



# 2024 EMPLOYEE HANDBOOK

Human Resources Department

 [www.waycrossga.gov](http://www.waycrossga.gov)

 417 Pendleton St., Waycross, GA 31502

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## ARTICLE 1 — GENERAL PROVISIONS

### Introduction

The City OF THE WAYCROSS (“City”) welcomes you as an employee. The City is committed to ensuring that you have a positive work environment in which to pursue your career. To assist in creating such an environment, the City expects its employees to meet the following minimum employment standards:

- *Honesty and Integrity*
- *Have Regular and Prompt Attendance*
- *Positive Attitude*
- *Be Courteous and Helpful to the Public*
- *Be Productive*
- *Respect Yourself and Each Other*
- *Be Safe*
- *Work Smart*
- *Be Accountable*
- *Be Committed*

Your Handbook provides general information about City policies, procedures, expectations, and benefits. The information in this Handbook, however, cannot anticipate every situation or answer every question regarding your employment. The Human Resources Director shall make interpretive decisions for those situations that are not specifically covered by the provisions of this Handbook.

### Section 1.00.01 – Amendments

These policies may be amended at any regular or special meeting of the City Commission by adoption of an appropriate ordinance.

### Section 1.00.02 – Administration

These personnel policies shall be administered by the Human Resources Director.

### Section 1.00.03 – Departmental Operating Rules and Regulations

Departmental Operating Rules and Regulations, not in conflict with this Handbook, may be established and used by any Elected Official/Department Director as applicable. All such Departmental Operating Rules and Regulations and subsequent amendments thereto adopted pursuant to this Section shall be submitted to the Human Resources Director for maintenance in

the Human Resources Department. In the event of a conflict between the Departmental Operating Rules and Regulations and this Employee Handbook, the Employee Handbook shall govern.

#### **Section 1.00.04 – Executive and Contracted Employees**

Executive and Contracted employees of the City are excluded from the applicability of these policies, unless otherwise stated in an employment contract.

#### **Section 1.00.05 – Equal Employment Opportunity**

The City is an equal-opportunity employer. It is the policy of the City to provide equal employment opportunities to qualified persons without regard to race, color, religion, gender, national origin, age, genetic information, military status, or any other protected class. This policy relates to all phases of employment, including, but not limited to, recruitment, placement, promotion, transfer, layoff, and return from layoff, training, education, compensation, and benefits.

In addition, the City will not discriminate against any qualified employee or applicant on the basis of a physical or mental disability. The City will strive to provide reasonable accommodations to assist disabled individuals to perform essential job functions, as long as the accommodation does not cause the City undue hardship.

If you have any concerns regarding the City's equal employment opportunity policies, report those concerns to the Human Resources Director. The City will not retaliate against any employee for their expression of concern regarding equal employment opportunity policies or practices. More in-depth coverage of the City's equal employment opportunity policies may be found in the Human Resources Department.

#### **Section 1.00.06 – Workplace Environment**

The City is committed to ensuring that all employees enjoy a work environment free from intimidation, harassment, and violence. If you have any concerns regarding your workplace environment, report those concerns to the Human Resources Director.

#### **Section 1.00.07 – Smoke-free Environment**

All City property, enclosed buildings, and vehicles are smoke-free areas. Use of tobacco products in areas other than those appropriately designated on any City property is strictly prohibited.

## **ARTICLE 2 — GENERAL DEFINITIONS**

Unless otherwise made clear by the context in which used, terms in these policies shall have the meanings as defined in this article.

#### **Section 2.00.01 – City**



The City Commission of Waycross, Georgia, the City Manager or their designee as management representatives, or agents designated by the City.

### **Section 2.00.02 – Standard Work Week**

The standard workweek is the period of time beginning at 12:01 am each Wednesday and concluding at 12:00 midnight the following Tuesday.

### **Section 2.00.03 – Standard Work Hours**

The standard number of working hours during any standard week is 40 hours for all full-time employees with the following exceptions:

1. There is no maximum limit on the standard number of working hours during any standard workweek for exempt employees.
2. The standard number of work hours for firefighters and police officers shall be consistent with the Fair Labor Standards Act and the pay plan as adopted by the City.
3. When possible, overtime work shall be offered and assigned on a rotating basis to employees with the same position description at the same work location or administrative unit.
4. Employees of the City shall work overtime when called upon in the event sufficient conditions as determined by the Department Director or their designee exist to require overtime work to be performed by the work unit.
5. It is within the discretion of the Department Directors and the City Manager to alter employee hours on a case-by-case basis.

### **Section 2.00.04 – Day**

Unless otherwise specified in these policies, “days” shall mean the whole or part of any 24-hour period, which elapses between two (2) successive midnights.

### **Section 2.00.05 – Break Time**

**Employees** (other than Fire personnel) may be allowed two (2) fifteen-minute breaks per workday at a time established by their Department Director. Unused break time may not be counted toward overtime and/or compensatory time and may not be accrued or carried over.

### **Section 2.00.06 – Computation of Time**

Unless otherwise specifically provided, the time within which an act is required by these policies to be done shall exclude Saturdays, Sundays, and paid holidays.

### **Section 2.00.07 – Official Service Address**

Employees are required to keep the Human Resources Department notified in writing as to their current mailing address and telephone number (if any).

### **Section 2.00.08 – Timeliness of Performance Obligations**



Time limit obligations contained herein may be modified only upon mutual written agreement between the parties to a requirement.

### **Section 2.00.09 – Budget or Fiscal Year**

The Budget or Fiscal Year is July 1st through June 30th.

### **Section 2.00.10 – Records and Reports**

All personnel records shall be public records and shall be open for public inspection in accordance with the Georgia Open Records Law (O.C.G.A. section 50-18-70 et seq.).

### **Section 2.00.11 – Establishment and Retention of Records**

There shall be established and maintained such personnel records as the City Manager deems necessary for the administration of the CITY personnel system. The City Manager or their designated representative, shall prescribe the form and the scope of these records.

The only official personnel file and/or record of/for any CITY employee is housed in the human resources department and is the property of the City Manager in their capacity as Chief Executive Officer of the Commission. The Human Resources Director, in their capacity as the City Manager's designee for personnel matters, is the custodian of all official personnel records and/or files. Any action taken against or for any employee must be supported by appropriate documents included in and as a part of the aforementioned files/records.

Documents, files, and/or records maintained at the department/division level are not official and contain no actionable information unless duplicative of information in the official personnel file in the custody of the Human Resources Director.

The City Manager shall determine the time limit that personnel records shall be retained in accordance with state and federal law.

### **Section 2.00.12 – Employment Definitions**

#### **2.00.12.01 – Full-time Employee**

A person employed by the City to perform services in a position created and funded by or through the City for which the following conditions exist:

1. An approved job description exists.
2. The employee is regularly scheduled to work more than 30 hours during the standard workweek.
3. The employee is entitled to all personal leave and benefits as described in this Handbook.

#### **2.00.12.02 – Part-time Employee**

A person employed by the City to perform services in a position created and funded by or through the City for which the following conditions exist:

1. An approved job description exists.
2. The employee is regularly scheduled to work less than 30 hours during the standard workweek.
3. Part-time employees are not eligible to accrue personal leave and are not eligible for benefits.

Service as a part-time employee may be counted toward satisfaction of the length of service requirements of probationary employment in the event the employee becomes a full-time employee, provided however that an employee may not attain regular status as a part-time employee and part-time employment service may satisfy no more than one-half of the length of service requirements of probationary employment for the full-time position.

#### **2.00.12.03 – Temporary Employee**

A person employed by the City to perform services funded by or through the City for which the following conditions exist:

1. The duties to be performed are temporary in nature and do not require the creation of a regular, formally approved position or job description.
2. Work performed is on an “as needed” and/or intermittent basis.
3. Temporary employees are not entitled to employee leave or benefits offered by the City.

#### **2.00.12.04 – Seasonal/Intern Employee**

A person employed by the City to perform services funded by or through the City for which the following conditions exist:

1. A seasonal employee is an employee who works in a position that is temporary in nature that coincides with a particular season or season of the year.
2. Seasonal/intern employees are not eligible to accrue personal leave and are not eligible for benefits.

## ARTICLE 3 — EMPLOYMENT SELECTION

### Section 3.00.01 – Recruitment Notification

The Human Resources Director shall prepare notices for vacant positions.

### Section 3.00.02 – Method of Application and Evaluation

Before possible consideration for employment, each applicant must have an employment application on file in the Human Resources Department. Applications will remain on file for six months.

The Human Resources Director shall establish reference and investigation requirements deemed necessary to determine the reputation, competence, honesty, stability, dependability, etc., of each applicant and promotional candidate.

### Section 3.00.03 - Interviews

The Human Resources Director or their designee will assist the applicable Department Director in the interview and selection process. The Human Resources Director or their designee shall be part of all interview processes.

### Section 3.00.05 – Disqualification

The Human Resources Director may recommend removal from consideration the application of any applicant who:

1. Does not possess the minimum qualifications.
2. Has unsatisfactory employment or personnel record.
3. Has made a false statement in their application.
4. Has a current pending charge of, any of the following:
  - a. Any felony crime
  - b. Felony or misdemeanor violation of any controlled substances act.
  - c. Any alcohol-related violations.
  - d. Aggravated Assault.
  - e. Any misdemeanor of a high and aggravated nature.
  - f. Any sexual offense.
  - g. Any violent crime.
  - h. Attempt to commit any of the above offenses.
  - i. Any crime that bears upon his or her fitness for the position for which applied.
5. Fails to provide any documentation necessary for consideration of employment.
6. Does not reply to a mail or telephone inquiry within five (5) days.

7. Fails to accept appointment within two days or to report to duty within the time prescribed in the offer of employment.
8. Has been employed previously by the City and has been removed for cause or did not resign in good standing.

### **Section 3.00.06 – Examinations, Ratings, and Eligible Lists**

The City may initiate and install a suitable examination program for any class of positions, along with procedures to implement such a program. Such programs may be carried out in accordance with other governmental agencies.

### **Section 3.00.07 – Examination Policies**

The Human Resources Director shall announce any vacancy for which a competitive examination is to be given. If eligible applicants, or promotional candidates, where appropriate, are already available as a result of previous announcements, or if the vacancy is to be filled by promotion from within, no public announcement of the vacancy need be made, but internal announcements should be placed in prominent places in the City Hall and elsewhere in order to notify employees of promotional possibilities.

### **Section 3.00.08 – Appointment and Employment Categories**

The Department Director or Supervisor, after selecting an eligible applicant, shall submit a written appointment recommendation to the Human Resources Department. When approved, the Human Resources Director shall confirm the employment of the applicant.

The City will use the following employment categories for purposes of compensation, organizational responsibility level, benefits, and terms and conditions of employment. Assignment of positions to the categories shall be consistent with the Pay Plan.

1. Classified positions – a nonexempt employee arranged by class/position (i.e. – administrative assistant, laborer)
2. Management classified positions – an exempt employee (i.e.- Department Directors)
3. Unclassified positions – Initial appointment of personnel to unclassified positions shall be by affirmative recommendation of the City Manager to the City Commission for confirmation. (i.e.– City Manager & City Attorney)

### **Section 3.00.09 – Conditional Job Offer / Tentative Job Offer**

Only the Human Resources Director or designee can make a conditional job offer.

### **Section 3.00.10 – Background Checks**

In the interest of public welfare and safety, it is required that applicants successfully complete background checks to ensure that the applicant's past conduct is compatible with the nature and requirements of the position under consideration.

An applicant for a position that requires driving a vehicle shall provide a copy of his or her official Department of Motor Vehicles (DMV) record. No reference check or background investigation will be conducted without first notifying the applicant of the investigation.

### **Section 3.00.11 – Probationary Employment Status**

Probationary employment with the City is for the specified period of time during which an employee must demonstrate an acceptable level of competence in order to be recommended for further employment. Probationary employment status is subject to the following conditions:

1. Discharge may occur at any time without cause.
2. Any uncompensated leave or unapproved leave shall constitute a break in service for purposes of probationary period time calculation and vesting service calculation.
3. Probationary status may be imposed as a disciplinary action (see Article 7).
4. O.C.G.A 34-7-1-Georgia is an at will state. The conclusion of a probationary period in no way guarantees continued employment.

### **Section 3.00.12 – Regular Employment Status**

Regular employment status exists when all conditions of probationary employment have been fully satisfied by an employee and the employee has been recommended by their Department Director for regular status in a manner consistent with the personnel policies and procedures of the City and that recommendation has been approved by the City Manager or Human Resources Director as their designee; or there has been no affirmative recommendation against regular status by the Department Director.

### **Section 3.00.13 – Annual Reappointment - Unclassified Positions**

Annual re-appointments shall occur with the first regularly scheduled commission meeting in July of each year. Action by the City Manager to affect an affirmative recommendation for re-appointment is not required. Absent any recommendation by the City Manager or absent an affirmative recommendation against re-appointment by the City Manager at this meeting, the employee shall be considered re-appointed to employment.

### **Section 3.00.14 – Commission Action – Unclassified Positions**

An affirmative recommendation by the City Manager against the reappointment of an unclassified employee shall be submitted to the commission for confirmation. Such confirmation (or the absence thereof) shall occur on or before July 1 of the instant year, by a majority vote of the commission in a public session.

### **Section 3.00.15 – Lateral Transfers – Unclassified Positions**

All positions within the unclassified service are considered to be of equal level, salary differences notwithstanding. Consequently, changes in title, assignment, rearrangement of job responsibilities, and other employment restructuring may occur at any time and for any reason deemed to be proper, efficient, and in the best interest of City service as determined by the City Manager.

### **Section 3.00.16 – Position Classification Plan**

The position classification plan which covers all classes of positions listed in the annually adopted Pay Plan of the City shall be maintained by the Human Resources Director. No person

will be appointed to or employed in a position in City service under a title not included in the classification plan.

### **Section 3.00.17 – Employment Eligibility Verification**

All employees are required to provide documentation of their eligibility to be employed and work in the United States **as required by the U.S. Citizenship and Immigration Services (USCIS).**

## **ARTICLE 4 — PERIOD OF EMPLOYMENT**

### **Section 4.00.01 – Probationary Employment**

The length of service requirements for probationary status employees are:

- Newly hired management classified, sworn firefighters, and sworn police officers shall be considered on probationary status for an initial period of one (1) year; with the exception of a 40-hour sworn employee within public safety. Sworn firefighters and sworn police officers shall be on probation from the date of hire and ends one (1) year after the date of certification.
- Newly hired classified employees not covered by the above provision are considered on probationary status for an initial period of six (6) calendar months.
- Newly hired unclassified employees shall be considered on probationary status for an initial period of one (1) year. Upon conclusion of the probationary period, absent any action by the City Manager to the contrary, the employee will be deemed to have successfully completed the probationary period and thereafter be retained on an annual appointment basis.
- All other newly hired employees are required to serve a minimum six (6) month probationary period upon initial employment.
- All promoted employees are required to serve a minimum six (6) months probationary period for the promoted position. Any exceptions must be approved by the City Manager or Human Resources Director with the approval of the City Manager.

The six (6) month probationary period (that is a long probationary period. may be extended for a maximum of two (2) successive periods, by the Department Director upon a timely written notice to the employee and the Human Resources Department.

The one (1) year probationary period may be extended by the Department Director or City Manager upon a timely written notice to the employee and the Human Resources Department.

If at any time during the probationary period, the Department Director determines that the employee should not be retained, the Department Director shall immediately notify in writing the employee and the Human Resources Department of the pending termination.

If upon expiration of the probationary period the employee has not been suspended or terminated and no recommendation for termination has been made, the employee shall be considered retained as a regular status employee.

## **Section 4.00.02 – Employee Performance Reports**

### **4.00.02.01 – Time for Rendering Performance Reports**

1. Probationary employees: Performance reports will be prepared on all employees serving in a probationary status at least once during the probationary period.
2. Regular-status employees: All regular-status employees will be evaluated annually.
3. Other employees: Performance reports may be required for other employees as directed by the City Manager.
4. Additional performance reports. The Department Director may initiate additional performance reports on any employee under their supervision at any time.

### **4.00.02.02 – Rating Official**

The rating official for each employee shall be their immediate supervisor. The City Manager or their designee shall be the rating official for all management classified personnel. Department Directors shall inform all personnel under their administrative supervision of the identity of their rating officials and shall further inform each rating official of the employees they are responsible for rating and the times such ratings are conducted.

### **4.00.02.03 – Procedures for Rating**

1. The performance report shall be initiated by the immediate supervisor (rating official) upon notice from the Department Director that the rating is due.
2. The original performance report shall be forwarded by the Department Director to the Human Resources Director.
3. All performance reports shall be endorsed by the rating official and reviewed by the Department Director when they are not the rating or endorsing official.
4. Reports of outstanding performance shall require the additional endorsement of the Department Director and the City Manager.
5. Reports of all performance ratings shall be reviewed and signed by the employee.
6. Performance reports are not appealable; however, an employee may submit a letter explaining why they disagree with the specific rating in the specific evaluated area.
7. The immediate supervisor must notify an employee whenever the employee's performance has dropped below an acceptable level.

## **Section 4.00.03 – Demotion Definition**

Demotion is defined as the transfer of an employee to a lower pay grade either by the reclassification of their position to the lower pay grade or by transferring them to a position with a lower pay grade assignment.

### **4.00.03.01 – Types of Demotions**



Voluntary demotion shall not be deemed detrimental to an employee's work record with the City and should not ordinarily affect their opportunity for future promotion. However, a voluntary demotion will serve as a bar to re-promotion to the same position within 2 years of the voluntary demotion.

Involuntary demotions shall occur only after notification to the affected employee and to the Human Resources Director in writing. The notice shall contain the reasons for the demotion and the effective date. A regular-status employee subject to demotion shall be informed of their right to appeal as outlined in Article 7 of these policies.

#### **Section 4.00.04 – Promotional Increase Policy**

When an employee is promoted, the employee's salary will increase up to five percent (5%) above the minimum of the new grade or increase up to ten percent (10%) above the employee's current salary, so long as such salary shall not be lower than the minimum nor exceed the maximum of the pay grade for the promoted position. Anything above ten percent (10%) requires City Commission approval.

#### **Section 4.00.05 – Reclassification Promotions**

If a reclassification results in an employee occupying a position of higher class and pay, the employee shall be promoted to the higher class. In cases where promotion occurs as a result of reclassification, the employee's salary will increase at least to the minimum salary of the new pay grade. If an employee is reclassified one (1) grade higher, the increase will be at least the minimum salary of the new pay grade or up to five percent (5%) more than the previous salary. If the reclassification results in two (2) or three (3) grade increases, the employee shall receive at least the minimum salary of the higher class or up to ten percent (10%) more than the previous salary. Anything above ten percent (10%) will require City Commission approval.

#### **Section 4.00.06 – Procedures for Determining Promotional Increase**

1. The Department Director will submit the amount of the promotional increase within the standards stated in this policy to the Human Resources Director. Promotional increases are not to exceed the maximum of the range.
2. Final approval for all promotional increases must be made by the City Manager.
3. Anything above ten percent (10%) will require City Commission approval.

#### **Section 4.00.07 – Other Compensation–Related Policies**

##### **4.00.07.01 – Within Grade Increase Pay Schedules**

Note: The following is a BASE Within-grade Increases Pay Schedule Policy. All the City employees who satisfy the requirements of this policy shall receive pay adjustments above the base pay when funds are available.

*Purpose* – The purpose of this Policy is to provide employees of the City the opportunity to receive pay adjustments based on their job performance including extended tenure in office. This program is also designed to help process pay-related actions that occur when there is no change in the employee's department, appointment status, position, or grade.

*Description* – Each General Pay Schedule (GPS) grade has a minimum, a mid-point, and a maximum. Within-grade increases (WGIs) are periodic increases in a GPS employee's rate of basic pay in increments of 2.5% within a grade.

The system consists of 25 grades (or levels); Employees are not always hired at the Minimum level; some are hired at ten (10%) percent (the Human Resources Director's approval) above Minimum Pay Grade due to prior experience or education. Anything above ten (10%) percent requires City Commission approval.

Under this program, within each grade, an employee's pay can increase by about 2.5% (this is in addition to pay adjustments in response to pay increases in the private sector, like a cost-of-living raise).

