


## Welcome to the City of Senoia!

As an employee of the City of Senoia, the importance of your contribution cannot be overstated. Our goal is to provide the finest quality services to the people and businesses in the City of Senoia and to do this efficiently and effectively. This employee handbook contains key policies and expectations of the City of Senoia as your employer. You will find the information both necessary and informative and are encouraged to use the handbook as the vital resource it is intended to be.

As part of our team, you will discover that your involvement will not only benefit the City, but be a rewarding experience to you on both a professional and personal level. We expect you to own the results of your innovation and productivity and be an active participant in the growth and development of your career and of the City of Senoia's future.

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


Sincerely,

A handwritten signature in black ink, appearing to read "Robert R. Belisle", written over a horizontal line.

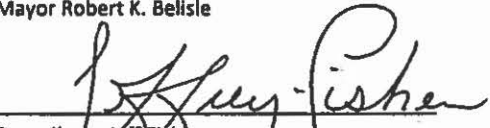
Mayor Robert Belisle

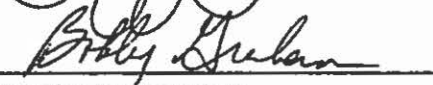
Adopted on 2 day of DECEMBER 2013

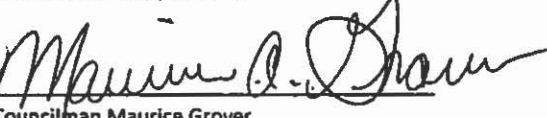
Effective January 1, 2014.

Attest:   
Debra J. Volk, City Clerk

  
Mayor Robert K. Belisle

  
Councilman Jeff Fisher

  
Councilman Bobby Graham

  
Councilman Maurice Grover

  
Councilman Larry Owens



**CITY OF SENNOIA**  
**PERSONNEL HANDBOOK**

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

Sincerely,

---

Mayor Robert Belisle

## **THE WAY WE WORK**

### **A WORD ABOUT HIS HANDBOOK**

This handbook contains a summary of the personnel policies and procedures of the City of Senoia. If you have any questions regarding policies or procedures, we encourage you to discuss them with the City Manager or Personnel Officer.

This handbook is intended to provide a better understanding of City policies and procedures. The policies outlined in this handbook should be regarded as guidelines which may change from time to time.

**THE POLICIES CONTAINED IN THIS HANDBOOK ARE NOT INTENDED TO AND DO NOT CREATE A CONTRACT OF EMPLOYMENT AND MAY BE ADDED TO, TERMINATED OR CHANGED AT ANY TIME BY THE CITY. YOUR EMPLOYMENT IS AT WILL AND FOR NO SPECIFIC PERIOD OF TIME. THIS HANDBOOK DOES NOT LIMIT YOUR RIGHT OR THE CITY'S RIGHT TO TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME. NEITHER ADMINISTRATION NOR REPRESENTATIVE HAVE ANY AUTHORITY TO ENTER INTO ANY AGREEMENT FOR EMPLOYMENT FOR ANY SPECIFIED TIME, OR TO MAKE ANY AGREEMENT CONTRARY TO THE FOREGOING UNLESS APPROVED IN WRITING BY THE MAYOR AND CITY COUNCIL.**

The City Manager or his/her designee is responsible for administering the policies in this handbook and any amendments thereto that may be subsequently adopted.

## **ARTICLE 1 PROVISIONS**

### **SECTION 1. AUTHORITY**

The City Council, at the December 2, 2013 meeting does hereby approve the following Personnel Policies for the City of Senoia adopted December 2, 2013.

### **SECTION 2. PURPOSES**

These policies are adopted to provide for the recruitment and development of the best available employee for each position in the City of Senoia and to establish orderly procedures for administering the personnel system so as to be consistent with the following merit principles:

1. Recruiting, selecting and advancing employees on the basis of their relative ability, knowledge and skill, including open competition of qualified applicants for initial appointment;
2. Establishing pay rates consistent with the principles of providing comparable pay for comparable work;
3. Training employees, as needed, to assure high-quality performance;
4. Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance without regard to political affiliation, race, color, national origin, sex, age, religion or handicapped status;
5. Assuring fair treatment of applications and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, age, religion or handicapped status;
6. Establishing a procedure for the presentation and adjustment of employee grievances based on alleged inequitable treatment because of some conditions of their employment; or based on alleged discrimination because of race, color, national origin, sex, age, religion or handicapped status;
7. Assuring employees' protection against partisan political coercion and prohibiting their use of official authority for interfering with or affecting the results of an election or the nomination for an office.

### **SECTION 3. POSITIONS**

These policies shall apply to all positions in the classified service including regular part-time employees as well as any temporary or part-time positions as may be specifically covered by action of the City Council. A "Classified Position" is any full time year-round or regular part-time position that exists or which created in any agency of the City government, if wages or salary of the incumbent or future employee is paid wholly by the City government, and/or if the employee is under control of the City as prescribed by the City Charter.

A regular full-time employee will be scheduled to work a minimum of 40 hours a week. A regular part-time employee will be scheduled to work a minimum of 20 hours a week.

Those employees holding positions on an elective or appointive board, in an elected position or of a temporary full-time, temporary part-time or voluntary nature are not to be included in the classified service.

Classified positions shall be divided into two categories:

1. Salaried
2. Hourly

**SECTION 4. ADMINISTRATION**

The City Manager shall administer these policies and in conformity with the Personnel Resolution adopted by the Mayor and Council. Throughout these policies, powers, and duties, inferred or expressed as pertaining to the City Manager may be delegated to designees with the approval of Mayor and City Council. The City Manager may formulate and prescribe such rules and regulations as they may deem necessary for the operation of the Departments. Such rules and regulations, when approved by Mayor and City Council shall be binding on the members of the Departments.

**SECTION 5. AMENDMENT**

These policies may be amended at any regular or special meeting of Mayor and City Council by adoption of an appropriate amendment by resolution. The copies of the proposed changes shall be posted in the prominent places in the City offices prior to the time they are to be considered by the governing authority.

**SECTION 6. INTERPRETATION**

These policies are intended to cover most personnel problems and action which may arise. Those not specifically covered shall be interpreted by the Mayor and City Council in keeping with the intent of the Personnel Resolution and these policies.

**SECTION 7. VETERAN'S PREFERENCE**

Procedures concerning honorably discharged veterans of any war will conform to Articles III, Section VII, Paragraph XXIV, of the Constitution of the State of Georgia.

**SECTION 8. ENFORCEMENT AND ADMINISTRATION**

The responsibility and authority of the enforcement and administration of the policies set forth herein are vested in the Mayor and City Council.

**ARTICLE II EQUAL OPPORTUNITY PLAN-HARASSMENT FREE WORK PLACE**

## **AMERICANS WITH DISABILITIES ACT & ADA AMENDMENTS ACT**

### **SECTION 1. EQUAL OPPORTUNITY**

It is the policy of the City of Senoia that all persons seeking employment with and/or employed by the City shall have equal employment opportunities, regardless of race, religion, creed, color, sex, national origin, age, disability or veteran's status. Further, it is the policy of the City of Senoia that equal employment opportunities shall be granted to any and all such persons, aforementioned, by the elimination and avoidance of discrimination which shall include, but not be limited to the following practices, and:

- A.** Ensure that recruitment, hiring and promotion for all job classifications is done without regard to race, religion, creed, color, sex, national origin, disability, age or veteran's status;
- B.** Make employment decisions so as to further the principles of equal employment by imposing only valid job related requirements;
- C.** Ensure that promotion decisions are in accordance with principals of equal employment by imposing only job related requirements for promotional opportunities. Also ensure that all other personnel actions and attributes of employment to which the employee shall be entitled and given, such as benefits, transfers, layoffs, return from layoff, training, education, social and recreational programs, will be administered without regard to race, religion, creed, color, sex, national origin, age, disability, or veteran's status;
- D.** All supervisors and managers shall take an affirmative leading role in seeking out and removing all traces of discrimination within their respective departments. Management performance in regard to this program will be evaluated, as is performance on other organizational goals;
- E.** The overall responsibility for enforcement of this policy will be through the City Manager or his/her designee. If required, Human Resource can be reached by writing to: Human Resource, P.O. Box 310, Senoia, Georgia 30276 or by calling (770) 599-3679.
- F.** All personnel actions will be analyzed regularly to ensure that this policy is followed.

### **SECTION 2. HARASSMENT FREE WORKPLACE**

The City of Senoia is dedicated to a work environment free from all forms of harassment or intimidation. The City regards harassment seriously and prohibits it in the workplace by any person and in any form.

- A.** Harassment based upon sex, race, color, age, disability, religion, creed, veteran or national origin will not be tolerated. Harassment of any sort, i.e. verbal, physical and visual, will not be tolerated.
- B.** Harassment is a serious offense, and any employee found to have engaged in such conduct is subject to severe disciplinary action up to and including termination. In determining whether the alleged conduct constitutes harassment, the totality of the circumstances, the nature of the harassment and the context in which the alleged incidents occurred will all be considered. The City will not retaliate against any employee who files a charge of harassment of discrimination.

- C. The City will not tolerate sexual harassment by any of its employees. Employees must avoid any action or conduct that could be perceived as sexual harassment; pervasive atmosphere or sexually stereotyped insults; jokes or innuendoes; or lewd and offensive remarks or behavior. At no time will any condition or any employment decision in any way be based upon consent to sexual relationships, either implicitly or explicitly. The City will not tolerate any conduct that can reasonably be perceived as creating a hostile, intimidating or offensive working environment. Participation in this behavior may be grounds for immediate termination.
- D. An employee who feels that he or she has been discriminated against or harassed should immediately take the following actions:
  - 1. Politely but firmly, confront the person who is harassing the employee; State clearly that you do not appreciate these actions and request that the harassment ceases immediately; If the harassment continues and/or if an employee has concerns that employment consequences may result from the confrontation, the employee should report the matter to the employee's immediate supervisor. If circumstances prohibit this response, the employee should report the behavior to Human Resources, City Manager, or Department Head or other staff, as appropriate;
  - 3. State specific details of the harassing behavior and, provide details of times, dates, places and witnesses of the harassment; and
  - 4. Employees have the right to circumvent the employee chain of command in selecting the person to whom a complaint of sexual harassment is made.

