

Personnel Policies Handbook, Bogart, Georgia

Town of Bogart Equal Employment Opportunity Affirmative Policy Statement

Pursuant to the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the town of Bogart, Georgia declares and reaffirms a policy of equal employment opportunity and non-discrimination in providing all services to the public. Employment practices in this Town shall at all times adhere to the spirit and letter of Federal, State, and Local laws, rules and regulations which guarantee equal employment opportunity to all persons without regard to race, color, sex, political belief or affiliation, veteran status, age, national origin, physical handicap or age. Members of minority groups will receive impartial consideration for initial employment and promotion: will possess equal standing and security as a Town employee; and will have equal opportunity to receive training, develop skills and have the opportunity to advance. Such opportunities shall be limited only by an individual's abilities and the requirement of the work force. All activities, facilities, services and training sponsored, operated or participated in by the town shall be available to all employees without discrimination based on race, color, religion, sex, political belief or affiliation, veteran status, age, national origin or handicap.

Table of Contents

- Article I: Introduction
- Article II: Enforcement and Administration
- Article III: Overtime Time for Nonexempt Employees
- Article IV: Recruitment and Selection
- Article V: Separations
 - Section 1: Voluntary Resignation
 - Section 2: Abandonment
 - Section 3: Immediate Dismissal
 - Section 4: Death
 - Section 5: Lay-off, Reduction-in-force
 - Section 6: Disability
- Article VI: Attendance and Leave
 - Section 1: Attendance
 - Section 2: Holidays
 - Section 3: Vacation Leave
 - Section 4: Sick Leave
 - Section 5: Bereavement
 - Section 6: Inclement Weather Days
- Article VII: Ethics and Conduct
 - Section 1: Gifts and Gratuities
 - Section 2: Outside Employment
 - Section 3: Political Activity
- Article VIII: Records and Reports

- Article IX: Position Descriptions
- Article X: Attire
- Article XI: Town Property
- Article XII: Harassment and Workplace Violence
- Article XIII: Disciplinary Action
- Article XIV: Adoption of Policies
- Article XV: Employee Acknowledgement

Article I

Introduction

A. Purpose - The purpose of this policy is to provide for an effective system of personnel administration for the Town of Bogart, Georgia.

B. Employees Covered

1. Except as noted otherwise in this section 1(B), this policy applies to all employees of the Town of Bogart, Georgia holding full and part time positions.

2. This policy does not apply to the following persons and positions:

A. Any elected position, including a person appointed to fill an expired term.

B. Any persons serving on appointed boards, committees, and commissions.

Article II

Enforcement and Administration

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

Article III

Overtime Time for Nonexempt Employees

It is the City's intent to schedule work activities during the standard 40-hour work week. However, in order to meet citizen and business needs, it may be necessary for employees to work in excess of those hours. When this is necessary, the Mayor will provide as much notice as possible to the employees required to work.

Authorization to work in excess of the standard 40-hour workweek must be obtained in advance from the Mayor.

Overtime for which pay is authorized shall be paid at the rate of one and one-half times the regular hourly work rate. Overtime work is not allowed without approval of the Mayor.

Article IV

Recruitment and Selection

Section 1.

When a vacancy occurs, the Town should utilize one or more of the following methods to generate a source of applicants for vacant positions: post position on Town bulletin boards, sign and website; advertise in a newspaper of local circulation; notify the local Department of Labor and others. The announcement for the position should include the title, salary range, minimum qualification requirements, manner of making application, and final date on which applications will be accepted. Reasonable effort shall be made to publicize vacancies so that all potential candidates are informed and qualified persons are attracted to compete. The Mayor and Council shall review all applications for employment to determine whether the applicant meets the established standards of employment, and shall schedule all appointments for interviews with the applicant. Persons are not automatically disqualified for hire or rehire based on past criminal history or alcohol/drug use; rather such factors shall be considered on a case-by-case basis and in context of other relevant factors including but not limited to nature and circumstances of offense, job duties and legal requirements in connection therewith, passage of time and indicia of rehabilitation. The Mayor and Council may remove from further consideration the application of an applicant whom:

1. Does not meet the minimum qualifications established for the position.
2. Has failed to submit an application within the prescribed time limit;
3. Has made false statements of material fact, or practices deception in the application;
4. Has an unsatisfactory employment record of such a nature as to demonstrate unsuitability for employment by the Town;
5. An adverse criminal history based on an individualized assessment, giving the applicant or employee the opportunity to explain why he/she should not be denied a position due to the criminal information obtained and otherwise considered in accordance with Guidance issued by the Equal Opportunity Commission.

