

PERSONNEL POLICY MANUAL

STEWART COUNTY, GEORGIA



2019 Edition

Effective January 13, 2021

Prepared by:

The Stewart County Board of Commissioners

Joseph B. Williams, Chairman

Arcola Scott - Tom Mayo - Joe Lee Williams - Tyrone Nelson

County Manager:

Mathew Moye

County Clerk:

Carole Stewart

County Attorneys:

A. Binford Minter - Joshua R. McKoon

IMPORTANT NOTICE

STEWART COUNTY IS AN "AT WILL" EMPLOYER. THIS MEANS THAT COUNTY EMPLOYEES WORK AT THE WILL OF THE COUNTY. THE COUNTY MAY REMOVE ANY EMPLOYEE FROM HIS OR HER JOB AT ANY TIME AND FOR ANY REASON, AND AN EMPLOYEE MAY LEAVE HIS OR HER JOB AT ANY TIME AND FOR ANY REASON.

NOTWITHSTANDING THE COUNTY'S STATUS AS AN "AT WILL" EMPLOYER, THE COUNTY, BY VOTE OF THE BOARD OF COMMISSIONERS, MAY ENTER INTO WRITTEN AND LEGALLY BINDING EMPLOYMENT CONTRACTS FOR SPECIFIED DURATIONS OF EMPLOYMENT AND SUBJECT TO OTHER SPECIFIED TERMS. FURTHERMORE, THE COUNTY CODE OF ORDINANCES PROVIDES FOR CERTAIN APPOINTED POSITIONS THAT SERVE FOR SPECIFIED TERMS AND SUBJECT TO CERTAIN SPECIFIED CONDITIONS, SUCH AS REMOVAL FOR CAUSE. FURTHERMORE, THE EMPLOYEES OF CONSTITUTIONAL OFFICERS SERVE AT THE WILL OF THOSE OFFICERS, WHO ARE THEMSELVES ELECTED BY THE ELECTORATE OF STEWART COUNTY.

THIS PERSONNEL POLICY MANUAL IS NOT A CONTRACT OF EMPLOYMENT. THIS MANUAL DOES NOT CREATE ANY EXPECTANCY OF A PROPERTY INTEREST IN OR A RIGHT TO CONTINUED EMPLOYMENT. THE COUNTY HAS NOT, THROUGH THIS MANUAL OR OTHERWISE, ESTABLISHED A CIVIL SERVICE SYSTEM.

THE COUNTY RESERVES THE RIGHT TO REGULARLY REVIEW AND UNILATERALLY REVISE ITS POLICIES AT ANY TIME AND WITHOUT PRIOR NOTICE.

TABLE OF CONTENTS

Section	Page No.
NOTICE OF AT WILL EMPLOYMENT	i
1. GENERAL PROVISIONS	1
2. ORGANIZATION	2
3. EMPLOYEE PERFORMANCE EVALUATION	3
4. TRAVEL EXPENSE REIMBURSEMENT	4
5. EMPLOYMENT	5
6. WORKING TEST	7
7. DISCIPLINE.....	8
8. GRIEVANCES AND APPEALS	11
9. HOLIDAYS	15
10. WORK HOURS, OVERTIME, AND COMPENSATORY TIME	16
11. LEAVE	17
12. WORKER'S COMPENSATION PROCEDURES	22
13. TRANSFERS.....	24
14. JOB ABANDONMENT	25
15. REDUCTION IN FORCE	26
16. PROMOTIONS	27
17. RESIGNATION.....	28
18. EMPLOYEE DEVELOPMENT	29
19. VEHICLES, EQUIPMENT, UNIFORMS, AND SUPPLIES	30
20. CONFLICTS OF INTEREST, POLITICAL ACTIVITIES, OUTSIDE EMPLOYMENT	31
21. SECURITY CLEARANCES	32
22. ALCOHOL, DRUG, AND CONTROLLED SUBSTANCE POLICY	33
23. SEXUAL HARASSMENT.....	34
24. EMPLOYEE USE OF CELL PHONES, COMPUTERS, AND THE INTERNET.....	36
25. CODE OF ETHICS	40
26. OFFICIAL COPY	43
27. DEFINITIONS.....	44
28. FORMS	46

1. GENERAL PROVISIONS

1.1 Applicability and Coverage

This personnel policy manual contains various policies and procedures relating to employment by the county. It is a guideline for employees at all levels. Nonetheless, the rules, policies, and procedures set forth in this manual may not apply to every employee in every situation.

This manual applies to all employees under the control of the Stewart County Board of Commissioners, and all such employees are expected to adhere to the policies and procedures in this manual.

The employees of constitutional officers serve at the will of those officers, who are themselves elected by the electorate of Stewart County. Nonetheless, independent or quasi-independent County agencies may adopt this manual.

This manual does not apply to independent contractors.

If any policy or procedure in this manual conflicts with the provisions of a written, legal contract the County has entered into with an employee, the contractual provisions will govern.

If any policy or procedure in this manual conflicts with applicable Federal, State, or County law, the law will always prevail. County law is embodied in the County Code of Ordinances and in the Resolutions of the Board of Commissioners.

1.2 Administration

All County personnel are expected to adhere to the policies and procedures in this manual.

Appointing authorities and supervisors are expected to administer and enforce the policies and procedures in this manual.

The County Manager is authorized to assume the role of the Board of Commissioners in the administration and enforcement of the policies and procedures in this manual. Decisions by supervisors are therefore subject to review by the County Manager. Nonetheless, any decision by the County Manager is subject to review by the Board of Commissioners. Therefore, the County Manager should always consult with the Chairman of the Board of Commissioners when administering the policies and procedures in this manual.

2. ORGANIZATION

2.1 Organizational Structure

The County Clerk shall maintain an organization chart for all County employees in the County Commissioner's Office. It is the responsibility of each appointing authority to inform the County Clerk of all employees under its direct or indirect authority, and to notify the Clerk of any changes in employment.

2.2 Job Descriptions

It is the responsibility of each appointing authority to provide the County Clerk up to date descriptions of all positions under its direct or indirect authority. Job descriptions are descriptive and not restrictive. They are intended to indicate the general kinds of duties, responsibilities, and job requirements normally associated with a position but are not intended to be exhaustive. Employees may be assigned other duties not included in the descriptions and also may be required to work across departmental lines. Nonetheless, each job description shall state the described position's immediate supervisor(s) and any positions that the described position will supervise.

3. EMPLOYEE PERFORMANCE EVALUATION

3.1 Objectives

Appointing authorities may utilize an employee performance evaluation system for evaluating employees. Employee performance evaluation is a management tool that may be used in an attempt to effectuate higher levels of employee productivity and also may be a factor in determining salary increments. Performance evaluations may also be used for whatever other purposes the appointing authority deems appropriate.

3.2 Qualification

Employee performance evaluations are not a right or obligation of the County. Employees may not rely on an evaluation to create any right, obligation, or expectation (such as an expectation of higher salary). The decisions to use a system and, if so, what type of system to use, are within the discretion of the appointing authority and are subject to change without prior notice to the employee.

3.3 Time of and Period of Evaluation

If an appointing authority elects to utilize an evaluation system, it will determine when evaluations will take place and the period of time to be covered by the evaluation; however, the appointing authority must apply the system uniformly to all employees under its authority.