**SECTION 3. AMERICANS WITH DISABILITIES ACT & ADA AMENDMENTS ACT**

The City is committed to complying fully with the Americans with Disabilities (ADA) and its amendments, including:

- 1. Ensuring equal employment opportunities for qualified persons with disabilities and making reasonable accommodations for qualified individuals, unless making the reasonable accommodation would result in undue hardship to the City
- 2. When asked, we will attempt to make job applications available in alternative, accessible formats; and will also give assistance in completing the application
- 3. We only make pre-employment inquiries regarding an applicant's ability to perform the duties of the job
- 4. We require post-offer medical examinations for all jobs
- 5. We keep medical records confidential and separate from other personnel files.

Applicants or employees who need a reasonable accommodation in order to complete the hiring process or their job duties are to make a request of their supervisor, who will then coordinate their response with the Personnel Officer.

Anyone who feels there is a concern regarding compliance with the ADA should address their concerns to their supervisor.

## **ARTICLE III RECRUITMENT, STANDARD OF CONDUCT, PAY PLAN**

### **SECTION 1. RECRUITMENT**

To ensure a productive work force, only applicants who have obtained a basic education, i.e., a high school diploma or a general equivalency diploma (GED) will be considered to be hired as a full-time employee by the City of Senoia. The City Manager as applicable may grant a waiver or exemption to this requirement. These restrictions will not apply to part-time or temporary workers.

Members of the immediate family (as defined in Definitions) of a current City of Senoia employee shall not be eligible for employment in the same department as the employee.

The Personnel Officer shall use such various methods of media publicity and areas of recruitment as may be expected to bring notice of vacancies to as many qualified persons as possible and to assure obtaining well-qualified applicants. Announcements of all vacancies in the classified service shall include title of vacant position, qualification requirements, manner of making application and ending date.

Applications for employment shall be accepted for any City position; however only applications for current vacancies will be acknowledged and responded to with results. Applications will be retained for a period not to exceed one year.

### **SECTION 2. STANDARD OF CONDUCT**

The City of Senoia endeavors to employ responsible individuals and believes that the majority of employees are responsible citizens who understand and respect the right and property of their fellow employees and that of the City. However, whenever groups work together reasonable rules are necessary for the orderly conduct of the operation. Employees are expected to comply with rules established by the City during the working hours. Violation of any of these rules may result in actions ranging from an oral reminder to immediate discharge:

1. Habitual tardiness or absenteeism  
Gambling during work or on City property
3. Working on personal business or projects on City time
4. Creating or contributing to unsanitary housekeeping conditions
5. Conduct which endangers you or another employee
6. Unauthorized use of City tools, equipment, or other City property
7. Failure to comply with City's safety rules

8. Gross negligence or abuse resulting in the damage or destruction of property belonging to the City or others
9. Carrying explosives or other than City authorized weapons in City vehicles or on a work site
10. Stealing or hiding any property of the City
11. Divulging confidential information to an unauthorized person or making any disclosure of confidential information regarding the City to any person, agency, publication, or communication outlet without authorization from the City
12. Malfeasance

**SECTION 3. OPEN CONTINUOUS APPLICATIONS**

As a general policy, in order not to lose competent applicants, the Personnel Officer will accept applications anytime whether or not a vacancy has been announced. As a result of a single application, a candidate shall be considered for all classes of positions in which his principal qualifications might profitably be used. All applications shall be kept on active file for a period of one (1) year.

**SECTION 4. ESTABLISHMENT OF POSITON CLASSIFICATION AND PAY PLAN**

The Position Classification and Pay Plan of the City of Senoia adopted by resolution of the Mayor and City Council shall remain in effect until modified in accordance with provision of these policies.

**SECTION 5. ALLOCATION OF POSITION: CREATION OF CLASSES**

After the establishment of a new position has been approved, the appointing authority involved shall complete a position description governing the duties and responsibilities of each proposed new position. The City Manager shall allocate the position to one of the classes in the classification plan. If a suitable class does not exist, they shall recommend the establishment of a new class and after the adoption of the new class by the Mayor and City Council shall allocate the position to it.

**SECTION 6. ENTRANCE AT THE MINIMUM**

Each new employee shall be appointed at the minimum salary which has been established for the classification in which he/she is employed with the following exceptions:

1. If a new employee does not meet the minimum requirements of the position and qualified applicants for the position are not available, the City Manager may designate the employee as a "trainee" to be appointed at a salary below the minimum.
2. The City Manager shall determine that there has been a demonstrated inability to recruit at the minimum salary or that an applicant possesses exception qualifications, they may with the concurrence of the affected department head may employ the applicant at a higher rate than the minimum.

**SECTION 7. REGULAR SALARY INCREMENTS**

All regular hours earned will be in increments of the nearest quarter hour.

**SECTION 8 REMUNERATION**

All nonexempt full-time employees are eligible to receive overtime pay (1-1/2 times regular hourly rate) for all hours worked above the number schedule for the work period. The established work periods for City employees are as follows:

Police Officers	86 Hours/14 days
All Other	80 Hours/14 days

Unless otherwise stated herein, employees must actually work all hours in the work period before receiving overtime pay. Nonexempt employees are eligible to receive overtime pay for hours worked when called in on weekends and holidays.

Any employee called out to work during regularly scheduled off time will be credited with a minimum of two (2) hours work time. In these cases, employees are eligible for overtime pay as described above.

Exempt personnel are not eligible to receive overtime pay. The Personnel Officer will maintain a list of exempt positions.

**SECTION 9. EFFECTIVE DATE OF SALARY ADJUSTMENT**

Annual merit increases shall be effective on July 1<sup>st</sup> following the end of the employee's probationary period. The amount of a merit increase will be determined by the employee's overall evaluation rating. The City Manager shall annually establish the Cost of Living adjustment which will be effective on January 1 of each year. The Pay Plan will be adjusted according to the standard salary adjustment.

Mayor and City Council must approve special compensations and shall be effective on the date of final approval by the City Council.

**SECTION 10. SALARY OF RECLASSIFIED EMPLOYEES**

An employee whose position is reclassified to a call having a higher minimum salary shall receive a salary adjustment to at least the minimum new salary. An employee whose position is reclassified to a class having a lower minimum salary shall not receive a reduction in salary as a result of the reclassification.

**SECTION 11. SALARY OF A PROMOTED EMPLOYEE**

The salary of an employee promoted to a position in a class having a higher minimum salary shall be equal to at the least the minimum salary for that position during the employee's probationary period. Upon successful completion of the probationary period, the employee will be granted regular status in the new position. If the employee fails to successfully complete their probationary period following

promotion, they shall be reinstated in their former position in the same class of their former position, at their former pay.

**SECTION 12. SALARY OF A DEMOTED EMPLOYEE**

The salary of an employee demoted to a position in a class with a lower grade shall be reduced to at least 5% below their former salary. If the demotion is non-disciplinary, the Department Head may, if the employee's salary is comparable to other employees in the new position, elect to leave the employee's salary at the same level as their salary prior to the demotion.

**SECTION 13. SALARY OF PART-TIME EMPLOYEES**

The Position Classification and Pay Plan are for full-time service. An employee appointed for less than full-time service shall be paid at an hourly rate.

**SECTION 14. PAY UPON TERMINATION**

An employee who is separated from the City will receive payment for any unused annual leave and actual hours worked for the current pay period on the next scheduled pay day.

**ARTICLE IV APPOINTMENT**

**SECTION 1. METHOD OF FILLING POSITIONS**

Prior to advertising/interviewing for a position, the Department Head shall submit a "New Hire Form" to the City Manager. The form should include job description, skills and proposed salary. Following approval by the City Manager, the position can be advertised and interviewed for. When received, applications of all qualified applicants shall be forwarded to the Chief of Police/Department Head for his/her review. Following interviews, the Department Head/Chief of Police shall submit the "New Hire Form" naming the new hire, skills and salary to the City Manager. Upon approval, the Department Head/Chief of Police may offer the job. The Chief of Police/Department Head shall then submit a copy of the completed "New Hire Form" to the Payroll Clerk and Personnel Officer. The Personnel Officer will place the "New Hire Form" in the applicant's Personnel File.

**SECTION 2. EMERGENCY AND PROVISIONAL APPOINTMENTS**

The City Manager may approve emergency employment for not more than 90 days and provisional employment without open evaluation when the position must be filled immediately. No such provisional employment shall continue longer than six (6) months, nor shall successive provisional appointments be allowed.

**ARTICLE V PROBATIONARY AND REGULAR STATUS**

**SECTION 1. PROBATIONARY STATUS**

Each applicant appointed to a position shall be designated as a probationary employee for a period of six (6) months (Police Officer one (1) year) from the date of employment, or for a period not exceeding one (1) year if such extension is recommended by the Department Head and approved by the City Manager. During the probationary period, close observation of conduct and capacity of all probationers shall be made by Department Heads, and if it is found from such observation or otherwise that probationer fails to meet all requirements satisfactorily, he/she shall be notified in writing of the reasons for such failure and dropped from the regular service. Probationary employees may not receive vacation leave accrued during their probation period if they resign or are terminated.

**SECTION 2. REGULAR STATUS**

At least 15 working days prior to the expiration of the probationary period, the Department Head shall notify the Personnel Officer in writing whether or not the employee has satisfactorily completed his probationary period. If the employee's work record or attitude is not deemed at an acceptable level to warrant recommendation for career status, the Department Head may recommend dismissal or extension of the probationary period for a specified period of time not to exceed six (6) months. If a probationary employee fails to qualify for regular status at the end of an extended probationary period, their appointment shall be terminated and they shall be removed from government service.

The City Manager shall review recommendations from Departments and shall approve or reject such recommendations. The effective date of regular status for original or promotional appointments shall be as designated by the Department Head and City Manager. Never shall an employee be assumed to have attained regular status without recommendation of the appointing Department and approval of the City Manager.