6. After an offer of employment has been made, has failed to pass a physical examination or drug screen as prescribed by Town policies;
7. Has failed to report for duty within the time prescribed in an employment offer;
8. Has been employed previously by the Town and removed for cause, or did not resign in good standing.

When appropriate, examinations of all seemingly qualified applicants may be used, which may be written or oral, or a combination of these. Such tests shall be practical in character and shall relate to the duties and responsibilities of the position for which the applicant is being examined. Examination of applicants may also consist of a review of educational experience necessary to perform the duties of the position.

The Mayor and Council shall make a selection from the applicants and the selected applicant may be offered employment by the Town contingent upon the applicant passing a drug screen and/or physical examination if required.

Section 2.

At the time of employment, the applicant will be required to submit or agree to a department of motor vehicles driving record report, a criminal background check, and a drug screening. The costs for these requirements will be covered by the Town.

Section 3.

It is the policy of the Town not to employ members of a fulltime employee's immediate family in the same department or to work under the same supervisor. The policy will not allow two members of an immediate family to be employed on a full-time basis at the same time, if such employment will result in an employee supervising directly or indirectly a member of his/her immediate family. If a conflict of this policy would occur with the marriage of two employees of the Town, one spouse must be transferred so as to comply, provided a position is available. If no position is available, one spouse must resign. If a transfer or promotion of an employee would violate this policy, the transfer or promotional opportunity may be denied.

Immediate family for the enforcement of this personnel Handbook is defined as spouse, parent, son, daughter, brother, sister, and grandparent whether by blood or by law.

No family member of any of the Town Elected Officials shall be hired into a full-time position that violates the above policy for the duration of that Elected Official's term of office.

Article V

Separations

Separations or terminations of employees from the Town shall be designated as one of the following: resignation, abandonment, lay-off, furlough, reduction-in-force, disability, loss of job requirements, death, retirement, or dismissal. At the time of separation and prior to final payment, all records, assets, and other items of Town property in the employee's custody shall be transferred to the Mayor.

Section 1. Voluntary Resignation

To resign in good standing, an employee must give at least 14 calendar days written notice. An employee leaving in good standing shall be compensated for any unused vacation leave. An employee who resigns in good standing shall be eligible for rehire as a new employee. Such reinstatement eligibility shall not be considered a right.

Section 2. Abandonment

An employee, who, without valid reason, fails to report for two consecutive work days without authorized leave, shall be separated from the payroll and reported as abandonment. Such an employee shall not be eligible for re-employment and shall not be paid for unused vacation leave.

Section 3. Dismissal; Immediate Dismissal

All employees are at-will and may be dismissed by the Mayor at any time at his/her discretion.

Any employee who is unable to perform his or her job satisfactorily due of loss of necessary license, or who fails to obtain certification as a job requirement, or who fails to meet other job requirements shall be released from his or her position

effective immediately. Such an employee shall not be eligible for re-employment and shall not be paid for unused vacation leave.

Any employee who is involved in an accident while he or she is on duty shall be required to submit drug and alcohol screening before the end of that business day. If the result of the screening test is positive, the employee will be released from his or her position immediately. Such an employee shall not be eligible for re-employment and shall not be paid for unused vacation leave.

Any employee who is involved with any acts of fraud or theft will have a review conducted by the Mayor and Council for his or her actions. If the findings of the review substantiate the allegations, the employee will be released from his or her position immediately. Such an employee shall not be eligible for re-employment and shall not be paid for unused vacation leave.