3.4 Procedure for Filing Evaluation Disagreements Other than through the Grievance Process

If an employee disagrees with any statement in an evaluation, the employee may submit, within 10 days following the evaluation, a written statement to his or her supervisor that will become a part of the employee's permanent file. The submission of an employee's written statement does not constitute a grievance or appeal but rather is merely an administrative action requiring no action or response.

4. TRAVEL EXPENSE REIMBURSEMENT

Employees may be entitled to reimbursement for certain expenses they incur when traveling or attending events on behalf of the County. In all cases, employees seeking reimbursement must submit an expense report with original receipts attached.

EMPLOYEES MUST CONFER WITH THEIR SUPERVISOR ABOUT ANTICIPATED EXPENSES IN ADVANCE, AND THEY MUST PRODUCE THEIR RECEIPTS.

4.1 Mileage or Fuel Allowance.

Authorized use of a personal vehicle in the performance of official County duties, will be reimbursed at a rate set by the County Commissioners, but the distance in miles should be determined in advance by the employee's supervisor. The mileage reimbursement rate includes the cost of fuel. No additional reimbursement will be given for fuel costs.

The current rate for mileage reimbursement is 56 cents per mile.

Alternatively, employees using County vehicles will be reimbursed for fuel costs they personally incur, but receipts must be submitted.

4.2 Meals.

Employees are entitled to a maximum of \$50.00 per day for meals (\$10 for breakfast, \$15 for lunch, \$25 for supper), subject to approval in advance by the employee's supervisor.

4.3 Lodging.

Reimbursement will be made for actual, reasonable costs of lodging while on official travel, subject to approval by the employee's supervisor.

4.4 Other Expenses.

Subject to approval by a supervisor, employees may be reimbursed for other expenses incidental to official travel, such as taxi fees, baggage handling fees, internet access fees, parking fees, and registration fees for conventions, seminars, or workshops.

Any other expenses will only be reimbursed if approved by the County Manager.

5. EMPLOYMENT

5.1 Types of Employment

General categories of employment are as follows:

Full-time. Full-time employment means an employee works 30 hours or more per week in a position that exists for an indefinite period of time. Full-time employees are entitled to receive benefits as provided in this manual, including health insurance, and vacation and sick leave.

When designated by the appointing authority or by an elected public official, certain full-time public safety employees shall work 84 hours per 14-day period.

Part-time. Part-time employment means an employee works fewer than 30 hours per week. Part-time employees are not entitled to benefits.

Temporary. Temporary employment means an employee has been employed for a period of six months or less, and shall only be employed as long the temporary work situation requires it. A temporary position may be either full-time or part-time.

Temporary employees are not entitled to benefits, and are not entitled to notice and a hearing as provided in Chapter VII of this policy.

5.2 Minimum Age for Employment

The minimum age for employment of full-time and acting employees shall be 18 years of age unless otherwise established by State law. The minimum employment of all other categories shall be 16 years of age. There is no mandatory retirement age.

5.3 Nepotism (Hiring of Relatives)

No employee may supervise, directly or indirectly, a member of his or her immediate family. Immediate family is defined as wife, husband, mother, father, brother, sister, son, daughter, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, and daughter-in-law.

5.4 Equal Employment Opportunity

The County does not discriminate on the basis of race, color, sex, religion, national origin, age, mental or physical handicap, and political affiliation.

The success of the County depends upon the full and effective use of all of its human resources. The County will, therefore, provide equal employment opportunities without regard to race, color, religion, sex, national origin, age, or veteran, disabled, or familial status. This relates to all phases of employment, including, but not limited to, recruitment, hiring, placement, promotion, demotion, transfer, layoff, recall from layoff, compensation, benefits, and educational, social, or recreational programs of the County.

The County's policy on Equal Opportunity Employment shall be published throughout the County's operational and employment areas, and in any advertisement for employment.

The County Clerk shall ensure that all employees have access to Department of Labor posters stating adherence of the County to the Age Discrimination in Employment Act, Americans with Disabilities Act, Drug-Free Workplace act of 1988, Equal Pay Act of 1963, the Fair Labor Standards Act, Family and Medical Leave Act, Uniformed Services Employment and Reemployment Rights Act, and subsequent mandated enactments.

5.5 Americans with Disabilities Act

The Americans with Disabilities Act (ADA) bars discrimination against the disabled in both the public and private sectors. The ADA prohibits discrimination against the disabled in the areas of employment, public services, public accommodations, and services operated by private entities, and telecommunications. Title I of the Act prohibits employers from engaging in conduct which discriminates against disabled individuals. This means that employers are required to provide "reasonable accommodations" which will permit the disabled to work and advance in careers. Employers are also not permitted to participate in contracts or business arrangements that discriminate against the disabled.

If an employee is or becomes unable to perform the essential functions of their employment position due to the employee's physical or mental condition where no reasonable accommodation can be made, the County may terminate the employee.

If the employee has established through diagnosis by a Georgia licensed medical doctor or psychiatrist that the reason for the employee's inability to perform the essential functions of their position is due to a physical or mental condition, the employee may then request a reasonable accommodation. If a satisfactorily reasonable accommodation can be made, the employee shall be retained. If a satisfactory reasonable accommodation cannot be made, then the employee may be terminated. This policy in no way affects or is related to Worker's Compensation as described in these policies.

5.6 Immigration Law Compliance

The County complies with federal and state immigration laws and will only hire individuals with the legal right to work in the United States and in Georgia. Pursuant to the Georgia Security and Immigration Compliance Act, all employees must complete the Form I-9 and provide legal documentation of citizenship or work status as set forth on the form. Within three (3) business days of hire, the County will electronically verify accuracy of the employee's Social Security number and other documentation through the U.S. Department of Homeland Security verification system. The employee will be notified immediately if his or her Social Security number cannot be confirmed, and it will be the employee's responsibility to resolve any discrepancy with the Social Security office. Failure to resolve the discrepancy will result in termination of employment.

6. WORKING TEST

6.1 Working Test Period

The first three months of employment in a new position shall be a working test to determine if the employee is capable of performing satisfactorily in that position. In cases where a position requires State certification, the employee will remain on working test until certification is obtained even though it may exceed three months. Employees dismissed at any time during the working test period shall not be entitled to notice and a hearing as provided in Chapter 7 ("DISCIPLINE") of this policy.

7. DISCIPLINE

7.1 Progressive Discipline

Progressive discipline is a process in which disciplinary action is taken in degrees of increasing severity. County officials advocate progressive discipline when applicable. The action taken will depend on the degree and the circumstances of the violation. An employee who fails to satisfactorily perform assigned duties or who violates established procedures will be disciplined. The officials recognize five degrees of progressive disciplinary actions that fall into two general categories:

Category 1:

1. Reprimands
2. Suspension without pay

Category 2

3. Disciplinary salary reduction
4. Disciplinary demotion
5. Dismissal

The County is an “at-will” employer. Any disregard of the standards of conduct established by the County and reported violations of those standards, whether intentional or not, may be grounds for dismissal. As an “at will” employer, the County is not required to give causes for disciplinary action either in these policies or at the time of the adverse personnel action. The County also reserves its right to impose whatever discipline it deems necessary.