**ARTICLE VI GENERAL EMPLOYMENT POLICIES**

**SECTION 1. HOURS OF WORK**

The City Manager under advisement of the Department Heads respectively, shall establish hours of work per week for each position in the City. These hours will be determined by the level of service required and by the reasonable needs of the public who may need to conduct business with the various departments.

**SECTION 2. ATTENDANCE**

Attendance at work is an essential function of all positions within the City and each employee is expected to arrive on time. All non-exempt employees shall keep daily attendance records. The Department Head shall compile these records and attendance shall be reported to the Payroll Clerk in time to post each bi-weekly pay record.

**SECTION 3. DRESS CODE**

Employees are expected to maintain the highest standards of personal cleanliness and present a neat, professional appearance at all times. The City Manager, in consultation with Department Heads, shall

determine inappropriate attire, which can include, but is not limited to shorts, halters, tank tops, jeans with holes, low necklines, flip flops, slippers or articles of clothing that have words, pictures, etc., that would be disruptive to a work environment. Situations in which inappropriate attire is worn and/or any exceptions to the dress code will be addressed by the employee's supervisor in consultation with the City Manager. Unless otherwise announced by the City Manager, every Friday employees may wear casual attire which is clean, neat and presentable. Any other casual day will be designated at the Manager's discretion.

**SECTION 4. CONFIDENTIALITY**

Upon employment with the City of Senoia and as a condition of continuing employment, the City requires that all employees (including temporary employees) agree to protect the confidential affairs of the City. Disclosure of confidential information is prohibited and may result in disciplinary action up to and including immediate discharge. Unauthorized disclosure of another employee's payroll or medical information may lead to action up to and including termination of the employee(s) involved. It is the City's policy not to discuss payroll, personnel or related issues with spouses of employees. Any inquiries should be made directly by the employee.

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

**SECTION 5. PECUNIARY INTERESTS**

No officer or employee of the City shall receive preference in the profits of any contract, service or other work performed by the City.

**SECTION 6. GIFTS**

No employee of the City of Senoia shall accept any valuable gift; i.e. more than \$25.00, whether in the form of service, loan, thing or promise, from any person, firm, or corporation.

**SECTION 7. POLITICAL ACTIVITIES**

Every employee of the City of Senoia may join or affiliate with civic organizations of a partisan or political nature, attend political meetings, advocate and support the principles and policies of civic or political organizations in accordance with Federal, State and local laws. However, no employee shall:

1. Engage in any political activity while at work during working hours;

2. Be required to contribute to, solicit for, or act as a custodian of funds for political purposes;
3. Coerce or compel contributions by any other employee of the City of Senoia for political purposes;
4. Use any City of Senoia supplies, materials or equipment for political purposes or to aid a political candidate, party or cause;
5. Wear clothing identifying his/her affiliation with the City of Senoia for political purposes or to aid a political candidate, party or cause during normal business hours or any events sponsored by the City.

**SECTION 8. SMOKE FREE ENVIRONMENT**

All City of Senoia owned vehicles and/or occupied buildings and stations within these buildings are designated smoke free environments. Outdoor areas have been designated for use during break, before or after working hours.

**SECTION 9. CONFLICT OF INTEREST**

The City recognizes the problem of conflicts of interest in the work place and believes the City has a legitimate right to know of possible conflicts between an employee's own interest and those of the City.

Personal activities or involvement from which personal benefit or obligation may potentially result should be avoided as it may create or appear to create a conflict with your responsibility and loyalty to the City. Conflict of interest shall include, but not be limited to:

1. Soliciting, accepting or agreeing to accept a financial benefit, other than from the City that might tend to influence the employee's performance of duties for the City of that which the employee knows or should know is offered with intent to influence the employee's performance.
2. Accepting other outside employment or compensation that might reasonable induce the employee to disclose confidential information acquired in the performance of official duties.
3. Accepting outside employment or compensation that might reasonably tend to impair independence of judgment in performance of the duties for the employee.
4. Making any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and duties for the City.
5. Soliciting, accepting or agreeing to accept a financial benefit from another person in exchange for having performed duties as a City employee as a favor to that person.

**SECTION 10. OUTSIDE EMPLOYMENT**

An employee of the City of Senoia is not permitted to engage in outside employment where such employment would bring the City in disrepute, reflect discredit upon the employee as an employee of the City, interfere with the performance of the employee's City duties, present a conflict of interest, result in misuse of City property or funds, or result in use of the City position for personal gain.

Occasional and part-time outside employment, which does not constitute a conflict of interest, interfere in the performance of their normal duties, nor involve the use of City time may be permitted with the written approval of the City Manager and Department Head.

**SECTION 11. EMPLOYEE PERSONNEL RECORDS**

The City retains employment records for all employees only in the designated administrative office. The City requires employees to keep their employment history current by submitting notice of change of address, telephone number, marital and benefit status, etc. immediately. Notice of change should be submitted in writing to the Payroll Clerk and City Clerk.

**SECTION 12. EMPLOYMENT CHECKS, REFERENCES AND RECOMMENDATIONS**

All inquiries regarding employment opportunities or about former or present employees must be referred to the City Clerk. This includes unemployment claims, verification of employment, loan verification, request for disability insurance information, reference checks, etc. Should the employee wish the City to release any or all information to an outside party for such purposes as loan approvals or reference checks, the employee must first inform the City Clerk in writing and sign an "Authorization for Release of Personal Data" in substantially the same form as included in this handbook.

The confidential nature of all personnel histories cannot be over-emphasized. Unauthorized disclosure of personnel history of any other employee may result in action up to and including termination of the employee(s) involved in the disclosure.

**Any violation of the provisions of this section shall be deemed improper conduct and such employee(s) shall be subject to disciplinary action.**

**ARTICLE VII ANNUAL/VACATION-LEAVE-OTHER BENEFITS**

**The purpose of this policy is to inform City of Senoia employees about the holidays that are currently observed by the City, annual leave, sick leave, workers compensation, COBRA, Family Medical Leave Act (FMLA), bereavement leave, life insurance, leave of absence, military leave, jury duty and other benefits.**

**SECTION 1. HOLIDAYS**

The City shall observe the following holidays:

New Year's Day

Thanksgiving

Martin Luther King JR's Birthday

Day after Thanksgiving

Memorial Day	½ Day Christmas Eve
Independence Day	Christmas Day
Labor Day	

When a holiday falls on Sunday, the following Monday will normally be observed. If it falls on Saturday, the Friday before the holiday will normally be observed.

In order to receive pay for observed holidays an employee must not have been absent without an excused leave in advance on either the work day immediately before or after the holiday.

Leave for other holidays observed by an employee may be arranged via request for annual leave or personal leave without pay, if submitted to and approved by the appropriate Department Head.

Any employee required to work on a holiday shall be paid in either (1) or (2) below:

1. Employees will be paid their regular pay plus an additional eight (8) hours of pay or:  
 In lieu of the additional eight (8) hours pay, employees will elect to substitute another day in lieu of the holiday with the approval of the Department Head. Day must be used within two pay periods of holiday.

**SECTION 2. ANNUAL/VACATION-LEAVE**

The City of Senoia provides paid annual/vacation leave for all full time employees after one (1) year of continuous employment as further defined in the following table.

Years of Service Days Earned per Year		
1-2 Years	5 days	40 hours
3 - 4 Years	10 days	80 hours
5 - 9 Years	15 days	120 hours
10 + Years	20 days	160 hours

Annual/vacation leave may be taken as earned and accrued, subject to the prior approval of the Department Head or Supervisor, who will schedule leave to ensure that the operational requirements of the department are being met. Annual or vacation leave taken by a Department Head must be approved by the City Manager.

All employees may accrue up to a maximum of 20 days of vacation past the employee’s anniversary date. Annual/vacation leave is accrued the last day of the employee’s anniversary month.

If an employee resigns, is terminated or retires, any annual/vacation leave earned and not taken, will be paid in a lump sum on the final check.

In all cases, no employee may receive pay in lieu of vacation not taken.

**SECTION 3. SICK LEAVE**

The City of Senoia provides 8 hours of sick leave per pay month. Paid sick leave each calendar year is available to all full-time employees for periods of temporary absences due to illness or injuries. Sick leave shall not be considered as a right that an employee may use at his/her discretion, but rather a privilege. Sick leave shall be granted only for the following reasons:

1. Personal illness or physical incapacity resulting from causes beyond the employee's control.  
  
Illness of an employee's spouse, child, or parent that requires the employee's personal care and attention.
3. Enforced quarantine of the employee in accordance with community health regulations.
4. To keep a personal medical appointment

Employees, who resign, separate or are involuntarily dismissed from City employment shall not be paid for accrued sick leave and shall lose all accrued sick leave credit. Payment for accumulated sick leave up to the following maximum will be made upon death or retirement from the City. Service will be as follows:

- 10 years total service-240 hours
- 15 years total service-480 hours

In order to be granted sick leave with pay, an employee must meet the following conditions:

1. Notify their immediate supervisor not later than one hour after the beginning of the scheduled workday of the reason for absence.

If the absence is longer than two workdays due to sickness or illness, the employee must present evidence of a medical examination or nursing visit for said sickness or illness. In the case of bodily injury when the absence is longer than two workdays the employee must present a medical certificate from a licensed physician stating when the employee is able to return to work and is physically able to perform the essential functions of the position.

**SECTION 4. COBRA**

COBRA, or the Consolidated Omnibus Budget Reconciliation Act, is a law enacted to provide continuation of group health coverage that otherwise might be terminated. COBRA provides certain former employees, retirees, spouses, former spouses, and dependent children the right to temporary continuation of health coverage at group rates

**SECTION 5. FAMILY MEDICAL LEAVE ACT - (FMLA)**

City of Senoia employees are covered under FMLA. Eligible employees are those who have been employed by the City for at least 12 months and have been employed for at least 1,250 hours of service during the 12 month period immediately preceding the commencement of the leave.

FMLA is a Federal program that permits employees to request family leave for a period of up to 12 weeks within a 12 month period. It is incumbent upon the employee to notify the employer of his/her request for family leave. Although not required, at least 30 days-notice will allow departments to better plan for this absence. Based on provided information, the employer will determine if the leave request qualifies under the Act. The City has determined that this leave will run concurrently with any accrued sick leave and/or vacation credited to the employee.

