner prescribed in these policies and procedures. EEOC Director should address claims related to discrimination.

At-will Employee - An employee who can be discharged at any time with or without cause and does not have any appeal rights under the disciplinary policies and procedures.

Compensation - The salary or wage rates for work performed.

Compensatory Time - Time off from work in lieu of monetary payment.

Conflict of interest - Conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of Upson County's business dealings.

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

Controlled Substances/Drugs/Illegal Substances - For the purposes of this Policy, "Drugs" include illegal street drugs, legal drugs either taken for non-medical reasons or without a valid prescription, and alcohol. It DOES NOT include prescription medication prescribed for the employee by a qualified health care provider and taken in accordance with that physician's instructions. Some of the drugs which are considered controlled substances under Federal, State or local laws include, but not limited to - marijuana, heroin, hashish, cocaine, hallucinogens, inhalants and designer drugs, and depressants and stimulants which are not prescribed for current personal treatment by a licensed physician.

Dating Relationship - A relationship that may be reasonably expected to lead to the formation of a consensual "romantic" or sexual relationship.

Department Head - Person holding the position, whether appointed or elected, with overall administrative/managerial responsibility for a department.

Disability - The inability of an injured employee to return to suitable work which is a direct result of his/her compensable injury or disease and is supported by an authorized treating physician.

Disciplinary Action - Either a letter of counseling, written reprimand, demotion, suspension, dismissal, or any combination resulting from misconduct or performance deficiencies of an employee.

Exempt - Exempt salaried employment is defined as work meeting the rules of exemption from overtime provisions of the federal FLSA. Employees with exempt status are compensated for the results they are expected to accomplish regardless of the number of hours worked. Each of these employees would qualify under the Administrative, Professional, Computer-Related Professional, or Executive exemption standards of the FLSA.

Elected Official - The persons filling the offices of Sheriff, District Attorney, Tax Commissioner, Probate Judge, Judge and Solicitor General of State Court, Judge of Superior Court, Judge of Civil and Magistrate Court, Coroner, and Clerk of Superior Court are considered to be elected officials. Persons employed by these officials do not have a property interest in their positions and are considered to be "Employees At Will" who work for elected officials and have no Grievance rights, except as may be granted by the elected official's adoption of these policies and procedures.

Employee - A person employed by Upson County, for which he/she is compensated on full-time, part-time or temporary basis.

Employee Benefits - Participation of regular employees, employees of elected officials, and probationary employees in any Upson County sponsored health, dental, life insurance, retirement plan, vacation and sick leave accrual, long term disability, funeral pay, and holiday pay. Materials and plan documents outlining various employee benefits are available for review in the Human Resources Department.

Employment Date - For the purpose of longevity, the employee's beginning date in a regular appointment. In the event of a leave of absence without pay, the employee's employment date shall be adjusted forward by the number of calendar days absent, in excess of sixty (60) days, within any twelve (12) month period. In the event of layoff, the employee's employment date will be adjusted by the amount of time the employee was in layoff status.

First Report of Injury - Form that must be completed by injured party or supervisor no later than 24 hours after the incident. Form must be submitted to Payroll/Benefits Department.

Georgia State Board of Workers' Compensation - The state board that is authorized by law to administer Worker's Compensation matters. The board makes and enforces rules and regulations; holds hearings concerning disputed issues; and assesses penalties for non-compliance and approves settlements of disputed issues.

Grievance - Any dispute concerning the interpretation or application of administrative rule, regulation, policy, plan or procedure which exists under the personnel administration system of Upson County which an employee feels is unjust or unfair.

Hiring Rate - As a matter of wage policy, the beginning rate at which people typically are hired into a job.

Hourly Rate - The rate of pay per hour for a job being performed. An "hourly" worker may be assigned to various rated jobs during any pay period and is paid the "rate" applicable to each job while working on it.

Immediate Family - member of the employee's family to include mother, father, sister, brother, spouse, child, mother-in-law, father-in-law.

Incumbent - Same as "Employee."

Job - The total collection of tasks, duties, and responsibilities assigned to one or more positions which require work of the same nature and level.

Job Description - A summary of the most important features of a job, including the general nature of the work performed (duties and responsibilities) and level (i.e., skill, effort, responsibility and working conditions) of the work performed. It typically includes job specifications that include employee characteristics required for competent performance of the job. A job description should describe and focus on the job itself and not on any specific individual who might fill the job.

Job Title - Label used to describe a set of specific activities, responsibilities, duties and tasks.

Lateral Transfer - A permanent transfer of an employee in one salary grade to a relatively equal salary grade. "Relatively equal" is defined as a change in the new salary range maximum of plus/minus less than five percent.

Lay-Off - The separation of an employee from the classified service due to lack of work, lack of funds, abolishment of a position, economic reduction, or other material changes in duties or organization, as approved by the Upson County Board of Commissioners.

Leave - An approved type of absence from work.