7.2 Some Causes - Possible Causes of Disciplinary Actions Are:

The following list of possible reasons for disciplinary actions is intended to communicate to the employee several general reasons that are universally accepted as causes in public sector employers. The list is not exhaustive. It is merely a list of examples of the type of conduct that may warrant disciplinary action. The appointing authority may discipline for any combination of reasons, for reasons not listed below, or for uncommunicated reasons at any time as long as the employee’s constitutional protected liberty interests are not violated. The County reserves its right to discipline employees for engaging in other acts not listed below.

- Chronic tardiness or absenteeism
- Negligence in performing assigned duties
- Inefficiency in performing assigned duties
- Inability or unfitness to perform assigned duties
- Insubordination
- Misconduct
- Commission of a felony or a crime involving moral turpitude

- Conduct reflecting discredit on the County or department
- Failure to report to work without justifiable cause
- Failure to notify the appropriate Constitutional officer or department supervisor of absence from work
- Failure to fill out or turn in reports as required by the County or the job (including, but not limited to injury reports)
- Carelessness with tools, keys, equipment
- Failure to keep equipment and assigned work area clean and free of hazards
- Creating or contributing to unsanitary or unsafe working conditions or poor housekeeping
- Unauthorized or misuse of County vehicles and/or equipment
- Failure to perform any required maintenance check on any piece of equipment or vehicle assigned for employee's use
- Loitering or loafing while on duty
- Violation of safety rules or disregard for standard safety practices
- Failure of a supervisor to discipline employees
- Failure of a supervisor to see that the policies, procedures, rules and regulations of the County are carried out
- Misuse or embezzlement of County funds
- Political activity that is prohibited by federal, state, or local laws
- Sexual harassment
- Violation of County alcohol and drug policies
- Falsifying or altering time cards
- Gross insubordination

7.3 Disciplinary Actions

The disciplinary actions are defined as follows:

1. **Reprimand.** A reprimand is a formal means of communicating to the employee a warning that a problem exists and that it must be corrected. In a reprimand, the employee's Supervisor or Department Head may a) 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, or b) provide the employee a written statement describing the problem and what must be done to correct the problem. In either case, the reprimand should describe the probable consequences of not correcting the problem. Reprimands should be given to the employee in private, if possible. Any reprimand must be added to the employee's personnel file.
2. **Suspension Without Pay.** An employee may be suspended without pay upon approval of the appointing authority or its designee. The suspension without pay should not exceed 3 days.

3. **Disciplinary Salary Reduction.** An employee's salary may be reduced from one pay step to a lower step for disciplinary purposes. The salary reduction does not constitute a demotion in pay grade. A disciplinary salary reduction is an adverse action over which an employee may be entitled to file a grievance (see Section 8).
4. **Disciplinary Demotion.** An employee may be demoted from one pay grade to a lower grade for disciplinary reasons if a lower position is open and if the employee is qualified to perform the work at the lower position. A disciplinary demotion should include a decrease in salary. A disciplinary demotion is an adverse action over which an employee may be entitled to file a grievance (see Section 8).
5. **Dismissal.** An employee may be dismissed for disciplinary reasons when all other alternatives have failed to solve the problem or, in the judgment of the appointing authority, dismissal is the appropriate action. A dismissal is an adverse action over which an employee may be entitled to file a grievance (see Section 8).

7.4 Notice of Proposed Adverse Action

For Adverse Actions (Actions 3, 4, and 5 immediately above), the Department Head or Supervisor should give the employee a notification of the proposed adverse action prior to the effective date of the action. The notice should contain:

1. The effective date of the action;
2. The charges or reasons for the action;
3. A statement informing the employee that he or she may respond to the action in writing; and
4. A statement informing the employee whether the employee may file a grievance to challenge the action and the deadline for doing so.

8. GRIEVANCES AND APPEALS

8.1 Purpose

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

Any appeals or hearing provided to employees under this Section 8 are voluntary and should not be interpreted as an exercise of Judicial power. No employee shall be retaliated against for using the County grievance procedures, and no fees or costs, including attorney's fees, may be awarded against the County or against an employee through participation in the grievance process.

8.2 Definition of Grievance

A grievance is a claim initiated by an employee alleging that his or her employment or productivity has been adversely affected by:

- unfair treatment;
- unlawful discrimination;
- unsafe or unhealthy working conditions;
- application of County policies and procedures in violation of this Personnel Policy Manual;
- or disciplinary demotion, disciplinary reduction in pay, or termination.

8.3 Non-Grievable Areas

The following areas are not valid grounds for a grievance:

- Issues which are pending or have been concluded by other administrative or judicial procedures;
- Supervisor's rights to assign work and establish work processes;
- Disciplinary actions that do not result in a termination, demotion, or salary reduction;
- Budget allocations and expenditures and organizational structure, including the persons or number of persons assigned to particular jobs or units;
- The content or rating of a performance evaluation, except as provided in Section 3 of this Manual;
- The selection of an individual by the appointing authority or designee 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;
- Any matter which is not within the jurisdiction or control of the County;

- Internal security practices established by the law enforcement, the County Manager, or the County Board of Commissioners;
- Decisions, policies, practices, resolutions, or ordinances made or passed by the County Manager or County Board of Commissioners that are not job or work related and do not contradict these policies.

8.4 Grievance Filing Process

8.4.1 *Generally* - An employee may file a written grievance with his or her Supervisor or Department Head. The grievance shall identify which County policy, procedure, rule, or regulation is alleged to have been violated, and it shall adequately set forth the facts pertaining to the alleged violation. The grievance shall be dated and signed by the employee.

8.4.2 *Step 1* - The grievance must be submitted within ten (10) working days from the date that the grievable action or violation occurs. The Supervisor or Department Head shall reach a decision and communicate in writing to the employee within ten (10) working days from the date that the grievance was presented. The Supervisor may determine that the grievance is not a valid grievance under Section 8.3 of this Manual.

Supervisors or Department Heads are responsible for ensuring that the grievance is fully processed. Any decision shall be delivered in writing to the employee and shall be dated and signed by the County representative issuing the decision.

8.4.3 *Step 2* - If the employee is not satisfied with the decision in Step 1, the employee may appeal the decision in writing to the County Manager within five (5) working days of the Step 1 decision. The written appeal must include:

- A copy of the original grievance;
- A copy of the decision in Step 1;
- An additional written statement clearly explaining why the decision in Step 1 has not resolved the alleged violation;
- The identify of any other employees with knowledge of the alleged violation; and
- The employee's requested remedy.

The County Manager shall review the facts of the grievance and, if appropriate, shall schedule a meeting with the employee and his or her supervisor. The employee and his or her Supervisor may each request the presence of other county employee(s) to testify on his or her behalf. The meeting shall be semi-formal

After reviewing the facts of the grievance or after meeting with the affected employee(s), as appropriate, the County Manager shall notify the employee of the decision on the appeal within ten (10) business days from the time it was submitted.

The decision of the County Manager shall be signed and dated. The decision shall be final, unless the action taken results in a termination of employment or the grievance contends a violation of State or Federal law.

8.4.4 *Step 3* - If the employee is not satisfied with the decision in Step 2, and the action taken results in termination of employment or the grievance contends a violation of State or Federal law, the employee may appeal the decision in writing within ten (10) working days of the Step 2 decision to the County Board of Commissioners by submitting a written appeal to the County Clerk. The written appeal must include:

- A complete copy of all of the grievance materials generated in Steps 1 through 3;
- Specific information or citations to law that establish that a termination is not warranted, or supporting the employee's position that the aggrieved matter constitutes a violation of State or Federal law (which may be provided by an attorney representing the employee); and
- Whether the employee desires a hearing before the Board of Commissioners.