The Mayor/Council may at any time, without prior notice, require a safety sensitive employee to submit to drug screening. Upon notification of the request, the employee shall proceed to the laboratory/collection site as quickly as possible. The screening must be done no later than the close of the business on the day requested. If the result of the screening is positive, the employee will be released from his or her position immediately. Such an employee shall not be eligible for re-employment and shall not be paid for unused vacation leave.

Any employee who refuses to submit to a requested drug screen will be released from his or her position immediately. Such an employee shall not be eligible for re-employment and shall not be paid for unused vacation leave.

Section 4. Death

If a full-time employee dies while serving in a classified position in the Town of Bogart, his or her estate shall be eligible to receive payment for his or her accumulated vacation leave.

Section 5. Lay-off, Reduction-in-Force

An involuntary separation not involving delinquency, misconduct, or inefficiency shall be considered a lay-off or furlough or reduction in force. These may be utilized for budgetary and/or business reasons. To reduce a departmental workforce, employees shall be laid off on the basis of time of service with the Town, criticalness

of skill and past performance of the employee. For a reduction-in-force, any options of keeping the affected employees in employment elsewhere in the Town will be given consideration.

Section 6. Disability

If a disability results in the inability to perform the job, and there is no available means to reasonably accommodate the employee, then separation may occur in compliance with the ADA. In cases of disability other than as a result of an on-the-job injury, the Mayor may direct any employee to be examined by a physician. When a disability of any kind is discovered which impairs the ability of an employee to perform the essential functions of a job, or impairs the effectiveness of others, the following action may be taken:

1. If the disability can be corrected, the employee may be allowed a specified reasonable length of time as determined by the Mayor to have it corrected within the specified time, failure to return to the position within the specified time may result in disciplinary action or termination.
2. If, in the opinion of the examining physician, the disability cannot be corrected, the Mayor shall attempt to reasonably accommodate the employee or place the employee in another position where the essential functions of the job can be performed satisfactorily. If that cannot be accomplished without undue hardship, the Mayor may take steps to separate the employee from the Town service through dismissal without prejudice.

Article VI

Attendance and Leave

Section 1. Attendance

Each Department Head shall maintain a daily report of the total number of leave hours for each employee of his or her department. At the end of each month, each Department Head shall turn in the daily report to the Mayor no later than Monday noon following the last day of the month.

The Mayor will receive a monthly report stating the amount of time each Employee has accrued and used for the month and what leave time remains. Each employee will sign the monthly report declaring it to be a correct representation of the time used and remaining. Records of attendance, annual leave, sick leave and overtime shall be kept on each employee. The hours of work shall be determined in accordance with the needs of the Town and the public.

Section 2. Holidays

The following ten days* are designated as official holidays for employees in the career service: New Year's Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve, Christmas Day and half day for New Year's Eve.

*Other holidays may be declared by the Mayor and Council at their discretion.

When a holiday falls on a Saturday, the preceding Friday shall be designated as a substitute holiday and observed as the official holiday of that year. When a holiday falls on a Sunday, the following Monday shall be designated as the official holiday for that year. Exceptions to this rule should rarely be necessary. However, in unusual instances, exception may be granted by the Mayor and Council. An employee who is not on approved leave, and fails to report on his or her scheduled work day before or after a holiday, shall not be paid for the holiday. Employees shall be paid for the number of hours normally worked each day as Holiday Pay.

Section 3. Vacation Leave

Rate of Leave Accrual: Employees begin to accrue annual leave immediately upon employment.

Vacation is accrued on the following schedule:

Full time employees (defined as working 32+ hours per week)

<u>Years of Service:</u>	<u>Hours Accrued:</u>
7 mos. - 1 year	40 Hours
1 year – 5 years	80 Hours
5 years +	120 Hours

Part time employees (defined as working less than 32 hours per week)

<u>Years of Service:</u>	<u>Hours Accrued:</u>
7 mos. – 1 year	20 hours
1 year – 5 years	40 hours
5 years +	60 hours

*Vacation Leave: All requests must be submitted in writing and approved by the Mayor. Leave will be scheduled to meet the operating requirements of the Town of Bogart with due regard to the wishes of the employee.