Exigencies arising out of a covered military member's status, or notification of an impending call, or an order to active duty status, qualify for up to 12 weeks FMLA leave. In addition, up to 26 weeks of FMLA leave in a single 12-month period to care for a covered service member recovering from serious injury or illness incurred in the line of duty is also available.

During the duration of the Family and Medical Leave, the City will maintain the employee's health coverage under the group health plan. The employee will not accrue any sick leave or vacation credit during an unpaid Family and Medical leave. However, the time taken for Family and Medical Leave will be counted for purposes of pension vesting. Upon return from Family and Medical leave, the employee will be restored to their original or equivalent position with equivalent pay, benefits and other employment terms. For further, and more in depth information, contact Personnel Officer.

**SECTION 6. BEREAVEMENT/FUNERAL LEAVE**

In the event of the death of a covered family member of an employee, the employee shall be entitled to up to three consecutive business days leave with pay for the purpose of attending the funeral of a family member. Required additional days must be taken as vacation time, if available. A family member is defined as a spouse, parent, grandparent, child, grandchild, brother, sister, parents- in-law, brother or sister-in-law, foster parents or a legal guardian of the employee.

**SECTION 7. MILITARY LEAVE**

Employees who become members of the Armed Forces shall be given re-employment and other rights in accordance with Federal and Georgia law.

Employees who are members of any reserve component of the Armed Forces of the United States, including members of the Georgia National Guard and Air National Guard who are called to active duty shall be entitled to a leave of absence from their respective duties, without loss of seniority, vacation accrued, or any other rights or benefits to which they are otherwise entitled. This is for periods of military service during which they are engaged in the performance of duty or training in the service of this State, or of the United States of America. Specific criteria is detailed in 20 CFR, Part 1002; RIN 1293-AA14.

**SECTION 8. JURY DUTY**

Employees, upon receipt of a summons for jury duty are required to notify their Department Head as soon as possible. The Department Head shall notify Human Resources and forward a copy of the jury summons to Human Resources. When an employee is called for jury duty, leave with pay will be authorized to allow the employee to serve. Employees will be paid the difference between their regular pay and jury pay. The employee is not to be paid regular pay in addition to jury pay.

**SECTION 9. MEDICAL AND DENTAL INSURANCE**

The City of Senoia offers paid medical and dental insurance for all full-time employees. For complete details of the medical plan offered, see Personnel Officer for options. Dependent coverage is also available at a cost to employee.

**SECTION 10. DISABILITY AND LIFE INSURANCE**

The City of Senoia offers both paid short term and long term disability insurance for all full-time employees. For complete details of the plans and summary of benefits, see Personnel Officer.

**SECTION 11. RETIREMENT SYSTEM**

The City of Senoia fully funds the employee Retirement Plan. Provisions for Retirement System for City of Senoia employees shall be as outlined in any Retirement Ordinance passed or amended by the governing authority. Refer questions to the Personnel Officer.

**SECTION 12. WORKERS COMPENSATION**

Employees, injured on the job, including approved travel on City business, are protected against loss of income and medical expenses by provisions of the Georgia Workers' Compensation Act. No charge will be made against sick leave for a job related injury unless the disability continues for more than six months. After that time, a charge will be made against sick leave, vacation, and then leave without pay. To reserve rights under the law, an employee must notify the City immediately if involved in an on-the-job accident that results in personal injury.

**SECTION 13. UNPAID LEAVE OF ABSENCE**

Employees may receive an unpaid leave of absence for good and sufficient personal reasons, (other than medical or family related leave provided under FMLA) and provided that no significant disruption to the City's activities will result. Each case will be considered individually. Requests for a leave of absence must be submitted in writing to the employee's Department Head and forwarded to the City Manager with a recommendation with a recommendation from the Department Head. An employee granted leave without pay will not receive compensation or City benefits and the employee will not accrue sick leave, holidays or vacation credit while on leave without pay. Employees on a leave without pay will be required to make contributions for health, life insurance, and retirement benefits, as required and

appropriate. Employees on leave without pay will not lose any employment benefits or seniority accrued before the date on which leave commenced.

An unpaid personal leave of absence, if approved, will be granted for a minimum of one (1) day or up to thirty (30) days.

Requests for a leave of absence for other than military leave should be made with the full understanding that, while the City of Senoia will make every effort to have a comparable position with comparable pay for the employee when returning from leave, the City cannot guarantee that the same position will be available upon return.

Reinstatement of the employee granted leave without pay will be dependent upon an available opening for which the employee is qualified.

If the employee does not report to work at the end of the personal leave of absence period, it will be assumed that the employee has voluntarily resigned.

#### **SECTION 14. INCLEMENT WEATHER**

Employees should not assume that City offices or operations are closed. We are a service operation and as such, we are obligated to the citizens to perform our duties. In the event of conditions such as freezing, flooding, etc. employee safety will be considered. If you feel it is unsafe to drive, you must contact your supervisor and notify him/her. If you cannot make it to work, you may be charged a day without pay. In the event that City offices are closed by the City Manager due to inclement weather or other similar emergency, employee absence will be recorded as approved paid leave. Employees already on an approved leave during an inclement weather event may not substitute the hours for inclement weather or other similar emergency for the leave they are already approved for.

### **ARTICLE VII EMPLOYMENT DEVELOPMENT**

#### **SECTION 1. TRAINING**

The City of Senoia recognizes the responsibility of the City to provide opportunities through training to develop skills and abilities for full performance and career advancement of its employees while being employed by the City. Periodically, the City shall provide training to its employees concerning policy and safety issues. All training shall be documented and the Personnel Officer shall maintain all documentation.

#### **SECTION 2. IN-SERVICE TRAINING**

Department Heads, under the direction of the City Manager, shall be responsible for fostering and promoting in-service training of employees for the purpose of improving the quality of service and to assist employees in preparing themselves for advancement.

#### **SECTION 3. UNIFORMS AND EQUIPMENT**

Uniforms for the Police Department and Public Works employees and such other employees as the City Manager may authorize may be furnished by the City. Equipment deemed essential to job performance may also be furnished if authorized by the City Manager.

## **ARTICLE VIII SEPERATION**

An employee may be separated from the service of the City by any one of the eight (8) different methods as described below:

### **SECTION 1.     Resignation**

To resign in good standing, an employee of the City must give fourteen (14) days' notice to his/her Department Head of his/her intention to resign. Employees who terminate their employment other than by discharge will receive their final paycheck on the next scheduled payday provided all issued equipment owned by the City is returned.

### **SECTION 2.     Abandonment of Position**

An employee who, without valid reason, fails to report to work for three (3) consecutive work days without authorized leave shall be separated from the payroll and reported as having abandoned his position. The employee is not eligible for re-employment for a period of two (2) years and shall be considered as resigning not in good standing.

### **SECTION 3.     DISABILITY**

An employee may be separated for disability when he/she has contracted some mental or physical ailment or defect which incapacitated him/her for usefulness in the City's service. Action may be initiated by the employee, his legal representative, or the City, but in all cases it must be supported by medical evidence acceptable to the City Manager. The City may require an examination at its expense, performed by a physician of its choice.

A Department Head/Chief of Police may direct an employee under his jurisdiction to be examined by a designated physician of the City. When a disability of any kind is discovered which impairs the effectiveness of an employee or makes his continuance on the job a danger to himself/herself or others the following action shall be taken:

1. If the disability is correctable, the employee shall be allowed a specified time as determined by the City Manager to have it corrected. If he failed to take steps to have the disability corrected within the specified time, he/she shall be subject to disciplinary action.

If, in the opinion of the examining physician, the disability cannot be corrected, the Department Head/Police Chief subject to the approval of the City Manager shall:

- a. Attempt to place the employee in another position which he can perform satisfactorily. If that cannot be accomplished successfully, the City Manager and Department Head shall:

- 1. Take steps to separate the employee from the City service through retirement or lay-off.

**SECTION 4. LOSS OF JOB REQUIREMENT**

An employee who is unable to do his/her job adequately because of loss of a necessary license or other requirement may be separated by a layoff until such license or requirement is acquired.

**SECTION 5. DISMISSALS**

Regular employees shall be discharged only after having been presented the reasons for the discharge, unlike the discharge of a probationary employee serving an initial probationary period (as may be extended) who may be dismissed without cause. An original report stating the reasons for the discharge shall be forwarded in a timely manner, after the effective date of the action, to the Personnel Officer for inclusion in the employee's file.

**SECTION 6. RETIREMENT**

Retirement shall be governed by policies set forth in the City Retirement Plan. Upon retirement the employee shall be paid for any used vacation leave accumulated and accrued sick leave if applicable.

**SECTION 7. LAYOFF**

It is the policy of the City of Senoia to ensure proper staffing levels to meet operational requirements, and to maintain a stable work force as a vital part of its overall employee relations objectives. However, certain economic and budgetary considerations and changes in the organization and programs of the City government may necessitate layoffs to reduce the size of its workforce. Employee(s) are to be laid off in order of the following criteria. Once a criteria is reached upon which a decision can be made, the remaining criteria are not considered.

- 1. Availability of funding source.
- 2. Availability of funding within the department
- 3. Deletion of job classification or position within the department
- 4. Job performance as shown on the last two performance evaluations or any such evaluation within a two-year period
- 5. Length of service with the City

When an employee possesses a critical skill essential to the efficient operation of the department, he/she may be retained in preference to a person with a higher rating. Documentation and request for

such action must be presented to the Personnel Officer for presentation to the City Manager who will make the final decision. The request shall set forth in detail the specific skills and abilities possessed by the individual and the reasons why such individual is essential to the effective operation of the department.

**SECTION 8. DEATH**

An employee who dies while in the City service shall be separated effective as of the date of death. Any salary due the employee, accumulated annual leave and sick leave accrued (if applicable) shall be paid to the estate of the deceased.