The County Clerk shall verify that all materials have been included in the Step 3 appeal. If the appeal is complete, the Clerk will schedule the appeal on the agenda for the next scheduled meeting of the County Board of Commissioners so that a decision shall be issued no later than thirty (30) days from the submission of the Step 3 appeal.

If a hearing has not been requested, the Board of Commissioners shall meet in Executive Session with the County Manager to discuss the appeal, but any decision shall be made in open session.

If a hearing has been requested, the hearing shall take place in open session (but the Board of Commissioners may still go into Executive Session during the hearing to discuss the appeal). The hearing will be conducted by the Chairman of the Board of Commissioners or by the County Attorney. The employee may be represented by counsel if he or she has given advance notice of the representation. Both the County and the employee may call

witnesses. The hearing officer should compile evidence, prepare findings of fact, conclusions of law, and issue a recommendation to the Board of Commissioners.

At the conclusion of the hearing, The County Commission may vote to modify the Step 1 or Step 2 decisions or may vote to let the original decisions stand. The decision of the County Board of Commissioner shall be final, without further right to appeal.

8.5 Time Limits

The time limits set forth in Steps 1 and 2 in Sections 8.4.2 and 8.4.3 above may be extended by the County Manager or by mutual agreement by all parties involved. A grievance not advanced to the higher step within the time limit provided shall be deemed permanently withdrawn and as having been settled on the basis of the decision most recently given. Failure on the part of the appropriate County representative to comply with the time limit set forth in any step may entitle the employee to proceed to the next step.

9. HOLIDAYS

9.1 Holidays Allowed

The following are the official holidays observed by the County:

New Year's Day
Martin Luther King, Jr. Birthday
President's Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Veterans Day
Thanksgiving Day
Day after Thanksgiving
Christmas Eve
Christmas Day

The County Commission may add or delete observed holidays at any time.

9.2 Observation of Holidays

If a holiday falls on a Saturday, it will generally be observed on the preceding Friday. If a holiday falls on Sunday, it will generally be observed on the following Monday. Employees absent the day before or day after the holiday will not be eligible for pay without prior approval from their supervisor.

9.3 Holiday Pay

Employees may be required to work during the above holidays. Full-time hourly employees, who work on holiday, will be compensated for hours they actually worked plus holiday pay. Part-time hourly employees will only be entitled to pay if they work on the holiday.

Salaried employees who are required to work on a holiday may elect to take an equivalent amount of time off at another time as determined in advance by the employee's supervisor.

10. WORK HOURS, OVERTIME, AND COMPENSATORY TIME

10.1 Work hours

Because of differences in job requirements, the required work hours or work period may vary from job to job and department to department.

10.2 Overtime

Hours worked ordinarily include all the time during which an employee is required to be on the employer's premises, on duty, or at a prescribed workplace. There is no limit on the number of hours employees 16 years of age or older may work in any workweek. However, covered non-exempt employees must receive overtime pay for hours worked over 40 per workweek (any fixed and regularly recurring period of 168 hours—seven consecutive 24-hour periods) at a rate not less than one and one-half times the regular rate of pay. The Fair Labor Standards Act does not require overtime pay for work on weekends, holidays, or regular days of rest, unless overtime is worked on such days.

Employees engaged in executive, administrative, or professional capacities and paid on a salary basis not less than \$455.00 per week are exempt from this act and do not have to be paid overtime. Certain computer professionals may also be exempt. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the USDOL regulations.

10.3 Time Sheets

Hourly employees are required to keep accurate time sheets on forms provided by the appointing authority in accordance with FLSA requirements.

11. LEAVE

11.1 Types of Leave

The County recognizes eight types of leave that are available to employees. They are: annual leave, sick leave, bereavement, court leave, personal leave, leave of absence, family leave, and severe weather leave. Employees shall report for work at the hours assigned and directed by their supervisor.

Should an employee not report to work at the assigned time, the supervisor may dismiss the employee without pay for the remainder of the day. The employee shall not have any right of appeal as provided in Article VII of this policy. The supervisor will prepare a problem-solving notice whenever an employee fails to report to work at the assigned time (without prior approval). The employee likewise will prepare an incident statement and submit to a supervisor. These documents will be processed as prescribed elsewhere in this policy.

11.2 Annual Leave

Annual leave is leave that is earned to be used for vacations, personal business activities, and other personal activities. All full-time employees and acting full-time employees will be eligible five (5) days paid annual leave after one year of employment. After five years of continuous employment, full time employees shall be eligible for ten (10) days paid annual leave. After ten years of continuous employment, full time employees shall be eligible for fifteen (15) days paid annual leave. Part time, seasonal, substitute, and temporary workers are not eligible. Employees must take annual vacation leave within calendar year beginning January 1st thru December 31st. Employees will be compensated for accumulated vacation leave upon leaving the employment of the County.

11.3 Sick Leave

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

- i. **Eligibility.** All full-time and acting full-time employees are eligible for sick leave. Temporary, seasonal, part-time, and substitute employees are not eligible for sick leave.
- ii. **Method of Earning Sick Leave.** Eligible employees, regardless of length of service, may earn sick leave at a rate of one day per month. The employees may accumulate a maximum of fifteen (15) sick days. At the discretion of the Supervisor, an employee may be advanced sick leave. If an employee is indebted for unearned paid sick leave at the termination of

employment, the amount will be deducted from termination or severance pay.

- iii. **Reporting.** The employee should report any sick leave absence prior to his or her scheduled work time, if possible, and if not, the employee should see that his/her absence is reported within one hour after the scheduled time for the employee to be at work.
- iv. **Approval.** Advanced sick leave requires the approval of the Chairman of Stewart County Commission or his designee.
- v. **Physicians Certificate.** A medical statement signed by a licensed physician may be required to substantiate sick leave after three consecutive days' absence for medical reasons:
 - 1. At the discretion of the employee's supervisor;
 - 2. To support a request for sick leave during annual leave; or
 - 3. At any time when absence recurs frequently or habitually, provided the employee is forewarned.
- vi. **Compensatory Time.** Employees may take compensatory time off for working on a holiday in lieu of receiving double time on the holiday. Essential employees who work during their regularly scheduled work hours on an officially declared Weather Event will be allowed compensatory time within the next two pay periods. Employees may elect to take compensatory time within the next two pay periods in lieu of receiving overtime pay if that is their wish.

11.4 Personal Leave

Full time and acting full time employees may take four (4) days of personal leave each year. Each personal day taken shall be deducted from accumulated sick leave. Leave sought due to a death in an employee's immediate family is considered personal leave.

11.5 Bereavement

Employees with death in immediate family shall be granted leave with pay for a period of 3 days. Immediate family is defined as wife, husband, mother, father, son, daughter, brother, sister, and grandparent.

11.6 Court Leave

An employee performing jury duty will be granted leave with pay. The employee will be permitted to retain all fees and allowances as well as retaining full County pay.

11.7 Leave of Absence

A. Military Leave. Georgia Law require that paid leave be granted to members of the Reserve and National Guard under certain conditions.

1. Ordered Duty. In compliance with O.C.G.A. § 38-2-279, any employee ordered to military duty shall be placed on military leave with pay for a period of time not exceeding a total of 18 days in any one calendar year and not exceeding 18 days in any one continuous period of absence.