An employee who leaves the Town of Bogart in good standing shall be paid for unused vacation leave.

The city encourages employees to utilize vacation leave, however in certain situations, unused vacation days may be carried over into the next calendar year with the prior approval of the Mayor. If an employee desires to work, and does not desire to carry over accrued vacation leave, upon the approval of the Mayor, the employee shall be paid for his/her accrued days on the employee’s anniversary of employment.

Section 4. Sick Leave

Full time employees shall earn sick leave at the rate of one-half (1/2) day per month, equal to six (6) days per year. Part time employees shall earn sick leave at the rate of one-quarter (1/4) day per month, equal to three (3) days per year.

Employees must notify their supervisor if a sick day is necessary and must notify their supervisor if they need to leave work due to illness.

Section 5. Bereavement Leave

Bereavement Leave of (3) working days will be granted with pay for Employees absent from duty in the event of death in the immediate family.

Section 6. Inclement Weather Days

Employees may be granted inclement weather days at the discretion of the Mayor. Employees will be paid for any inclement weather days that are granted at the hours normally worked for that day.

The Town of Bogart will follow the same schedule as the Oconee County Government for inclement weather days.

Article VII

Ethics and Conduct

Section 1. Gifts and Gratuities

An employee shall not accept gifts or loans, from organizations, business concerns, or individuals with whom he or she has had official relationships on business of the Town government. These limitations are not intended to prohibit the acceptance of articles of negligible value which are distributed generally, nor to prohibit employees from accepting social courtesies which promote good public relations, nor to prohibit employees from obtaining loans from regular lending institutions. It is particularly important that inspectors, contracting officers, and enforcement officers guard against relationships which might be construed as evidence of favoritism, coercion, unfair advantage or collusion.

Section 2. Outside employment

No employee may engage in any paid employment in addition to his or her employment with the Town which interferes with efficient performance of his or her duties and/or which presents a conflict of interests. Failure to comply with this rule will constitute grounds for dismissal.

Section 3. Political Activity

A. Prohibitions against Political Activity: No Town employee shall hold an elective office in the Town government, nor shall he or she solicit any contributions or assessments, or services.

B. Political rights of Town employees: Nothing herein contained shall affect the right of the employee to contribute to, hold membership in, serve as an officer of, or support a political party, to vote as he or she chooses, to support and campaign for state or national political candidates, to express privately his or her opinions on all political subjects and candidates, to maintain political neutrality, or to attend political meetings.

C. Exceptions to this rule: Any employee who, as a normal foreseeable incidental function to his or her principal job or position, perform duties in connection with any activity financed in whole or part by federal loans or grants, comes under the Federal Hatch Act, which prohibits the following:

1. Use of official authority or influence for the purpose of interfering with an election or nomination for office, or affecting the result thereof.
2. Directly or indirectly coercing, attempting to coerce, or advising any other such officer or employee to pay, lend, or contribute any part of his or her salary or compensation or anything else of value to any party, committee, organization, agency or person for political purposes.
3. Active participation in political management or in political campaigns.

Article VIII

Records and Reports

A file shall be prepared and maintained for each employee. This file shall contain a copy of all personnel documents including appointments, separations, disciplinary actions, performance reports, etc.

Subject to the Open Records Act, which permits extensive disclosure of personnel records, all personnel records shall be considered confidential and available only to the employee and Town officials except for the following information which is available to the public during normal working hours: name, class, title, and salary. Employee records shall be kept for seven years after the termination of the employee.

Article IX

Positions Descriptions

Job Descriptions shall be issued upon employment, for the position applied for. One copy shall be retained by the employee for personal records, and one copy shall be endorsed by the employee and retained by the personnel department for safe-keeping, and shall be placed within the personnel file.

Article X

Attire

While the Town does not specify a Town-wide dress code, employees are expected to be clean and neat in appearance during working hours. As representatives of the Town, employees should present a business-like professional image. In certain types of jobs, employees may be required to wear uniforms. The Town may designate specific days as “casual days”.