**ARTICLE VIII PROGRESSIVE DISCIPLINE**

**SECTION 1. DISCIPLINARY ACTION-METHODS**

It is the policy of the City of Senoia that employees conduct themselves and City affairs in accordance with the highest standards of personal integrity and ethical business practices. Every employee must clearly understand that any misappropriation, misuse, or conversion of City funds or property, regardless of the value for personal use or gain will not be tolerated. An employee who violates established policies will be subject to disciplinary action up to and including immediate termination and criminal prosecution, if warranted. Disciplinary action is intended to correct or modify recurring patterns of behavior which are detrimental to the City's operations. Such action should be initiated as soon after the behavior is observed as possible. Disciplinary action should also be undertaken in private meetings when possible. It is recognized that, given the nature of the City's operations, it is not always possible to do this. However, every effort should be made to execute disciplinary action in a timely manner while respecting the integrity of the process.

**SECTION 2. TYPES OF ACTION**

The following types of disciplinary action may be taken against employees violating established policies. These actions are to be taken in the sequence in which they appear below. It is recognized that some violations are so severe as to require circumvention of the established sequence.

1. **Reprimand Defined**  
Reprimand is an oral or written notice of policy violation, mistakes, inefficiency or other factor which may adversely influence employee's ability to efficiently and defectively carry out his/her duties and responsibilities.
2. **Oral Reprimand**  
Oral reprimands will be considered the normal means of correcting the action of employees; such reprimands will not affect the employee's privileges or status but will be recorded in his/her departments personnel file.
3. **Written Reprimand**  
The employee will receive a written statement describing the problem and what must be done to correct it. The written reprimand, with reference to prior oral

reprimands, if applicable will also contain a statement describing the probable consequences of not correcting the problem. The written reprimand will be given to the employee who will acknowledge receipt of same over his/her signature. If he/she feels the written reprimand to be unjust, will so state in writing, giving his/her reasons. Original acknowledgement and reply thereto, if any, will be forwarded for inclusion in the individual's official personnel file.

**4. Appeals from Reprimands**

Oral or written reprimands may be appealed through the appeal procedure prescribed in this manual, provided such appeal is instituted within 10 working days of date of oral reprimand or receipt of written reprimand.

**SECTION 3. SUSPENSION DEFINED**

Suspension is the temporary removal of an employee from City service for cause for a specified period of time. A suspended employee shall not receive pay during the suspension period and may accrue benefits during the suspension only as specifically provided in other parts of this rule.

**1. Suspension without Pay**

An employee may be suspended without pay for a violation of accepted policies governing performance and/or conduct. The suspension without pay shall not exceed thirty working days in one calendar year. Employees who serve suspensions without pay will not be authorized to make up lost time during the pay period in which they serve the suspension by working extra hours, overtime or by utilizing any accrued time.

**2. Disciplinary Salary Reduction**

An employee's salary may be reduced up to 5% for disciplinary purposes. This does not constitute a demotion.

**3. Disciplinary Demotion**

An employee may be demoted to a lower compensation 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 must include a decrease in compensation as follows:

- a. An employee who is demoted shall have his/her compensation reduced to a level not to exceed the maximum of the lesser range. If compensation before demotion falls within the range for the lower class, the employee's compensation shall be reduced at least to the next lower step in the new range. Compensation shall not be placed at a point higher than the employee could have reached had employment been continuous in the lower position. All compensation reductions shall be based upon quality and quantity of work as reflected by service

ratings and upon other recorded measures of performance giving due consideration to length of service, and shall correspond with the steps of the approved range. Exceptions to this procedure may occur based on circumstances unrelated to the employee's performance (i.e., reorganization, shortage of funds, etc.).

**4. Dismissal Defined**

An employee may be dismissed for disciplinary reasons when all other alternatives have failed to solve the problem, or when it is necessary to remove the employee from the workplace immediately and/or permanently.

**5. Dismissal Recommendation**

When he/she determines that such action is necessary, appropriate and in the best interest of the City service, a Department Head will notify the City Manager. The recommendation will be in writing and shall contain the reasons why it is necessary for the Department Head to dismiss an employee along with all necessary support and documentation. All documentation will then be forward to the Personnel Officer that an employee has been dismissed.

**6. Dismissal Notification**

Notification of dismissal shall be in writing and shall contain the reasons and effective date. A regular status employee shall also be informed in his/her notification that he/she has the right of appeal, pursuant to this policy.

**ARTICLE IX NOTIFICATION AND RESPONSE TO PROPOSAL OF ADVERSE ACTION FOR REGULAR EMPLOYEES**

**SECTION 1. NOTIFICATION**

The employee's immediate supervisor shall meet with the employee when facts have been alleged which, if true, would subject the employee to adverse action by the City. Should the immediate supervisor determine adverse action is appropriate based upon available information, the immediate supervisor shall submit the recommendation to his/her immediate supervisor for adverse action. If adverse action is for termination, such action may only be taken by the City Manager. Proposed adverse actions affecting the City Manager will be referred to Mayor and Council for action as deemed appropriate. If the City Manager is a contract employee, the terms of the contract will apply.

The employee's immediate supervisor or his/her immediate supervisor will give the employee written notification of the proposed adverse action within two (2) working days of the initial meeting with the

employee concerning the actions giving rise to the adverse action. For terminations, recommendations made by supervisors will be forwarded to the City Manager. The notification will contain the following:

1. The effective date of the action;  
The specific charges or reasons for the action;
3. A statement informing the employee that a response may be made to the supervisor proposing the adverse action within two (2) working days after receipt of the Notice of Proposed Adverse Action; and
4. A warning that a failure to respond to the supervisor proposing the adverse action will result in a waiver of all further appeal rights.
5. If for termination, the matter will be taken up by the City Manager. If the final action is for termination, the City Manager will issue a final decision.

**SECTION 2. EMPLOYEE RESPONSE**

The employee, upon receipt of the Notice of the Proposed Action, if he/she so chooses, may respond to the supervisor proposing the adverse action concerning this proposed adverse action, or to the City Manager for proposed terminations.

**SECTION 3. NOTICE OF FINAL ACTION**

The supervisor proposing the adverse action, after considering the employee's response, will issue a final decision on the adverse action within two (2) working days of receiving the employee's response, if any, and will inform the employee of the right to appeal the action. If the final action is for termination, the employee will be out-processed immediately and all pay and benefits will cease. Should the employee appeal the termination and be reinstated, the employee will be granted back pay to the date of termination.

**SECTION 4. POSTPONEMENT OF DEADLINE**

If the employee responds to the supervisor proposing the adverse action, the employee may request postponement of the deadline for the final notice by a specific number of days to conduct further investigation. If the deadline for the final notice is postponed, the effective date of the final action will be postponed by as many days.

**SECTION 5. GRIEVANCE PROCEDURES**

It shall be the policy of the City of Senoia to provide a procedure for the presentation and for the mutual adjustments of points of misunderstanding or disagreement that arise between employees and their supervisors and/or co-workers. It is also to assure employees that their problems and complaints will be considered fairly, rapidly, and without reprisal.

A grievance is a misunderstanding, a complaint, a point of view or an opinion pertaining to employment conditions, relationships between an employee and a supervisor and/or relationships with other employees. Such misunderstandings, complaints, points of view and opinions will be considered a grievance except in cases where they relate to a personnel action arising out of position classification, pay, discipline, demotion, suspension, and dismissal.

The following procedure is provided to govern presentation and adjustment of such disagreements. Its purpose is to determine what is right, rather than who is right. It incorporates a philosophy of management that a free discussion between employees and supervisors will always lead to a better understanding by both of the many practices, policies, procedures and agreements that affect employees and administration.

1. The employee, within five working days of the events giving rise to the alleged grievance, shall notify his/her immediate supervisor, in writing, of the grievance.
3. The immediate supervisor/manager shall respond in writing to the employee, addressing the grievance, within five working days of receipt of the grievance. A copy of the employee grievance and the supervisor response shall be forwarded to the Personnel Officer for placement in the employee's personnel file.
4. If the employee is not satisfied with the supervisor/manager's response, the employee shall have five working days to present the grievance in writing to the City Manager.
5. The City Manager, shall then make a decision, and advise the employee in writing of his/her decision within five working days after receipt of the alleged grievance from the employee. The City Manager, shall have the final authority to amend, reverse or confirm the decision of the supervisor; but, in either case, shall notify the employee and the supervisor of a decision within five working days after receipt of the alleged grievance from the employee. Copies of the employee grievance and the City Manager's response shall be forwarded to the Personnel Officer for placement in the employee's personnel file.
6. Documentation concerning the grievance review may be removed from the file and destroyed after one year with the approval of the Personnel Officer.

**SECTION 9. APPEALS DEFINED**

Any regular employee, except for City Manager and Department Heads who are reprimanded, suspended, demoted or dismissed shall be given the right to appeal this action to an Examining Panel (hereinafter referred to as the "Panel").

**SECTION 10. LIST OF QUALIFIED EXAMINERS**

The City Manager and Personnel Officer shall select and the City Council shall approve a list of City employees who shall be qualified to examine, investigate and hear appeals of aggrieved employees of the City. The list of qualified examiners shall be maintained by the City Manager and the Personnel Officer.

**SECTION 11. PROCEDURES FOR APPEALS**

1. Within ten (10) working days after an employee of the City has been aggrieved as defined in Section 3, the Aggrieved employee (hereinafter referred to as the “Appellant”, or their authorized agent, if any, shall file an appeal in writing with their Supervisor/Police Chief and the Personnel Officer.
2. Within five (5) working days after an appeal has been filed, the appellant or their authorized agent, if any, shall select from the list of qualified examiners the names of five (5) persons, a maximum of two who serve under the same Department Head as the appellant, from that he/she wished to serve on the panel and shall submit said names to the Personnel Officer.
3. Within ten (10) working days after the members of the panel have been selected, the Personnel Officer shall schedule a hearing before the panel and shall promptly notify all persons involved of the time and place of the hearing before the panel. The date of the hearing before the panel may be continued by agreement between the appellant or their agent, if any, and the Personnel Officer but, in any event, the hearing shall be held not later than 20 working days after the five (5) members of the panel have been determined. All hearings shall be held in private sessions unless, at the time of selecting the panel, the appellant or their authorized agent, if any, makes a written request to the Personnel Officer that he/she desires that the hearing be open to the general public.
4. At the hearing before the panel, the appellant shall have the right to be present and to be heard either personally or through counsel, to have all witnesses sworn, to call and examine witnesses on any evidence against him/her. The hearing will be recorded.
5. Within five (5) working days after a hearing before the panel, the panel shall make a decision on the employee’s appeal. The Personnel Officer shall mail or otherwise deliver a copy of the panel’s decision to the appellant. When the final decision of the panel is in favor of the appellant, said employee shall be restored to their former position and pay status and shall also be paid for salary, wages and allowances which may have been withheld or forfeited from the time of such dismissal, demotion, suspension, or reprimand.
6. The appellant may, if they so choose, appeal the panel’s decision within five (5) working days of that decision with the Mayor and City Council. The Mayor and Council shall

make its decision on the record in the hands of the panel unless the City, in its discretion, shall order a further evidentiary hearing as a matter of right. The decision of the Mayor and City Council shall be made within twenty (20) working days of the time an appeal was filed and will be final.

**SECTION 12. APPEALS FOR ADMINISTRATION/DEPARTMENT HEADS**

Administration and Department Heads who are reprimanded, suspended, demoted, or dismissed shall have the right to appeal this action to City Council.

**A. Procedure for Appeals**

1. Within ten (10) working days after an employee of the City has been aggrieved, the aggrieved employee (hereinafter referred to as the “appellant”), or their authorized agent, if any, shall file an appeal in writing to the Mayor with a copy of the appeal to the Personnel Officer.
2. Within twenty (20) working days of the appellant filing an appeal, the Personnel Officer shall schedule a hearing before the City Council and shall promptly notify all persons involved of the time and place of the hearing. The date of the hearing may be continued by agreement between the appellant and Council and the Personnel Officer but, in any event, the hearing shall be held not later than 20 (twenty) working days. All hearings shall be held in private sessions unless, at the time of submitting the appeal, the appellant or their authorized agent, if any, makes a written request to the Personnel Officer that he/she desires that the hearings be open to the general public.
3. At the hearings before Council, the appellant shall have the right to be present and to be heard either personally or through counsel, to have all witnesses sworn, to call and examine witnesses, to introduce exhibits, to cross examine opposing witnesses on any matter material and relevant to his/her appeal, and to rebut any evidence against him/her. This hearing will be recorded.
4. Within five (5) working days after a hearing before the City Council, Council shall make a decision on the employee’s appeal. The Personnel Officer shall mail or otherwise deliver a copy of Council’s decision to the appellant. When the final decision of City Council is in favor of the appellant, said employee shall be restored to their former position and pay status and shall also be paid for salary, wages, and allowances which may have been withheld or forfeited from the time of such dismissal, demotion, suspension or reprimand.

**ARTICLE X MISCELLANEOUS**

**SECTION 1. INTERNET AND ELECTRONIC MAIL**

This policy describes the City’s guidelines with regard to Internet access and disclosure of electronic mail messages sent or received by the City of Senoia employees with use of the City e-mail system.

The City respects the individual privacy of its employees. However, employee privacy does not extend to the employee’s work-related conduct or to the use of the City-provided equipment or supplies. You should be aware that the following guidelines may affect your privacy in the workplace.

All e-mails are public information unless otherwise determined confidential in accordance with Georgia Open Records Act.

As a condition of providing Internet access to its employees, the City places certain restrictions on workplace use of the Internet:

1. To communicate with fellow employees and clients regarding matters within an employee’s assigned duties;
2. To acquire information related to, or designed to facilitate the performance of regular assigned duties; and
3. To facilitate performance of any task or project in a manner approved by an employees’ supervisor.

Employees must comply with all software licenses, copyrights, and all other laws governing intellectual property and online activity.

Please be advised that your use of the Internet access, provided by the City, expressly prohibits the following:

1. Distribution of destructive programs (i.e., viruses and/or self-replicating code)
2. Hateful, harassing, or other anti-social behavior
3. Intentional damage or interference with others (for example, hacking and distributing viruses)
4. Making publicly accessible obscene files
5. Solicitation
6. Commercial usage of non-company business

7. Dissemination or printing of copyrighted materials (including articles and software) in violation of copyright laws.
8. Sending, receiving, printing or otherwise disseminating proprietary data, trade secrets or other confidential information of the City in violation of company policy or proprietary agreements
9. Offensive or harassing statements or language including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs
10. Sending or soliciting sexually oriented messages or images
11. Operating a business, usurping business opportunities or soliciting money for personal gain, or searching for jobs outside the City
12. Sending chain letters, gambling or engaging in any other activity in violation of the law

Violation of the City's Internet policy may include disciplinary action. The measure of discipline will correspond to the gravity of the offense as weighed by its potential effect on the City and fellow employees. When you connect to the Internet using the City's address designation, it should be for City business related activity.

The electronic mail system has been installed by the City to facilitate business communications. Although each employee has an individual password to access this system, it belongs to the City and the contents of e-mail communications are accessible at all times by the City Administration for any business purpose. These systems may be subject to periodic unannounced inspections, and should be treated like other shared filing systems. All system passwords and encryption keys must be available to the City Administration, and your passwords or encryption keys must be available to your Department Head.

All e-mail messages are company records. The contents of e-mail, property obtained for legitimate business purposes, may be disclosed within the City without your permission. Therefore, you should not assume that messages are confidential. Hack-up copies of e-mail may be maintained and referenced for business and legal reasons.

Because the City provides the electronic mail system to assist you in the performance of your job, you should use it for official City business. Incidental and occasional personal use of e-mail is permitted by the City, but these messages will be treated the same as other messages. The City reserves the right to access and disclose as necessary all messages sent over its e-mail system, without regard to content. Since your personal messages can be accessed by the City Administration without prior notice, you should not use e-mail to transmit any messages you would not want read by a third party.

Employees are prohibited from the unauthorized use of the passwords and encryption keys of other employees to gain access to the other employee's e-mail messages.

All material downloaded from the Internet or from computers or networks MUST be scanned for viruses and other destructive programs before being placed onto the City's computer system.

The City has the right, but not the duty, to monitor any and all aspects of its computer system, including, but not limited to, monitoring sites employees visit on the Internet, reviewing material downloaded or uploaded by employees, and reviewing e-mail sent and received by employees.

Employees waive any right to privacy in anything they create, store, send, or receive on the computer or the Internet.

## **SECTION 2.     EMPLOYEE SAFETY**

The City of Senoia desires to provide a safe working environment for its employees. To accomplish this, the City will provide all reasonable safeguards to ensure safe working condition. The City recognizes the need to follow good safety principles, and therefore, believes that no job is so important and no order is so urgent that we cannot take time to perform our work safely. The cooperation of all City employees in observing safety rules and procedures will provide safe working conditions and accident-free performance, which will benefit both the employees and the citizens of Senoia.

Department Supervisors are responsible for developing and carrying out an aggressive program of safety education and training.

Employees must comply with all occupational safety and health standards issued under the OSH Act that apply to their own actions and conduct on the job.

## **SECTION 3     GENERAL GUIDELINES**

1.       Ignorance of safety guidelines will not be accepted as an excuse for neglect or the use of unsafe practices in the performance of an employee's job.
2.       The ability/inability to perform work assignments safely shall be one factor of consideration in the selection and promotion of employees.
3.       The inability to perform work assignment safely is considered grounds for disciplinary action up to and including termination.

4. All unsafe conditions shall be corrected as soon as possible. Specific caution or instructions regarding this condition should be given to all employees working in the area until it can be corrected.
5. Each individual employee is responsible for reporting the presence of any hazard or unsafe condition to his/her supervisor.
6. Pranks, practical jokes or other types of horseplay are not conducive to a good safety program and will not be tolerated.

**SECTION 4      GENERAL SAFETY**

1. No smoking is permitted near or around gas pumps or any other flammable liquids.
2. All work areas including vehicle cabs must be kept clean and free from all rubbish and debris.
3. All materials in storage must be stored in a neat and orderly manner.
4. Fire Extinguishers must be maintained in all work areas and kept in working condition at all times. All employees should know the location of the fire extinguishers in their working area.
5. It is required that all employees learn and follow safe work procedures in the use of tools, equipment and machinery normally used in their work.
6. All guards, shields, etc. must be in place and required personal protective items in use at all times when using machines, tools or equipment.
7. All tools, equipment and machinery must be kept clean and in good working condition. Regular inspection procedures should be established and followed.
8. No employee should attempt to use, adjust, repair or tamper in any way, with any electrical or mechanical equipment unless he has specific authorization to do so.
9. All worksites shall be properly marked and all necessary safety precautions taken.

**SECTION 5.      MOTOR VEHICLE SAFETY**

All employees of the City must have a valid Georgia Driver's License to operate a City owned vehicle, and where required, a commercial license.

It is the vehicle operator's responsibility to operate his/her vehicle in a safe and courteous manner, and obey ALL traffic laws. Seat belts must be worn at all times when operating a City vehicle. City vehicles are constantly under observation of the citizens and must be operated in a safe manner.

Employees shall immediately report all accidents to their Department Head and notify the Senoia Police Department to call in an outside agency. The employee shall not leave the scene of an accident until an investigation has been made. Employees involved in an accident shall be required to report for a drug and alcohol test. Failure to report an accident will result in disciplinary action up to and including termination.

Violation citations, fines or other action taken by any police jurisdiction against any employee while driving a City vehicle shall be responsibility of the employee and may cause disciplinary action. Loss of driving privileges through citations or other action taken by any police jurisdiction against any employee must be reported immediately to their Department Head.

Anyone misusing or abusing City vehicles, using a City vehicle for other than approved purposes, or taking a vehicle home when not approved by the City Manager shall be subject to appropriate disciplinary action, including dismissal if deemed appropriate.

#### **SECTION 6.     JOB INJURIES**

An employee must immediately notify his/her Department Head and the Personnel Officer of any on the job injury. The Personnel Officer shall then notify the City Manager.

### **ARTICLE XII DRUG AND ALCOHOL POLICY**

City of Senoia 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 City of Senoia 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 City has established the following policy:

Any employee found to be using alcohol or illegal drugs during working hours will be terminated.

It is violation of City of Senoia policy for any 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 City of Senoia policy for any employee to report to work under the influence of or while possessing in his/her body, blood or urine illegal drugs in any detectable amount.

It is a violation of City of Senoia policy for any employee to report to work under the influence of or impaired by alcohol.

It is a violation of City of Senoia 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 prescribed medications.)

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

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 City of Senoia.

## **SECTION 1. 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 observation, including whether substance abuse had 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 and alcohol test may be in order. An impaired employee will not be allowed to drive.

## **SECTION 2. PROHIBITIONS**

Alcohol Prohibitions-This policy prohibits any alcohol misuse that could affect performance of an employee's ability to function, including:

1. Use while performing any job function for City of Senoia.
2. Use during the four (4) hours before performing any job function for the City of Senoia
3. Reporting for work or remaining at work with an alcohol concentration of 0.02 or greater. \* (See note below.)
4. Unauthorized possession of alcohol. This includes the possession of medicines containing alcohol (prescription or over the counter.)
5. Use during eight (8) hours following an accident, or until he/she undergoes a post-accident test.

6. Refusal to take a required test.

Note: an employee found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not perform, nor be permitted to perform, any safety-sensitive function for at least twenty-four (24) hours. Before any employee return to work, he/she must undergo a return to duty test with a result of less than 0.02.

Documentation of this test constitutes written warning that City of Senoia's policy has been violated and the next occurrence will result in termination of employment.

Drug Prohibitions-This policy prohibits any drug use that could adversely affect employee performance including:

1. Unlawful use of any controlled substance.
2. Use of any over-the-counter or prescribed medication, use of which medication could be reasonably anticipated to impair the employee's ability to perform his/her job functions in a safe and competent manner.
3. The intentional inhalation, consumption, or absorption of any substance that could reasonably be anticipated to impair the employee's ability to perform his/her job functions in a safe and competent manner.
4. Any "positive result" on a test for controlled substances; and
5. Any refusal to submit to a required test.

All employees will inform appropriate supervision of any therapeutic drug, which may have adverse side effects, use prior to performing any job function for City of Senoia.

### **SECTION 3. SUBSTANCE PROHIBITED/PRESCRIPTION MEDICATIONS**

#### Alcohol Use

Meaning the consumption of any beverage, mixture, or preparation, including any medication containing alcohol which, when consumed, causes an alcohol concentration in excess of those prescribed above.

Controlled Substances: City of Senoia will conduct urinalysis to detect the presence of the following substances:

- Marijuana
- Cocaine
- Opiates
- Amphetamines
- Phencyclidine (PCP)

### Prescription Medications

Employees taking legally prescribed medication which may adversely affect job performance issued by a licensed health care professional familiar with the employee's work-related responsibilities must report such use to their immediate supervisor, and may be required to present written evidence from the health care professional which describes the effects such medications may have on the employee's ability to perform his/her tasks.

## **SECTION 4. TYPES OF TESTING**

The following types of testing will be implemented at City of Senoia as part of our Substance Abuse Policy.

Under all circumstances, when an employee is directed to provide either a breath or urine sample in accordance with these procedures, he/she must immediately comply as instructed. Refusal will constitute a positive result, and the employee will be immediately removed from their job function and subject to termination.

### Pre-Employment Drug Testing

1. All job applicants for safety sensitive or fiduciary responsibilities at the City of Senoia 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.
2. Job applicant means a person who has applied for a position and has been offered employment conditioned upon successfully passing a substance abuse test and may have begun work pending the results of the test.
3. All temporary and part-time workers for the City of Senoia are subject to pre-employment testing or will be obtained from temporary agencies that have a certified testing program already in place.
4. Applicants will be required to submit voluntarily to a urinalysis test at a laboratory chosen by the City of Senoia, and by signing a consent agreement will release the City of Senoia from liability.
5. If the physician, official or lab personnel have reasonable suspicion to believe that the job-applicant has tampered with the specimen, the applicant will not be considered for employment.
6. The City of Senoia 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 City of Senoia will not tolerate.

### Random Testing

Each year the City of Senoia will conduct random drug and alcohol tests equal to 50% of the total average number of employees at the City of Senoia during the calendar year. All random tests will be unannounced and the dates and times will vary throughout the year.

All employees in safety sensitive or fiduciary jobs will have their names entered into a computer and a computerized random number generator software will be utilized to ensure that every employee has an equal chance of being selected each time names are chosen for testing.

Once notified, an employee must proceed immediately to the assigned collection site. Refusal to submit constitutes a positive result and will result in immediate termination. Once an employee is tested, their name is available for selection the next time names are chosen. This ensures that every employee is eligible to be tested each time random tests are conducted.

#### Reasonable Suspicion Testing

The City of Senoia has adopted testing practices to identify employees in safety sensitive or fiduciary positions 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 in safety sensitive or fiduciary positions to submit to substance abuse testing under the following circumstances.

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 City of Senoia policy drawn from specific objective and articulable facts and reasonable inference 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:

1. Observable Phenomena while at work such as direct observation of substance abuse or the physical symptoms or manifestations of being impaired due to substance abuse.
2. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
3. A report of substance abuse provided by a reliable and credible source.
4. Evidence that an individual has tampered with any substance abuse test during his/her employment with the current employer.
5. Information that an employee has caused or contributed to an accident while at work or was directly involved in an accident.
6. 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.
7. Other observable phenomena such as the odor of alcohol or drugs (i.e. marijuana) emanating from the body.

If a supervisor has reasonable suspicion that an employee may be impaired by substances, i.e. drugs or alcohol, the supervisor must promptly fill out a drug/substance incident check sheet documenting the circumstances which formed the basis of the determination that reasonable suspicion existed to warrant the testing. The record must be completed within 24 hours of the observed behavior or before the result of the drug test is released, whichever is earlier. A copy of this documentation shall be given to the employee upon request and the original documentation shall be kept confidential and maintained in a file for a minimum of one year.

The supervisor should make a reasonable effort to have a second supervisor observe the employee if possible. The supervisor should discuss the situation with the employee to try and ascertain if an impairment exists. If the supervisor feels that grounds exist for a reasonable suspicion test, the supervisor should contact the Personnel Officer and request a drug and alcohol test.

## **SECTION 5. POST-ACCIDENT TESTING**

Post-Accident testing is called for when an employee has caused or contributed to an on-the-job injury that results 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. The City of Senoia also may send employees for post-accident testing if they are involved in an on-the-job accident where personal injury or damage to City of Senoia vehicles or equipment shall be subject to post-accident testing. The employee shall notify their supervisor immediately following any vehicle or equipment accident. Post-Accident is defined as drug and alcohol testing.

Drivers shall submit to a drug and alcohol test as soon as possible after an accident, if the driver is found at fault in the accident. An accident is defined as an occurrence involving a motor vehicle operating on a public road which results in:

1. The death of a person, bodily injury to a person that requires immediate medical attention away from the scene of the accident, time lost from work, or to seek medical attention, disabling damage to one or more motor vehicles as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle. The driver may not consume alcohol for eight (8) hours following the accident, or until the alcohol test is administered, whichever is less and must submit to a drug test within thirty-two (32) hours following an accident.

Any driver involved in an accident that requires a post-accident testing is responsible for ensuring that a specimen is collected and forwarded to a certified laboratory in a manner that conforms with 49 C.F.R.

Part 40. City of Senoia shall provide drivers with the information necessary to meet the requirements of this section.

If a driver is seriously injured and cannot provide a specimen for testing, that driver shall authorize the release of hospital reports or other documents that would indicate whether there were controlled substances in the driver's system.

- The above section only applies to those employees in safety sensitive positions.

## **SECTION 6. RETURN TO DUTY-FOLLOW UP TESTING**

Employees retained in employment who have tested positive for controlled substances shall not be allowed to return to work or to operate any company motor vehicle or equipment until they have completed a rehabilitation program prescribed by a Substance Abuse Professional and test negative on a return-to-duty drug and alcohol test. Any employee returning to work after a positive test result shall continue in any after-care program required by the City of Senoia and shall be subject to follow-up testing for a period no less than twenty-four (24) months and not more than sixty (60) months after returning to work. The tests are conducted as part of a follow-up program to treatment for drug or alcohol abuse. Advance notice of testing WILL NOT be given to the employee.

Any employee testing positive or controlled substances shall be given the opportunity to discuss alternative medical explanations for the test results with the Medical Review Officer (MRO) before the test results are reported to the employer. This includes an opportunity for the employee to discuss what prescribed medication the employee is taking that might influence test results. If a controlled substance is prescribed for an employee by a licensed medical practitioner who is familiar with the employee's medical history and assigned duties, such use shall be an affirmative defense to disqualification under this policy.

Any employee refusing to submit to testing under this section of the policy shall be treated as if the employee has tested positive for a controlled substance.

Individual test results shall not be released by the City of Senoia without the employee's written authorization. Drug and alcohol test results shall be kept separate from the employee's personnel records.

## **SECTION 7. DRUG TESTING PROCESS**

The following process will be used by the City of Senoia or its agent when performing a drug test:

1. All drug tests will be conducted in a manner reasonable to protect the privacy of the individual and to prevent substitution or contamination of the specimen.

2. Upon notification of selection for a drug test, the employee is to proceed immediately to the collection site for testing. Failure to report to the collection site will be considered the same as a positive test and disciplinary action will be taken up to including termination.
3. Upon arrival of the donor, the employee will be required to produce photo identification.
4. After verifying the identity of the employee, the Collection Technician (CT) will explain the testing process to the donor.
5. The CT will record the donor's social security number on the Chain of Custody form (C.O.C.)
6. The CT will ask the donor to remove any garments such as an overcoat.
7. The donor will be asked to wash his/her hands.
8. The CT, prior to testing, treats all toilets and urinals that have standing water with a bluing agent.
9. All access to water taps will be taped off to prevent their use.
10. The donor is instructed to go into the collection area and produce a minimum of 45ml of urine into the collection container.
11. The donor should immediately bring the specimen to the CT.
12. The CT will view the specimen for any discoloration or settlement. The temperature of the specimen is to be checked within four (4) minutes of collection and the temperature will be recorded on the C.O.C. form.
13. The CT is to examine the urine sample for evidence of contamination. If the collection technician has reasonable suspicion to believe that an employee has tampered with a specimen, the urine will be disposed of and the donor will be required to provide an observed sample for testing.
14. The CT should pour off 30ml of urine into one collection container. The balance of the urine (up to 30ml) is to be poured into a second collection container.
15. Both samples are to be capped and sealed and a tamper proof security seal placed over the cap of each collection container. The CT should record the temperature on the C.O.C. form.
16. The donor is to initial both seals and should sign the C.O.C. form.
17. The donor should wash his/her hands. The CT should also wash his/her hands or wear surgical gloves.
18. The CT is to complete the C.O.C. form and package the sample for shipment or for testing at the medical facility. This is to be accomplished in full view of the donor.
19. The donor's portion of the test is now complete. The employee is to return to their work assignment.
20. The sample will be sent to a laboratory or forwarded to the laboratory on site that is certified by the Substance Abuse and Mental Health Services Administration for analysis.
21. When the drug test result is received from the lab, it will be stored in a secure file separate from the personnel files.

## **SECTION 8. ALCOHOL TESTING PROCESS**

The following process will be used by City of Senoia or its agent when performing an alcohol test.

1. All alcohol tests will be conducted in a manner to protect reasonable the privacy of the individual
2. All alcohol tests will be performed utilizing an Evidential Breath Tester (EBT) listed on the U.S. Department of Transportation conforming products list (CPL.)
3. All alcohol tests will be conducted by a certified Breath Alcohol Technician (BAT) which is trained in the use of the specific EBT used to conduct the tests at City of Senoia.
4. Upon notification of selection for an alcohol test, the employee is to proceed immediately to the testing site. Failure to report to the testing site will be considered the same as a positive test and disciplinary action will be taken up to and including termination.
5. When the employee arrives at the testing site, he/she will be asked to produce photo identification.
6. The BAT will explain the testing process to the employee and obtain data for completing the Breath Alcohol Testing Form. The data is stored in electronic form in the notebook PC attached to the EBT then printed onto the three-part collection form. The employee will be asked to verify the printed data and sign the breath Alcohol Testing Form prior to taking the test.
7. The employee will be instructed to blow into the mouth piece of the Evidentiary Breath Testing devise (EBT) until the sample is automatically taken by the equipment.
8. The EBT will analyze the breath sample and display the result. At the same time, the information will be sent from the EBT to the attached notebook PC and registered on the Breath Alcohol Testing Form stored electronically in the PC. The EBT also records the date and time of the test.
9. The test results will be printed out and the employee will be instructed to sign and date the bottom of the Breath Alcohol Testing Form
10. If the initial screening test result is less than 0.02, the test is complete and the employee may return to his/her work assignment. In accordance with Police Department Standards, any amount of alcohol will cause a certified officer/PD Employee to go home and receive disciplinary action.
11. If the test result is greater than 0.02, the employee must wait 15 minutes and take a second, confirmation test. During the waiting period, the employee may not smoke, eat or drink anything.
12. If the confirmation test is below 0.02, the test is complete and the employee may return to their work assignment. If the confirmation test is above 0.02, the BAT will notify the Personnel Officer at the City of Senoia so that required actions may be taken to remove the employee from duty.

13. The alcohol test result will be stored in a secured file and maintained separate from employee personnel files.

The Medical Review Officer (MRO) shall notify employees of the results of controlled substance testing conducted under this section of the policy, provided the results are positive. Employees shall also be advised of the controlled substance identified in any positive test.

#### **SECTION 9. ACTIONS TAKEN FOLLOWING A CONFIRMED POSITIVE TEST**

Any employee of City of Senoia that has a confirmed positive test for Marijuana, Cocaine, Amphetamines, Opiates (including heroin) or Phencyclidine (PCP) or alcohol, will be subject to disciplinary action up to and including termination.

Employees have a right, at their expense, to request a re-test utilizing the split sample obtained during the original test. If the re-test results in a negative test, the original test will be voided. An employee will not be allowed to submit another specimen for testing.

Within five (5) days after receipt of a confirmed positive drug test from the MRO, the employee will be notified in writing the fact that he/she tested positive. The employee will also be informed about the consequences of testing positive and the options available to the job applicant or employee.

A job applicant or employee may request a copy of a positive test result.

Any employee of City of Senoia that has a confirmed positive test for alcohol of 0.02-0.039 will be subject to disciplinary action. Employees with an alcohol test result of 0.04 or higher will be subject to termination.

Any employee that tests positive for alcohol, (0.02 or higher), will be given a confirmation test for alcohol to verify that initial test results. A 15 minute deprivation period will be observed between the initial alcohol test and the confirmation test. The deprivation period will assure that any residual mouth alcohol has an opportunity to dissipate before the confirmation test is conducted.

#### **SECTION 10. REFUSAL TO SUBMIT TO AN ALCOHOL OR DRUG TEST**

Refusal by an employee of City of Senoia to complete and sign the breath alcohol testing form (Step 2), to provide breath, to provide an adequate amount of breath or otherwise to cooperate with the testing process in a way that prevents the completion of the test, shall be noted by the BAT (Breath Alcohol Technician) in the remarks section of the form. The testing process shall be terminated and the BAT will immediately notify the Personnel Officer. The refusal to test will result in the employee's termination.

An employee of City of Senoia that refuses to provide a urine sample or otherwise to cooperate with the testing process in a way that prevents the completion of the drug test, shall be noted by the CT (Collection Technician) in the remarks section of the Chain of Custody form (C.O.C.). The testing process shall be terminated and the CT will immediately notify the Personnel Officer. The refusal to test will be considered a positive test and the employee will be subject to disciplinary action up to and including termination.

**SECTION 11. SHY BLADDER SITUATION**

If a donor is unable to produce at least 45 ml in a single void, a “shy bladder” condition exists. In this case, the donor would be requested to sit in view of the CT and is given the opportunity to consume up to 40 ounces of fluid. The donor may take up to three hours to repeat the test in an attempt to produce 45 ml of urine. If the donor is still not able to produce an adequate sample, the donor must be evaluated by a licensed medical doctor to determine if the inability represents a refusal to be tested.

**SECTION 12. SHY LUNG SITUATION**

If a donor is unable to provide an adequate amount of breath to register a result on the EBT (Evidential Breath Tester), the donor will be referred to a doctor for evaluation. If the doctor determines the donor is not physically impaired, the test may be considered positive and appropriate disciplinary action will be taken up to and including termination.

**SECTION 13. POLICY CERTIFICATION**

City of Senoia Drug-Free Workplace Program is certified by the Georgia Workers’ Compensation Board in accordance with Title 34, Chapter 9, Article 11 of the Official Code of Georgia Annotated.

**SECTION 14. STATEMENT OF CONFIDENTIALITY**

All information received through substance abuse testing is confidential, but may be used or received in evidence, or obtained in discovery, or disclosed in any civil or administrative proceeding when the information is relevant to City of Senoia defense, e.g., a workers’ compensation hearing.

**SECTION 15. EMPLOYEE ASSISTANCE PROGRAM**

City of Senoia has provided, as a core benefit, an Employee Assistance Program. Confidential counseling is available through the EAP for any employee with a substance abuse problem. If an employee has a substance abuse problem, we encourage confidential discussion of the problem with his/her immediate supervisor and the Personnel Officer. The supervisor and Personnel Officer will assist the employee with obtaining professional counseling and/or treatment through the company Employee Assistance

Program. Participation in this program will not be a mitigating factor in regards to violation of the Substance Abuse Policy.

If an employee acknowledges that he/she has a substance abuse problem, after being notified of his/her random selection for substance abuse testing, the employee still will be required to submit to testing consistent with this policy.

**SECTION 16. FEDERAL DRUG-FREE WORKPLACE ACT OF 1988**

As a condition of employment, employees must abide by the terms of this policy and must notify City of Senoia in writing of any conviction of a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction.

**SECTION 17. EMPLOYEE EDUCATION**

Every employee of City of Senoia will receive a minimum of two (2) hours of education per year on substance abuse and its effects on the workplace. Training sessions will be conducted twice a year.

**SECTION 18. SUPERVISOR TRAINING**

Supervisor training is critical to the overall success of the Substance Abuse Policy at City of Senoia. The supervisor is the first line of defense in recognizing and dealing with the employee who may be affected by drugs or alcohol.

Each supervisor will receive training in recognizing substance abuse problems and to make decision when dealing with such situations. All supervisors receive the same training as employees plus an additional two (2) hours per year.

Adopted on \_\_\_\_\_ day of \_\_\_\_\_, 2013

Effective January 1, 2014.

Attest: \_\_\_\_\_  
Debra J. Volk, City Clerk

\_\_\_\_\_  
Mayor Robert K. Belisle

\_\_\_\_\_  
Councilman Jeff Fisher

\_\_\_\_\_  
Councilman Bobby Graham

\_\_\_\_\_  
Councilman Maurice Grover

\_\_\_\_\_  
Councilman Larry Owens

**AUTHORIZATION FOR RELEASE OF PERSONAL DATA**

I, the undersigned, hereby authorize and request the City of Senoia to furnish to

\_\_\_\_\_ AND/OR ITS EMPLOYEES OR AGENTS, ANY AND ALL

INFORMATION IN THE City's possession regarding me. This information is to be used for

\_\_\_\_\_. I hereby release from liability and hold harmless

The City, its employees, officers, and agents for supplying this information.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

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## EMPLOYEE ACKNOWLEDGMENT FORM

This Personnel Handbook describes the policies and procedures at the City of Senovia, Georgia and I understand that I should consult Human Resources regarding any questions not answered in the Personnel Handbook. I acknowledge that I am an employee at-will and have entered into my employment with the City of Senovia voluntarily.

This Personnel Handbook replaces and supersedes any earlier personnel practice, policy, or guideline. However, since the policies and procedures described within this handbook are subject to change from time to time, I acknowledge that revisions may occur. I understand that such changes may supersede, modify, or revoke existing policies. The Mayor and City Council have the ability to adopt any revisions to the policy and may do so at any time without notice.

Furthermore, I acknowledge that the Personnel Handbook is not a contract of employment and understand that it is my responsibility to read and comply with the policies contained in the manual and any revisions made to it.

Employee Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