2. Declared Emergency. According to O.C.G.A. § 38-2-279, in the event the Governor declares an emergency and orders any employee to State Active Duty as a member of the National Guard, the employee shall receive pay for a period not exceeding 30 days in any one calendar year and not exceeding 30 days in any one continuous period of active duty service.

3. Military Purposes. According to O.C.G.A. § 38-2-279, any voluntary member of the Reserve or National Guard shall be entitled to absent himself and shall be deemed to have a leave of absence as any employee while in attendance at any service school conducted by the Armed Forces of the United States for a period up to six months during any four-year period.

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

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

11.8 Severe Weather Leave.

The County Manager can determine that weather or road conditions make it unsafe for non-essential employees to report to work. In such cases, non-essential employees will be excused from work with pay. Essential employees will have the choice of receiving overtime pay for the day, or otherwise of taking a compensatory day off within the next two pay periods, subject to approval by the employee's supervisor.

11.9 Family and Medical Leave Act.

County employees who have worked for the County for at least 12 months and have at least 1,250 hours of service in the 12 months before taking leave can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered service member's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the service member with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

While an employee is on FMLA leave, any health insurance coverage will continue as if the employee were not on leave. Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions; however, an employee who is no longer able to perform the essential functions of the job they left when placed on Family and Medical Leave may not be returned to that position if a reasonable accommodation cannot be made that would allow the employee to perform the essential functions of the job. The employee may be returned to another job they can perform. If an employee is no longer able to perform the essential functions of their job, no reasonable accommodation can be made to allow them to perform the essential functions of the job, and no other job opening is available that the employee can perform the employee may be terminated.

To apply for Family and Medical Leave, County employees must:

- Provide thirty (30) days advance notice prior to the date of leave when the leave is foreseeable;
- Make reasonable efforts to schedule treatment so as not to disrupt the operations of the County;
- Provide certification of a serious health condition in a timely manner to the employer;
- Obtain a second opinion at the expense of the employer if requested by the employer; and

- Apply accrued paid leave for part or all of the twelve-week leave.

4. WORKER'S COMPENSATION PROCEDURES

a. Procedure for Non-emergency Occupational Accidents or Diseases

- i. Employee must report non-emergency occupational accidents or diseases to Supervisor within 24 hours.
- D. Supervisor investigates accident and fills out report of injury or disease in full detail and forwards immediately to the County Commission's office.
- E. If medical attention of physician is needed, the County Manager or his designee makes appointment for employee with physician of his choice, selected from the list of physicians appointed by the County for Worker's Compensation Treatment.
- F. Employee is given form CT-555-Treatment Authorization to submit to doctor's office at the time of first treatment.
- G. Employee returns CT-55-Treatment Authorization to Supervisor immediately after treatment is received.
- H. Supervisor forwards copies of complete CT-555-Treatment Authorization to County Manager.
- I. Supervisor should direct any problem or questions concerning claim to County Manager for discussion.
- J. County Manager and County Commissioner's Office (through County Clerk) must be informed of the date employee returns to work.

b. Emergency Accidents

- i. If a work-related accident occurs that requires immediate emergency treatment, the supervisor should be notified immediately and treatment received at the emergency room.
- K. After treatment is received, the Report of Occupational Injury or Disease should be filled out in detail and submitted to the Chairman of Stewart County Commission's Office.
- L. Subsequent treatment must be directed to one of the County Worker's Compensation Insurance physicians unless the injury requires specialized treatment and emergency doctor refers the employee to a physician who specializes in the type injury incurred.

NOTE: If a non-emergency Occupational Disease or Accident should occur at night or on weekends that requires medical attention before

regular office hours, procedures for emergency accidents should be followed.

5. TRANSFERS

a. Initiation and Authority for Transfers

The appointing authority may initiate a transfer or an employee may request a transfer.

- i. If a position is open at an equivalent pay grade, an employee may request transfer to that position. If the knowledge, skills and abilities required for that job are not the same as for the present job, the employee will be tested and interviewed for the new position and will be on working test for the new job if transferred. The discretion to grant a transfer, if requested, rests with the appointing authorities.
- M. The appointing authority may transfer an employee to any position, at any pay grade, if the employee is qualified to do the work and if the salary is not changed. A temporary transfer to a higher position may be made for up to 90 days without giving a salary increase.

6. JOB ABANDONMENT

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

7. REDUCTION IN FORCE

A reduction in force may be necessary when a position or group of positions must be closed because of lack of work or lack of funds. Employees who are separated in reduction-in-force, may at the discretion of the appointing authority, receive preference in rehiring should a position, for which they are qualified, open within that year.

8. PROMOTIONS

a. Promotional Goals

Promotional vacancies may be filled with applicants external to the County work force at the discretion of the appointing authority. Normally, however, an attempt will be made to fill the vacancy from within if there is a qualified applicant already working with the County and such action would not be in conflict with the County's anti-discrimination or unfair employment practices.

b. Method of Filling Promotional Positions

In general, the County attempts to promote from within. Existing employees desiring to apply for position vacancies that are promotional in nature must complete an application for the position in the same manner as prescribed for all other applicants.

c. Effect of a Promotion

If a formal job classification plan is in effect, a promoted employee will be placed in the step in his new job class that the appointing authority deems appropriate under the circumstances. If no formal plan is in effect, the employee will be paid a salary deemed appropriate by the appointing authority.

d. Relationship of Promotions to Performance Pay Increases

If the County, at the time of promotion, has a system for performance pay in effect, the promotion will not interfere with the employee's consideration for a performance pay increase at the next scheduled performance evaluation date.

e. Effective Date

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

9. RESIGNATION

a. Resignation Defined

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

b. Resignation in Good Standing

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

c. Refusal to Accept Resignation

Under certain circumstances, the appointing authority may choose not to accept an employee's resignation and may instead choose to dismiss the employee.

10. EMPLOYEE DEVELOPMENT

a. In-Service Training

The County is interested in promoting in-service training of employees for the purpose of improving, the quality of personal service rendered to the County and to assist employees to equip themselves for advancement in the County. The appointing authority may establish standards for training programs; see that training is carried out as approved; prepare certificates or other forms of recognition to persons who satisfactorily complete approved courses and programs; and develop supervisory and management training and other types of training programs common to all departments.

b. Individual Training

To encourage self improvement of each employee, the appointing authority may pay the following to encourage such training. Factors considered in deciding whether the training will be offered may include the degree of job relatedness, cost, and, in general, the work of the training to the County.

- Tuition; and
- Books, supplies, board and other necessary expenses, such as food, transportation, and incidentals.

If an employee fails to complete a course, the County shall be paid an amount equal to what was spent by the County for such training. All such training, must be job related and if the training is expensive, as determined by the appointing authorities, the employee must sign a statement committing himself to remain in the employment of the County for two years after completion of training course. If employee leaves the County service prior to the completion of the agreed two years of County service, repayment to the County will be on a prorated basis.

11. VEHICLES, EQUIPMENT, UNIFORMS, AND SUPPLIES

Vehicles, equipment, uniforms, and supplies may be furnished by the County for use in connection with employment, but such materials remain the exclusive property of the County and may only be used within the scope of one's employment with the County.

Employees shall not use a County vehicle for personal or private business, with the sole exception that employees may use a County vehicle to commute to and from work if the commute is authorized by the employee's supervisor.

The abuse or misuse of County property will lead to appropriate disciplinary action.

Upon termination of employment, employees must return any County property to their supervisor.

12. CONFLICTS OF INTEREST, POLITICAL ACTIVITIES, OUTSIDE EMPLOYMENT

a. Generally

No employee should accept gifts or gratuities from anyone who might expect to receive return favors from the County. Neither shall an employee have any financial interests in the profits of any contract service or other work performed by the County, nor shall he/she personally profit directly or indirectly from any contract, purchase, sale, or service between the County and any person or company, nor shall he/she personally or as an agent provide any surety, bail, or bond required by law or by the appointing authority.

b. Political Activities

County employees may not use their position or County time for political purposes.

c. Outside Employment

All County employees must receive permission from the appointing authority before accepting outside employment.

13. SECURITY CLEARANCES

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

14. ALCOHOL, DRUG, AND CONTROLLED SUBSTANCE POLICY

a. Generally

It is the policy of the Stewart County Board of Commissioners to ensure that the County is a drug and alcohol free workplace. Employee drug and alcohol abuse poses serious safety and health risks to the user, and to those who work or come in contact with the user in the workplace. Accordingly, the County does not and will not tolerate any employee's consumption, possession, sale, distribution, or presence in the body of illegal drugs or alcoholic beverages while on County property or on County work time.

b. Prohibitions

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

- The use or consumption of illegal drugs, controlled substances, or alcohol;
- The possession of illegal drugs, controlled substances, or alcohol;
- The abuse of prescription medications and over-the-counter medications;
- Being impaired by and/or under the influence of illegal drugs, controlled substances, or alcohol;
- The manufacture, sale, purchase, transfer, dispensing of, or distribution of illegal drugs, controlled substances, prescription medications, and/or alcohol; or
- The use of County property to store, conceal, or transport illegal drugs, controlled substances, or alcohol.

c. Testing

All applicants for positions of employment with the County will be tested for drugs after a conditional offer of employment has been extended. No such applicant or new hire shall be permitted to report for duty until the results of the drug test are obtained.

All County employees will be subject to immediate testing when there is reasonable suspicion that the employee has used or misused drugs or alcohol in violation of this policy. Any employee who is required to take a reasonable suspicion test will be immediately placed on administrative leave with pay pending the results of the test and confirmation of the results. Supervisors who suspect that an employee is under the influence of drugs or alcohol shall document all credible evidence that supports the suspicion.

15. SEXUAL HARASSMENT

a. In General

It is the policy of the Stewart County Board of Commissioners to ensure that the workplace is free of any form of sexual harassment. Engaging in any sexual harassment will be considered just cause for disciplinary action up to and including dismissal. This policy is intended to ensure that all employees are sensitive to these matters, to advise them of their behavioral obligations, and to inform them of their equal employment opportunity rights.

Under the Equal Opportunity Commission's guidelines, unwelcome sexual advances, requests for sexual favors, offensive remarks about a person's sex, and other verbal and physical conduct which may be construed to be sexual are unlawful when:

- i. Submission to such conduct is implicitly or explicitly made a term or condition of employment such as, but not limited to hiring, firing, job assignments, promotions, salary, benefits, training, etc.;
- N. Submission to, or rejection of, such conduct by an individual is used as the basis for employment decision affecting such individual; or
- O. Such conduct is intended to or does interfere with an individual's work performance or creates an intimidating, hostile or offensive working environment.

b. Reporting Sexual Harassment

Employees have the right to raise the issue of sexual harassment without reprisal. It is recommended that employees who believe they are subject to any sexual harassment: 1) document the occurrence(s) of harassment; 2) confront the harasser, making it clear that the conduct is unwelcome; 3) document the confrontation; 4) report the incident to any manager or supervisor; and 5) file a Complaint pursuant to this section 27.02.

If any Stewart County employee believes that he or she has either: 1) been subjected to sexual harassment, 2) witnessed sexual harassment, 3) been subjected to retaliation for reporting sexual harassment, or 4) witnessed retaliation, then that employee has a right to file a Complaint with their Supervisor, Department Head, or the County Clerk.

Complaints of acts of sexual harassment or retaliation that are in violation of the County's Sexual Harassment Policy will be accepted in writing or orally, and any anonymous Complaint will be taken seriously and investigated. Complaints may be filed by any County employee; the ability to file a complaint is not limited to someone who was the target of harassment or retaliation; anyone who has observed sexual harassment or retaliation should report it to their Supervisor, Department Head, or the County Clerk.

If any of the accusations in the Complaint name the reporting employee's Supervisor or Department Head as a wrongdoer, then the Complaint should be filed with the County Clerk. If any of the accusations in the Complaint name the County Clerk as a wrongdoer, then the Complaint should be directed to the County Commission.

Additionally, individuals may file Complaints with the EEOC (Equal Employment Opportunity Commission) within 180 days and with the DFEH (Department of Fair Employment & Housing) within 365 days of the most recent alleged discriminatory act.

c. Investigating Sexual Harassment

When the County receives a Complaint, the allegations should be promptly investigated in a fair and expeditious manner. To the extent practicable, the investigation should be conducted in such a way as to maintain confidentiality.

The County Clerk or his or her designees shall interview individuals filing a Complaint and he/she may be accompanied by a person of his/her choice. Other individuals should be interviewed as necessary. If the County Clerk is named as a wrongdoer in the Complaint, then the investigation shall be conducted by an appointee of the County Commission.

If it is determined that a violation of the policy has occurred, the County will act promptly to correct the offending conduct, and where it is appropriate, disciplinary action will be imposed.

d. Disciplinary Action

If it is determined that a violation of this policy has been committed by one of the County employees, then the County must take such action as is appropriate under the circumstances. Such action may range from counseling the offender to termination from employment. Such action may include such other forms of disciplinary action as is appropriate under the circumstances.

16. EMPLOYEE USE OF CELL PHONES, COMPUTERS, AND THE INTERNET

a. Employee use of Personal Cell Phones

As used herein, the term “cell phone” means any portable electronic device that may be used to make or receive wireless calls, to send or receive SMS text messages, or to access the internet.

i. Use Limited During Work Hours

The purpose of this Policy is to establish guidelines for the use of personal cell-phones by employees during work hours.

County employees may carry personal cell-phones during working hours. However, employees shall limit personal use of cell-phones during working hours in order to ensure that such use does not interfere with employee productivity. Employees are encouraged to restrict any personal use of cell-phones to non-working hours, such as lunch or breaks. Friends or family members should be made aware of this policy.

If an employee's use of a personal cell-phone interferes or appears to interfere with employee productivity, the employee may be prohibited from carrying and using his or her cell-phone during work hours and, further, may be subject to disciplinary action. Cell phones shall be turned off or set to silent or vibrate mode during meetings, conferences and in other location where incoming calls may disrupt normal workflow.

ii. Use Prohibited While Operating a Vehicle

Use of a cell-phone or similar device while operating a motor vehicle or other equipment during working hours is prohibited. Cell-phones may only be used while operating a motor vehicle or equipment in the event of an emergency and where pulling-over or stopping the vehicle is not an option. This prohibition includes, but is not limited to, receiving or placing calls, text messaging, accessing the Internet, receiving or responding to email, and checking for voice, text, or other messages.

iii. Violations

Use of a cell phone which does not comply with this policy may result in disciplinary action up to and including termination from employment.

b. Employee use of Computers and the Internet

i. Introduction

These provisions shall apply to all Stewart County personnel and users of Stewart County computer equipment or internet connections. Use of any Stewart County computer must comply with this policy. Use of any other network accessed through a Stewart County connection must comply with the acceptable use policy of that network.