An employee can expect to receive a 2.5% raise (define when this occurs) within a Pay grade, EXCEPT FOR:

1. Promotion
2. Reclassification
3. Reassignment on Probation

*Earning Within-Grade Increases* – Employees who occupy permanent positions earn WGIs upon meeting the following three requirements established by the City:

1. The employee's performance must be at an acceptable level of competence. To meet this requirement, an employee's most recent performance rating of record must be at least ("Meet Expectations").
2. The employee must have completed the required waiting period for advancement to the next higher step. Any exceptions must be reviewed and approved by the City Manager or his or her designee.
3. The employee must not have received an "equivalent increase" in pay during the waiting period.

*Permanent Positions* – WGIs apply only to City employees occupying permanent positions. For purposes of this policy, a "permanent position" includes a position to which an employee is promoted on a temporary basis for at least one year.

*College Credit Incentive*- Pay increases will be awarded to employees who have college degrees from an accredited university. Associates- 2.5%, Bachelors- 5%, and Masters 7.5%.

#### **Section 4.00.08 – Lateral Transfer**

Lateral transfers are defined as the transfer of an employee from one position to another provided that the pay grade of the affected employee remains the same.

A Lateral Transfer shall be made at the request of the Department Director, provided the Department Director receiving the transferred employee approves or at the request of the applicable Department Director.

1. A Lateral Transfer may be made without following the recruitment procedures as a Lateral Transfer is designed as an administrative mechanism for the movement of an employee as needed, with the exception of public safety.

2. The transferring employee must meet the minimum requirements of the position.
3. If an employee requests a Lateral Transfer, the employee must submit an application and proceed through the recruitment procedures outlined in this Handbook and will be subject to a new probationary period.
  - ◆ An employee is eligible to apply for a vacant position that would constitute a Lateral Transfer at any time if the Lateral Transfer sought is within the employee's Department.
  - ◆ To the extent that the employee desires to apply for a vacant position that would constitute a Lateral Transfer outside the employee's Department, the employee must have satisfactorily completed the full six-month probationary period in the current position and have no current disciplinary actions against them before eligibility to apply for a Lateral Transfer to an external Department.

#### **Section 4.00.09 – Reassignment**

A Reassignment can be made at the request of the Department Director. A Reassignment consists of the movement of an employee from one position with a certain Job Title to another position within the same Department with the same Job Title. Any Department Director making a Reassignment shall provide written notification to the Human Resources Director and Finance Department for purposes of allocating cost centers and budgeting. The employee's rate of pay upon Reassignment will remain the same. Any Department Director wishing to make a Reassignment does not have to follow the recruitment procedures set forth in this Handbook

#### **Section 4.00.10 – Lay-Offs**

A Lay-off is the termination of employment of a City employee for any reason deemed valid by the commission when it is in the City's interest to abolish one or more positions or reduce the number of employees in the City service.

All laid-off employee(s) rights, benefits, and appurtenances of employment shall cease with the commencement of the lay-off with the exception of COBRA rights.

#### **Section 4.00.11 – Separations**

##### **4.00.11.01 – Types of Separations**

1. Resignation: Resignation is the voluntary separation of a City employee from City service. A resignation, once communicated to the immediate supervisor or Department Director, is deemed to be accepted and final. The immediate supervisor or Department Director, upon receipt of the notice of resignation, shall immediately forward the notice of resignation to the Human Resources Department.
2. Job Abandonment: Job abandonment is absence without management-approved leave or failure to report to work after the expiration of any leave (for three consecutive eight to twelve-hour work shifts or two consecutive twenty-four-hour work shifts). Job abandonment shall be considered a voluntary resignation.
3. Retirement: Retirement of an employee is a voluntary separation whereby an employee has met the eligibility requirements for retirement or disability as defined in the City of

Waycross Master Defined Benefit Plan. An employee who retires may be eligible to receive a payout of unused accrued annual leave only and may be eligible to receive credit for service for unused accrued sick leave in accordance with the City of Waycross Master Defined Benefit Plan.

4. Termination: Termination is the involuntary separation of an employee from service. Any employee terminated shall not be qualified for any City employment for a period of not less than one (1) calendar year from termination, or the final outcome of any subsequent appeal, whichever is later. Any exceptions must be approved by the City Manager.

#### **Section 4.00.12 – Retirement**

The City of Waycross has adopted a Defined Benefit Retirement Plan. The City manages the plan and invests plan funds through the Georgia Municipal Employees Benefit System (GMEBS). The Georgia Municipal Association (GMA) conducts the day-to-day administration of the plan.

##### **4.00.12.01 – Employment after Retirement**

Retirement income will not be affected if the retiree takes a part-time or full-time job with another employer after retiring. Retirement income will also not be affected if the retiree returns to employment with the City in an eligible employee class after the normal retirement age (at age 65). However, if the retiree takes early retirement and returns to work with the City, the benefits may be suspended until the employee reaches age 65.

## **ARTICLE 5 — CONDITIONS OF**

#### **Section 5.00.01 – The Pay Plan and Employee Benefits Program**

The pay plan and employee benefits program shall be prepared and submitted to the Commission by the City Manager.

When approved by the City Commission, such plan shall constitute the pay schedule for all positions in City service for the ensuing fiscal year and thereafter until a new pay plan shall be adopted by resolution of the City Commission.

The City Manager shall have the pay plan examined from time to time and in no case less than annually.

#### **Section 5.00.02 – Attendance**

In accordance with the provisions of 2.00.02 – Standard Work Week and 2.00.03 – Standard Work Hours, employees shall report to work on time and work as scheduled. Any employee unable to work as scheduled shall immediately and personally contact their immediate supervisor or management one hour prior to the scheduled date and time required to report and on each day of the absence or every occurrence of tardiness thereafter.

Unauthorized, unapproved, or unreported absences or tardies shall be considered unexcused absences or tardies, and a deduction in pay shall be made for periods of absence in accordance with the Fair Labor Standards Act and disciplinary actions shall be taken in accordance with Article 7 of this Handbook.

### **Section 5.00.03 – Leave**

Leave is defined as permission granted by the City under these policies for an employee to be absent from their duties for a specific period of time. All leave, except administrative leave, must be requested in writing by the employee seeking leave to the Department Director prior to the proposed commencement of the leave.

All leave requests shall be filed and considered for approval or rejection in advance. No leave may be granted retroactively, provided that sick leave as defined in 5.00.08 (et seq.) and FMLA when requested after the fact may be deemed to have been granted in advance if the employee has made every reasonable effort to promptly report such absence and the reasons therefore in a manner consistent with departmental procedures and practice. Any employee taking leave within a given work week will not receive overtime. Overtime compensation is only owed when an employee's hours worked exceeds the relevant hours limit, i.e., 40 per week for regular employees, 86 bi-weekly for police, 106 bi-weekly for firefighters, and 112 bi-weekly for Battalion Chiefs. Leave time will not be factored into the overtime pay calculations.

### **Section 5.00.04 – Compensable Leave**

All leave, except approved sick leave, approved annual leave, and leave specifically designated as compensable, will be leave without pay.

Acknowledged or reported absence from duty station is not equivalent to requested and approved leave of absence. Approved compensated leave for a fractional part of a workday due to absence from duty station does not constitute approval for the unattended portion of that day. Compensation for actual hours worked shall be consistent with the provisions of the Fair Labor Standards Act.

### **Section 5.00.05 – Leave Approval**

All leave from duty shall be duly requested by the employee and approved by the employee's immediate supervisor or Department Director. Failure to properly request and receive proper supervisory approval will result in pay being canceled for the time period in question and will constitute grounds for disciplinary action up to and including termination. Absence from duty without approved leave shall be cause for discharge and forfeiture of all rights and privileges of employment, or will be treated as a resignation "not in good standing."

Leave granted at the request of an employee shall be for the particular purpose or cause which is set forth in ADP for leave. The Supervisor, or their designee, shall have the obligation to determine that the leave is used for the purpose or cause set forth in the application and if not so used, shall have the authority to cancel the leave and all attendant compensation. Such action by the Department Director will result in a suspension without pay and may result in additional disciplinary action up to and including discharge.

## Section 5.00.06 – Advance Leave Compensation

Requests for advance compensation for sick leave and annual leave will not be approved. Denial of a request for advance leave compensation shall not be grievable or appealable.

## Section 5.00.07 – Annual Leave

### 5.00.07.01 – Annual Leave Defined

Annual leave (vacation) is for eligible regular employees for vacations or other personal uses. Such leave is to be taken on days that an employee would otherwise work and receive pay (exclusive of holidays and all non-workdays).

### 5.00.07.02 – Eligibility

Regular full-time employees shall be eligible to accrue annual leave as herein prescribed. Part-time, temporary, or seasonal/interning employees shall not be eligible to accrue annual leave.

### 5.00.07.03 – Annual Leave Accrual Rate

Eligible employees shall accrue annual leave beginning the first date of employment. Eligible employees shall not accrue annual leave while on suspension, layoff, or while on any leave without pay status. Eligible employees shall accrue annual leave while on leave with pay status.

An employee's anniversary date of employment shall be used in determining an employee's annual leave accrual. Annual leave may be taken as it is earned subject to approval by the Department Director, except for employees serving a probationary period following initial employment.

### **Schedule of Annual (Vacation) Leave Accrual for Biweekly Employees**

*(Biweekly = every two [2] weeks)*

#### **80 Hour Employees**

<i>Years of Service</i>	<i>Hours Per Pay Period</i>
1–3 years of service	3.08 hours
4 – 9 years of service	4.62 hours
10 – 19 years of service	6.16 hours
20 + years of service	7.70 hours

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#### **86 Hour Employees (Police)**

<i>Years of Service</i>	<i>Hours Per Pay Period</i>
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1 – 3 years of service	3.28 hours
4 – 9 years of service	4.92 hours
10 – 19 years of service	6.56 hours
20 + years of service	8.20 hours

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**106/112 Hour Employees (Fire)**

<i>Years of Service</i>	<i>Hours Per Pay Period</i>
1 – 3 years of service	4.30 hours
4 – 9 years of service	6.45 hours
10 – 19 years of service	8.60 hours
20 + years of service	10.75 hours

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- Sr. Managers (106) Accruals: 1-3 yrs= 6.45; 4-9yrs= 8.60; 10 + yrs= 10.75
- Sr. Managers (80) Accruals: 1-3 yrs = 4.62; 4-9yrs = 6.16; 10+ yrs =7.70
- Dept. Directors Accruals: 7.70

In addition to annual leave accruals, birthday leave shall be awarded to the employee's annual leave balance during their birth month.

Full-time (80) – 8 hours, Police (86) – 12 hours, Fire (106) – 24 hours.

**5.00.07.04 – Maximum Accrual Accumulation**

Maximum accrual accumulation for annual leave shall be **300 hours** per fiscal year. Any unused annual accumulation over the maximum accrual accumulation at the end of the last pay period of each fiscal year (June 30) shall not be carried into the next fiscal year but eliminated.

**5.00.07.05 – Unused Annual Leave**

Upon a regular employee's **voluntary** resignation or application for retirement, the employee shall be paid for any unused annual leave balance at the date of separation. Probationary employees shall not be paid unused annual leave at voluntary separation or involuntary separation or termination.

**Section 5.00.08 – Sick Leave**



**5.00.08.01 – Sick Leave Defined**

Sick leave is a privilege provided to eligible employees who are unable to perform the duties of their positions because of personal illness; a written restriction by the City's Employee Assistance Program (EAP) or a licensed physician; the illness or death of the employee's father, mother, brother, sister, husband, wife, child, or other member of their own household; medical appointments or a situation where the employee is believed to have been exposed to a contagious disease and when continuing work might jeopardize the health of others.

Sick leave is limited to approved leave consistent with the restrictions for which the employee has accrued sick leave compensation benefits. Once compensation benefits for sick leave are exhausted, the employee may use any accrued annual leave. If the employee, however, has exhausted both annual and sick leave, the leave becomes uncompensated leave as hereinafter defined and must be applied for consistent with the restrictions in 5.00.10.

Sick/Medical Leave may be used to attend a doctor's appointment but only applies to the doctor's visit and travel to and from such an appointment. The only time this leave would extend past that point would be as a result of doctor's orders based on the nature of the ailment. If no restrictions are given by the physician, the employee is required to return to work or to have previously requested annual leave for the remainder of the shift.

**5.00.08.02 – Eligibility**

Regular-status, full-time employees shall be eligible to accrue sick leave as herein prescribed. Part-time, temporary, or seasonal/interning employees shall not be eligible to accrue sick leave.

**5.00.08.03 – Sick Leave Accrual Rate**

Eligible employees shall accrue sick leave beginning the first date of employment. Employees shall not accrue sick leave while on suspension, layoff, or while on any leave without pay status. Employees shall accrue sick leave while on leave with pay status such as sick leave, annual or military leave with pay, but not while on Workers' Compensation.

An employee's anniversary date of employment shall be used in determining an employee's sick leave accrual. Sick leave may be taken as it is earned subject to approval by the Department Director, except for employees serving a probationary period following initial employment.

***Schedule of Sick Leave Accrual***

Years of Service, Hours per Pay Period (Biweekly = every two [2] weeks)

80-Hour Biweekly Employee 3.08 hours

86- Hour Biweekly Employee (Police) 3.29 hours

106/112- Hour Biweekly Employee (Fire) 4.31 hours

**5.00.08.04 – Maximum Accrual Accumulation**

There is no maximum accrual accumulation for sick leave per fiscal year. Any unused sick leave accumulation over the maximum accrual accumulation at the last pay period of each fiscal year (June 30) shall be carried into the next fiscal year.

**5.00.08.05 – Unused Sick Leave**

Upon a regular status or probationary employee's separation from employment, the employee shall not be paid for any unused accrued sick leave at the separation. Upon a regular status employee's application for retirement, unused sick leave may be used towards credit for service at retirement.

**5.00.08.06 – Claim for Sick Leave**

An employee who is absent from their duty station because of illness shall notify their immediate supervisor at least one hour before the beginning of the work day on the day which they must be absent, except for emergency reasons recognized by the City Manager as valid.

An employee shall, before claiming and receiving compensation for the time absent from their duties, due to their own illness/health conditions in which they are absent three or more consecutive eight-hour, twelve-hour, or two 24-hour shifts, or for other qualifying conditions, shall present their immediate supervisor on the day they return to work with a written certificate or statement by a licensed physician which shall set forth the time absent, that such absence was necessary as the employee's condition prevented the employee from performing the duties of their position.

If an employee is medically required to be absent for more than three days due to illness or illness of a father, mother, brother, sister, husband, wife, or child; the employee may be required to request Family Medical Leave as prescribed in 5.00.01 et seq.

**5.00.08.07 – Abuse of Sick Leave**

Immediate Supervisors and Department Directors will be responsible for overseeing departmental employee's sick leave such that there will be no abuse of sick leave privileges. Abuse of sick leave is defined as the repeated use of sick leave without proper documentation, proper request or where it can be shown that a pattern is established where an employee repeatedly misses work at certain intervals and on certain days on a repetitive basis which are not properly documented by a doctor's excuses or verification of illness.

If an immediate supervisor or Department Director determines that sick leave abuse is occurring, the immediate supervisor or Department Director shall provide notice to the employee that as to all future absences, including one-day absences, a physician's statement verifying the need for the absence shall be required. The employee's refusal to provide such certificate shall be considered a refusal to follow instructions, insubordination, and a failure to follow policy and procedures and shall result in disciplinary action up to and including termination and may be considered as unauthorized leave or uncompensated leave.

Provided, however, that the Department Director may require a certificate from the City employee medical or employee assistance program or from a licensed medical professional

attesting to the circumstances of the employee's absence and the employee's ability to return to work and fulfill the required duties, even if the employee's absence is less than three (3) days.

### **Section 5.00.09 – Employee Annual Leave Sharing**

Regular status employees may designate a portion of their unused accrued leave for use by another regular status employee as leave provided:

1. The contributing employee may designate no more than one-half or 48 hours of their unused accrued **annual/sick leave** for this purpose, whichever is smaller.
2. The contribution is in full one-hour increments.
3. The contributing employee executes a full and irreversible release for the amount of accrued annual leave so designated.

Contributed designated leave may not serve to extend the employee's absence from the workplace for more than 1040 hours (Police Officers–1118, Firefighters–1378/**1456**) unless the employee is suffering from an extended illness. In that event, the maximum length of time that the employee may be absent from the workplace shall be at the sole discretion of the City Manager after consultation with the Department Director, the Human Resources Director, and the affected employee.

### **Section 5.00.10 – Uncompensated Leave**

Uncompensated leave (leave taken without compensation) may be granted by the City Manager or Department Director upon written request provided that:

1. The requested leave is for no more than 24 consecutive regularly scheduled duty hours.
2. The employee does not have enough accumulated compensable leave time accrued to cover the requested leave time.
3. The employee's immediate supervisor has been notified of their intentions in advance.
4. A valid written reason has been given to the employee's Department Director consistent with applicable leave provisions.
5. In the opinion of the Department Director the employee's absence will not cause undue hardship or interruption of vital City services and/or operations or disrupt ordinary departmental operations.
6. This type of leave may not be used for sabbatical, other employment, work-study, or personal educational/ training activities unless specifically requested of the employee by the City. Failure by the Department Director to grant leave under the provisions of this section shall not be grievable or appealable.

### **Section 5.00.11 – Leave of Absence without Pay**

Leave of Absence without Pay is designed to accommodate regular-status employees who have been employed by the City for at least 12 consecutive months, and who have exhausted all other applicable leave, but need additional time away from work to attend to personal or family business. A Leave of Absence without Pay for a period not to exceed six (6) consecutive months

may be granted to an eligible regular-status employee upon written approval of both the City Manager and the Department Director. Leave requests longer than six (6) months require approval from the Mayor and City Commission. Leave can be granted for the following reasons:

- Employee's illness or injury – A physician's statement is required indicating when an employee can return to work.
- Illness in immediate family – An illness of a spouse, child, or parent supported by a physician's statement that indicates the medical necessity.
- Voluntary Advanced Training – to upgrade the individual for the position held or promotional opportunities.

**\*\* Conditions for Approval: In approving Leave of Absence other than Military Leave of Absence or Family and Medical Leave, all Department Directors will enforce the following conditions.**

1. **Up to 30 days:** A Department Director, with the approval of the City Manager, may grant a career service employee an unpaid leave of absence for a period not exceeding 30 days...
2. More than 30 days: Leave of Absence without Pay for a period exceeding 30 days (but not more than one year) may be granted only with the recommendation from the City Manager and approval of the City Commission.
3. Under no circumstance will a Leave of Absence be granted for an employee to seek other employment, except to run for public office.
4. Leave of Absence shall be granted only when it will not adversely affect the efficient operation of the department and the interest of efficient City services.
5. An employee's failure to return to work at the scheduled time upon expiration of the approved leave shall be considered job abandonment.
6. An employee who has been granted a Leave of Absence for a reason(s) other than Family and Medical Leave, Jury Duty, or Military Leave of Absence, and who wishes to return before the leave period has expired shall be required to provide their Department Director at least one-week advanced notice. Upon receipt of such written notice, the employee shall be scheduled to return to work.
7. If an employee is on a Leave Absence without Pay as a result of an extension, after they have exhausted leave under FMLA because of the employee's own serious health condition, must provide a release from their physician as evidence of being fit for duty before returning to work. The Human Resources Department may request all public safety personnel and other safety-sensitive positions to obtain a fit-for-duty clearance. If the employee cannot provide the required documents, no further extensions will be given and the employee will be terminated.
8. Employees shall not accrue additional sick or annual leave while they are on a Leave of Absence without Pay.
9. An employee shall return from Leave without Pay at the same salary grade as the employee had when the leave commenced unless these rules provide otherwise.

10. Under current city policy, the employee pays a portion of the health care premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Finance Department bi-weekly in accordance with the payroll schedule. If the payment is more than 30 days late, the employee's healthcare coverage may be dropped for the duration of the leave. The city will provide 15 days' notification prior to the employee's loss of coverage.