“Dress on casual days may be less formal, but should always be clean, neat, and suitable for the workplace. If lettered or illustrated clothing is worn, it should not promote a particular political, moral, religious, personal or other opinion. Clothing which is obscene, vulgar, offensive, or inflammatory is prohibited. Employees may be required to change inappropriate dress or instructed not to wear the same or similar clothing during the future. Employees who do not comply with established dress code standards may be subject to disciplinary action, up to and including separation from employment. The Town may require employees to wear identification badges issued while at work or on duty. Employees are not to wear these identification badges while away from the work place during off-duty hours.

Article XI

Town Property

Town property is to be used by employees of the Town only. Employees are not to misuse, or permit the use of town property. Town property includes, but is not limited to: computers, telephones, fax machines, copiers or other equipment,

supplies, vehicles, work areas and furniture. Employees are prohibited from making or charging long-distance telephone calls to the Town, unless work related. The receiving and making of local telephone calls of infrequent, short duration is permitted. These privileges may; however, be withdrawn if abused. Voice mail messages should be professional, business-like and communicate accurate information. Employees are responsible for reporting misuse of Town property to their supervisors, human resource representatives or other appropriate officials. Misuse of Town property may result in disciplinary action, up to and including separation from employment.

Article XII

Harassment and Workplace Violence

1. All unlawful harassment prohibited: It is the policy of the Town that every person employed by the Town will be required to act in a manner reflecting our respect for the inherent human dignity of every person. Every person is to be treated as equally worthy of our respect, without reference to that person's race, age, color, religion, national origin, sex, political belief or affiliation, veteran status or disability. Any harassment of any employee will be considered to be a serious violation of the Town's employment principles and will not be tolerated.

2. Sexual harassment: The town is committed to a workplace free of sexual harassment and prohibits any kind of sexual harassment. Sexual harassment is any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

A. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment; or

B. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such an individual; or

C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile, or offensive work environment.

3. Harassment Complaint Procedure: Any employee who has a complaint of any harassment at work involving supervisors, co-workers or visitors must bring the problem to the attention of the employee's supervisor or lead. If the complaint involves someone in the employee's direct line of command, then the employee should go to the Mayor or Mayor ProTem with the complaint. Any supervisor observing or having knowledge of any harassment, whether sexual in nature or not, must immediately report the matter to the employee's department lead, Mayor or Mayor ProTem. All harassment complaints will be promptly investigated. Confidentiality will be maintained to the greatest extent possible. When justified, appropriate corrective action will be taken, including termination of any person engaging in harassment, to remedy all violations of this policy. Any retaliation taken as a result of a person making a complaint under this policy is strictly prohibited.

4. Workplace Violence

The Town maintains a zero-tolerance policy toward workplace violence, or the threat of violence, by any of its employees, customers, the general public, or anyone who conducts business with the Town. It is the intent of the Town to provide a workplace, which is free from intimidation, threats, or violent acts. The above complaint procedure (#3) should be followed to report any workplace violence.

Article XIII **Disciplinary Action**

Section A: Types of disciplinary action:

1. **Verbal Reprimand:** The Mayor may administer a verbal reprimand to correct detrimental employee behavior or poor work performance, and will keep a written record of verbal reprimands.

Verbal reprimands may be made a part of the employee's personnel file. Such records maintained should include time, date, and a brief description of the problem and the direction given to the employee. An employee may submit a written response to the oral warning.

2. **Written Reprimand:** The Mayor may submit a written reprimand to an employee that has been previously given a verbal reprimand when the verbal reprimand had not resulted in the expected improvement, or when more severe initial action is warranted. A written reprimand is accompanied with personal counseling. Copies shall be placed in the employee's personnel file. Written reprimands must contain specific time, date, offense, place of offense, the signature of the employee, and a statement of expected corrective action to be taken by the employee. The employee involved may submit a written response to the apparent infraction.

3. **Suspension:** The Mayor may suspend any employee with or without pay for disciplinary reasons. A written statement specifically setting fourth reasons for suspension and duration of the suspension shall be furnished to the employee. Copies of the suspension shall be placed in the employee's personnel file.

4. **Demotion:** Mayor and Council may demote an employee to a lower paying position only if a position is available.

5. **Dismissal:** The Mayor and Council may dismiss an employee as outlined in this article. The employee shall attend a private conference, and be furnished notice of dismissal in writing, stating the reason for dismissal. Copies shall be filed with the City Clerk and placed in the employee's personnel file. Dismissal would indicate that the occurrence(s) have affected the moral, effectiveness, and/or functioning of the Town.

Section B. Reasons for disciplinary action:

Listed below are some of the reasons for which disciplinary action may be taken ranging from a verbal warning to dismissal. The list is not limited to include all offenses for which disciplinary action may be taken, but does include many of the most commonly encountered ones:

1. Being convicted of (a) a felony or (b) a misdemeanor involving moral turpitude, immoral conduct, or indecency, DUI, domestic violence;
2. Being absent without leave; excessive tardiness-including returning from breaks and/or lunch;

3. Abuse of leave;
4. Inefficacy, negligence or incompetence in performance of duties;
5. Insubordination;
6. Careless, negligent or improper use of Town time, property or equipment;
7. Falsification of records or willfully giving false statements to supervisors, officials or the public;
8. Violation of Town ordinances, administrative regulations or department rules, including without limitation the Town Drug-free Work Place policy.
9. Instigation of, participation in, or leadership of strike, work stoppage, slow down, artificial restriction of productive work or otherwise interfering with the work of other Town Employees;
10. Theft or misappropriation of property, of employees or the Town;
11. Fighting on the job at any time;
12. Carrying weapons of any kind (knives, firearms, explosives), unless job related and specifically required as a condition of employment; or illegal possession of weapons on Town premises at any time;
13. Political activity in conflict with the Ethics and Conduct section of this policy;
14. Repeated rudeness or intemperate statements to the public, supervisors, officials or fellow employees;
15. Disregard of safety rules or common safety practices;
16. Gambling on the job at any time;
17. Babysitting children while on duty
18. Any violation of the Town's Code of Conduct or any Individual Departments' Code of Conduct.

Article XIV

Adoption of Policies

Section A. Amendment

The policies of this handbook may be amended by the Mayor and Council provided that a notice of the proposed changes to these policies shall be posted at a conspicuous place in the Town for a period of at least fourteen (14) days prior to

the effective date of the amendment, with copies of the amendment provided to the employees.

Section B. Constitutional and Elected Officers

Nothing in these policies is to be construed as a limitation on the constitutional or statutory duties, responsibilities and powers of the constitutional or elected officers.

Section C. Severability

It is intended that the provisions hereof be severable and should any portion be held invalid, such invalidity shall not affect any other portion.

Section D. Repeal of Conflicting Policies

All resolutions or Ordinances or Policies or sections thereof in conflict herewith are hereby repealed.

Article XV

Employee Acknowledgement

The policies herein are not intended to represent and are not, in whole or in part, either an implied or written contract. The employee relationship between the Town and any employee is at-will and may be terminated with or without cause and with or without notice, at any time, at the discretion of the Town. Only the Mayor and Council have the authority to alter the at-will nature of this relationship.

This handbook is intended for information purposes only. It does not contain all the information you will need during the course of your employment. You will receive additional information through various notices as well as orally through your supervisor and the Mayor.

The Town is committed to reviewing its policies, procedures and benefits periodically. Accordingly, the policies, procedures and benefits outlined in this Handbook are subject to review and change by the Town at any time, although the Town will strive to give you advanced notification.

My signature below acknowledges that I have received a copy of the Personnel Handbook with the revisions as of March 31, 2023. I understand it is my responsibility to read and comply with the policies and guidelines.

Printed Signature: _____

Signature: _____ Date: _____

This Personnel Policy is approved by the Town of Bogart, GA Mayor and Council Members on the _____ day of April 2023, to be effective immediately.

Mayor, Janet Jones

Council Member, John Larkin

Council Member, Brenda Acton

Council Member, David Kilpatrick

Council Member, Greg Maddox