The State of Georgia and the United States have promulgated laws governing the use of computers and related technology. The *Georgia Computer Systems Protection Act* specifically forbids various forms of computer misuse and abuse, and the U. S. copyright laws govern the duplication of computer programs. All users and staff must abide by all applicable Georgia law, any and all other relevant laws of the United States and the State of Georgia, and the guidelines and regulations regarding the use of computers and the Internet promulgated by Stewart County.

ii. Etiquette

Because all Stewart County computer accounts are identified by their Stewart County addresses, every transmission involving a Stewart County created computer account reflects upon the entire Stewart County. Therefore, access to Stewart County computing resources will be provided only to those users who are and continue to act in a considerate and responsible manner, including but not limited to, the following guidelines:

1. Employees shall be polite and considerate of other users.
2. Employees shall use appropriate language at all times.
3. Employees shall use printing resources wisely and efficiently.

i. Acceptable Use

Employees and users are expected to communicate with courtesy while using Stewart County computer or internet resources. Electronic mail and internet communications should reflect professionalism and should not include language that is profane, discriminatory, obscene, sexually harassing, or threatening.

The following guidelines constitute a demonstrative listing of acceptable uses; however, these guidelines are not exhaustive, and Stewart County reserves the right to apply any and all regulations, including, but not limited to, those elsewhere listed in this policy, to the conduct and activity of any employee engaged in use of a Stewart County computing resource.

Acceptable use of Computers includes use related to work duties, such as use of word processing and data processing applications. Acceptable use of the Internet includes use related to work duties, such as use of electronic mail.

Unacceptable use of computers or the internet includes use of any resources to access, view, transmit, archive, or distribute racist, sexist, threatening, or illegal material is strictly prohibited. "Material" is defined as any visual, textual, or auditory file, transmission, or other item. The following guidelines constitute a demonstrative listing of unacceptable uses; however, these guidelines are not exhaustive, and Stewart County reserves the right to apply any and all policies, including, but not limited to, those elsewhere listed in this document, to the conduct and activity of any student or employee engaged in use of a Stewart County computing resource.

Examples of Unacceptable uses of Computers:

1. Employees shall not use Stewart county computers for commercial business or profit or for solicitations or purchases of any kind.
2. Employees shall not use Stewart County computers to play games.
3. Employees shall not use any personal software in Stewart County computers without prior approval.
4. Employees shall not add programs to Stewart County computer system, delete programs, copy programs, or tamper with existing programs in any way without prior approval.
5. Employees shall not use any Stewart County computer or computer network in such a way that causes it to stop performing computer operations or disrupts the use of the network by others.

Examples of Unacceptable uses of Internet:

1. Employees shall not use an Internet connection provided by Stewart County for any commercial business or profit or for solicitations or purchases of any kind.
2. Employers shall not engage in any conduct, including chat activities, which harass, libel, or slander another individual.
3. Employees shall not access, display or send any materials that are vulgar, threatening, or indecent.
4. Employees shall not disguise or hid their identity, including changing their name on the system. Only the system operator may change a user name and account.
5. Employees shall not create "home pages" or directories without approval by the system operator.
6. Employees shall not use Stewart County computing resources to access, display, or send materials that are obscene or illegal.

i. Privacy

All users should remember there is no guarantee or reasonable expectation of privacy in electronic mail or on the internet. Any recipient of e-mail can forward the message to any other use. Additionally, the system operators have access to all electronic messages and may in the course of maintaining the system be required to exercise this access. Any messages relating to or in support of illegal activities should be reported to the authorities and may result in civil or criminal liability.

ii. Security

Security on any computer system is always a high priority, especially when the system serves a large number of users. All users of Stewart County computing or internet resources are expected to abide by all applicable laws and licensing agreements, including laws regarding the duplication of computer programs.

The ability to access a file or program shall not be interpreted as permission to access a file or program. Any effort by a user to bypass a preventative mechanism, including violating or changing a password, would be considered an inappropriate use of a computing resource and may lead.

7. CODE OF ETHICS

The following Code of Ethics has been adopted by the Board of Commissioners and applies to all employees governed by this Personnel Policy Manual.

Basic Responsibilities

- Understand and follow applicable legal and policy requirements.
- Adhere to high standards of conduct and personal ethics in your work.

Comment:

Living by the rules starts with knowing the rules. However, no set of policies or rules can address every situation. We sometimes face circumstances that do not have easy answers. In these cases, consider the commission's *Guiding Principles* and assess your options using the policies and standards of this *Code of Ethics*. If you are still unsure, seek guidance.

Reporting Misconduct and Seeking Guidance

- Report misconduct and seek guidance if you have questions.
- Adhere to the Commission's confidentiality and non-retaliation policies.

Comment:

If you become aware of misconduct, you must report it. You should also take reasonable steps whenever possible to prevent violations before they occur. If you are concerned that conduct may be unlawful or unethical but are not sure, seek guidance. Confidentiality and non-retaliation laws and policies apply for those who report misconduct or seek guidance in good faith.

Work Environment

- Help ensure a safe work environment that is free from unlawful discrimination and harassment.
- Help ensure a work environment that is characterized by respect and open communication.

Comment:

We share responsibility for maintaining a workplace that is safe, respectful, and free from unlawful discrimination and harassment. Never engage in or tolerate sexual harassment or unlawful discrimination, such as basing an employment decision on race, sex, age, religion, handicap, or any other impermissible factor. Follow our workplace safety policies and procedures and look for ways we can improve. Abide by our drug-free workplace policy. Treat each other with respect, encourage open communication and appropriately resolve ethical concerns.

Conflicts of Interest

- Avoid conflicts of interest and the appearance of conflicts.

Comment:

A conflict of interest occurs when a personal interest of yours — such as a financial interest or family connection — could affect your ability to perform your job objectively and in the best interests of the County. Situations that can raise potential conflicts include: service as a director or employee of a private business; the provision of goods or services to the Commission by an entity that you have an interest in; accepting gifts from vendors; and helping family members or friends in matters concerning the Commission. If you face a situation that presents a potential conflict of interest, consult this Code of Ethics and, if necessary, contact an appropriate manager or the County Attorney.

Government Relations and Anticorruption

- Be above reproach in political involvement, in dealing with present or former government officials, and in seeking personal business from the Commission.

Comment:

We must strictly adhere to laws and regulations governing the political process and avoid even the appearance of impropriety in dealing with government officials. Political contributions, gifts, and hiring decisions involving government officials must be in accordance with applicable law and approved in accordance with Commission policies. Never make a false claim for payment from the Commission, and avoid making false or misleading statements to government officials.

Accurate and Timely Periodic Reports

- Prepare and maintain accurate and reliable financial records.
- Prepare accounts and records, such as expense accounts, vouchers, bills, payroll records and disclosure documents, honestly and with care.
- Assist our vigorous efforts to comply with generally accepted accounting principles.
- Maintain effective internal accounting and disclosure controls and procedures.
- Disclose full and accurate information in an orderly and timely manner.

Comment:

Business and Confidential Information

- Protect the integrity of Commission records.
- Do not improperly use or disclose confidential information.

Comment:

You are required to maintain accurate records in accordance with the Commission's records retention policy. Falsifying or improperly altering or destroying Commission documents, such as when they are subject to a discovery request or official government proceeding, is strictly prohibited.

Business Conduct and Fair Dealing

- Conduct the Commission's business fairly and in good faith.
- Perform your duties in good faith and in the best interests of the Commission within the confines of sound and ethical practice and applicable law.
- Never give or accept bribes

Protection and Use of Company Property

- Protect Commission property and use it only for its intended purpose.

Comment:

Commission property, from buildings to computer and telephone systems to paper clips, is valuable and intended for business use. It must be preserved, protected, and used for its intended purpose.

External Communications

- Do not speak on behalf the Commission unless authorized to do so.
- Do not respond to requests for information on behalf of the Commission unless authorized to do so.

Comment:

From time to time, we receive requests for information from other governments, the media, or the general public. In other cases, we wish to make our views on matters affecting our Commission business known to legislators, governmental agencies, the media, or the public at large. In order to ensure that such communications are complete, properly coordinated, and in accordance with law, and to protect the rights of those involved in the case of certain types of inquiries, such communications may only be made by authorized persons in accordance with guidelines set forth in the Code of Ethics.

This Code of Ethics, the County Personnel Policy, and notices of applicable workplace laws and regulations are available at the Commission office, on the County's shared drive, and on the County website, www.stewartcountygga.gov. If you need guidance on County policies or state and local laws and regulations, please contact the County Manager.

8. OFFICIAL COPY

The official version of this Personnel Policy Manual will be kept in the Office of the Stewart County Board of Commissioners.

Employees may obtain a copy of this Personnel Policy Manual from the County Clerk during the normal business hours of the Commissioner's Office.

9. DEFINITIONS

Adverse Action - An action taken that results in a disciplinary suspension without pay, disciplinary salary reduction, disciplinary demotion, or disciplinary dismissal.

Adverse Effect - The results of an action or decision that is not an adverse action but which deprives the employee of income or the opportunity to earn more income.

Appointing Authority - The person who has, among other authorities, the authority to appoint and discharge employees. Other than for the employees of a department under the direction of an elected public officer, the County Board of Commissioners is the appointing authority for the County. However, the Board of Commissioners has designated the County Manager to administer these policies, subject to the Commission's review.

County Commission - The governing authority and financial authority of the County.

The Impartial Attorney - The attorney who may be retained by the County to conduct hearings.

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

Department - This term refers to the different departments under the Stewart County Board of Commissioners.

Designee - The person or persons to whom the appointing authority delegates certain authorities for the administration of their offices. The County Manager is hereby designated to administer these policies.

Elected County Officer - Elected official, other than a County Commissioner, having the power of appointment, employment, or removal of employees of the officer.

Handicapped - Any person who has a physical or mental impairment that substantially limits one or more major life activities, who has a record of such an impairment, or who is regarded as having such an impairment.

Immediate Family – an employee's wife, husband, mother, father, brother, sister, son, daughter, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, and daughter-in-law, grandchildren, and grandparents.

Supervisor - Supervisor means in general terms any employee who has been formally assigned supervisory responsibilities for personnel and operations of a work unit within the County government. The County Manager and department heads should be understood to be "supervisors" of individuals who report directly to them.

Unlawful Discrimination - Employment practices which are prohibited by State and Federal laws and which include discrimination because of race, color, sex, religion, national origin, age, mental or physical handicap, and political affiliation.

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

10. FORMS

Stewart County, Georgia

EMPLOYEE CONSENT AND NOTICE

ALCOHOL AND CONTROLLED SUBSTANCE TESTING UPON REASONABLE SUSPICION THAT VIOLATIONS OF ALCOHOL, DRUG, AND CONTROLLED SUBSTANCE POLICY HAS OCCURRED

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

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

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

Signature

Date

Print Name

Witnessed by Authorized County Employee:

Signature

Date

Print Name

Stewart County, Georgia

Incident Statement Form

1. **Date of incident:** _____

2. **Name of person submitting statement:** _____

3. **Status of reporting person (circle all that apply):**
Employee of Commission Witness Participant Civilian Other (specify below)

4. **Location of incident:** _____

5. **Status of location (circle one):** County Property Road Private Property

6. **Time incident began:** _____ **Time incident ended:** _____

7. **Weather conditions, if relevant:** _____

8. **Was violence or threat suspected (circle one):** Yes / No

9. **Was someone injured (circle one)?** Yes / No
If yes, list names of all injured: _____

If yes, which medical services were provided (circle all that apply):
refused first aid ambulance after-hours care doctor's office rural health clinic

10. **Was law enforcement notified (circle one)?** Yes / No

11. **Describe incident with causes, names, and actions (use back if needed):**

12. **Describe any property damage:** _____

Signature: _____ **Date:** _____

Stewart County, Georgia

Good Driver Policy

As a part of Stewart County's concern for providing a safe working environment for all of its employees, we have long stressed the importance of having good drivers behind the wheel of company vehicles. Due to the increasingly strict requirements of our insurance company, Stewart County will review driving records (as indicated on a three-year State Motor Vehicle Report) of its driver/employees on a regular basis.

Any employee whose record indicates any of the following total convictions will no longer be able to operate a county vehicle:

(1) Two major convictions, which include:

- DUI conviction;
- Failure to stop and report an accident;
- Assault, manslaughter, or homicide arising out of the use of a motor vehicle;
- Reckless driving;
- Speed contest, drag, or highway racing;
- Possession of an opened alcoholic beverage container; and,
- Speeding in excess of 20 mph over posted limit.

(2) Three minor convictions, which include:

- Speeding, up to 20 mph over posted limit; and,
- Any additional moving traffic violation.

(3) One major conviction and two minor convictions as defined above.

Please note that a good driver is a good driver, whether behind the wheel of a county vehicle or his or her own. All accidents and violations that appear on an employee's MVR will be considered---not just those that occurred while on the job.

Questions concerning this policy should be directed to the employee's supervisor or department head. Employees are requested to acknowledge receipt and understanding of this policy by signing when requested. By signing, the employee authorizes the Commission to obtain and check his or her driving record for employment purposes.

Employee Consent to State Motor Vehicle Report Request

Social Security Number and Date of Birth will be obtained from employee's permanent file

Name: _____

Department: _____

Signature: _____

Date: _____

Stewart County, Georgia

Employee Acknowledgment Form

I, the undersigned, acknowledge and understand that the Stewart County Personnel Policy Manual is neither a contract of employment nor a legal document. I acknowledge that I am an employee at-will and have entered into my employment with Stewart County voluntarily and acknowledge that there is no specified length of employment. Any employment agreement that would alter my status as an employee at-will must be specified and executed in writing and approved by the Board of Commissioners. No other agreements will be enforceable or change my status as an employee at-will.

I understand that the County has the power to change the Policy Manual at any time and without prior notice.

I understand that I should consult my supervisor regarding any questions not answered in the Personnel Manual.

I acknowledge that I have received a copy of the Stewart County Personnel Policy Manual, and I understand that it is my responsibility to read and comply with the policies contained in the manual and any revisions made to it.

Signature

Date

Print Name