#### ***5.00.11.01 – Leave Without Pay (LWOP) Regulations***

All departments are required to adhere to the following regulations:

1. Leave without pay shall be granted only when it will not adversely affect the interests of the City service, except as required by law.
2. Leave without pay under this section, in the case of illness, may be granted only after an employee's accrued Sick Leave, Annual Leave, and Family and Medical Leave have been exhausted.
3. Unexcused failure of an employee to return to work at the expiration of approved leave shall be considered job abandonment.
4. Any employee who has been granted leave of absence and who wishes to return before the leave period has expired shall be required to give his or her Department Director at least a one-week notice, except when prohibited by law. Upon receipt of such written notice, the employee shall be permitted to return to work.
5. An employee will not earn Sick Leave or Annual Leave during the time that such employee is on leave without pay.
6. An employee shall return from leave without pay to the same salary grade as at the time of commencement of leave if the leave is a job-protected leave under the law.
7. An employee returning from a leave of absence without pay shall be entitled to employment in the same department in the same or equivalent class held at the beginning of the leave period if the leave is a job-protected leave under the law.
8. Before beginning a leave of absence without pay, an employee must make arrangements with the Human Resources Department if continued coverage under the City group insurance is desired.
9. Any vacancy created by the proper approval of such leave of absence shall not be filled unless the employee concerned is notified that a permanent replacement for the position is required and the employee is given the opportunity to resume his or her position. If this requirement is met and the position filled, the replaced employee shall not have the right or privilege to cause the separation of the new employee. The replaced employee, however, will be considered and given priority for vacancies that occur, provided they are qualified for the vacant position.
10. Any and all City property in the possession of an employee who is placed on a leave of absence for more than one month shall be immediately returned to the appropriate department by that employee.

11. Multiple requests for leaves of absence will result in termination.

**5.00.11.02 – Absence Without Leave (AWOL)**

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

An employee who is AWOL for three consecutive days will be considered to have voluntarily resigned his or her employment with the City effective immediately.

**Section 5.00.12 – Family Medical Leave**

The City of Waycross will provide Family and Medical Leave to its eligible employees. The City posts the mandatory FMLA Notice and upon hire provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Leave Act in employee break areas. The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law. If you have any questions, concerns, or disputes with this policy, you must contact the Human Resources Director in writing.

- A. In accordance with the Federal Family and Medical Leave Act of 1993 (FMLA), employees who have been employed by the City for at least a rolling 12-month period and have worked at least 1250 hours during the rolling 12-month period shall be allowed to take up to 12 weeks leave during a 12-month period. Leave will be granted under the FMLA for the following reasons:
  - 1. Because of the birth and care of a child of the employee.
  - 2. Because of the placement of a son or daughter with the employee for adoption or foster care;
  - 3. To care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition;
  - 4. Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee; or
  - 5. Because of any qualifying exigency (as the Secretary shall, by regulation, determine) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.
- B. The FMLA defines “serious health condition” as an “illness, injury, impairment, or physical or mental condition that involves:
  - 1. inpatient care in a hospital or hospice, or residential medical care facility, or;

2. continuing treatment by a healthcare provider.
- C. Employees must exhaust available accrued leave during family medical leave before utilizing unpaid/uncompensated leave.
- D. Where leave is taken to care for a family member or because the employee is sick or injured, the employee may take the leave on an intermittent basis or on a reduced leave basis. If an employee requests intermittent leave or leave on a reduced leave schedule, the City may transfer the employee to another position of equal pay which better accommodates the recurring periods of leave.
- E. The employee must notify their Department Director in writing of their intent to take family medical leave no less than 30 days before the date on which the leave is to begin. If it is not possible to provide notice 30 days in advance, the employee must notify their Department Director as promptly as possible. The notice should state the date on which the leave is to begin, the reason the leave is sought, and the expected duration of the leave. If the employee seeks an intermittent leave or reduced leave schedule, the notice should state the dates on which care or treatment will occur and how long the care or treatment is expected to be given. The Department Director along with the employee shall notify the Human Resources Director immediately.
- F. Medical certification shall be required to support a request for Family Medical Leave or if the employee is unable to return from leave. Medical certification may be required periodically during the leave. Medical certification or fitness to return to duty may be required prior to an employee returning to work.
- G. The City, at its expense, may require an employee to obtain a second opinion from a healthcare provider designated or approved by the City regarding the medical condition of the employee or the family member for which the employee claims care or treatment is necessary and the necessity of the employee's providing that care to the family member. If a second opinion differs from the certification provided by the employee, the employee, and the City will agree on a third healthcare provider to give its opinion. The opinion of a third healthcare provider is binding and final.
- H. In those instances where leave is needed to care for an immediate family member or the employee's own illness, and is for planned medical treatment, the employee must schedule treatment so that it will not unduly disrupt the department's operation.
- I. The City, upon an employee's return from family medical leave, shall place the employee in the same position or a position equivalent in pay, benefits, conditions, and comparable duties.
- J. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of 26 work weeks of leave during a 12-month period to care for the service member. The leave described in this paragraph shall only be available during a single 12-month period. Under the FMLA, a "covered service member" means a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member



of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

Workers' Compensation law does not require the City to hold the injured employee's position until they can return to work.

Under current city policy, the employee pays a portion of the health care premium. While on paid leave, the City will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Finance Department bi-weekly in accordance with the payroll schedule. If the payment is more than 30 days late, the employee's healthcare coverage may be dropped for the duration of the leave. The city will provide 15 days' notification prior to the employee's loss of coverage.

Sick leave may run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy.

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

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

\*\*\* Reference **Section 5.00.08 – Sick Leave** for restrictions of the usage of sick leave.

### **Section 5.00.13 – Military Leave**

Reserve Military Service: In accordance with O.C.G.A. § 38-2-279(e), any regular employee is entitled to a paid leave of absence for up to 18 days (144 hrs.) for military duty in any one federal fiscal year (October 1st – September 30th) and includes summer camps, training, and weekend drills.

For National Guard members ordered to active duty in support of an emergency declared by the Governor, state law provides for paid military leave for a period not exceeding 30 days (240 hours) in any one federal fiscal year. These periods are cumulative, so the maximum period of paid leave is 30 days in any one federal fiscal year.

Employees are required to present orders pursuant to such leave requests. Such leave shall not be charged to annual leave.

1. Such leave will be paid when leave falls on days/hours the employee would have been regularly scheduled to work. Such leave will not be paid when leave falls on regularly scheduled days/hours off.
2. Employees are asked to give sufficient notice for the organization to adjust work schedules and must provide appropriate documentation of a qualifying discharge from military service.
3. Time off for military leave includes travel time which would fall within the normal hours of work.
4. Employees are required to return to work on the next regularly scheduled shift upon completion and return from duty/training.

Long-Term Active Military Service: Employees called to active military service will be permitted to return to employment with no change in length of service, status, and pay that they would have enjoyed had they not been absent, pursuant to the following conditions and USSERRA Guidelines:

1. Positions must have been other than temporary, meaning that they were regular status and would have continued indefinitely.
2. Employees must have left their positions for the purpose of performing military service or undergoing military training.
3. Employees must satisfactorily complete the period of active duty and furnish documentation of a qualifying discharge from military service.
4. Application for return to active employment status must be made within USSERRA Guidelines.
5. Employees on military leave of absence for active duty will be suspended from active participation in employee benefit programs immediately upon military service entry. Health insurance may be continued by exercising continuation coverage options under USSERRA. Upon return to active employment, the employee will be reinstated in employee benefits programs with the length of service and status which would have been enjoyed had the employee remained continuously employed and not entered military service.

\*\*\* Reference Section **5.00.12 – Family Medical Leave** for concurrent leave usage.

#### **Section 5.00.14 – Workers’ Compensation**

An employee who is temporarily disabled because of an injury or illness sustained directly in the performance of his or her work may be covered by the provisions of the Georgia Workers’ Compensation Act.

\*\*\* Reference **Section 5.00.12 – Family Medical Leave** for concurrent leave usage.

#### **Section 5.00.15 – Disabilities not Covered by Workers’ Compensation**

An employee, who becomes temporarily disabled, from a non-work-related injury or illness, shall be allowed to exhaust his or her accrued sick leave and annual leave. Any leave on account of the employee's serious health condition will be treated as Family and Medical Leave. If FMLA has been exhausted, the employee's Department Director may specifically authorize the extension of leave without pay in accordance with the LWOP provisions of this Handbook.

A light-duty position shall be recommended by the temporarily disabled employee's Department Director if a position is available outside of the employee's department. All recommendations shall go through the Human Resources Department and be approved by the Human Resources Director.

#### **Section 5.00.16 – Jury Duty**

When it becomes necessary for an employee to serve on jury duty the employee shall immediately notify their supervisor. The employee shall then submit a leave request to their immediate supervisor with a copy of the notice to serve on jury duty attached thereto.

In no case shall jury duty leave with pay be granted for court attendance when an employee is engaged in personal litigation, criminal or civil litigation, or services as a paid expert witness. An employee may be granted accrued annual leave in such cases with the approval of the immediate supervisor or Department Director.

#### **Section 5.00.17 – Administrative Leave**

When an employee has committed an act or omission or is alleged to have committed an act or omission that could subject them to dismissal, the Department Director, after consultation with the Human Resources Director, may, when deemed necessary, appropriate, and in the best interest of the City, suspend the employee for up to two successive pay periods not to exceed one month, other provisions herein to the contrary notwithstanding. Notice of such suspension shall be in writing and shall contain the reasons for, the type, and the termination date of the suspension. Such notice shall be given to the affected employee and the Human Resources Director.

The Department Director shall investigate or have the matter investigated. Upon conclusion of the investigation, the Department Director shall terminate the Administrative Leave and either:

1. Take such disciplinary action as they deem to be proper subject to the provisions of Article 7 et seq., or
2. Notify the affected employee that they have been exonerated of any and/or all charges and is reinstated without loss of pay, privileges, or status.

Administrative Leave may be either with pay or without pay at the discretion of the Department Director. Administrative leave with pay is grievable but not appealable. Administrative leave without pay is appealable but not grievable. An employee may wait until the termination of the Administrative Leave before filing an appeal without losing the right to do so. Probationary status employees may not appeal an administrative leave.

#### **Section 5.00.18 – Suspension without Pay**

The City Manager or Department Director, or their respective designee, as applicable, may, by written notice to the employee, suspend an employee without pay. Any such notice of suspension must be forwarded to the Human Resources Director to be placed in the employee's personnel file. The Human Resources Director will sign the suspension notice to acknowledge receipt. An employee who is suspended for any reason may not utilize personal leave or compensatory time so as to be compensated during the suspension without pay period.

A letter of resignation may not be submitted to the Department Director or the Human Resources Department if the employee elects to the hearing process and goes before the Hearing Officer; nor after which a decision is made by the Hearing Officer can the employee offer a letter of resignation.

An employee may be suspended in the following manner:

A. Disciplinary Suspension

In an attempt to correct unacceptable behavior and/or work performance issues, an employee may be suspended for a specified period of time without pay. The total period of any suspension without pay for disciplinary purposes shall not exceed 120 hours.

An employee in the position of Exempt status may be suspended without pay in increments of the equivalent of one or more full days imposed in good faith for violation of workplace rules. Non-exempt employees may be suspended without pay in consecutive full or partial-day increments.

B. Suspension Pending a Court Decision

An employee shall be suspended indefinitely without pay at the discretion of the City Manager or Department Director or their designee, as applicable, when awaiting trial on criminal charges, the nature of which would impede or undermine the employee's ability to satisfactorily perform their job. In the alternative, if the employee's actions or the criminal charges are such that it is not in the best interest of the City for the employee to remain in the City workforce, the Department Director, or their designee, as applicable, may elect to terminate the employee upon notice of the criminal charges or at any time thereafter. Terminations must be discussed with the Human Resources Director before action is taken.

If the City does not elect to terminate the employee during the pendency of criminal charges, upon receipt of notice from the employee that the criminal matter has been resolved by dismissal, plea, or trial, the Department Director, or their designee, as applicable, shall make a determination as to whether the employee shall be reinstated and whether any such reinstatement shall be with or without loss of pay. If an employee is fully exonerated of all criminal charges, the employee shall be reinstated without loss of pay, privileges, benefits, or status retroactive to the date of suspension.

C. Suspension Pending Drug/Alcohol Testing

An employee shall be suspended without pay immediately upon being required to submit to a reasonable suspicion drug or alcohol test. The total period of any suspension without pay shall be for an indefinite period of time, which shall conclude upon completion and receipt of the drug or alcohol test and any applicable confirmation tests.

An employee who tests positive for drugs or alcohol pursuant to any other type of drug or alcohol testing (such as workers' compensation testing, return to duty testing, post-accident testing, or random testing) shall be immediately suspended without pay pending any applicable confirmation of the positive test results. The period of suspension shall be for an indefinite period of time, which period shall end upon completion and receipt of any applicable confirmation tests.

**D. Suspension During Investigation**

A suspension during an investigation is referred to as Administrative Leave. Designation of such an absence from the workplace as "administrative leave" is to prevent any possible stigma against an employee during a period of Administrative Leave.

**Section 5.00.19 – Blood Donor Leave**

Blood Donor Leave is paid leave that may be granted to each eligible employee who donates blood to the American Red Cross at any regularly scheduled visit of their blood mobile to Waycross. No more than two hours shall be granted to each visit, not to exceed six visits per year, for the employee to go to the blood mobile and make a donation.

All permanent employees, working full-time, and career employees serving temporarily in substitute or acting capacities, are eligible to receive blood donor leave providing they elect to donate blood during the work day. Temporary employees, seasonal employees, part-time employees, substitute employees, employees donating blood while off-duty, or employees who know their blood will not be acceptable by the Red Cross are not eligible to receive blood donor leave.

**5.00.19.01 – Accrual of Blood Donor Leave**

Blood Donor Leave may not be accrued but must be taken when the employee makes a donation and at no other time.

**5.00.19.02 – Accrual of Vacation Leave**

Upon donating four pints of blood to the Waycross Chapter of the American Red Cross, and thereafter for each additional four pints donated, the employee shall accrue four hours of vacation leave.

**5.00.19.03 – Payment in Lieu of Blood Donor Leave**

Payment in lieu of Blood Donor Leave shall not, henceforth, be authorized for an employee for any reason.

**5.00.19.04 – Reporting of Blood Donor Leave**

It is the responsibility of the employee to notify the appropriate supervisor or department of the employee to notify the appropriate supervisor or Department Director by submitting a leave form no less than 24 hours prior to the time the employee's leave begins. Furthermore, it shall be the responsibility of the employee to present documentation of his donation to the personnel office before the end of the pay reporting period in which the donation occurred. Failure to do so will result in the leave being designated as leave without pay.

### **Section 5.00.20 – Voting Leave**

The City encourages all employees to vote in all local, state, and national primary and general elections for which the employee is qualified and registered to vote. Federal regulations now provide for advance voting during the week prior to each election, and employees are encouraged to take advantage of advance voting so that the City is not overburdened with absences on Election Day. Employees may contact the Elections Department regarding the location of polls for purposes of advance voting.

Each employee may, upon at least 24 hours prior notice to their supervisor, take necessary time off from employment without loss of pay to vote in any municipal, City, state, or federal primary or election for which the employee is qualified and registered to vote; such time off to vote shall not exceed two hours. However, if the hours of work of the employee commences at least two hours after the opening of the polls or ends at least two hours prior to the closing of the polls, an employee is not entitled to any time off pursuant to this Section. For example, if voting polls are open from 7:00 A.M. until 7:00 P.M., and an employee works from 9:00 A.M. until 5:00 P.M., the employee should require no time off to vote. Any time off taken to vote pursuant to this Section must be approved by the employee's supervisor and will not be charged against the employee's personal leave.

### **Section 5.00.21 – Funeral Leave**

Paid bereavement leave will be granted for the death of an immediate family member the day before, the day of, and the day after the administration of the funeral. If additional leave is needed, the employee may use sick leave for immediate family only; for all others, the employee will use Annual Leave. Immediate family is defined as spouse, mother, father, children, sister, brother, father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, grandparents, and grandchildren. Notice of intent to utilize funeral leave should be provided to the employee's immediate supervisor as soon as possible. The immediate supervisor may request an attendance letter within five days of the funeral attended from the funeral home.

In the event of unusual circumstances, such as the distance to be traveled by the employee, additional funeral leave without pay may be authorized. A request for such additional leave must be submitted in writing, along with an explanation of the circumstances, to the Department Director who will review the request and make a recommendation to the Human Resources Director, who will either approve or deny the request.

### **Section 5.00.22 – Special Meetings and Examinations**

A type of paid leave granted to the employee to attend professional or technical institutes or conferences, or such other meeting as may contribute to the effectiveness of service to the City of Waycross Board of Commissioners upon return to duty. Time off with pay shall also be granted to an employee for the purpose of taking examinations and interviews for a position within Waycross, Georgia. Such leave shall be considered Administrative Leave and will not be charged against the employee's accumulated leave.

### **Section 5.00.23 – Training and Education**

An employee may be granted paid leave in order to secure special educational training directly appropriate to the employee's position to visit other governmental agencies, or in the approved manner to achieve systematic improvement in the knowledge or skills required in the performance of individual or department work. Such leave shall be considered Training Leave and not be charged against the employee's accumulated leave. All Training Leave must be approved prior to the departure date.

Sick Leave cannot be used in conjunction with Training Leave. If it is used for the purpose or cause in conjunction with Training, the employee is required a certificate from the City employee medical or employee assistance program, or from a licensed medical professional attesting to the circumstances of the employee's absence and the employee's ability to return to work and fulfill the required duties, even if the employee's absence is less than three (3) days.

### **Section 5.00.24 – Holiday Pay**

#### Regular Non-exempt Employees:

Full-time (80) – 8 hours

Part-time – 4 hours

Police (86) – 12 hours

Fire (106) – 17 hours

#### Holiday Calendar

New Year's Day

Martin Luther King Day

Good Friday

Memorial Day

Juneteenth

Independence Day

Labor Day

Columbus Day

Veteran's Day

Thanksgiving (Day Before & After)

Christmas Eve & Day

If sick leave is used on either the day before or after a holiday, the employee will be required to provide their Supervisor/Department Director with a doctor's excuse to be compensated for that day in order to receive holiday pay. Any employee who is absent without the City's written approval on a scheduled workday before or after the holiday, **shall not** receive regular compensation for the holiday to include suspension with or without pay.

When a holiday occurs during the period an employee is on authorized leave, vacation shall not be charged for the holiday.

### **Section 5.00.25 – Leadership Waycross Program**

The purpose of Leadership Waycross is to identify, recognize, and develop leaders in the Waycross-Ware County area. The program is designed to be an educational experience, and, as such, an advocate for a better community without taking a position on specific issues.



*The mission of Leadership Waycross is to maintain a continuing broad base of active, informed, and effective leaders for our community.*

One Leadership Waycross nomination may be submitted to the City Manager by each Department Director. These nominations are due no later than July 1. Once the selection has been made by the City Manager, applications are due to the Human Resources Department by August 1. The applicants will be submitted to the Waycross-Ware County Chamber of Commerce by Human Resources. The Leadership Steering Committee will make their selection of participants for the following year's program.

#### **Section 5.00.26.02 – Commitment**

Leadership Waycross requires a serious commitment of time and energy. Orientation, Bonding, and Vision retreats are mandatory and you must complete 80% attendance of the remaining action-packed sessions.

#### **Section 5.00.26.03 – Tuition**

The class fee is \$600 for each participant. This fee includes program materials, meals, overnight lodging, and transportation. Each department must fund their nominee selection's tuition fee if the employee is selected by the Leadership Steering Committee. This fee is subject to change.

#### **Section 5.00.26 – Credit Card Policy**

- A. Purpose: To conduct city business more efficiently, the City has granted authority to elected officials and certain City employees to utilize credit cards for purchases. The purpose of this policy is to supplement the Purchasing Procedure and provide guidelines and procedures regarding the proper use of City credit cards. The policy is not intended to replace current state laws but is intended to comply with such state laws and establish more efficient guidelines for elected officials and employees. At no time should a City-issued credit card be used for personal purchases, regardless of the circumstances. Utilizing a credit card for personal use or for any item or service not directly related to such official's public duty may result in disciplinary action. All purchases utilizing a government credit card must be in accordance with these guidelines and with state law.
- B. Scope: As required by state law under O.C.G.A § 36-80-24(c), this policy applies to the use of government credit cards by elected officials and City employees authorized to be issued government credit cards.
- C. Public Inspection: In accordance with O.C.G.A § 36-80-24(b), any documents related to purchases using government credit cards incurred shall be available for public inspection.
- D. Issuance and Transaction Limits: **Issuance and Transaction Limits.** All City credit cards are issued through the Finance Department, and this department will establish credit limits and spending guidelines. Transaction limits are established to ensure compliance with state purchasing laws, maintain proper budgetary controls, and minimize excessive use of any individual credit line. Credit limits vary per authorized individual and cannot exceed those established by the Finance Department unless authorized by the Finance Director or the City Administrator.

The elected officials and city employees who are assigned a city credit card will be required to sign a Credit Card Agreement (Attachment A) acknowledging receipt and understanding of this policy.

E. Purchasing Restrictions:

- a. Elected officials and authorized employees may not use a government credit card for the following:
  - i. Any purchases of items for personal use.
  - ii. Cash refunds or advances.
  - iii. Any transaction amount greater than the transaction limits set forth by this policy unless authorized by the Finance Director or City Administrator.
  - iv. Items restricted explicitly by this policy unless the City's governing authority grants a special exception.
  - v. Purchases or transactions intended to circumvent the city purchasing policy, transactional limits, or state laws.
  - vi. Alcohol or liquor of any kind.
- b. Authorized elected officials and city employees may use government credit cards to purchase goods and/or services not prohibited by this policy or state law. Such purchases include, but are not limited to:
  - i. Purchases of items for official city use that fall within the transactional restrictions of this policy.
  - ii. Purchase of lodging, fuel, food, or educational and training materials while on city business.
  - iii. Emergency purchases necessary to protect city property.
  - iv. Purchases of items online or from other approved sources from which a city check is not accepted or practical.

F. Administrator:

The city designates the Finance Department as the program administrator of government credit cards. Such administration shall:

- a. Serve as a liaison between the City's cardholders and the issuers of such cards.
- b. Maintain the cardholder agreement for all cardholders.
- c. Provide instruction, training, and assistance to cardholders.

- d. Maintain account information and secure all cardholder information.
- e. Keep cardholders up-to-date on new or changing information.
- f. Upon receipt of information indicating fraudulent use or lost/stolen cards, immediately report it to appropriate parties, including the issuer.
- g. Ensure all card accounts are being appropriately utilized as set forth by state law and this policy.
- h. Define the city's policy and procedures for properly documenting and storing receipts, logs, and approvals required under this policy.
- i. Identify any changes to named persons authorized to use a government credit card.
- j. Any other duties assigned by the municipal governing authority.

#### G. Accounting and Auditing.

Elected officials and employees assigned a city credit card are responsible for safeguarding the card, properly using the card, and the submission of any receipts and appropriate backup for purchases. Department heads and elected officials are responsible for ensuring their departmental employees understand the proper use of city credit cards as outlined in this policy.

Receipts should be submitted to the Finance Department as soon as possible and accompanied by any required documentation, such as that required by the credit card and purchasing policy. Users are responsible for notifying vendors or merchants that the transaction is exempt from Georgia sales and use tax if goods are purchased in Georgia.

Any disputes regarding incorrect billing charges or returns are to be handled at the department level, and the Finance Department will be informed of the situation. All credits for charges originally charged to a city credit card should be issued through the credit card account.

The Finance Department is responsible for reconciling the city credit card statements. The Department heads and elected officials will be informed of any discrepancies. If receipts and proper documentation are not submitted timely, late charges and/or interest charges will be allocated to the department(s) that have not submitted documentation timely. The Finance Department will reconcile the statements monthly and will notify the cardholders of any violations or issues that need further documentation or clarification from the

previous month. Depending on the severity of the violation, the Administrator may suspend or revoke the use of the credit card after notification to the cardholder and the City Commission, but only after consultation with the City's attorney.

#### G. Violations

The use of a city credit card may be suspended or revoked when the Administrator, after consultation with the city attorney, determines that the cardholder has violated the approved policies or state law regarding the use of the city credit card. The city credit card will be revoked whenever a cardholder is removed from the elected office of the city and will be suspended if the elected official is suspended from office.

If the violations are purchases of items for personal use, cash refunds or advances, or the purchase of alcohol, the violator shall be given 15 days after notice to reimburse the City for such amount plus interest, if any, charged by the credit company. If such elected official or employee fails to reimburse the City in a timely manner, the Administrator shall notify the Mayor and Council, and at its next regular meeting, the Mayor and Council shall act on the violation. The Mayor and Council may suspend the violator's use of the card for a period of time determined by the Mayor and Council, direct the Administrator to cancel the violator's card and deduct any amount owed from the violator's salary or any combination of the preceding. If the violation is any one of the other prohibitions set out in Section E above, then the Administrator shall notify the Mayor and Council, and at its next regular meeting, the Mayor and Council shall act on the violation. The Mayor and Council may suspend the violator's use of the card for a period of time determined by the Mayor and Council or direct the Administrator to cancel the violator's card.

Utilization of the city credit card for personal use or any item or service not directly related to the elected official's public duty may result in disciplinary action, including, but not limited to, revocation of card privileges and misdemeanor prosecution. Inappropriate use of a city credit card by authorized city employees may result in disciplinary action up to and including termination of employment.

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## ARTICLE 6 — GENERAL POLICIES AND PROCEDURES

### Section 6.00.01 – Equal Employment Opportunity

The Equal Employment Opportunity (EEO) policy of the City provides for equal opportunity for all applicants and employees regardless of age, sex, race, color, creed, religion, political affiliation, national origin, family status, disability, genetic information, or military status.

The City's policy of equality of opportunity applies to all levels of employment and to all job classifications under the jurisdiction of the City. It is the responsibility of each supervisor, Department Director, and the Human Resources Department to give the City's non-discrimination policy full support through leadership and by personal example. It is the duty of each employee to maintain a work environment that is conducive to and which reflects the City's commitment to equal employment opportunity.

A complaint of a possible violation of the equal employment opportunity policy should be reported to the employee's supervisor and processed through the approved complaint procedure for harassment under Article 6. All such complaints will be promptly investigated by the Human Resources Director and, if deemed valid, corrective action will be taken.

The Human Resources Director shall ensure that notices with regard to Equal Employment Opportunity matters are posted conspicuously on the City premises where notices are customarily posted.

### Section 6.00.02 –Americans with Disabilities Act (ADA)

The ADA prohibits discrimination against qualified individuals with a disability. The City will provide reasonable accommodation to qualified applicants and employees when necessary to permit them to perform the essential functions of their jobs.

### Section 6.00.03 – Age Discrimination in Employment Act (ADEA)

The ADA & **ADAAA** protects individuals who are 40 years of age or older from employment discrimination based on their age. The ADEA's protections apply to both employees and job applicants. Under the ADEA, it is unlawful to discriminate against a person because of their age with respect to any term, condition, or privilege of employment, including hiring, firing, promotion, layoff, compensation, benefits, job assignments, and training.

It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on age or for filing an age discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under the ADEA.

### Section 6.00.04 – Harassment

#### **6.00.04.01 – City of Waycross Anti-Harassment Policy**

The City strives to create and maintain a work environment in which people are treated with dignity, decency, and respect. The environment of the City should be characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees should be able

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to work and learn in a safe, yet stimulating atmosphere. The accomplishment of this goal is essential to the City. For that reason, the City will not tolerate unlawful discrimination or harassment. Through enforcement of this policy and by education of employees, the City will seek to prevent, correct, and discipline behavior that violates this policy. All Employees, regardless of their position, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur.

Appropriate disciplinary action will be taken against any employee or official who violates this policy. Based on the seriousness of the offense, disciplinary action may include up to termination.

**6.00.04.02 – Prohibited Conduct under this Policy**

1. Discrimination:

- a. It is a violation of this Policy to discriminate in the provision of employment opportunities, benefits, or privileges, to create discriminatory work conditions, or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, religion, genetic information, military service, disability status, or gender.
- b. Discrimination may also be prohibited by a variety of federal, state, and local laws. This Policy is intended to comply with the prohibitions stated in these anti-discrimination laws.
- c. Discrimination in violation of this Policy will be subject to sanctions up to and including termination.

2. Harassment or Hostile/Offensive Work Environment:

- a. Harassment, including sexual harassment is prohibited by federal and state laws. This Policy prohibits harassment of any kind, and the City will take appropriate action to address any violations of this policy. Harassment is verbal or physical conduct designed to threaten, intimidate, or coerce. Verbal taunting (including racial and ethnic slurs) which impairs an employee's ability to perform his or her job is considered a form of harassment or a hostile/offensive work environment.

b. Examples of harassment or hostile/offensive work environment:

Verbal: This can include comments regarding a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body disability, or appearance. Also recognized as verbal harassment are epithets, slurs, and stereotyping.

Non-verbal: Distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, shows hostility, or aversion toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, marital, or other protected status.

3. Sexual Harassment: Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when such conduct:

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- a. Is made explicitly or implicitly a term or condition of employment, or
  - b. Is used as a basis for an employment decision, or
  - c. Unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or otherwise offensive environment.
  - d. Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is unwelcome, that is personally offensive, and that lowers morale and therefore interferes with work effectiveness. Sexual harassment may take different forms.
4. Conduct that may constitute sexual harassment:

Verbal: Sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, threats, requests for any type of sexual favor (this includes repeated, unwelcome requests for dates), verbal abuse or "kidding" which is oriented towards a prohibitive form of harassment, including that which is sex oriented and considered unwelcome.

Non-verbal: The distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive, or shows hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters, notes, facsimiles, and e-mail that is sexual in nature.

Physical: Unwelcome, unwanted physical contact, including but not limited to, touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling; forced sexual intercourse, or assault.

Normal, courteous, mutually respectful, pleasant, non-coercive interactions between Employees (including men and women) that are acceptable to and welcomed by both parties are not considered to be harassment.

**6.00.04.03 – Employee Response to Discrimination, Harassment, or Sexual Harassment**

Employees shall:

1. Make it clear to the alleged offender that such behavior is offensive to them; and
2. Bring the matter to the attention of the appropriate supervisor following the guidelines of Article 8 Employee Complaint and Grievance. For purposes of this section, the appropriate supervisor means either the Department Director, the Human Resources Director, or the City Manager.

**6.00.04.04 – Supervisor Response to a Claim of Discrimination, Harassment, or Sexual Harassment**

Any employee who believes that they have been the subject of such harassment must report the alleged act immediately regardless of the severity to their Supervisor, Department Director, and directly to the Human Resources Director. A complaint will be immediately investigated by the Human Resources Director in conjunction, where appropriate, with the employee's department. Any supervisor, agent, or employee who has harassed another employee on the



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basis of their sex, race, genetic information, religion, disability, national origin, or age will be subject to appropriate disciplinary action up to and including termination.

No employee who, in good faith, exercises his or her right to make a complaint about sexual or other unlawful harassment will be subjected to any retaliatory act. Unlawful harassment in the workplace will not be tolerated and employees who believe they have experienced such harassment or have witnessed the harassment have an obligation to report such unlawful conduct immediately. Any supervisor or employee who retaliates against an individual for exercising his or her right to report sexual or other unlawful harassment shall be subject to disciplinary action up to and including termination.

*Investigation:* complaints shall be promptly reported regardless of the severity in accordance with Article 8 Employee Complaint and Grievance or to the Human Resources Director and investigated promptly by the Human Resources Director or designee. The determination of whether a particular action constitutes a violation of City policy shall be made from the facts on a case-by-case basis.

In determining whether alleged conduct constitutes a violation of the City policy, the investigator shall look at the Record as a whole and at the totality of the circumstances, such as the nature and the conduct, and the context in which the alleged incident(s) occurred. If a violation of City policy is found to exist, the City shall take prompt corrective action. Such action may include disciplinary action up to and including termination pursuant to Article 7 (et seq.). If an action under this section fails to resolve the matter to the satisfaction of the Complainant employee, the matter may be submitted for grievance resolution under Article 8.

#### **Section 6.00.05 – Searches**

All City-issued equipment, property, and facilities, including but not limited to, desks, lockers, and vehicles (collectively “Materials”) are subject to inspection at any time and for any reason. No employee shall have any privacy interest whatsoever in any City-issued Materials. No personal property may be searched unless the owner of the property has consented or a search is otherwise legally permissible. If an individual is asked to submit to a search, and refuses, that individual will be considered insubordinate and will be subject to discipline, up to and including, termination.

If a search uncovers evidence of employee wrongdoing, illegal activity, or employee violations of City rules or policies, the evidence may be used to support disciplinary actions up to, and including, termination. In cases involving suspected illegal activities, the evidence may be turned over to the proper legal authorities.

#### **Section 6.00.06 – Drug-Free Workplace and Alcohol Policy Purpose**

The City abides by the City of Waycross Drug and Alcohol Policy

#### **Section 6.00.07 – Drug and Alcohol Use Policy**

##### **6.00.07.01 – General Statement of Policy**

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The City acknowledges the problem of substance abuse including alcohol in our society; furthermore, we see substance abuse as a serious threat to our employees and to the public. The City has a strong commitment to its employees and the public to provide a safe, drug-free work environment.

**6.00.07.02 – Definition of Terms**

- ☐ Legal Drug – This includes prescribed and over-the-counter drugs that have been legally obtained and are being used solely for the purpose for which they were prescribed or manufactured.
- ☐ Illegal Drug – this includes any drug (a) which is not legally obtainable; (b) which is legally obtainable but was not legally obtained; or (c) which is being used in a manner or for a purpose other than as prescribed or intended by the manufacturer.
- ☐ Reasonable Suspicion – discernment of erratic or questionable behavior.
- ☐ Safety Sensitive Positions – this includes certain responsive occupations that may intersect with the public in the course of their task which could result in a high risk of personal injury or accident to the public or the employee.
- ☐ Loss of Work Time – this means any time that an employee is not engaged in their job duties or tasks due to some event or circumstance.

Other definitions will appear within the Policy.

**6.00.07.03 – Policy and Work Rule**

It is the policy of the City to employ a workforce free from the use of illegal drugs and the abuse of alcohol, either on or off the job. Any employee determined to be in violation of this policy is subject to disciplinary action, which may include termination of employment, for even the first offense. All employees are required to submit a copy of any prescriptions that may impair or hinder them from performing their job duties in a safe manner to their immediate supervisor and the Human Resources Department. To maintain this standard, the City shall establish and maintain the programs and rules set forth in the following.

**6.00.07.04 – General Procedures and Regulations**

An employee reporting for work or to the job site visibly impaired will be considered unable to properly perform their required duties and will not be allowed to work and may be required to leave the job site.

Other than those that may have been recently prescribed by a licensed physician, the manufacture, distribution, possession, or use of a controlled substance or illegal drug or associated paraphernalia at any time or place, shall be prohibited.

The manufacture, distribution, dispensation, possession, or use of alcohol while on work time or work premises shall be prohibited.

Reporting to work, or working, while intoxicated or otherwise impaired by alcohol or controlled substance shall be prohibited.

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The use of alcohol off-duty in a manner that would undermine the trust that citizens place in a city employee's ability or capacity to perform his or her duties with efficiency, safety, and professionalism shall be prohibited. Employees wearing uniforms or using City vehicles in off-duty situations must refrain from any use of alcoholic beverages.

The use or possession of prescription drugs while on work premises, or while working, which could affect or impair the ability to function in one's job shall be prohibited unless:

- a. The prescribing physician has been notified of the duties involved with the employee's position, and has approved, in writing, the use of the drug while that employee is performing those duties; and
- b. The employee's immediate supervisor has been notified in writing by the employee that they are using a prescription drug, and the immediate supervisor has been provided a written statement by the employee's physician approving the use of the drug while the employee is at work.

Any employee of the City who is arrested or convicted (including a plea of nolo contendere) of violating any criminal drug statute of any jurisdiction, regardless of whether the alleged violation occurred at the workplace or elsewhere, must notify, in writing, their Department Director and the Human Resources Director in writing of each arrest or conviction as soon as possible but in no event more than five (5) calendar days after the arrest or conviction.

Individuals shall submit to alcohol and drug abuse testing as follows:

- a. After a conditional offer of employment has been extended.
- b. When there is reasonable suspicion that an employee of the City has violated any provision of the alcohol and drug use policy.
- c. When any employee is involved in an on-the-job accident involving property damage or personal injury and there is a reasonable suspicion that alcohol or drugs were involved.
- d. When employed in safety-sensitive positions which include all sworn police personnel, firefighters, traffic engineering and maintenance employees (except those whose job is exclusively clerical), jobs that require a commercial driver's license, operation and assignment of a City vehicle on or off duty, and operation of personal vehicle used in the normal function of the employee's job task a random testing will be conducted.
- e. Upon return to work after participating in a rehabilitation program, random testing will be conducted, monthly for a twelve-month period.
- f. Random testing of certain positions as stated above and in policy.

#### **6.00.07.05 – Overview of the Drug and Alcohol Use Policy**

The Drug and Alcohol Use Policy of the City is made up of two separate but interrelated programs:

- a. An Employee Awareness/Supervisor Training Program;
- b. A Drug and Alcohol Screening Test Program.

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The administrative responsibility for the Drug and Alcohol Use Policy lies with the City Human Resources Department. Drug tests and any other expenditure for program costs will be cleared through and approved by the Human Resources Director and the City Manager. This policy was developed to prevent illicit use of alcohol or drugs by the City employees without violating the legal rights of those employees. In order to do this, supervisors at every level with the City must understand the Policy, follow the Policy, and give the Policy their full support. This will lead to greater acceptance and understanding of the Policy by the employees, making the goals of the Policy more easily attained.

#### **6.00.07.06 – Policy Goals**

Prevention – To prevent the abuse of alcohol and drugs by City employees. This Policy seeks to educate employees about the facts behind substance abuse so that they can see the potential effects of this behavior. This should help prevent employees from developing alcohol- or drug-related problems. This Policy also seeks to educate and motivate the “non-using” co-workers so that they will encourage employees to seek help.

Cost Effectiveness – To combat the abuse of alcohol and drugs in a way that is cost-effective.

Provide Assistance To Alcohol/Drug Dependent Employees – A chemically dependent individual or substance abuser is not able to control their alcohol or drug intake. The Policy recognizes this fact by providing for discretionary Department Director referral to the Human Resources Director.

Exception Clause – If an employee willfully states to their supervisor that they have a drug or alcohol problem and needs assistance, the following will occur:

The Human Resources Director will provide the employee with a Resource Directory of Programs and Services available in Ware County including the City Employee Assistance Provider for the employee to choose the appropriate rehabilitation program. The employee will be evaluated at the medical facility that they choose. Charges for evaluation and rehabilitation programs will be the responsibility of the employee except for what is covered under the City’s group health plan and our Employee Assistance Program.

Prior to receiving assistance, the employee shall have the responsibility of seeking a release of information to the Human Resources Director. The chosen medical facility will contact the Human Resources Director after evaluating the employee. The Human Resources Director will notify the Department Director of the evaluation results. Every effort will be made to uphold the principle of allowing the employee to get treatment for an alcohol or drug problem at the employee's expense except for what is covered under the City's group health plan. If the employee has had previous treatment or has extensive problems related to job performance, a decision will be made by their Department Director for termination. After testing positive, an employee must have a negative screen to return to work under any circumstances. If the recommendation is to retain the employee, they will be required to follow through with a program of treatment and will be required to submit to unannounced drug screenings for one year. Once the employee returns to work, they are subject to immediate termination for any further substance abuse.

#### **6.00.07.07 – Implementing the Drug and Alcohol Screening Program**

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Copies of the Drug and Alcohol Policy will be distributed to each employee during their initial sign-up period and a detailed orientation program which includes the Drug and Alcohol Policy will be conducted by the Human Resources Department.

**6.00.07.08 – Reasons for Testing**

1. Pre-Employee, Post-Offer Drug Screening – The City will conduct pre-employment screening examinations designed to prevent the hiring of individuals who use illegal drugs or individuals who abuse alcohol, either on or off the job. This screening will be conducted following an offer of employment pending the successful completion of this testing. During the final interview process, the job applicant will be provided with a copy of the “Pre-employment Consent and Notice” form. At that time, the Drug and Alcohol Policy will be explained to the applicant and the “Pre-employment Consent and Notice” form will be signed by the applicant.

Should the applicant refuse to be tested, the job offer will be rescinded. Should the applicant’s test results show a positive drug screen, then the offer made by the City to the individual seeking the position will be invalid. Inquiries to a specific application with a positive test result will be advised that the applicant in question failed to meet the qualifications necessary for employment “. The individual will not be able to qualify for employment with the City for one year or until they provide the City with a written statement from a medical or drug rehabilitation program verifying the successful treatment for alcohol and/or drug abuse whichever comes first.

An employee who is promoted within the City to a safety-sensitive position will be subject to an alcohol and drug test before assuming the position.

2. Random Testing – It shall be a condition of continued employment for all employees in high-risk positions to submit to random drug screenings

***All random drug testing will be conducted by a facility designated by the Human Resources Department.***

Reasonable Suspicion Testing – It shall be a condition of continued employment for all employees to submit to a drug screening when there is reasonable suspicion that an employee is using or has used illegal drugs or has abused alcohol. Two supervisors are required to substantiate the decision to test for reasonable suspicion.

3. Post-Accident/Personal Injury Testing – Drug and/or alcohol testing will be done following any work-related accident or injury. Confidentiality – All matters dealing with drug testing will be confidential.

**Section 6.00.08 – Smoking in the Workplace – Tobacco-Free Workplace**

Use of tobacco products, i.e., smoking, and use of smokeless tobacco, in areas other than those designated as smoking areas in any City building is strictly prohibited. City buildings include all buildings and structures owned or operated by the City. This policy applies to all employees,

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elected and appointed officials, contract employees and agents, visitors, and any person doing business for or with the City.

Failure to adhere to this policy may result in disciplinary action, up to and including termination of employment.

### **Section 6.00.09 – Participation in Political Activities**

No employee should use his or her official authority or influence for the purpose of coercing or influencing another person's vote or otherwise affecting the result of an election, nor directly or indirectly coerce or attempt to coerce command, or advise any other employee to pay, lend, or contribute any part of his or her salary or anything else of value to any party, committee, organization, agency or person for political purposes. Personnel planning to run for public office should occur prior to qualifying therefore, ascertain that such candidacy is not inconsistent with their legal or contractual obligations as employees of the City.

### **Section 6.00.10 – Employee Use of Public Property**

Employees of the City are prohibited from using City-owned property, City facilities, or regular work hours for purposes other than the direct fulfillment of their employment obligation without the express written permission of the City Manager.

This prohibition includes but is not limited to, the promotion or advancement of personal or political interest and campaigns in opposition to or in support of national, state, local, or City Commission policies or decisions. Violation of this provision constitutes misconduct and may result in disciplinary actions up to and including termination as provided under Article 7.

### **Section 6.00.11 – Employee Solicitation**

There shall be no solicitation of employees on personal or business matters during work hours, on official City business, or on City premises by salespersons, agents, or other employees.

### **Section 6.00.12 – Public Information**

All official commentary and news releases about City business, operations, policies, actions, or plans shall come from the City Manager or their designee. This article is not intended to nor shall it operate to abridge any employee's First Amendment rights but rather to provide for clear and accurate public communication channels. Employees with personal concerns that they wish to express are directed to Article 9 of these policies. Employees who wish to express personal concerns as City citizens and not in their official capacity as City employees are free to do so.

### **Section 6.00.13– Employee Incentive Awards Program (EIAP)**

#### **6.00.13.01 – Purpose**

This program, consisting of both cash and non-cash awards, provides recognition and incentives to employees who deliver high-quality service, improvements in quality of work, efficiency, productivity, customer service, and achievements that promote the health, welfare, and morale of the workforce.

This program will also establish guidelines to provide:

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- ☐ Enhancement of the Employee of the Month (EOM) and Employee of the Year (EOY) programs;
  - ☐ Special Department level of employees for the employees who have dedicated their careers to serving to the City and its citizens for a period of 5, 10, 15, 20, 25, 30, 35, 40, or 45 (or more) years;
  - ☐ Provide other recognition, awards, and incentives to employees for achievements that promote the health, welfare, and morale of the workforce.

**6.00.13.02 – Employee of the Month/Year Performance Awards**

The Employee of the Month (EOM) and Employee of the Year (EOY) Programs include cash incentives and non-monetary recognition to individuals for outstanding service to the City and its citizens. All performance awards will be for the face amount of the award. Employees of the Month and Employee of the Year will each receive a monetary award based on their respective level of recognition.

*Employee of the Month (EOM) Guidelines:*

- ☐ Only full-time employees who have satisfactorily completed the probation period are eligible for nomination, excluding Department Directors.
- ☐ Nominations are due between the 1<sup>st</sup> and the 25<sup>th</sup> day of the month to the Human Resources Office, which will forward them to the Committee.
- ☐ Any City employee may nominate any employee from any department.
- ☐ The employee must have no pending disciplinary actions or written reprimands in the last twelve months.
- ☐ If an employee is not elected for one month, they may be considered for the next month, if re-nominated.
- ☐ Employee performance should be “above and beyond” what is normally expected in the day-to-day performance of job duties.
- ☐ Evaluation should specifically focus on job-related outputs and accomplishments in one or more of the following areas:
  - Initiative/Employee Innovation/Customer Service
  - Positive employee interaction
  - Productivity/Quality Improvement
  - Cost Savings/Cost Avoidance
- ☐ Any nomination not based on one or more of the above-mentioned criteria will result in automatic disqualification.
- ☐ Recipients will receive a \$150.00 check, an EOM plaque, VIP parking, and their picture taken.
- ☐ EOM will be recognized by the City Board of Commission during the 1<sup>st</sup> Commission meeting of each month.

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*How to Make an EOM Nomination:*

- ☐ Any employee or supervisor may submit a nomination by filling out an EOM nomination form (this form is available in Human Resources or it is available on COWnet).
- ☐ Nominations are to be given to the Department Director of the employee who is being nominated. More than one employee can be nominated within the same department.
- ☐ Once the Department Director receives the recommended nomination(s), the Department Director will approve the EOM nominees submitted.
- ☐ After approval is made by Department Director, the nomination form is to be forwarded to the Human Resources Department no later than the 25<sup>th</sup> day of the subsequent month, or, by e-mailing the nomination form to the Human Resources Director.
- ☐ Note - you may only submit one nomination per month and failure to submit the nomination form on time will make the nomination ineligible.
- ☐ The EOM Committee will review departmental nominees and make final selections for the Employee of the Month.
- ☐ EOM photos will be retained for permanent display in the “Hall of Fame” display managed by the Human Resources Department.

*Employee of the Year (EOY) Guidelines:*

- ☐ Any full-time regular employee with a minimum “satisfactory” Annual Performance Evaluation is eligible.
- ☐ All EOM selectees for the respective calendar year will be automatically considered for EOY.
- ☐ Evaluation should be based on accomplishments in one or more areas below -
  - Initiative/Employee Innovation/Cost Savings
  - Productivity/Quality Improvements
  - Customer Service Excellence
  - Positive employee interactions
  - After-hours community involvement
  - Other considerations that enhance the quality of life in Waycross, Georgia
- ☐ Recipients of the EOY award will receive a \$500.00 check, an EOY plaque, a picture taken, and publicity.
- ☐ EOY photos will be retained for permanent display in the “Hall of Fame” display managed by the Human Resources Department.



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*How to Make an EOY Nomination:*

- Nominations for EOY are not made by employees of the City. All EOMs are automatic nominations for the EOY. If an EOM for the current year does not have a satisfactory performance, they will be excluded from the selection pool.

**6.00.13.03 – Procedures for “Years of Service” Award**

The City employees who have completed 5, 10, 15, 20, 25, 30, 35, 40, or 45 (or more) years of service will receive recognition at the “Employee Luncheon” held the third Friday of every other month and be presented a service award gift packet based on years of service. The Human Resources Department will manage the program. Prior years of service dates will be calculated for total years of service.

**6.00.13.04 – Administration and Budget**

- Human Resources will budget the funds and manage EIAP program each year. The EOM/EOY program will be administered primarily by the Employee Recognition Committee. Any amendments to this policy will be coordinated through the HR Department.
- This EIAP Fund will be used exclusively by the City HR Director to cover the cost of administering this program.

**Section 6.00.14 – Dress Code Policy**

The City is committed to presenting a professional image appropriate for dealing with the public. Employees, including full-time, part-time, temporary, and contract workers are expected to maintain the highest standards of personal hygiene and present a neat, professional appearance at all times. Our professional image is an important aspect of our organization. Whether your job responsibilities place you in direct contact with City officials, state officials, legislators, or the public, you represent the City with your appearance as well as your actions.

Properly attired employees help to create a favorable image for the City. Situations in which inappropriate attire is worn or any exceptions to the dress code will be addressed by the employee’s Department Director in consultation with the Human Resources Director. Employees who are improperly attired will be required to leave work to change their attire. Employees will not be compensated for the time they are away from work to change improper attire.

Employees will be given a verbal warning for the first offense and sent home to change their attire. Progressive disciplinary action will be taken for further dress code violations up to and including termination in accordance with the City Personnel Policies.

Unless otherwise announced by the Department Director or Human Resources Director, Friday of each week employees may wear casual attire which is **clean, neat, and presentable**. Any other casual day will be designated at the Department Director or Human Resources Director’s discretion.

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#### **6.00.14.01 – Guidelines**

City of Waycross Employees who are required to wear or are provided uniforms are expected to comply with the guidelines of this policy. The following guidelines are established to define the suitable attire for the City of Waycross employees as the image projected is a reflection upon the City.

Because all clothing is not suitable for the office, these guidelines will help you determine what is appropriate to wear to work. Clothing that works well for the beach, yard work, dance clubs, exercise sessions, and sports contests may not be appropriate for a professional appearance at work.

Clothing that is snug fit or designed to reveal anatomic details of the body is prohibited; revealing too much cleavage, your back, your chest, your stomach or your underwear/undergarments is not appropriate for the workplace.

Clothing should be pressed and never wrinkled. Torn, dirty, or frayed clothing is unacceptable. All seams must be finished. Any clothing that has words, terms, or pictures that may be offensive to other employees or the public is unacceptable. Clothing that has the City logo is encouraged. Clothes with sports teams, university logos, or sports and fashion brand names on shirts/clothing are generally acceptable on Fridays only.

The items below are not intended to be all-inclusive but should help to set general parameters for proper attire and guide you in making the appropriate decision regarding items not specifically addressed.

- **Slacks**: dress and casual slacks with belts if needed, and mid-calf to ankle length dress crop pants.
  - ◆ *Inappropriate items include::* jeans/denim, sweatpants, exercise pants, shorts, Bermuda/walking shorts, low riders, hip huggers, overalls, and spandex.
  - ◆ *Jeans/Denim material clothing is only permissible on Fridays (Casual Day) unless prior approval from a supervisor is obtained due to work activities that must be performed.*
- **Shirts/Tops/blouses/Jackets**: dress or casual shirts, golf-type shirts, sweaters, turtlenecks, (sleeveless dress shirts are only permissible with a cardigan) are all acceptable. Most suit jackets or sports jackets are acceptable if they violate none of the listed guidelines.
  - ◆ *Inappropriate items include:* Non-City issued t-shirts and sweatshirts, see-through blouses, muscle shirts, tank tops, midriff tops, halter tops, tops with bare shoulders, spaghetti-strap tops\*, shirts with potentially offensive words, terms, logos, pictures, cartoons, or slogans.
  - ◆ **NO MIDRIFF OR CLEAVAGE** should be exposed at any time. Please wear an appropriate camisole under your blouse if it has a low-cut or plunging neckline.
  - ◆ The following can only be worn under a non-see-through blouse or jacket: tank tops, halter tops, or any spaghetti-strap tops. The City-issued golf-type shirts and sweatshirts should only be worn on Casual Friday.

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- Dresses/Skirts: Dresses or casual skirts or dresses should be worn no more than two inches above the knee.
    - ◆ Inappropriate items include: mini-skirts, skorts, sun dresses, beach clothing, fitted/tight skirts, and splits that expose the thigh area when sitting.
    - ◆ The following can only be worn under a non-see-through blouse or jacket: spaghetti strap dresses, tank top dresses, and open-back dresses.
  - Footwear: loafers, boots, flats, strappy and open-toed heels, sandals (dressy/open-toed), mules/clogs, and thongs.
    - *Note: high heels are permissible to office employees only.*
    - Inappropriate items include: flip-flops, slippers, and tennis/athletic shoes.
  - Casual Fridays: Friday of each week has been formally designated as Casual Friday within the office. Employees should follow the guidelines set for appropriate attire when attending meetings or events. Only on Casual Friday will jeans/denim material clothing be allowed. Clothing that has the City logo is encouraged.
    - ◆ Inappropriate items: shorts, halters, tank tops, jeans with holes, hip huggers, low riders, low neckline front or back, flip flops, slippers, tennis/athletic shoes, or clothing that has words, pictures, scenes, etc., that would be disruptive to the work environment. Clothing listed in the other areas for inappropriate clothing and shoes still applies on Casual Friday.
  - Uniforms: All uniformed personnel shall appear in complete uniform as defined in this (the agency's) policy. The uniform shall be worn only when on official duty, or when it is reasonable to expect recall to duty. All uniforms shall be clean, neat, and in good repair and no alterations shall be made to an issued item. Items of the uniform having the official logo, badge, or other identifying marks shall not be worn in conjunction with civilian attire.

Please remember no dress code can cover all contingencies so employees must exercise a certain judgment in their choice of clothing to wear to work. If you experience uncertainty about acceptable, professional attire for work, please ask your supervisor or your Human Resources staff.

## **Section 6.00.15 – Employee Media Relations Policy**

No employee other than the City Manager or their designee shall provide an official statement to the media on behalf of the City. All media requests for the City's official position on an issue shall be directed to the City Manager. This Policy shall not be interpreted to infringe upon employees' First Amendment right to freedom of speech. Employees are free to act as private citizens when speaking to the media, subject to the guidelines contained herein below regarding Employees Acting as Private Citizens and the Disciplinary Policies and Procedures detailed in Article 7 of this Handbook.

### **6.00.15.06 – Employees Acting As Private Citizens**

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The following guidelines are offered to employees who may choose to contact the media as a private citizen. These guidelines do not prohibit such contact but establish acceptable methods of doing so.

- ☐ Letters to the editor or similar may not be prepared on City time, printed on City Letterhead stationery, or mailed at City expense.
- ☐ Responses or letters shall not include the employee's official title or imply that the response is on behalf of the CITY organization.
- ☐ Telephone contact may not be made on CITY time using CITY telephones.
- ☐ Use of CITY e-mail is prohibited.
- ☐ Use of CITY facilities or supplies is prohibited.

### **Section 6.00.16 – E-mail and Internet Policy**

It is the responsibility of each employee to ensure that email and internet technology is used solely for proper business purposes and in a manner that does not compromise the confidentiality of proprietary or other sensitive information.

Most Employee e-mail messages are subject to public disclosure through Open Records laws.

#### **6.00.16.01 – E-mail Procedures**

This applies to all users of the City's computer systems, all e-mails sent from City computers, all e-mails sent to City computers and via the Internet by City computers. All e-mail correspondence is the property of the City. Employee e-mail communications are not considered private despite any such designation either by the sender or the recipient. The City reserves the right to monitor its e-mail system-including an employee's mailbox at its discretion in the ordinary course of business. The existence of passwords and "message deletion" functions do not restrict or eliminate the City's ability or right to access electronic communications.

Employees shall not share an e-mail password, provide e-mail access to an unauthorized user, or access another user's e-mail box.

Employees shall not post, display, or make easily available any access information, including, but not limited to, passwords without express written permission from authorized IT Personnel.

Offensive, demeaning, or disruptive messages are prohibited. This includes but is not limited to, messages that are inconsistent with the employer's policies concerning: "Equal Employment Opportunity," and "Sexual Harassment and Other Unlawful Harassment."

Messages sent to all e-mail users require prior approval by the City Manager or their designee. Any employee who violates this policy shall be subject to discipline, up to and including discharge.

#### **6.00.16.02 – Internet Procedures and Social Media Policy**

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The City's network, including its communication to the Internet, is to be used primarily for business-related purposes only and not for personal use. Any unauthorized use of the internet is strictly prohibited. Because postings placed on the Internet may display the City's address, make certain before posting information on the Internet that the information reflects the standards and policies of the City. Under no circumstances shall information of a confidential, sensitive, or otherwise proprietary nature be placed on the Internet.

All files downloaded from the Internet must be checked for possible computer viruses. If uncertain whether your virus-checking software is current, you must check with authorized IT personnel before downloading.

Social media posts that contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy may subject the employee to discipline, up to and including termination. Social media posts that violate City confidentiality provisions are prohibited. Employees may express their personal opinions; however, employees may not portray an official City position on social media without prior authorization from the City Manager or their designee. If the City is the subject of the social media post, it shall be clear that the employee's views do not represent those of the City.

The City shall not take negative action against any employee for expressing their personal opinion. Further, the City shall not take negative action against any employee for reporting a possible deviation from this Policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

### **Section 6.00.17 – Telecommunications Policy**

It is the policy of the City to provide cellular telephones, electronic paging devices, and wireless personal communications devices to designated employees in order to improve productivity, enhance customer service to our citizens, and enhance public safety services. Decisions regarding the use of City cellular telephones, electronic paging devices, and wireless personal communications devices, which are not explicitly stated herein, will be left to the discretion of the City Manager or the City Manager's designee. Department Directors are authorized to provide guidance on and assure compliance with this policy. This policy is applicable to authorized drivers of company vehicles and employees who have been authorized to drive their personal vehicles on company business.

#### **6.00.17.01 – Eligibility Criteria**

Employees eligible for assignment of City-owned cellular telephones, electronic paging devices, and other wireless personal communication devices are those designated by the City Manager or the City Manager's designee, including (but not limited to):

- ◆ Employees who are frequently in a vehicle and must conduct City business by telephone while in the field, and the result will be cost savings and increased customer service efficiency.

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- ◆ Employees who have a critical need to maintain accessibility with other department managers, City management staff, and public officials, to Ensure uninterrupted customer services; designated employees involved in the City's emergency response plan (as determined by the Fire Chief and Chief of Police).

#### **6.00.17.02 – General Procedure Guidelines**

The City Manager must approve all requests for the acquisition of cellular telephones or cellular service. After approval, the requests will be forwarded to the Purchasing Director for new account establishment with the cellular carrier.

#### **6.00.17.03 – Authorized Usage**

City telephones should be used for City business only and should not be used when landline telephones are readily available. City-owned cellular telephones, electronic paging devices, and other wireless personal communication devices are intended for and expected to be used for City business. Limited personal usage related to work assignments (e.g. personal calls which need to be made away from an office with landline telephones, etc.) is permitted as long as the personal use is reasonable and prudent.

#### **6.00.17.04 – Employee Responsibility**

Employees who are assigned the use of City-owned cellular telephones or other wireless personal communications devices and while performing duties for the city are responsible for the following:

1. This policy is applicable to authorized drivers of company vehicles and employees who have been authorized to drive their personal vehicle on company business.
2. Ensuring the physical security of such devices;
3. Ensuring that the equipment is monitored appropriately so that communication with the employee is attained;
4. Keeping personal usage of telecommunications systems to a minimum;
5. Ensuring that any personal use during work does not detract from the employee's availability for and completion of assigned duties; and
6. If discretion is not used by phone user and it is noted that personal calls or minutes are exceedingly high, you will be subject to disciplinary action up to and including termination.

#### **6.00.17.05 – Safety Policy for Telecommunications Systems Devices and Driving**

Your primary job when operating a vehicle should be safe driving. It is imperative that you focus on driving, stay alert to distractions and changing traffic conditions, and eliminate, unless it is an emergency, your use of electronic devices as required in this policy while operating a motor vehicle. The City's goal is to minimize the likelihood that our vehicles, or your vehicle while traveling for work, will be involved in motor vehicle accidents that not only potentially endanger your life, or the lives of other employees, but also endanger members of the public that we might come into contact with.

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**The use of handheld electronic devices** (i.e. cellular telephones, notebook or tablet computers, handheld **organizers, etc.**) while operating a City motor vehicle or personal car on company business **is prohibited**. All employees are responsible for, and will be held accountable for, safe driving at all times. Employees are required to adhere to the following:

1. Only return calls, e-mails, texts, etc. when you are lawfully parked and no longer driving and have moved your vehicle to a safe location off the roadway.
2. Avoid multiple tasks when driving, such as trying to take notes while using a wireless telecommunications device.

**Emergency Uses Exception** – Use of a hand-held cellular phone is permitted while reporting a traffic accident, medical emergency, fire, an actual or potential criminal or delinquent act, or road condition that causes an immediate and serious traffic or safety hazard.

**Hands-Free Technology Exception** – Although most states' "hands-free" laws allow for the use of voice recognition software and wireless devices to allow drivers to use their phones while driving, this "hands-free" technology does not eliminate the cognitive distraction caused by being involved in a phone conversation. If you receive a call that needs immediate attention, you should advise the caller that you will call them back as soon as you can exit the roadway/highway and find a safe place to park.

**Public Safety Exception** – Although law enforcement and certified fire personnel are exempt from this policy during the performance of their official duties, they are still required to adhere to all safety precautions. All efforts should be exercised to ensure the use of wireless telecommunications devices are not a contributing factor in an accident.

#### **6.00.17.06 – Monitoring of Wireless Communications by Department Director**

The City reserves the right to monitor and record communications of City-owned wireless communication devices at any time, without notice to any employee.

Any abuse or inappropriate use of these devices will be considered misconduct and result in possible disciplinary action, up to and including termination. Any employee responsible for the misuse of wireless communications devices may be held responsible for the resulting costs to the City.

#### **6.00.17.07 – Disclosure of Information**

The City will disclose the contents of retrievable wireless communications messages, upon receipt of a valid court order or legal request, including Public Information (Open Records) requests. The City may disclose the contents of retrievable wireless communications messages if the information will assist in official internal or criminal investigations.

### **Section 6.00.18 – Nepotism**

The City may permit members of the same family to work for the City. The City will not, however, consider or accept employment applications from individuals or place employees in positions that could result in a supervisor/subordinate relationship or in a possible conflict of interest. It is also the intent of this policy to not employ or assign with the same department of

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the City any person related to the City employee who is of closer relation by blood or marriage other than a first cousin unless approved by the City Manager.

Relatives are defined as: parent, spouse, child, sibling, including half-siblings, grandparent, grandchild, aunt, uncle, cousin, in-law or step-relative, or any person with whom the employee has a close personal relationship such as a domestic partner, romantic partner, or co-habitant, or any exceptions approved by the City Manager.

#### **6.00.18.01 – Becoming Related During the Course of Employment**

If the situation occurs where an employee within a department marries or becomes related by marriage to another individual within the same department and one relative is in a position where they directly supervise the other relative on a daily basis, the Department Director and the two affected employees will have 30 days to change the positions of one or both of the related employees such that they can both work in the same department without violating the nepotism policy. If this is not possible, then within 60 days of the marriage date, the Human Resources Director will evaluate the qualifications of the affected employee who was last hired to see if there is a comparable position available in another department. If no comparable position is found in another department within 60 days of the marriage, or if a transfer is offered and declined by the employee, all continued rights of employment shall cease, and such employee will be separated. Any exceptions must be approved by the City Manager.

This policy will be applied in accordance with applicable state and federal law, and any employee who violates the policy will be subject to discipline up to, and including, termination.

### **Section 6.00.19 – Employee Fraternization**

The City strongly believes that an environment where employees maintain clear boundaries between employee personal and business interactions is most effective for conducting business. Although this policy does not prevent the development of friendships or romantic relationships between coworkers, it does establish very clear boundaries as to how relationships will progress during working hours and within the working environment. Individuals in supervisory relationships or other influential roles are subject to more stringent requirements under this policy due to their status as supervisors, their access to sensitive information, and their ability to influence others.

#### **6.00.19.01 – Procedures**

1. During working time and in working areas employees are expected to keep personal exchanges limited so that others are not distracted or offended by such exchanges and so that productivity is maintained.
2. During non-working time, such as lunches, breaks, and before and after work periods, employees are not precluded from having appropriate personal conversations in non-work areas as long as their conversations and behaviors could in no way be perceived as offensive or uncomfortable to a reasonable person.
3. Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate by a reasonable person while anywhere on company premises, whether during working hours or not.



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4. Employees who allow personal relationships with coworkers to affect the working environment will be subject to the appropriate provisions of the disciplinary policy. Failure to change behavior and maintain expected work responsibilities is viewed as a serious disciplinary matter.
  5. Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace. An exception to this principle, however, is romantic or sexual relationships between supervisors and subordinates.
  6. Supervisors, managers, or anyone else in sensitive or influential positions must disclose the existence of any relationship with another coworker that has progressed beyond a platonic friendship. Disclosure may be made to the immediate supervisor and the Human Resources Director. This disclosure will enable the organization to determine whether any conflict of interest exists because of the relative positions of the individuals involved.
  7. Where problems or potential risks are identified, the Department Director and the HR Director will work with the parties involved to consider options for resolving the conflict. The initial solution will be to make sure that the parties involved no longer work together on matters where one is able to influence the other or take action for the other. Matters such as hiring, firing, promotions, performance management, compensation decisions, and financial transactions are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage.
  8. In some cases, more extreme measures may be necessary such as transfer to other positions or departments. The individual with the more senior position will be considered for transfer first to avoid any perception of retaliation against the less senior person.
  9. Refusal of reasonable alternative positions, if available, will be deemed a voluntary resignation.
  10. Continued failure to work with the City to resolve such a situation in a mutually agreeable fashion may ultimately be deemed insubordination and therefore serve as cause for immediate termination. The City's disciplinary policy Article 7 will be consulted to ensure consistency before any such extreme measures are undertaken.
  11. The provisions of this policy apply regardless of the sexual orientation of the parties involved.
  12. Where doubts exist as to the specific meaning of the terms used above, employees should make judgments on the basis of the overall spirit and intent of this policy.
  13. Any employee who feels they have been disadvantaged as a result of this policy, or who believes this policy is not being adhered to, should make their feelings known to the Human Resources Director, City Manager, or other designated individual.

## **Section 6.00.20 – Outside Employment**

No City employee shall engage in any other employment, private business, or in the conduct of a profession during the hours in which they are employed to work for the City. Nor shall any employee of the City engage in any other employment, private business, or in the conduct of a profession outside of City employment in such a manner or to an extent that affects or is deemed

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likely to affect usefulness, productivity, or cause a conflict of interest with their City employment. The City Manager may establish limitations and procedures deemed necessary for regulating outside employment activities of City employees. If a City employee desires to engage in outside employment, they must notify their Division Director to ensure the outside employment does not violate the provisions of this policy. Employees are strictly prohibited from using City equipment in connection with any form of outside employment.

## **Section 6.00.21 – Workers’ Compensation**

### **6.00.21.01 – Purpose**

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

### **6.00.21.02 – General**

By law, the City is required to provide Workers’ Compensation benefits to its employees.

Program administration is the responsibility of Human Resources who may use the services of an independent claim handling Service.

It is the INTENT of the City to comply in all regards with the Workers’ Compensation law of the State of Georgia.

Any employee involved in an accident that results in receiving medical treatment for injuries will be tested for illegal substances.

### **6.00.21.03 – Definitions**

Workers’ Compensation Law – The State of Georgia law that requires that the City provide and pay certain benefits on behalf of or to an employee—who is injured by an accident that arises out of or during the course of his or her employment, or who suffers an occupational disease as defined in the law.

Employee – Any individual (other than elected officials and employees of Independent Service Contractors) employed by the City. This includes - full-time employees, part-time employees, and temporary employees hired and paid directly by the City.

Compensable Injury or Disease – Any injury by accident that arises out of or during the course of employment or an occupational disease as defined in the State of Georgia Workers’ Compensation Law.

Workers’ Compensation Benefits – Benefits as defined in the Workers’ Compensation Law which pay for lost income and medical services directly resulting from a compensable injury or disease.

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- **The first seven calendar days will be paid for by the City.** After the first week, two-thirds of the employee's average gross wages will be paid by Workers' Compensation, up to the maximum benefit per week as allowable by State law.

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

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

#### **6.00.21.04 – Responsibilities**

##### *A. Department Directors*

- Ensure that employees and supervisors follow correct procedures for filing job-related accident reports and injuries.
- Ensure that statements are taken on all accidents, report all injuries or alleged injuries, and take the appropriate steps to provide the necessary medical care to treat the compensable injury.
- Where necessary take appropriate steps to ensure the cause of the accident is corrected as soon as possible to prevent a recurrence.
- Report immediately any concerns relating to the accident or injury to Human Resources.

##### *B. Immediate Supervisors*

- Ensure that the injured employee is provided with first aid treatment or if necessary is provided with emergency medical care.
- File a First Report of Injury or WC1 with the Human Resources Department within 24 hours after being made aware that a job-related accident/injury has occurred or is being alleged.
- Report by phone immediately any accident involving a serious injury or serious injury and death.
- Thoroughly investigate the accident or alleged accident and include the results of the investigation in the First Report of Injury or WC1. If all information is not available the report may be submitted as an initial report by marking the appropriate box on the form.

##### *C. Employees*

- Report all accidents and/or injuries, regardless of how trivial, to his or her immediate supervisor as soon as the injury occurs. If the injury prevents an immediate report, the employee must report the injury AS SOON AS POSSIBLE or have someone do so on the employee's behalf.
- Employees who are witnesses to a job-related injury must fill out a witness statement.

##### *D. Human Resources Department*

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- Administers all phases of the City Workers' Compensation Program
    - ◆ Ensure that all employees, supervisors, and Department Directors comply with procedures relative to Workers' Compensation.
    - ◆ Continuously monitor all phases of the Workers' Compensation Program to ensure complete compliance with the State Law and compliance with the purpose and intent of this Policy.
  - Recommends and approves any additions to or changes related to the panel of authorized physicians.
  - Recommends and approves any additions to or changes to the Policy and Procedures Manual.

#### **6.00.21.05 – Emergency Procedures**

##### **A. Supervisors**

- Seek immediate medical services for the injured employee.
- Inform the emergency room staff that the injured employee is a City employee and request that follow-up care be referred to a panel physician after emergency treatment has been performed.
- Inform the Department Director and Human Resources of the accident as soon as possible and complete and file a loss report within 24 hours.

#### **6.00.21.06 – Non-Emergency Procedures**

1. Employee reports the injury to his or her immediate supervisor as soon as possible but no later than the end of the day's shift.
2. The supervisor or Department Director assists the employee in receiving medical treatment from a panel physician, or if appropriate on weekends, holidays, or nights from an emergency room.
3. If appropriate the supervisor or the Department Director should accompany the injured employee to the physician's office or emergency room.

#### **6.00.21.07 – Clearance to Return to Work**

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

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

#### **6.00.21.08 – Workers' Comp Temporary Duty Purpose**

The purpose of the Temporary Duty Program is to temporarily place employees who have sustained work-related injuries in positions consistent with the medical restrictions prescribed

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by an authorized treating physician. Ideally, the employee will work within his or her own department. However, it may become necessary to place the employee in another department or shift to accommodate their medical needs upon prior approval from the Department Director.

The goal of the program is to promote psychological recovery and minimize lost time by encouraging appropriate levels of activity for injured employees.

Human Resources will be responsible for administering the Temporary Duty Program.

**6.00.21.09 – Workers’ Comp Temporary Duty General Guidelines**

Departments may request temporary duty assistance by submitting the Request for Temporary Duty Assistance to Human Resources.

Departments should be innovative in developing and assigning meaningful tasks that will allow the employee to utilize his or her experience, education, and physical capability.

The temporary duty employee’s home department is responsible for all expenses associated with the employee for the duration of their temporary duty status.

It is the responsibility of the employee to adhere to the temporary limitations identified by his or her authorized treating physician.

The supervisor of the assigned department is responsible for ensuring that employees in temporary duty assignments are assigned and limited to work within the identified medical restrictions.

The employee’s work schedule, leave, etc., will be coordinated by the supervisor of the assigned department.

The supervisor of the assigned department will be responsible for completing the Temporary Duty Employee Performance Evaluation, which will be used to support the employee's personnel evaluation. The evaluation form is required only if the employee is assigned temporary duty under a different supervisor.

**6.00.21.10 – Workers’ Comp Temporary Duty Assignment**

Once the physician assigns an employee to temporary duty status, the employee must submit a copy of the Physical Capacity Evaluation Form to the Human Resources Department (via fax). The employee or the employee's supervisor may call HR the next working day for a temporary duty assignment. Exceptions would be those employees who are capable of performing in their regular duty assignment or department, with accommodations being made by their home department.

When possible, Human Resources, under the advisement of the authorized treating physician and/or rehabilitation professional, will assign the employee to a temporary position that meets the employee's medical restrictions. Consideration will be given to the employee's home department, assignment, shift, etc. However, if temporary duty cannot be arranged within the

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employee's home department, the employee may be assigned to a different department, if available.

The temporary duty employee has an obligation to adhere to the policies of the assigned department. If the employee's work habits are not conducive to the overall effectiveness of the assigned department, then the assigned supervisor may request that the temporary employee be placed elsewhere. This request must be submitted to Human Resources in writing.

Human Resources is responsible for notifying the employee's home department of the employee's temporary placement and providing updates regarding changes in the employee's medical restrictions.

#### **6.00.21.11 – Returning to Full Duty from Workers' Comp Temporary Duty**

Once the authorized treating physician releases the employee to full duty, the employee must return to his or her home department with the Return to Work authorization. The home department is responsible for notifying Human Resources before the next working day by faxing a copy of the Return to Work authorization. Human Resources will inform the assigned department of the employee's change in work status.

While assigned to temporary duty, Human Resources will obtain status reports from the authorized treating physician. If the physician determines that the employee is unable to return to his or her permanent position, Human Resources will request that a rehabilitation professional perform a job accommodation analysis or a transferable skills analysis. Based on this analysis, the City will assist the employee with obtaining a position that meets his or her skill level and medical limitations.

If the employee's permanent restrictions meet the ADA requirements, the City, upon the employee's request, will make reasonable accommodations for the employee's placement based on a job accommodation analysis performed by a rehabilitation professional.

#### **6.00.21.12 – Workers' Comp Temporary Duty Definitions**

- ADA - American with Disabilities Act - a civil rights bill giving individuals with disabilities protection from discrimination in employment and in access to commercial facilities, transportation, telecommunications, and state and local governmental services.
- Assigned Department - a department where an injured employee is placed pending full medical release to the job of injury.
- Authorized Treating Physician - a physician who is authorized to provide treatment to City employees.
- Primary Department - the department in which the employee was hired. In most instances, the department where the employee worked at the time of injury.
- Indemnity Benefits - cash benefits paid to an injured worker to replace part of wages lost as a result of a work injury.

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- Job Accommodation Analysis - an analysis of a position that attends to any specific workstation modification that would allow someone to do their job.
  - Rehabilitation Professional - a person certified and approved by the State of Georgia in the field of
  - Return to Work Authorization - written authorization, from the authorized treating physician, allowing the injured employee's return to duty.
  - Temporary Duty Assignment - temporary job assignment that meets the medical restrictions as prescribed by the authorized treating physician.
  - Transferable Skills Analysis - an analysis of the injured employee's past employment skills which would allow a transfer to new employment.
  - Physical Capacity Evaluation Form - notification from the authorized treating physician which outlines the medical limitations of the injured employee.

**6.00.21.13 – Workers’ Comp Temporary Duty Forms**

- Request for Temporary Duty Assistance Form
- Temporary Duty Employee Performance Evaluation Form

**Section 6.00.22 – Travel & Training Policy**

Employees, including elected officials, who are expected to travel on authorized City business, will have certain expenses paid by the City. Those expenses include a per diem meal allowance, travel expenses (including any parking), and hotel/motel expenses. Expenses for spouses and children are not covered by this policy. For attendance at Mayor’s Day, however, and other Georgia Municipal Association conventions, certain expenses for the spouse of the Mayor, the spouses of the City Commission, and the spouse of the City Manager will be authorized. The per diem meal allowance and mileage allowance shall not apply to spouses. Employees traveling on City business attending meetings, training sessions, conventions, etc., are expected to attend all of the scheduled sessions.

All Employees, regardless of their position including elected officials, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur.

All travel and training forms must be completed and submitted to the Purchasing Department prior to the initial date of traveling, including tuition/registration and Travel/Training Request, preferably two weeks in advance. If fees need to be paid for tuition/registration, a requisition with all pertinent information needs to be submitted along with proper paperwork (registration form, invoice, or bill). Travel/Training Requests need to be filled out completely, properly showing all expenses for travel and training; in addition to, registration/training information and/or brochures attached to the request form.

All travel requests must be submitted and approved in ADP prior to travel dates. Any additional time off requests in conjunction with travel/training must be submitted and approved prior to departure. Vacation may be used in conjunction with travel/training; sick leave may not be used unless proper documentation from a doctor is provided prior to departure date; if sick leave is

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used following the requested travel/training dates, documentation from the physician is needed upon the employee's return.

Whenever possible, lodging accommodations should be paid for in advance in the same manner as registration fees and fares for common carrier transportation. Information provided will give the City Manager/Department Director a total cost of training.

***Documentation of Expenses:***

- ☐ Upon return, all employees must complete and submit an Expense Report and attach all receipts for any authorized expenses charged to the City credit card (i.e., hotel/motel, fuel for City vehicle, emergency repairs to City vehicle, etc.).
- ☐ If an employee has authorized expenses for which cash is paid, (i.e., toll fees, parking fees, etc.) the employee must complete and submit an Expense Report and attach all receipts.
- ☐ Receipts or other documentation shall be required for all expenses with the exception of the following: meals, toll charges, and tips.
- ☐ All expense report forms should be completed and submitted to the Purchasing Department personnel within three (3) working days of return from the trip.

*\*\* Please note: Mileage and subsistence rates are based on the federal rate and are subject to change.*

***Registration/tuition:***

- ☐ Registration/tuition for employee training is paid for by the City. With proper submission of the above-mentioned forms.

***Mileage:***

- ☐ The City encourages the use of a Department Vehicle for travel. If not available, the City (at the Department Director's discretion) will reimburse the employee at the current IRS standard mileage rate. This may be requested prior to travel on the Travel/Training Request or the Return Travel Voucher if time does not permit prior to travel.

***Lodging:***

- ☐ When lodging accommodations are not available at the conference or class site, travelers should choose the most reasonably convenient and economical hotel accommodations possible. Travelers requiring overnight accommodations should inquire about the hotel's government rate. The rate is usually lower than special conference or group rates, and always less than regular rates. When traveling within the State of Georgia, officials and/or employees can exempt both sales and local hotel/motel excise tax. When reserving accommodations, please inform the hotel staff that the accommodations will be paid for by a City so that they can accurately calculate the charges if an advance payment is to be made.
- ☐ The proper forms shall be the responsibility of the traveler to attach these forms to the payment request. Forms may be obtained from the Finance Department.



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- ☐ Reimbursement for lodging will cover only those nights during which an event occurs. If an employee arrives early or leaves late from an event, the City will not pay for extra nights of lodging accommodation.
  - ☐ Travelers requesting additional amenities including, but not limited to, suites, kitchenettes or a fireplace will be reimbursed for the standard single room rate. Travelers must pay for additional amenities. The City will pay for Employees Motel concurrent with the conference or training.

***Sustenance (Meals):***

- ☐ The City will pay for subsistence prior to travel as described below:
  - Sustenance on Travel days will be determined upon location and travel time. The City will not pay for breakfast or supper if you leave or arrive at home within those time frames.
  - The City will not pay sustenance for any meals that are included in the registration package. Such as breakfast or lunches that are provided with the training or banquets.
  - If sustenance is not requested prior to travel the City will reimburse meal expenses incurred by an employee with receipts not to exceed limits set by the GSA. This may be requested with the return Travel Voucher. The guidelines above still apply.

***Parking Fees:***

- ☐ Expenses for parking shall be allowable if documented by paid receipt, except however, that no payment shall be made for charges in connection with any illegal parking violation.

***Credit Cards:***

- ☐ Whenever allowable expenses are purchased or paid by the employee with a credit card, the receipt shall include an itemization of expenditures, or, in the alternative, a separate receipt must be obtained for each expense. A credit card receipt showing only an aggregate of charges, unless itemized, shall not constitute sufficient documentation and shall not be the basis for reimbursement of expenses.

***Unallowable Expenses:***

The following expenses are specifically unallowable for payment:

1. Expenses incurred by any person other than the official or employee unless otherwise provided for in this policy or prior written approval has been granted by the Finance Director. Expenses for entertainment, including but not limited to in-room movies and mini-bars.
2. Alcoholic beverages.
3. Laundry service.
4. Personal articles, toiletries, souvenirs, etc.

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5. Direct expenses for operating a personal vehicle, such as gasoline, oil, parts, or repairs.
  6. Travel and related expenses incurred from an employee's residence to his designated work site.
  7. Any expenses for per diem allowances not required to ensure the employee's performance of official business. Scheduling or extending travel periods in order to increase per diem allowances is specifically not allowable.
  8. Any expenses incurred that are unrelated to official government business or activities as determined by the Finance Director.

### ***Incident Reporting***

When traveling for business, all Workers' Compensation and Liability Claims need to be reported to Human Resources immediately following the incident. Employees need not wait to return to work to fill out paperwork.

## **Section 6.00.23 – CONCEALED WEAPONS**

Except as specifically exempted below, employees are prohibited from possessing firearms and weapons on City property. This policy shall apply to all City employees, regardless of full-time, part-time, paid, non-paid, or volunteer status.

Exceptions:

- ☐ Authorized police personnel and hired security personnel while performing their official duties.
- ☐ Pursuant to O.C.G.A. § 16-11-135, employees may keep a weapon(s) in a locked compartment of a motor vehicle or one which is in a locked container or in a locked firearms rack which is on a motor vehicle and such vehicle is parked in a City parking facility.

These restrictions and prohibitions shall apply to all employees regardless of any license or permit that an individual may have pertaining to said firearms and weapons including a concealed weapons permit. Prohibited weapons include, but are not limited to guns, long guns, firearms, knives, or swords with blades over four inches in length, explosives, or other such devices specifically designed and intended to cause harm to another person.

An employee found to be possessing a firearm or other weapon, or indicating to others that they have a concealed deadly weapon or firearm on the job, should immediately be reported to a supervisor. Employees may be required to open their desks, lockers, bags, etc. if there exists a reasonable suspicion that the employee may be harboring a firearm or deadly weapon on City property.

Employees who violate this policy will be subject to disciplinary action up to and including employment termination. Any exceptions to this policy must be approved by the City Manager.

### ***Section 6.00.23.01 – Serving Customers with Weapons Policy***

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While not required, employees are authorized to make alternative meeting arrangements when serving customers with firearms or weapons.

When an employee is serving an individual carrying a firearm or other weapon and they feel personally uncomfortable doing so, such staff is authorized to contact their supervisor or Department Director who, at their discretion, may make alternative arrangements to best serve the customer. Alternative arrangements may include setting up an appointment at a specific date, moving meeting locations, seeking assistance from others including obtaining the presence of police personnel during such meetings, and/or other similar arrangements. The purpose of alternative arrangements would be to minimize employee discomfort and potential for disruption while providing quality customer service.

### **Section 6.00.23 – Telework Policy**

#### **I. Purpose and/or Scope**

The telework program is an available management tool that can be utilized to increase productivity and accommodate the unique needs of the City and its employees.

Telework applies to full-time, regular employees of the City of Waycross who completed their probationary period and have a history of meeting expectations.

#### **II. Definitions**

Teleworking: Also known as telecommuting, means working remotely from home or on the road for a designated amount of time each week.

Onsite: working in the office or at the employee's assigned workspace/ City facility.

#### **III. Procedure**

A telework arrangement may be considered only in those situations where it is found to have a mutual benefit for the community, the City, and the employee. Telework may be appropriate for some employees and job classifications but not for others. Telework agreements must be renewed every 12 months, and employees must submit a new request on or before the expiration date in order to continue performing work remotely.

The telework program is intended to allow eligible employees and their supervisors to design a telework arrangement through a written understanding that provides the specific details for allowing an employee to work away from their principal work site.

Non-exempt employees will be required to submit all hours worked to their supervisor for approval. Hours worked in excess of those scheduled per day/per week required advance approval from the employee's supervisor. Failure to comply with this requirement will result in the immediate termination of the teleworking arrangement.

#### **Work Performance and Compliance with City Policies**

Employees must comply with the City's employee handbook, administrative guidelines, policies, and departmental rules and regulations. Failure to do so may result in removal from the telework program and/or disciplinary action.

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Employees who telework are expected to be available during their work hours. It is up to the employee and their supervisor to determine the communication strategy and outline it in the telework agreement.

### **Equipment and Resources**

The City will determine, on a case-by-case basis, the appropriate equipment needed for each teleworking arrangement based on information supplied by the employee and their supervisor.

The Business Integrations and Information Systems (BIIS) department will serve as a resource in this matter. The City will maintain equipment supplied by the City. The employee will maintain equipment supplied by the employee.

The City accepts no responsibility for damage or repairs to employee-owned equipment. The BIIS department reserves the right to make determinations as to appropriate equipment, subject to change at any time. Personal equipment and systems need to include BIIS-approved anti-malware and firewall protection.

### **Not an Entitlement or Replacement for Family Responsibilities or Childcare**

Telework is not an entitlement. Telework is a special program to be used at the supervisor's discretion with the approval of the city manager and the Director of Human Resources. While telework may facilitate an employee working around family responsibilities, it is neither intended nor designed to be a substitute for family or childcare. The focus on the arrangement must remain on job performance and meeting operational demands. It may be discontinued at any time, for any reason, at the sole discretion of the City.

### **Revocation of Telework Agreement**

Participation in the telework program may be revoked for any reason and at any time, but especially when an employee:

- Fails to provide satisfactory work product or if there is a decrease in performance.
- Uses telework hours to conduct personal business unless prior authorization from their supervisor to adjust work hours.
- Performs work outside City business or works for a secondary employer during City work hours.

## **IV. Exemptions**

The teleworking program is not suitable for positions that require daily onsite activity that cannot be handled remotely or at an alternative worksite (e.g., face-to-face personal contacts, intake or distribution of mail, hands-on contact with machinery or vehicle equipment, law enforcement, fire department).

When an employee's position is determined not normally suitable for telework, there may be circumstances or portions of the employee's work (e.g., reading and analyzing documents, preparing reports or other types of correspondence, training, non-classified assignments) that

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may be considered for telework on a situational basis if the supervisor deems it to be in the best interest of the City and department operations.

**V. Responsibilities**

<b>Party</b>	<b>Responsibilities</b>
Department Directors	Review guidelines to determine onsite days. Complete the Telework Agreement Form outlining the scope and hours of telework.
Employee	Adhere to program guidelines. Accurately report hours worked (non-exempt). Telework only when authorized.
Human Resources	Policy Administration. Advisory partner to Department Directors. Maintain and enforce program requirements. Retain Telework Agreement Forms.
Business Integrations and Information Systems	Work with requesting departments to arrange necessary hardware/software resources needed to accomplish program objectives.

## ARTICLE 7 — DISCIPLINARY POLICY AND PROEDURES

### Section 7.00.01 – Corrective Disciplinary Procedure Philosophy

In the day-to-day experiences at the workplace, differences in personality, work technique, methodology, and interpersonal relationships between and among employees are often desirable. However, when such differences give rise to conduct that is inconsistent with accepted policy and practice, management and supervisory personnel are obligated to attempt to modify such conduct. This can be accomplished through the use of disciplinary procedures designed to correct

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such unacceptable conduct. The primary objective of the corrective disciplinary procedure is to promote and maintain a maximum level of acceptable behavior on the part of all employees with the ultimate goal being to provide the highest level of service in the most cost-effective manner to the citizens of Waycross, Georgia.

### **Section 7.00.02 – Intent**

Management and supervisory personnel can more readily identify marginal employee work behavior through the use of progressively stricter disciplinary measures, a process that enables management and supervisory personnel to assist employees in correcting their conduct and behavior. Corrective discipline is a tool to be used by management and supervisory personnel to achieve and maintain the highest degree of conduct and performance possible. These procedural guidelines are designed to encourage all employees to achieve and maintain the highest degree of conduct possible and to understand this is expected of them. These procedures further identify the final obligation of management and supervisory personnel, if, after a reasonable effort to correct unacceptable conduct or job performance, the employee remains unwilling or unable to correct the unacceptable conduct or job performance, to pursue the necessary steps required for the termination of employment with the City of the individual. It is preferred that this process be orderly.

### **Section 7.00.03 – Definitions**

Corrective discipline is the action taken by management and supervisory personnel against an employee for violations of policies and procedures or other unacceptable conduct.

Commission means the City Commission of the City of Waycross, Georgia. City Manager is the City Manager of the City of Waycross, Georgia.

Management and Supervisory personnel are those employees of the City so designated by the City Commission and City Manager of the City of Waycross, Georgia.

Employees are all people employed by the City of Waycross, Georgia in any and all capacities.

Insubordination is the willful refusal to obey or carry out a direction or instruction lawfully given.

Excessive unapproved absenteeism and/or chronic tardiness is defined as occurring more than once during any scheduled work week for two successive pay periods or more than five times during any 30-day period.

### **Section 7.00.04 – Conduct or Performance Constituting Grounds for Discipline**

The following actions or omissions by any employee of the City, individually or in concert with any other person or persons shall constitute misconduct and shall be just cause for corrective discipline, up to and including termination:

1. Conduct or performance that violates any established rule, regulation, policy, practice, standard of conduct, or directive of the Commission, the City Manager, or management and supervisory personnel.

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2. Conduct or performance that violates a criminal ordinance of the City, the law of any state in which the conduct is committed, or of the United States.
  3. Conduct or performance in violation of the Code of Ethics.
  4. Insubordination
  5. Conduct or performance that impairs or disrupts the orderly and efficient operation of the work unit, including failing to abide by basic internal and external customer service principles or making false statements to management or supervisory personnel or in reports in the course of official business.
  6. Willful neglect of duty.
  7. Excessive unapproved absenteeism and/or chronic tardiness.
  8. Failure to correct poor performance.
  9. Use of City property, time, facilities, employment position, or personnel for private or non-city purposes.
  10. Willful misuse, theft, or embezzlement of City funds or property.
  11. Failure to maintain proper licensing, certification, or other qualifications required by the position and/or job description.
  12. Failure to immediately report any job-related accident or injury or any accident, injury, or condition that may affect job duties or the performance of job duties.
  13. Violations of the City Drug and Alcohol Policy.
  14. Engaging in offensive, threatening, or abusive conduct or language towards the public or other City employees.
  15. Failure to adhere to any required EAP program or treatment.
  16. Possessing unauthorized weapons, drugs, or alcohol on City property or failing to notify a supervisor of knowledge of another employee who possesses unauthorized weapons, drugs, or alcohol on City property.
  17. Falsification of personnel or City records.
  18. Making false statements, claims or misrepresentations.
  19. Conviction of a felony or misdemeanor as defined by Federal or State of Georgia Criminal Codes or the Criminal Codes of any state, except for minor violations of traffic offenses.

#### **Section 7.00.05 – Progressive Discipline**

It is anticipated by the City that “progressive discipline” generally will be followed in matters involving job performance, conduct, or violations of the City policy and procedures. Employees usually will be afforded the opportunity to correct or improve their performance through the use of verbal and written warnings before more severe disciplinary action is taken. However, progressive discipline is not always possible, and depending on the facts and circumstances, certain offenses may require more severe action, including dismissal, without lesser forms of punishment being imposed first. Depending on the facts and circumstances, the progressive

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discipline may be administered in the following format; however, the City reserves the right to impose any level of disciplinary action as deemed appropriate:

Level I – Disciplinary Actions

1. Verbal Warning
2. Written Reprimand

Level II – Disciplinary Actions

3. Suspension without pay
4. Reduction from permanent (regular) status to probationary status
5. Demotion or Termination

**Section 7.00.06 – Levels of Corrective Discipline**

**7.00.06.01 – Level I Disciplinary Actions**

1. Include verbal warnings and written reprimands.
2. These may be imposed summarily by supervisory personnel and are not subject to appeal or grievance procedures. The summary imposition shall be at a conference with the employee. The employee will be informed of the specific facts involved in the unacceptable conduct.
3. While neither subject to appeal or grievance, the employee may prepare a written response to the action for inclusion in the employee's personnel file. All written responses shall be maintained in the employee's personnel file. The verbal warning shall be noted in the employee's personnel file with notice of verbal warning, containing the details of the unacceptable conduct, given to the employee and to the Human Resources Director for notation in the personnel file of the employee.

**7.00.06.02 – Level II Disciplinary Actions**

1. Include suspensions without pay, reduction in status from permanent to probationary, demotion, or termination of employment.
2. These may be summarily imposed by the Division Directors after consulting with the Human Resources Director, with or without recommendation of the immediate supervisor of the offending employee. All such disciplinary actions shall be in writing and shall contain the offending conduct, with dates and circumstances surrounding the offending conduct, and the recommended disciplinary action. A copy of the action shall be provided to the employee during the conference with the Department Director in which the employee is informed of the infraction and the punishment to be imposed. The employee will be informed of the facts involved in the unacceptable conduct—All actions shall be maintained by the Human Resources Department.
3. Level II Disciplinary Actions shall be subject to the appeal proceedings as set forth in Article 7.
4. Suspension pending a court decision. Any employee charged with a criminal offense shall be indefinitely suspended without pay, at the direction of the City Manager, when



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it is determined to be in the best interest of the City. Upon disposition of charges, the City Manager will recommend reinstatement or further disciplinary actions, including or up to termination. If reinstated the employee is not eligible to receive retroactive pay or accrued time, unless otherwise determined by the City Manager.

5. Suspension during investigation of employment-related charges. When an employee has acted or is alleged to have acted in a manner that may subject the employee to dismissal from City service, the employee may be suspended with pay by the Department Director for a period not to exceed one month, while the charges are investigated before making a final determination as to whether the employee should be dismissed from City service. An employee who is exonerated of charges following an investigation may be reinstated without loss of privileges, benefits, or status.

### **Section 7.00.07 – Just Cause Due Process Appeal Procedure**

Just Cause is defined as proper or sufficient reason(s) for disciplinary actions. Grounds for Level II disciplinary actions constitute just cause for purposes of these Articles.

### **Section 7.00.08 – Appeal Process**

The City's disciplinary appeals process is limited to regular full-time employees only. Part-time employees, temporary employees, or probationary employees do not have appeal rights.

Within five (5) calendar days of receipt of Level II Disciplinary Action, the employee shall file with their Department Director a dated, written, and signed request for appeal of the disciplinary action setting out the reasons why the Level II Disciplinary Action should be set aside. After the Department Director's decision, the employee has five (5) calendar days to appeal to the City Manager. The final decision rests with the City Manager and shall not be subject to appeal to the City Commission.

In the event of a Department Director receiving a Level II Disciplinary Action, the Department Director must file with the City Manager a dated, written, and signed request for appeal of the disciplinary action setting out the reasons why the Level II Disciplinary Action should be set aside. The City Manager, in direct consultation with the City Attorney and the Director of Human Resources (if the Director of Human Resources is not the Department Director being disciplined), shall determine if the Level II Disciplinary Action is to be sustained. The final decision rests with the City Manager and shall not be subject to appeal to the City Commission.

Should the employee being disciplined make any contact, direct or indirect, with the City Manager, City Attorney, Mayor or Commissioners with purpose of influencing the outcome of the appeal, that employee shall be subject to additional Level II Disciplinary Action and termination. All parties are expected to report any and all contacts made by employees or their agents to the City Attorney for appropriate notice and action

## **ARTICLE 8 — COMPLAINT & GRIEVANCE PROCEDURES**

### **Section 8.00.01 – Purpose**

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The use of this Complaint and Grievance process is for the resolution of individual employee complaints, problems, and concerns. No retaliatory action of any kind shall be taken against any employee for the good faith filing of a grievance. However, nothing contained in this complaint/grievance policy is intended to restrict or limit the City's discretion in any way nor is it intended to change the employee's at-will status.

#### **8.00.01.01 – Definitions**

Complaint is defined as an allegation by an employee that circumstances exist that the employee believes interferes with their ability to efficiently perform assigned tasks. The concluding resolution step for a complaint is with the Department Director with guidance from the Human Resources Director whose decision is final and binding. In the event that the complaint alleges acts or omissions by the City Manager and/or the Department Director, the Human Resources Director shall appoint another Department Director to serve in their place. In the event that the complaint/grievance alleges acts or omissions by the Human Resources Director, the City Manager shall appoint another Department Director to serve in their place.

Grievance is defined as an allegation by an employee that there has been a misapplication or misinterpretation of this Handbook or of the Departmental Policies. The concluding resolution step for a grievance is with the City Manager or their designee whose decision is final and binding. In the event that the grievance alleges acts or omissions by the City Manager and/or the Department Director, the Human Resources Director shall appoint another Department Director to serve in their place. In the event that the complaint/grievance alleges acts or omissions by the Human Resources Director, the City Manager shall appoint another Department Director to serve in their place.

#### **8.00.01.02 – Time Limits**

The time limits established herein shall be observed unless revised by mutual written consent of the parties.

#### **8.00.01.03 – Record Keeping**

All documentation, in any format, generated by this process should be retained by the Human Resources Department

### **Section 8.00.02 – Complaint-Grievance Coordinator**

The City Manager or Human Resources Director shall appoint a Complaint/Grievance Coordinator. It shall be the responsibility of the Department Director receiving a complaint/grievance to forward the complaint/grievance to the Complaint/Grievance Coordinator.

The Complaint/Grievance Coordinator shall maintain contact with the involved Department Director and the complaining or aggrieved party. The responsibilities of the Complaint/Grievance Coordinator shall be for purely procedural assistance and will in no way address preliminary substantive matters.

### **Section 8.00.03 – Complaint and Grievance Procedures**

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#### **8.00.03.01 – Written Complaint**

All complaints/grievances must be filed in writing on a form maintained by the Human Resources Department and available during normal business hours.

Within five (5) days of the occurrence complained/grieved, or if the event or circumstance is of a continuing nature, within five (5) days of the time the complainant would have reasonably been expected to have become aware of the event or circumstance, the complainant/grievant shall prepare a written statement of the complaint/grievance on the form provided. Such statement shall include:

- 1) A statement of the specific facts and/or circumstances upon which the complaint/grievance is based,
- 2) A specific citation of the City personnel policy and/or departmental personnel practice and/or work rule and/or work situation alleged to have been violated or to exist, and
- 3) A specific relief sought.

#### **8.00.03.02 – Complainant/Grievant – Supervisor Meeting**

The Complainant/Grievant shall then request in writing a meeting with their immediate supervisor (following the chain of command) to discuss the matter and provide the written complaint. Within three (3) days of this request, the immediate supervisor shall notify the Complaint/Grievance Coordinator of the complaint by presenting the written complaint and arrange a private interview with the Complainant/Grievant.

During the private interview with the Complainant/Grievant, the immediate supervisor (following the chain of command) shall review the information in the written complaint and obtain any other relevant information or witness names related to the complaint/grievance.

#### **8.00.03.03 – Complaint/Grievance Initial Resolution**

##### *Informal Resolution*

When a complaint/grievance is received, the Department Director and the Complainant/Grievant will review the possibility of an informal resolution. If the informal process is deemed appropriate by the Department Director and is agreed to by the complainant, the Department Director will then perform an initial review of the complaint/grievance and discuss possible solutions with the complainant/grievant.

- ☐ The Department Director will inform the person against whom the complaint/grievance is brought of its existence and allow that person an opportunity to respond.
- ☐ The Department Director will perform an initial investigation
- ☐ Informal resolution may be attained through mutual consent of the parties or through other remedial measures approved by the supervisor.

##### *Formal Resolution*

All complaints must be filed in writing with the Department Director in accordance with this policy. Formal investigations follow the procedures outlined below:

- 
- Within ten (10) days of receipt of a written complaint, the Department Director will meet with the complainant to discuss the allegations, explain the informal resolution option, the formal investigation process, the principles and limitations of confidentiality, and collect preliminary data.
  - The Department Director will notify the Human Resources Department that a complaint has been filed. The Department Director will perform an investigation of the complaint. If the complaint is more appropriately addressed by a different City Department, the Department Director will refer that portion of the complaint to the appropriate Department Director.
  - If the complaint involves allegations against a co-worker, the Department Director will notify the co-worker of the complaint. The co-worker then must provide a written response to the allegations within 10 working days of receiving notice of the complaint.
  - The Department Director will investigate the allegations and review available information within a reasonable timeframe.
  - The Department Director shall issue a letter outlining the complaint/grievance resolution within a reasonable timeframe.
  - Copies of all documents regarding the complaint should be forwarded to the Human Resources Director.

#### **8.00.03.05 – Complaint/Grievance Initial Resolution Review**

If the complainant/grievant does not agree with the Department Director's proposed solution the employee shall within five (5) days submit the complaint/grievance to the Complaint/Grievance Coordinator. The Complaint/Grievance Coordinator shall:

- 1) Review the matter together with all attendant documents and resolutions,
- 2) Meet and confer with the complainant/grievant concerning the matter, and
- 3) Within ten (10) days of receipt of the complaint/grievance formulate a written response and solution to the complaint/grievance communicating the same to the complainant/grievant.

#### **8.00.03.06 – Complaint/Grievance City Manager Appeal**

If the complainant/grievant does not agree with the Complaint/Grievance Coordinator's proposed solution the employee shall within five (5) days submit the complaint/grievance to the City Manager for appeal. The City Manager shall:

- 1) Review the matter together with all attendant documents and resolutions,
- 2) Meet and confer with the complainant concerning the matter, and
- 3) Within fifteen (15) days of receipt of the complaint/grievance formulate a written response and solution to the complaint/grievance communicating the same to the complainant/grievant.

### **Section 8.00.04 – Procedural Guidelines**

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If a complainant/grievant needs to consult with other City employees during the employee's working hours in the preparation of their grievance, they must contact the Human Resources Director to make such arrangements.

In the event that the complaint/grievance alleges acts or omissions by an employee occupying a position at one of the preliminary resolution steps of the procedure that step may be omitted at the discretion of the complainant/grievant and the complaint/grievance will be addressed by the next higher step of the process.

If at any time during the complaint/grievance process, the complainant/grievant indicates agreement with a proposed solution or does not proceed within the time limits specified, the matter is deemed to be resolved. Failure by management/supervisory personnel to respond within the time limits specified shall constitute a grievable act/omission.

#### **Section 8.00.05 – Election of Remedy Procedures**

An employee who chooses to have any employment matter that has been adjudicated by this procedure, placed before a forum or court of competent jurisdiction, shall by that action be deemed to have rejected any resolution hereunder derived. In that event all parties to such resolution shall be relieved of any and all rights and obligations for performance under such resolution.

## **ARTICLE 9 — PERSONNEL POLICIES AND PROCEDURES**

#### **Section 9.00.01 – Effective Dates**

These policies were approved by the Mayor and Commission on May 7, 2013 to become effective on May 7, 2013, and was revised and re-adopted on August 6, 2016; July 1, 2018; September 18, 2018. This Handbook supersedes all other Personnel Policies and Procedures and/or Handbooks.

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**Section 9.00.02 – Official Copy**

The official copy of these policies shall be attested by and placed upon filed with the City Clerk and the Human Resources Department.

DRAFT

## Attachment A



CITY OF WAYCROSS, GEORGIA  
**VEHICLE USE POLICY**  
**USE OF CITY OWNED VEHICLES**

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### **CERTIFICATION**

#### **VEHICLE USE POLICY**

I have read, understand, and agree to abide by the City of Waycross Vehicle Use Policy. I understand that violations of this policy may be grounds for loss of driving privileges as well as discipline up to and including termination.

\_\_\_\_\_  
Name (print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

DRAFT

## Attachment B



### CITY OF WAYCROSS, GEORGIA **DRIVER'S POLICY**

As part of City of Waycross' concern for providing a safe working environment for all of its employees, we have long stressed the importance of having good drivers behind the wheel of company vehicles. Due to the increasingly strict requirements of our insurance company, effective October 1, 1996, the City of Waycross will now be reviewing the driving records (as indicated on a three year State Motor Vehicle Report) of its drivers/employees on a regular basis.

Any employee whose record indicates any of the following convictions will no longer be able to operate a company vehicle and may face possible corrective discipline, up to termination, based on the employee's ability to perform all job functions required:

1. One DUI conviction
2. Two major convictions, which include:
  - ♦ Failure to stop and report an accident
  - ♦ Assault, manslaughter, or homicide arising out of the use of a motor vehicle
  - ♦ Driving while license is suspended or revoked
  - ♦ Reckless driving
  - ♦ Speed contest, drag, or highway racing
  - ♦ Possession of an opened alcoholic beverage container
  - ♦ Speeding, excess of 20 mph over posted limit
  - ♦ Violation resulting in at-fault accident
3. Three minor convictions, which include:
  - ♦ Speeding, up to 20 mph over posted limit
  - ♦ Any additional moving traffic violation

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

If you have any questions concerning the City of Waycross Driver's Policy, please contact your supervisor or Human Resources Department. Please acknowledge receipt and understanding of this policy with your signature below.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## Attachment C



CITY OF WAYCROSS, GEORGIA  
**DRUG AND ALCOHOL POLICY**  
EMPLOYEE CONSENT AND NOTICE:

**DRUG AND ALCOHOL TESTING OF PERSONS INVOLVED  
IN AN ACCIDENT ON THE JOB INVOLVING  
PROPERTY DAMAGE OR PERSONAL INJURY**

A drug and alcohol screening test will be required of all employees when they are involved in an accident involving property damage or personal injury.

By signing this form, you are acknowledging that you consent to a screening test, that you consent to release of tests results to the Human Resources Director, and that you understand that such a screening test is part of the City of Waycross' Drug and Alcohol Policy. You hereby agree to abide by this policy.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Social Security Number

## Attachment D



CITY OF WAYCROSS, GEORGIA  
**EMPLOYEE CONSENT AND NOTICE**

**RANDOM DRUG AND/OR ALCOHOL TESTING DUE TO  
EMPLOYMENT IN A SAFETY-SENSITIVE POSITION**

You have accepted employment into a safety-sensitive position with the City of Waycross. By signing this form, you acknowledge that you understand you will be subject to random alcohol and/or drug screening tests for the duration of your employment in such a position.

If you fail to abide by this agreement, you will be terminated consistent with procedural guidelines set forth in the City of Waycross' Personnel Policies and Procedures.

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Notary Public

## Attachment E



### CITY OF WAYCROSS, GEORGIA EMPLOYEE CONSENT AND NOTICE

#### EMPLOYEE CONSENT AND NOTICE:

#### **DRUG AND ALCOHOL TESTING UPON REASONABLE SUSPICION THAT VIOLATION OF ALCOHOL AND DRUGS HAS OCCURRED**

It is the opinion of the City of Waycross that there is reasonable suspicion to believe that you have been involved in a violation of the Drug and Alcohol Policy of the City. As provided in that policy, you are required to submit to alcohol and drug screening test. In order to retain your position as a City of Waycross employee, you must successfully pass the screening test.

By signing this form, you are acknowledging that you consent to such screening test, that you consent to the release of test results to the Human Resources Director, and that you understand that such a screening test is part of the City of Waycross' Drug and Alcohol Policy.

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Notary Public

## Attachment F



### CITY OF WAYCROSS, GEORGIA HEPATITIS B VACCINATION AGREEMENT AND WAIVER

Some Employees of the City of Waycross may have some limited risk to Hepatitis B exposure. The City of Waycross desires to provide, without cost to the employee, to those Employees at limited risk vaccinations for purposes of immunization against Hepatitis B. The City of Waycross will not require any employee to receive the immunization, but it strongly recommends to those employees who have some risk of exposure that they agree to and accept the vaccination.

Any employee who declines the vaccination at this time may later change his or her mind and receive the vaccination free of charge. However, the City of Waycross does reserve the right to withdraw this offer of free vaccination without notice.

The undersigned further acknowledges that there is always some risk in any vaccination, medical procedure or medication. The undersigned hereby releases the City of Waycross, its employees, and elected officials from any and all liability of every nature and description, past, present, and future arising from any such vaccination for Hepatitis B and all actions in connection therewith, including, without limitation, if the employee should contract Hepatitis B even if the employee is vaccinated.

The undersigned further understands that some circumstances may exist that may preclude administration of the vaccine. The undersigned further acknowledges and understands that he vaccination cannot give absolute assurance that the person receiving the vaccination will not later contract Hepatitis B. The undersigned agrees to cooperate fully with providers who administer the Hepatitis B vaccine and to answer all questions related to the vaccine truthfully.

**THE UNDERSIGNED HAS READ THE ABOVE, UNDERSTANDS THE CONTENTS THEREOF AND MAKES THE DECISION TO ACCEPT OR REJECT THE VACCINATION OF HIS/HER OWN FREE WILL, AND NOT UNDER DURESS.**

\_\_\_\_\_ **Yes, I agree to being vaccinated for Hepatitis B.**

\_\_\_\_\_ **No, at this time I decline Hepatitis B vaccination.**

Date \_\_\_\_\_ Employee \_\_\_\_\_

Type or Print Name \_\_\_\_\_

Witnessed by:

\_\_\_\_\_  
\_\_\_\_\_

## Attachment G



### CITY OF WAYCROSS, GEORGIA CODE OF ETHICS POLICY ACKNOWLEDGEMENT FORM

I, \_\_\_\_\_, acknowledge receipt of a personal copy of the **CODE OF ETHICS POLICY** of the City of Waycross. I also acknowledge that as an employee of the City of Waycross, I have been advised that as a condition of continued employment, I must become familiar with the rules and regulations of my department and these policies.

By my signature affixed hereto, I certify that I will read or have read to me said rules, regulations and policies and will abide by them. I further acknowledge that rules, regulations and policies are readily available for my use. Should I, by act or omission, commit a violation of the department rules & regulations or the City's policies, I may be disciplined by my supervisors. Such discipline may take any form as prescribed herein up to and including discharge.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Witness \_\_\_\_\_ Date \_\_\_\_\_

## Attachment H

### SUPERVISOR'S OBSERVATION CHECK LIST

(Check Pertinent Items)

1 Walking

☐ Stumbling      ☐ Swaying  
☐ Staggering      ☐ Holding on  
☐ Unable to Walk      ☐ Unsteady  
☐ Falling

2 Standing

☐ Swaying      ☐ Swaging  
☐ Rigid      ☐ Unable to stand  
☐ Feet wide apart      ☐ Staggering

3 Speech

☐ Shouting      ☐ Silent  
☐ Whispering      ☐ Slow  
☐ Rambling      ☐ Mute  
☐ Slurred      ☐ Slobbering  
☐ Incoherent

4 Demeanor

☐ Cooperative      ☐ Polite  
☐ Calm      ☐ Sleepy  
☐ Crying      ☐ Silent  
☐ Talkative      ☐ Excited  
☐ Sarcastic      ☐ Fighting

7 Face

☐ Flushed      ☐ Pale  
☐ Sweaty

8 Appearance/Clothing

☐ Unruly      ☐ Messy  
☐ Dirty      ☐ Half dressed  
☐ Having odor      ☐ Neat  
☐ Clean

9 Breathe

☐ Alcohol odor      ☐ No odor  
☐ Some odor

10 Movements

☐ Fumbling      ☐ Jerky  
☐ Slow      ☐ Normal  
☐ Nervous      ☐ Hyperactive

5 Actions

\_\_\_ Resisting      \_\_\_ Fighting  
Communication

\_\_\_ Threatening      \_\_\_ Calm

\_\_\_ Drowsy      \_\_\_ Profanity

\_\_\_ Erratic      \_\_\_ Hostile

6 Eyes

\_\_\_ Bloodshot      \_\_\_ Watery

\_\_\_ Dilated      \_\_\_ Glassy

\_\_\_ Droopy      \_\_\_ Closed

11 Eating / Chewing

\_\_\_ Gum      \_\_\_ Candy

\_\_\_ Mints      \_\_\_ Other, Be  
Specific

12 Other Observations

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\_\_\_\_\_  
Supervisor Signature / Date

\_\_\_\_\_  
Witness / Date

## Attachment I

### "BASIC ON-SITE COORDINATION EXAMINATION"

(Check pertinent items)

1. Balance (eyes closed, one foot, head back, etc.)
- |                                  |                                     |                                     |                                     |
|----------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| <input type="checkbox"/> Fair    | <input type="checkbox"/> Swaying    | <input type="checkbox"/> Fair       | <input type="checkbox"/> Incoherent |
| <input type="checkbox"/> Falling | <input type="checkbox"/> Swaggering | <input type="checkbox"/> Slurred    | <input type="checkbox"/> Confused   |
|                                  |                                     | <input type="checkbox"/> Silent     |                                     |
|                                  |                                     | <input type="checkbox"/> Whispering |                                     |
2. Walking / Turning (straight line test)
- |  |   |                                   |                                     |
|--|---|-----------------------------------|-------------------------------------|
| <input type="checkbox"/> Fair                  | <input type="checkbox"/> Sure Footed          | <input type="checkbox"/> Fair     | <input type="checkbox"/> Bewildered |
| <input type="checkbox"/> Swaying               | <input type="checkbox"/> Falling              | <input type="checkbox"/> Confused | <input type="checkbox"/> Alert      |
| <input type="checkbox"/> Arms ext. for balance | <input type="checkbox"/> Reaching for Support |                                   |                                     |
3. Finger to nose:
- |       |                                    |  |
|-------|------------------------------------|--|
| Right | <input type="checkbox"/> Sure      |  |
|       | <input type="checkbox"/> Uncertain |  |
| Left  | <input type="checkbox"/> Sure      |  |
|       | <input type="checkbox"/> Uncertain |  |
4. Speech
5. Awareness

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date



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## Attachment J

### SUPERVISOR OPINION BASED ON OBSERVATIONS

1. Under the influence of alcohol
2. Under the influence of drugs
3. When not sure, which one do you suspect either alcohol or drugs or both
4. Unfit to operate machinery or to perform safely in work place
5. Unfit for work for the other reasons
6. Frequent absences
7. Frequent tardiness
8. Mood swings
9. Other observations
10. Recommended for chemical testing
11. Does not appear to be under influence of alcohol
12. Does not appear to be under influence of drugs
13. Remarks

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Supervisor

---

Date

---

Supervisor

---

Date

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## Attachment K

### DRUG SCREEN COLLECTION: CHAIN OF CUSTODY

**PURPOSE:** The Chain of Custody System is a method designed to ensure that there is little possibility of tampering with the specimen from the time it is collected until it is tested in the laboratory.

The Chain of Custody System helps ensure the integrity of the specimen and, therefore, contributes to the validity of the results by preventing tampering and misidentification of specimens. It is recommended for all drug abuse test samples.

The Chain of Custody record is one that shows the reason that a specimen was handled, who handled it, and the dates that the handling occurred. This record is started at the time of collection and is continued through the entire testing process.

Prior to the collection of the specimen, the collection attendant verifies that the collection bathroom:

- has no direct access to running water, soap, or cleaning agents
- that a colored dye agent is in the toilet bowl, and
- the lid to the toilet is taped securely.

The donor who presents for testing must be positively identified either by an official photo ID (driver's license, employee ID card), signature ID, or by contacting an employer representative.

A Chain of Custody Collection form is completed by the collection attendant.

(i.e. date, time, Last name, First name, I.D. Number and location).

The donor is instructed to wash hands prior to collection.

All coats, jackets, purses, or briefcases are removed and placed in a secure area.

The donor is allowed to select a sealed collection kit at random. (Kit includes collection cup and bottle which is sealed in a separate bag). The collector opens the kit, removes and retains the top.

The donor is directed to a stall for collection. The donor is instructed not to flush the commode until the donor has handed the specimen to the collector. After the donor has collected the specimen, it is handed to the collector who screws the top on the container. **From this point forward the collector nor the specimen is out of the sight of the donor.** The donor is allowed to wash their hands.

The specimen is then observed for sufficient volume. If not sufficient, the donor is requested to remain at the collection site and given fluids and an attempt is made to collect a new specimen. The old specimen is discarded as bio-hazardous waste. The temperature of the specimen is checked. The temperature is recorded and the donor will be asked if they would like a body temperature taken and the temperature will be noted.

The specimen will then be sealed by centering the seal "A" over the cap of the collection container

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and pressed in place. The donor will initial and date the seal.

If required, the donor will be asked to disclose any over-the-counter medication and prescribed medication he is presently taking. Prescription medication must be verified by having the donor present Rx bottles.

The names of the medication will be written in the appropriate box on the collection form, if required.

On DOT drug screens, a split sample is required. The urine specimen is divided into two urine collection bottles.

The collection bottles are labeled with the subject's ID number, date, collector's initials and are sealed with a Chain of Custody Tamper Proof tape strip across the top of the bottles and down the sides.

The donor is asked to initial the Tamper Proof tape once it is in place on both specimens and date it.

The split is sealed in a plastic bag and the donor initials and dates the outside of the bag. The split sample is placed in a locked metal box and refrigerated. This on-site specimen remains secure until a negative drug screen report is transmitted from the laboratory. The onsite sample is then discarded.

The urine specimen which is to be sent to the Laboratory for drug screening is placed into the Tamper Proof side of the liquid-tight bag. The protective strip is removed and the bag is sealed.

The donor is instructed to initial and date the seal on the Tamper Proof Bag.

The collection form is completed by checking the boxes labeled drug profile (test required) and courier (mode of transport).

The collection form is signed and dated by the donor and the collection attendant.

The collection form is separated and parts 1 and 2 are placed in the travel pouch on the back side of the bag. Part 4 is given to the subject of the test. Parts 3 and 5 are placed with the specimen in the locked specimen collection box.

The specimen remains in a secure locked box until the courier arrives.

The courier unlocks the collection box, gathers the sealed specimens, and initials and dates parts 3 and 5 of the collection form and assumes responsibility for transport of the specimen to the laboratory.

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## Attachment L

### **CITY OF WAYCROSS: DRUG SCREENING COLLECTION SITE AND BREATH ALCOHOL CONTENT TEST**

**Ware Care Express** is the City of Waycross official collection agency of urine to be drug tested and also provides breath alcohol concentration testing for the City of Waycross. The following is information you will need to know in the case of a drug or alcohol test to be given to an employee.

- ◆ Ware Care Express is located at 306 Isabella Street, Waycross, GA and opened:
  - Monday - Friday 9:00 am – 5:00 pm & Saturday 9:00 am – 2:00 pm.
- ◆ If post-accident drug screens are required after Ware Care Express hours, report to the ER.
- ◆ Urine collection and breath alcohol testing are portable which means that if necessary they could test or possibly collect urine at the site.
- ◆ The Waycross Police Department also administers the breath alcohol testing if needed.

## Attachment M

### **CITY OF WAYCROSS: FIRE DRILL & BOMB THREAT PROCEDURES**

#### **— Fire Drill Procedures:**

*WHEN THE ALARM SOUNDS, YOU SHOULD:*

1. Grab your belongings: keys, purse, bag(s), and phone.
2. Follow the posted escape route to the closest exit.

- 
3. Do not use the elevator, use the stairs.
  4. Once you are outside, go to the designated area located in the **parking lot across the street at the corner of Isabella and Pendleton St. (Waycross Journal-Herald parking lot)**.
  5. Remain in the evacuation area until you have been given the all clear signal.

*REMEMBER: When you are evacuating the building, there should be no running, pushing, smoking or loud talking. Move as quickly and as orderly as you can.*

— **To Report a Fire:**

1. Designated person on your floor should go to the nearest fire alarm and activate it. Designated person should also call 911.
2. When reporting a fire, give your name; tell where you are, and give nature of fire and where it is located in the building.
3. If possible, try to contain fire in the area. Be sure to use the proper extinguisher for the fire.
4. If fire is too large to contain, **DO NOT TAKE ANY CHANCES**, evacuate immediately by following the fire drill procedures. Be sure to close all doors and windows in area of the fire if time allows.
5. Follow evacuation procedures.

— **Bomb Scare Procedures:**

*PERSON RECEIVING BOMB THREAT SHOULD:*

1. Contact local authorities by calling 911, give your name, tell them where you are, and nature of the call.
2. Notify City Manager's office immediately.
3. Follow the posted escape route to the closest exit. Eliminate all use of cell phones, handheld radios and/or links.
4. Once in the evacuation area (**parking lot of the Waycross Journal-Herald**), remain in the evacuation area until you have been given the all clear signal or additional direction.



**CITY OF WAYCROSS EMPLOYEE HANDBOOK  
ACKNOWLEDGMENT OF THE CITY OF WAYCROSS  
PERSONNEL POLICIES AND PROCEDURES &  
DRUG AND ALCOHOL POLICY**

I, \_\_\_\_\_, acknowledge receipt of a personal copy of the Employee Handbook of the City of Waycross. I also acknowledge that as an employee of the City of Waycross, I have been advised that as a condition of continued employment, I must become familiar with the rules and regulations of my department and these policies.

By my signature affixed hereto, I certify that I will read or have read to me said rules, regulations, and personnel policies and will abide by them. I further acknowledge that rules, regulations and personnel policies are readily available for my use. Should I, by act or omission, commit a violation of the department rules and regulations or the City's personnel policies realize I may be disciplined by my supervisors. Such discipline may take any form as prescribed herein up to and including discharge.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Witness \_\_\_\_\_ Date \_\_\_\_\_