Non-exempt - Defined as employment which does meet the provisions of the federal Fair Labor Standards Act (FLSA) allowing for payment of overtime work by hourly employees.

On-call Pay - A nominal amount of compensation provided in return for an employee being available to report to work at employer's discretion. Because the employee is expected to be easily reachable and able to report to the work site on short notice, he or she is compensated for having restricted personal time.

Overtime - Time worked in excess of the regular work schedule for the position in accordance with the Fair Labor Standards Act. Overtime is defined as all hours in excess of 40 hours in a workweek, excluding any vacation, sick leave, or funeral leave taken during that week. For certain Law Enforcement and Fire Protection personnel, "Overtime" and "Work Period" are defined differently pursuant to the 7(k) exemption under the Fair Labor Standards Act.

Panel of Physicians: Official Notice- The list of physicians chosen by Upson County to provide medical services to employees who sustain a compensable injury or an occupational disease. This information is posted in all departments.

Part-time Employee - An employee who works on a continuing basis, but works less than a regular work schedule. Employees in this class are not eligible for any employee benefits.

Performance Appraisal - Any system of determining how well an individual employee has performed during a period of time, frequently used as a basis for determining merit increases.

Performance Evaluation -The method of evaluating each employee on an annual basis as to his or her performance on the job during the evaluation period.

Probationary Employee – An employee who is hired to fill a regular, established position and who has not yet completed the first six (6) months of employment with the County, from the employee's effective date of employment.

Progressive Discipline - An equitable and consistent disciplinary procedure for unsatisfactory conduct in the workplace. With respect to most disciplinary problems, these steps will normally be followed: first offense may call for a verbal warning; a next offense may be followed by a written warning; a third offense may lead to a suspension and the fourth and final offense may then lead to termination of employment.

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

Reassignment - A voluntary transfer at the same or lower grade level.

Reclassification - The change of a position's classification due to a gradual and permanent change in the assigned duties and responsibilities.

Regular Employee - An employee who has completed their probationary period and is scheduled to work the regular work schedule. (Employees of elected officials do not serve a probationary period and cannot attain regular employee status as defined by these policies and procedures.) An employee in this class is eligible for employee benefits. Employees of Elected Officials have no Grievance rights, except as may be granted by the elected official's adoption of these policies and procedures.

Reinstatement - Former employees who voluntarily resign in good standing may be reinstated upon within twelve (12) months from the date of resignation without competition Department Director and Human Resources approval, or employees whose employment was interrupted by service in the Armed Forces shall be reinstated as prescribed by law.

Relative - Any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

Reprimand - A formal means of communicating, either verbally or in writing, to the employee that a problem exists and that it must be corrected within a reasonable time.



Resignation - The voluntary termination of an employee at the employee's request. Resignations must be in writing and submitted to the employee's immediate supervisor or department director.

Restrictive Duty - Duties assigned to an injured or industrially ill employee, enabling the employee to retain his/her current status with some limited restrictions and with the County being able to make reasonable accommodations of full duties.

Safety-Sensitive Position - Safety-sensitive employees are those who perform any of the following tasks or duties, or have the following qualifications/job requirements –  
Certified Law Enforcement Officers;  
Jailers of Upson County Sheriff's Department;  
911 operators/communications officers;  
Fire Fighters;  
Employees who mix chemicals with water;  
Employees who fuel or maintain aircraft, maintain airfield facilities, including airfield operations or planning activities;  
Employees who maintain, repair, or install traffic control markers, signs or devices to include painting lane markers or directional indicators;  
Employees of the Recreation Department: who supervise youth, ages 4-12, in day camp activities, gymnasium activities, playground activities involving use of play equipment requiring constant safety inspection; who transports youth to field trip events in 14 passenger van, requiring out of town supervisory responsibility, as well as vehicular safety; who supervises outdoor activities on parks in summer heat requiring constant monitoring of children for heat related illnesses; who supervises youth athletic leagues involving potential physical injuries to children (football, basketball, etc.); who coaches youth swim teams, requiring contact supervision for water related accidents and safety; who coordinates food and beverage concessions sold to the public at youth events, requiring on-going compliance for health standards.  
Employees of the Road Department: who operators heavy equipment or construction type equipment, without regard to whether a CDL license is required.

Sexual Harassment - Generally defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical of a sexual nature when a) submission to the conduct is either an explicit or implicit term or condition of employment; b) an employee's reaction to, or rejection of, such conduct is used as a basis for employment decisions affecting that employee; or c) the conduct has the purpose or effect of interfering with the employee's work performance or creating an intimidating, hostile, or offensive working environment.

Termination -The termination of a probationary, temporary, or part-time employee, or the termination of a regular employee for just cause, as set forth by the progressive discipline policy.

Transfer - The movement of an employee from one position to another.

Vacancy - A position that is not occupied.

Workday - The scheduled number of hours an employee is required to work per day.

Work Related Injury - Any injury or illness which occurs while performing assigned job duties.

NOTES: