

Bryan County  
Personnel  
Policy  
Manual





## **CHAPTER 5 PERSONNEL**

### **ARTICLE I: INTRODUCTION**

- 5-101 Establishment of Rules
- 5-102 At Will
- 5-103 Establishment
- 5-104 Purpose
- 5-105 Administration
- 5-106 Coverage
- 5-107 Personnel Records
- 5-108 Policy Changes
- 5-109 Employees Affected

### **ARTICLE II: DEFINITIONS**

- 5-201 Adverse Action
- 5-202 Adverse Effect
- 5-203 County Commissioners
- 5-204 County Administrator
- 5-205 Covered Employees
- 5-206 Days
- 5-207 Departments
- 5-208 Department Head
- 5-209 Designees
- 5-210 Employee Status
- 5-211 Handicapped
- 5-212 Hearing Officer
- 5-213 Illegal Drugs
- 5-214 Immediate Family
- 5-215 Legal Drugs
- 5-216 May
- 5-217 Ordered Military Duty
- 5-218 Permanent Employees
- 5-219 Public Officer or Employee
- 5-220 Sexual Harassment
- 5-221 Shall/Will

- 5-222 Under the Influence
- 5-223 Unlawful Discrimination
- 5-224 Probationary Periods

### **ARTICLE III: CONDITIONS OF EMPLOYMENT**

- 5-301 Prohibited Activities
- 5-302 Anti-Harassment Policy
- 5-303 Drug Free Workplace/County Drug and Alcohol Policy
- 5-304 Violence in the Work Place/Work Place Safety
- 5-305 Critical Incidents

### **ARTICLE IV: EMPLOYMENT PRACTICES**

- 5-401 Objectives
- 5-402 Affirmative Action
- 5-403 Security Clearance
- 5-404 Type of Appointments
- 5-405 Probationary Periods
- 5-406 Job Mobility
- 5-407 Transfers
- 5-408 Procedures for Filling Vacant Position
- 5-409 Disqualification of Applicants
- 5-410 Selection Process
- 5-411 Selection Process for Department Heads
- 5-412 Performance Appraisals
- 5-413 Separations
- 5-414 Establishment
- 5-415 Basis for Position Classification
- 5-416 Changes in Classification Plan

### **ARTICLE V: PAY FOR EMPLOYEES**

- 5-501 Pay Plan
- 5-502 Pay Scales
- 5-503 Notice to Employees of Pay and Salary Range; Basis for Further Increase
- 5-504 New Appointments
- 5-505 Promotions
- 5-506 Reinstated Employees
- 5-507 Transfers
- 5-508 Demotions
- 5-509 Pay Periods

## **ARTICLE VI: APPOINTMENTS**

- 5-601 Vacancies
- 5-602 Application for Appointment: Form and Design
- 5-603 Types of Appointments
- 5-604 Pre-Employment Medical Examination and Drug/Alcohol Screening/MVR

## **ARTICLE VII: TYPES OF EMPLOYMENT**

- 5-701 Full-Time Employment: Definition
- 5-702 Part-Time Employment: Definition

## **ARTICLE VIII: LEAVE**

- 5-801 Personal Leave
- 5-802 Bereavement Leave
- 5-803 Civil Leave
- 5-804 Military Leave
- 5-805 Maternity Leave
- 5-806 Leave Without Pay
- 5-807 Holiday Leave
- 5-808 Temporary Disability
- 5-809 Family and Medical Leave Act of 1993
- 5-810 Personal Leave Donations
- 5-811 Declared Mandatory Evacuation

## **ARTICLE IX: HOURS OF WORK**

- 5-901 Authority of Established Hours of Work
- 5-902 Overtime/Compensatory Time: Approval and Designation
- 5-903 Authorization and Conditions: Required to Accept Outside Employment

## **ARTICLE X: RULES AND REGULATIONS**

- 5-1001 Political Activity
- 5-1002 Employment of Relatives
- 5-1003 Travel: Reimbursement, Records, and Authorization Required
- 5-1004 Central Personnel File
- 5-1005 Personnel Record Changes
- 5-1006 Inter-Department Labor Assistance Request
- 5-1007 Punctuality and Attendance
- 5-1008 Care of Equipment and Supplies
- 5-1009 Attitude and Appearance
- 5-1010 Work-place Romance/Consensual Personal Relationships
- 5-1011 Use of Vehicles For County Business

**ARTICLE XI: SEPARATION OF EMPLOYEES**

- 5-1101 Types of Separation
- 5-1102 Resignation Procedure

**ARTICLE XII: DISCIPLINARY ACTION**

- 5-1201 Types of Discipline
- 5-1202 Cause for Reprimand, Suspension, Demotion, or Dismissal
- 5-1203 Appeals Procedure

**ARTICLE XIII: SUPPLEMENTS AND AMENDMENTS**

- 5-1301 Supplements
- 5-1302 Amendments

**ARTICLE XIV: INTERNET & ELECTRONIC COMMUNICATION**

- 5-1400 Policy Statement
- 5-1401 Relationship
- 5-1402 No Expectation of Privacy
- 5-1403 Public Records
- 5-1404 Acceptable Uses
- 5-1405 Specifically Unacceptable Uses
- 5-1406 Procedures
- 5-1407 Guidelines
- 5-1408 Use of Computer Software

## CHAPTER 5

### PERSONNEL

#### ARTICLE I: INTRODUCTION

**Establishment of Rules.** The following rules and regulations, and other administrative provisions for personnel administration are hereby declared to constitute the personnel rules and regulations of Bryan County.

##### *At-Will Policy*

*Employment with the County is voluntary and at-will, meaning that the relationship between the County and all of its employees is subject to termination by the employee or the County at-will as defined in O.C.G.A. § 34-7-1, with or without cause, and with or without notice, at any time at the option of the County or the employee. Nothing in these policies shall be interpreted to be in conflict with or to eliminate or modify in any way the employment-at-will status of any employee of the County.*

*This policy of employment-at-will may not be modified by any officer or employee and shall not be modified in any publication or document. The only exception to this policy is a written employment agreement (contract) approved at the discretion of the Board of Commissioners. This Manual is not intended to be and shall not be construed as creating a contract of employment of any kind.*

##### *Probationary Period*

*All new employees hired by the County will serve a probation period for the first twelve (12) months of employment. This probation period is intended, primarily, to allow the County and employee to determine whether the employee is able to adequately perform in the assigned job position and whether the position is a good fit for the employee. This policy also applies to an employee who has been promoted to a higher level position or transferred to a different position, regardless of pay grade level for a period of six (6) months. At the end of the probation period, an employee's performance will be reviewed and a decision made regarding his or her continued employment or whether any extended probation period is needed. If additional time is needed to evaluate an employee in a position, a Department Head may request an extension of the employee's probation period, upon approval by the County Administrator.*

**Purpose.** The purpose of the Bryan County Personnel Policy is to articulate policies which shall provide for the fair and equitable treatment of all employed by Bryan County or who make application for employment with Bryan County. This (policy) further establishes a system of employment that implements and perpetuates the six recognized merit principles of public employment. Those principles are:

1. Recruiting, selecting, and advancing employees on the basis of their relative ability, Knowledge, and skills, including open consideration of qualified applicants for initial appointment;
2. Providing equitable and adequate compensation;
3. Training employees, as needed, to assure high-quality performance;

4. Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected;
5. Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, religious creed, age, or handicap and with proper regard for their privacy and constitutional rights as citizens; and
6. Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using official authority for the purpose of interfering with or affecting the results of an election or a nomination for office.

**Administration.** In general, the Constitutional Officers, Elected Officials and Department Heads are responsible for administering these policies in their respective departments. The County Administrator is the designated Chief Personnel Officer with overall responsibility for personnel management. The Commissioners through the County Administrator will give administrative support.

**Coverage.** These policies apply to the covered employees in all Departments under the administration of the County Commission and the participating Constitutional Officers. Federal equal employment law recognizes that neither elected officials nor members of their personal staffs should be covered by legislation creating permanent positions, and Georgia Code 36-1-21 exempts elected officials or persons appointed to positions for specified terms from civil service coverage.

**Personnel Records.** It shall be the policy of Bryan County to ensure that personnel files are maintained in such a way as to comply with State and Federal laws. Personnel files maintained by the County are subject to inspection and may be disclosed only as provided by applicable law and in accordance with County procedure.

1. All matters dealing with personnel shall be routed through the County Administrator to the (*Human Resources Director*), who shall maintain a complete system of personnel files and records.
2. No public official, *or county employee*, may destroy, sell, loan, *alter, deface*, or otherwise dispose of any public record except as provided for in local, State or other applicable laws.

**Policy Changes.** The Board of Commissioners reserves the right to change these policies at any time, by resolution.

**Employees Affected.** The provisions of this (*policy*) shall be applicable to all employees except as provided below:

1. Exempted from this (*Policy*) as "employee", except in designated benefit sections where specifically included, are members of the Board of Commissioners, Elected Officials, Constitutional Officers, and designated personal staff of Constitutional Officers, County

Officials appointed by the Board of Commissioners and/or other governing boards and the County Attorney.

## **ARTICLE II: DEFINITIONS**

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

**Adverse Affect.** The results of an action or decision that is not an adverse action but which deprives the employee of income or the opportunity to earn more income; *such as a suspension without pay.*

**County Commissioners.** The persons who have, among other authorities, the authority to appoint and discharge all covered employees. The County Commission is the appointing authority in the County.

**County Administrator.** The County Administrator is the Chief Administrative Officer of the County. He/she has the authority to administer all personnel matters.

**Covered Employees.** Employees who work for the appointing authority who are not members of their personal staff nor policy makers, and whose positions are included in the classification plan.

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

**Departments.** This term refers to (1) the different departments under the Board of Commissioners, (2) the offices of Constitutional Officers, and (3) the offices of Elected Officials.

**Department Head.** This term refers to the head of a department under the Board of Commissioners, all Constitutional Officers, and Elected Officials.

**Designees.** The person or persons to whom the appointing authorities delegate certain authority to for the administration of the County Departments.

### **Employee Status.**

1. Constitutional Officer - An official whose office was created by the constitution of the State of Georgia.
2. Exempt Service shall include the following:
  - a. All Constitutional Officers, Elected Officials and member of citizen's boards

and committees.

b. Positions involving seasonal or part time employment.

c. Volunteer personnel and personnel appointed to serve without compensation.

d. Consultants and counsel rendering temporary professional service.

e. County Attorney

3. Permanent Employee - An employee who has completed all employment requirements including the probationary period. The term "permanent" *will not* imply a contract of employment with the County.
4. Probationary Employee -*A person appointed to a permanent position that has not yet completed the initial one-year probationary period or any subsequently extended probationary period. No employee shall be considered to have successfully completed their probationary status until such time as a letter of support for the employee is forwarded to the County Administrator or their designees, and supporting documentation is delivered to and signed off on by the County Administrator.*
5. Temporary Employee - An employee selected to fill a position for a period of 180 days or less shall be considered temporary in nature.

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

**Hearing Officer.** The individual who will hear an employee grievance and make a recommendation to the appointing authority.

**Illegal Drugs.** Any drug (a) which is not legally obtainable or (b) which is legally obtainable, but has not been legally obtained. All substances listed in the Federal Controlled Substance Act or so-called "designer drugs" that have not been included in the Federal Controlled Substance Act or the misuse of other non-drug substances such as glues are covered by this definition. The term also includes prescribed drugs, legally obtained but not being used for prescriber purposes or as prescribed.

**Immediate Family.** Included are the employee's spouse, child, parent, brother, sister, grandparent or grandchild. The definition is extended to spouse's child, parent, brother, sister, grandparent, grandchild or any other person who resides in the employee's household or who is recognized by law as a dependent of the employee. (Revised - 2/1/05)  
(Revised - 2/2/10)

**Legal Drugs.** Includes prescribed drugs and over the counter drugs which have been legally obtained and are being used for the purpose for which they were prescribed or manufactured.

**May.** The word may is conditional, and implies there is discretion as to whether a condition exists or an act or action will take place.

**Ordered Military Duty.** Any military duty performed in the service of the state or of the United States including but not limited to attendance at any service school or schools conducted by the armed forces of the United States by a public officer or employee as a voluntary member of any force of the organized militia or any reserve force or reserve component of the armed forces of the United States pursuant to orders issued by competent state and federal authority without the consent of such public officer or employee.

**Permanent Employees.** A full-time covered employee who has achieved permanent status by completing all employment requirements including the probationary period.

**Public Officer or Employee.** Every person, by whatever title, description, or designation known, who receives any pay, salary, or compensation of any kind from the state, a county municipal corporation, or any other political subdivision or who is in any department of the state, but shall not include persons employed by the state, a county, municipal corporation, or any other political subdivision on a temporary basis.

**Sexual Harassment.** Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when: 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile, or offensive working environment. Examples of sexual harassment include, but are not limited to, the following:

1. Sexual comments of a provocative or suggestive nature;
2. Sexual jokes or innuendos intended for and directed to another employee;
3. Suggestive or demeaning looks or leering;
4. Creating an intimidating, hostile or offensive working environment;
5. Making acceptance of unwelcomed sexual conduct or advances or requests for sexual favors of any nature a condition of employment, employment decisions or continued employment; and
6. Conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an individual's work performance.

**Shall/Will.** These terms are unconditional and imply that a condition exists or an act or action will take place.

**Under the Influence.** For the purpose of this policy, that the employee is affected by a drug or alcoholic substance or the combination of a drug and alcohol substance in any

detectable manner. The symptoms of the influence are not confined to those of physical or mental ability, such as slurred speech or difficulty in maintaining balance. A determination of influence can be established by a professional opinion, a scientifically valid test, and in some cases such as alcohol, by a lay person's opinion.

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

**Probationary Periods.** *The required period an employee serves upon entering County service or being promoted to a new position before obtaining classified service status; all new hires will complete a minimum of one year probationary status, employees transferring or promoted into new or existing position will complete a minimum 180 days of successful employment before being recommend for full time status.*

### ARTICLE III: CONDITIONS OF EMPLOYMENT

**Prohibited Activities.** Because public employees are in positions created for the public and funded by the public, the public has the right to expect that the incumbents in the positions will not abuse the trust placed in them by the public. The employees of Bryan County are expected to observe and honor the laws of the State of Georgia and the ordinances of Bryan County. The following are some of the activities that are specifically prohibited.

1. **Political Activities.** Because the employees are protected from political patronage by these policies, the governing authority expects the covered employees to avoid public political activities. Neither their position nor county time should be used for political purposes, nor should the employee actively campaign for any candidate.
2. **Outside Employment.** The individual departments will administer the outside employment policy for their departments. Any covered employee must receive permission from the appropriate authority before accepting outside employment.
3. **Gifts and Gratuities.** No employee should accept any gifts or gratuities from anyone who might expect to receive return favors from Bryan County.
4. **Conflict of Interest.** No Department Head shall hire a relative in positions where direct or indirect supervision is required. No relative shall be employed in positions where their family interests could conflict with the interest of the County Offices.
5. **Use of Intoxicants.** Employees shall neither possess, consume or distribute any illegal, intoxicating drug, or consume alcohol during work hours, while conducting county business, or while using county vehicles.
6. **Garnishments.** Employee indebtedness is a personal concern of the employee, but multiple garnishments of an employee's salary create administrative difficulties that may lead to disciplinary action.
7. **Abuse and Misuse of Equipment or Supplies.** Employees are entrusted with the use of public equipment and supplies. The abuse or misuse of county equipment and supplies shall lead to disciplinary action.

**Anti-Harassment Policy Statement.** It is the policy of Bryan County to maintain a workplace free from unwanted sexual advances and free from harassment based upon race, color, sex, pregnancy, sexual orientation, age, religion, national origin, physical or mental disability, veteran's status, or any other status as protected by state or federal law. All such workplace harassment is strictly prohibited. Retaliation against employees or prospective employees reporting workplace harassment or participating as a witness or otherwise in any investigation or other proceeding relating to a complaint or workplace harassment is also strictly prohibited. [All complaints will be immediately forwarded to the following: Department Head of the effected employee, Human Resources Director, who will in turn notify the County Administrator](#)

- A. ***Workplace Harassment*** is verbal or physical conduct that is either (a) directed toward an individual or (b) reasonably offensive to an individual because of his or her race, color, sex, pregnancy, sexual orientation, age, religion, national origin, physical or mental disability, or veteran's status.
- B. This Policy is applicable to and prohibits workplace harassment between employees and members of the public and is not limited to harassment between employees. Moreover, this Policy is applicable to and prohibits harassment that adversely affects the workplace, regardless of whether it actually takes place in the workplace or during work hours.
- a. **Examples of Workplace Harassment.** Workplace harassment may include, but is not limited to the following:
1. Epithets, slurs, negative stereotyping, jokes, or threatening, intimidating or hostile acts that relate to race, color, sex, pregnancy, sexual orientation, age, religion, national origin, physical or mental disability, or veteran's status;
  2. Written or graphic materials which are offensive to an individual because of his or her race, color, sex, pregnancy, sexual orientation, age, religion, national origin, physical or mental disability, or veteran's status and which are displayed or distributed in the workplace; or
  3. Threatening, intimidating, abusive, or hostile acts directed to an individual because of his or her report or complaint of workplace harassment or participation as a witness or otherwise in any investigation or other proceeding relating to such a report or complaint.

This Policy prohibits harassing conduct as defined herein without regard to whether such conduct would also violate state or federal anti-harassment laws.

- C. ***Sexual Harassment*** is a category of workplace harassment. In addition to the foregoing definition, sexual harassment is further defined as any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature when: Submission to the conduct is made either explicitly or

implicitly as a term or condition of any individual's employment;

1. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
2. The conduct has the purpose or actual or potential effect of interfering with the individual's performance or of creating an intimidating, hostile, or offensive working environment.

a. **Examples of Sexual Harassment.** Sexual harassment may include, but is not limited to the following:

1. Verbal conduct, such as derogatory comments, slurs, unwanted sexual advances, or sexually-oriented verbal references, jokes, kidding, or abuse;
  2. Physical conduct, such as unwanted touching, patting, pinching, blocking normal movement, or assault;
  3. Subtle or explicit pressure for sexual activity;
  4. Demands to submit to sexual requests, accompanied by implied or direct promises or preferential treatment or treats concerning an individual's employment status; or
  5. Visual harassment such as sexually-explicit or sexually-derogatory posters, obscene gestures, cartoons, photographs, or drawings.
- D. This Policy prohibits harassing conduct as defined herein without regard to whether such conduct would also violate state or federal anti-harassment laws.

#### **Employee Responsibility.**

1. Employees should not tolerate workplace harassment (including sexual harassment) as defined by this Policy. Any employee who believes that he or she has experienced such harassment or who is aware of the harassment of other employees or prospective employees has a duty to report the potential policy violation so that an investigation can be conducted and any appropriate corrective action can be taken. Any such complaints or reports should be made to the employee's supervisor, department head, County Administrator, or County Attorney.
- b. While not mandatory, complaints or reports of workplace harassment (including sexual harassment) should be made in writing whenever possible and should include all details, specifying all names, dates, times, etc.
- c. All employees are responsible to ensure that they do not participate in, promote, or support any form of workplace harassment (including sexual harassment) as defined by this policy.
- d. This Policy extends to all electronic and voice mail communications.

**Management Responsibility.** Administrators and supervisors are to comply with Bryan County's Anti-Harassment Policy and to work to prevent, detect, and

correct any harassment occurrences in their areas of responsibility. Administrators and supervisors are responsible to ensure that the employees in their areas are aware of the Policy and that any and all complaints of reports or workplace harassment (including sexual harassment) are promptly and properly investigated and that any appropriate corrective action is taken.

**Retaliation Strictly Prohibited.** As stated herein, employees have a duty to report any harassing conduct they either experience or observe. Retaliation against any individual for reporting conduct which he or she believes to constitute workplace harassment (including sexual harassment) or for otherwise participating in any investigation or other proceeding relating to such a complaint or report is a serious violation of this Policy and will be subject to appropriate corrective and/or disciplinary action.

**Complaint Procedure.**

- a. Any reported violation of this Policy will receive prompt and appropriate action. Any employee or prospective employee who believes that he or she has been subjected to workplace harassment (including sexual harassment) or retaliation as defined by this Policy or who is aware of the harassment of or retaliation against other employees or prospective employees, should immediately contact his or her supervisor, department head, or County Administrator. If an employee believes his or her complaint or report of harassment or retaliation is not being properly addressed, he or she should notify the County Attorney.
- b. Bryan County will investigate all complaints or reports of workplace harassment (including sexual harassment) or retaliation that comes to its attention. When conducting an investigation, care will be taken to protect confidentiality to the degree possible, while still permitting a meaningful investigation to be conducted.
- c. Following any investigation in which a complaint or report of workplace harassment or retaliation is sustained; Bryan County will take prompt and appropriate corrective action. Any employee found to have engaged in workplace harassment (including sexual harassment) or retaliation as defined in this Policy will be subject to corrective action and/or disciplinary action, up to and including termination of employment.

***Each employee will receive a copy of this policy and will sign a receipt of acknowledgment.***

Section 5-302 Revised on 12/13/11.

**Drug Free Workplace/County Drug and Alcohol Policy.**

All employees shall be notified in writing of this policy, and as a condition of employment, agree to abide by the policy on County premises, while conducting county business or while using county vehicles. Any violation by an employee of the policy will result in termination of employment from the county. If a county employee voluntarily admits he/she has a substance abuse problem, the County will allow the employee to use accrued personal leave to seek assistance and rehabilitation. Any evaluation or treatment shall be at the employee's expense and completion of a treatment program will not of itself guarantee continued employment. Any waiver or deviation from the approved Bryan County Drug and Alcohol Policy shall be approved by the Bryan County Board of Commissioners.

### **Violence in the Workplace/Work Place Safety**

The county has a zero tolerance to violence of any type in the workplace. Violence shall include any physical act or verbal abuse. Any violation by an employee of this policy will result in immediate termination of employment.

### **Workplace Safety & Risk Management**

#### **Statement of Policy**

It is the policy of Bryan County that every employee is entitled to work under the safest possible conditions. Every reasonable effort will be made to provide and maintain a safe and healthy workplace, safe equipment, proper materials, and to establish and insist upon safe methods and practices at all times. Department Heads are authorized to adopt and enforce safety rules and regulations that are applicable to the operations of their respective Departments. A copy of any such Department promulgated safety rules and regulations shall be provided to the County Administrator and will be maintained in the Human Resources Department. These rules and regulations are to be complied with and are applicable to all employees located within the respective Department. It is the basic responsibility of every employee to make safety a part of their daily concern. Employees are obligated to observe the rules of conduct and safety and to properly use the safety equipment provided.

It shall be the policy of the Bryan County Board of Commissioners to:

Provide the highest degree of safety and health possible for Employees and the general public. Preserve and protect County property and afford the same consideration towards the property of the general public. Hold Department Heads responsible for implementing all phases of the County Risk Management Program.

Identify hazardous working conditions and take prompt corrective action to eliminate such conditions. Provide and maintain ongoing safety training and education in order to train and educate all County Employees to the extent necessary to ensure they can perform their duties economically, efficiently, and safely.

Comply with applicable Federal, state, and local laws, rules and regulations, and policies. Improve communications by requiring regular safety meetings. Maintain current County safety and health policies, making changes when necessary. Require periodic and follow-up Safety Inspections of all work locations. Require equitable disciplinary measures for violation of prescribed safety and health requirements and ensure that such requirements are applied in a consistent and even-handed way. Assure that all aspects of the Risk Management Program function in the prescribed manner. Minimize Accident, Incident and Personal Injury rates by requiring investigations to ensure that any safety or health concerns are addressed promptly.

### **Responsibilities**

The most effective Accident/Incident/Injury prevention measures are those which have been formulated at each level or organization, thoroughly discussed and coordinated by all concerned, and unreservedly supported by top management. A Safety Coordinator identified within each County Department shall help facilitate the maximum exchange of ideas between Risk Management, Supervisory personnel, and Employees and ensure general understanding by County staff of policies and procedures governing Accident/Incident/Injury prevention. Safety shall be a function of management at all levels.

County Board of Commissioners: The County Board of Commissioners support County-wide safety and loss control programs and the County's Risk Management Policy.

County Administrator: The County Administrator ensures County compliance and adherence to established safety policy and procedures adopted by the Board of Commissioners.

County Administration: The Bryan County Senior Leadership Team (also referred to herein as "County Administration"), consisting of the County Administrator and the Human Resources Director, are tasked with ensuring that Departments within their reporting structure comply and adhere to established policy and procedures. The term "County Administration" does not refer to a created committee and, instead, refers only to each of the above-referenced senior Administrators and their respective responsibilities within the Bryan County reporting structure.

Risk & Safety Administrator: The Risk & Safety Administrator will serve to support the County's policy and oversee all activities relative to the Risk Management Program, obtaining required approval from the pertinent member of County Administration when necessary. The Human Resources Director shall serve as Risk & Safety Administrator until otherwise directed by the County Administrator.

Organize and hold meetings within his/her Department to discuss a topic of safety, record the topic of the meeting and Employees in attendance, and send the record to Risk Management.

Department Head: Each Department Head will -

Maintain safe and healthy working conditions within his/her Department functions whether out in the field, in the shop or in the office.

Ensure minimal injuries, accidents, liabilities, and waste of materials within his/her Department.

Provide the leadership and positive direction essential in maintaining effective accident prevention by setting proper examples.

Ensure that all personnel under his/her direction are in compliance with all safety and health requirements through regular surprise safety audits.

Ensure Supervisors are conducting new Employee safety orientation, to include but not be limited to newly reclassified Employees, prior to allowing Employee to work.

Support and participate in safety training related to supporting the County's and Department's goals in loss prevention.

Work with Supervisors in developing, maintaining, and updating work safety policies and requirements essential to that Department, and require those policies and requirements to be posted in the office.

Ensure that regular Departmental safety meetings are held and attended by all levels of personnel under his/her direction to review Departmental Accidents, Incidents, and Personal Injuries and to discuss plans to bring about a more positive Accident, Incident, and Personal Injury prevention program.

Halt any operation or activity which is determined by the Department Head to be hazardous to Employees or the general public when such operation or activity is brought to the attention of the Department Head.

Ensure that Departmental safety and health inspections are conducted.

Ensure a review of all Accidents, Incidents and Personal Injuries with the involved Employee are conducted; evaluate the potential cause and, as appropriate, solution. Report the results of the review to Human Resources within forty-eight (48) hours of the date of the Accident, Incident, or Personal Injury or as otherwise approved by the County Administrator

Supervisor: Each Supervisor will -

Assume responsibility for safe and healthy working areas for Employees under his/her direction through regular inspections and safety audit of personnel.

Ensure that all Employees under his/her supervision are fully trained to perform their assigned jobs. In the case of new Employees, this may require demonstration, observation, and practice. Have Employees under his/her supervision read all published safety rules, and have the Employees certify that they understand that compliance is necessary.

Immediately report any condition the Employee reasonably knows or should know to be unsafe to the Supervisor.

Obey all Federal, state and local safety requirements. If any doubt exists about the safety of doing a job, the Employee shall stop and get instructions or assistance from the Supervisor before continuing work.

Wear any prescribed protective equipment.

Operate only machinery or equipment which the Employee is trained and authorized to operate. Use proper tools and equipment for the job to be performed.

Learn to lift and handle materials properly.

Dress safely and sensibly for the job to be performed before starting to work.

Inform his/her Supervisor when taking medication which may impair the Employee's physical or mental alertness and/or affect ability to perform the Employee's job safely.

#### Accident/Incident Reporting Procedures

Timely reporting of any Incident, Accident, or Personal Injury is mandatory. Ensuring full Employee benefits and reasonable liability adjustments at the lowest cost to the County is dependent upon proper reporting.

Procedures for Reporting Personal Injuries (in immediate emergency situations call 911):

An Employee having an on-the-job Personal Injury must:

Report it immediately to his/her Supervisor.

If necessary, report to the appropriate medical treatment facility (using the panel of physicians for Workers' Compensation), and ensure that all follow-up medical treatments are completed.

Complete First Report of Injury Form, Employee Statement of Accident, and Employee Treatment Refusal (if no immediate treatment is sought) (all part of the Employee Injury Packet).

The Supervisor receiving a report of an on-the-job Personal Injury must:

Seek medical attention, if needed, for the Employee. If medical attention is sought, ensure proper drug testing procedures occur as required in the Drug Testing Policy.

Complete Employee Injury Packet and promptly submit the packet to the Department Head for review and submission to Human Resources.

Investigate the circumstances which caused the injury, and recommend the appropriate corrective measures to eliminate the hazard and prevent future occurrences, ensuring such findings and recommendations are documented on the Supervisor Report.

The Department Head will:

Review all reports completed for that Department related to the Personal Injury for accuracy and completion.

Have the original copy of such reports delivered to Human Resource within forty-eight (48) hours of the date of the Personal Injury or as otherwise approved by County Administrator.

Review the reports related to the Personal Injury and then forward such report to Human Resources for further review and investigation.

#### Procedures for Reporting Accidents/Incidents Involving Motor Vehicle or Special Mobile Equipment

Any Employee having an Accident or Incident while in a County Motor Vehicle or on-the-job in a personal vehicle must:

Notify the appropriate local law enforcement agency

Notify his/her Supervisor (if injured, see Section III(B) above)

Complete the Employee Statement of Accident/Incident

If applicable, employee shall report immediately to Drug Testing Facility for Post-Accident Drug Screening (see Drug Testing Policy).

The Supervisor, upon learning that an Employee under his/her direct supervision has been involved in an Motor Vehicle Accident/Incident while on-the-job or in a county vehicle or involved in an Accident/Incident, must:

Ensure employee reports immediately to Drug Testing Facility for Post-Accident Drug Screening if required (see Drug Testing Policy).

Complete the Accident/Incident Report.

Investigate the circumstances which caused the Motor Vehicle Accident/Incident or Accident/Incident and recommend the appropriate corrective measures to eliminate the hazard and prevent future occurrences, ensuring such findings and recommendations are documented on the Supervisors Report form.

Ensure any county-owned vehicle Mobile Vehicle involved is taken to Fleet Maintenance or approved repair shop for assessment, photos, and repair evaluation.

The Department Head, upon learning that an Employee in his/her Department has been involved in a Motor Vehicle Accident while on-the-job or in a county vehicle or in an Accident will:

Review all reports related to the Motor Vehicle Accident or Accident involving for accuracy and completion.

Ensure that an original copy of the Traffic Accident/Incident Report is delivered to Human Resources within forty-eight (48) hours of the date of the Accident or as otherwise approved by County Administrator.

#### Procedures for Reporting (Non-Motor Vehicle) Incidents/Accidents

Any Employee involved in an Incident/Accident while on-the-job must notify his/her immediate Supervisor and complete the Employee Statement of Accident/Incident

### **Evaluation of Accidents, Incidents and Personal Injuries**

#### Evaluation and Record Maintenance

Human Resources shall evaluate and categorize events as Accidents, Incidents and/or Personal Injuries.

Further, Human resources shall maintain records related to all Accidents, Incidents and Personal Injuries.

#### Discipline

Accidents – Accidents are reviewed by Department Head, and Administration to determine whether the event was an “Unavoidable” Accident or Injury or an “Avoidable” (and Chargeable) Accident Injury and recommend discipline.

Incidents – Discipline is handled at the Department level.

### **Return to Work**

#### **BRYAN COUNTY RETURN TO WORK PROGRAM**

It is the policy of Bryan County to provide and establish a return to work policy and procedure for Employees with work-related injuries and illnesses that are unable, temporarily or permanently, to return to their usual job duties.

Because Bryan County recognizes that its Employees are a valued and limited resource, this program is designed to:

Assist the medical recovery process by providing a focus and a goal of return of the injured Employee to his/her usual job duties.

Benefit Employees by allowing them to return to full wages as soon as possible.

Benefit employer by reducing workers’ compensation costs.

#### Process:

Bryan County will seek to make available return-to-work opportunities as soon as medically reasonable through the use of transitional employment for all Employees who are temporarily disabled due to an on-the-job injury. Transitional employment opportunities will be considered in all Departments, not just the Department in which the injured Employee was working before the injury or illness occurred.

Transitional employment assignments are intended to assist workers who are transitioning back to work after a temporary disability that resulted from a work-related injury. All transitional employment duties must be productive.

## **Critical Incident Policy**

### **Introduction**

In the event of a Critical Incident, Bryan County recognizes that appropriate infrastructure must be in place beforehand to ensure the provision of all necessary support services.

This document outlines Bryan County's policy, support mechanisms and procedures for managing a Critical Incident. This policy ensures that Bryan County has an effective approach in responding to Critical Incidents as they occur and provides for appropriate training and information for County employees.

### **Definition**

A Critical Incident is defined as "a traumatic event, or the threat of such which causes extreme stress, fear or injury."

Critical incidents may include, but are not limited to:

Attempted suicide, suicide or other death;

A missing employee;

Severe verbal or psychological aggression, if by someone other than an employee

Witnessing a serious accident or incidence of violence, if by someone other than an employee

A fire, riot/disturbance or other natural disaster (e.g. epidemic, earthquake, flood, windstorm, hailstorm, extremes of temperature);

Bomb-threat, explosion, gas or chemical hazard.

### **Critical Incident Coordination**

When a Supervisor or employee observes an act of violence at work the steps to take are simple, even though the underlying issues may not be.

**IN IMMEDIATE EMERGENCY SITUATIONS CALL 911 FOR LOCAL POLICE, SHERIFF'S OFFICE, FIRE DEPARTMENT AND/OR EMERGENCY MEDICAL ASSISTANCE.**

As with any other emergency involving fire, violence, or medical incidents, the first thought and action is to call 911 and report as many details as soon as possible so that the appropriate emergency response units can be dispatched.

**SECOND STEP.** Immediately contact:

Department Head involved;

Human Resource Director; and

County Administrator

All first responders and those providing emergency medical assistance in coordination with the Department Head, Human Resource Director and the County Administrator will ensure that resources are coordinated in their support and response.

Other steps following a Critical Incident will flow from this initial contact, including any required disciplinary action and aftercare help for employees involved in or who witnessed the Critical Incident.

THIRD STEP. Actions to be taken:

Secure the area, if possible  
 Ensure the safety of all employees  
 Assess the need for support/counseling  
 Restore to regular routine as soon as possible  
 Complete Critical Incident Report

#### REVIEW OF REPORT AND INCIDENT

The Department Head, Human Resources Director and County Administrator will meet to discuss the Critical Incident Report.

The purpose of this meeting will be to evaluate the Critical Incident process and make modifications, if necessary.

### ARTICLE IV: EMPLOYMENT PRACTICES

**Objectives.** The objectives of establishing the following employment practices *to* enhance the employment conditions in Bryan County with the belief that fair and equitable employment practices lead to greater job satisfaction and productivity.

#### **Affirmative Action.**

1. It shall be the policy of Bryan County to select, develop and promote employees based on the individual's ability and job performance. It has been, and shall continue to be, the policy of Bryan County to provide Equal Employment Opportunity to all people in all aspects of employer/employee relations without discrimination because of race, color, religion, creed, sex, national origin, age or physical handicap. This policy affects decisions including but not limited to, an employee's compensation, benefits, terms and conditions of employment, opportunities for promotion, training and development, transfer, and other privileges of employment. It is the policy of the County to ensure equality of opportunity through special programs of Affirmative Action. It is further the policy of the County to comply with the letter and spirit of applicable local, State and Federal statutes concerning Equal Employment Opportunity and Affirmative

Action. If voluntary affirmative action is needed in any department in the county, the appointing authority will develop an affirmative action plan and administer the plan for the particular department.

2. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline, salary increase, or any other aspect of personnel administration because of race, creed, color, sex, age, national origin, religion, mental or physical handicap, or any other factor not related to requirements of the position is hereby prohibited.

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

**Type of Appointments.** The County recognizes three (3) types of appointments that apply to both original appointments and to promotions. They are non-competitive and competitive appointments.

1. **Non-Competitive Appointments** - It will be the County's policy to promote from within whenever possible. Non-competitive promotions shall be consistent with fair employment practices. This type of appointment applies to temporary and part-time employees who are not covered by these policies.
2. **Competitive appointments** - Competitive appointments are the normal practices of the County. When a vacancy occurs, a recruitment plan will be developed and implemented by the County Administrator. An applicant must be considered qualified for the job to be employed and when affirmative action goals have been met, the best qualified applicant will be employed.
3. **Emergency Appointments**- During the state of a declared or otherwise recognized emergency the County administrator may waive the normal hiring practices to employee personnel need for immediate relief. The County Administrator will also be able to appoint for a definitive period of time employees to position whose vacancy would cause hardship to the citizens of Bryan County.

**Probationary Period:** *No employee shall be considered to have successfully completed their probationary status until such time as a letter of support for the employee is forwarded to the County Administrator or their designees, and supporting documentation is delivered to and signed off on by same. The required period an employee serves upon entering County service or being promoted to a new position before obtaining classified service status; all new hires will complete a minimum of one year probationary status, employees transferring or promoted into new or existing position will complete a minimum 180 days of successful employment before being*

*recommend for full time status.*

1. A full-time employee may accumulate personal leave but shall not be permitted to take vacation leave during the *first six months (180 days) of their* probationary period unless the denial of such leave shall create an unusual hardship. Vacation leave may be granted to such employees only with the approval of the Department Head.
2. The employee, if dismissed during the probationary period shall not be entitled to exercise the right to appeal the dismissal, *likewise any employee whose probationary status is extended by the County shall have no right to appeal or contest any such decision.*
3. New employees may be dismissed at any time and without any rights of appeal during the probationary period if the Department Head or the County Administrator determines that the employee is incapable of satisfactorily performing the assigned duties.
4. Before the end of the probationary period, the Department Head shall indicate in writing to the County Administrator the following:
  - a. That he/she has discussed with the employee, the employee's accomplishments, failures, strengths, and weaknesses;
  - b. Whether the employee is performing satisfactory work;
  - c. Whether the employee should be retained in the position;
  - d. Whether the employee, if a new employee should be discharged; and or
  - e. Any other information as required by the County Administrator.
  - f. *Failure to meet the above standards shall result in the automatic extension of the employee's probationary period. Supervisors and Department Heads will be required to justify any such delay or inaction on their part.*

**Job Mobility.** It is possible for employees to voluntarily move upward, downward, or laterally in the organization. It is also possible for the employee to be involuntarily Fit **Promotion**

Bryan County makes every effort to promote from within. Promotions are subject to the following guidelines:

- a) Promotions may be permanent, temporary, or interim. The rate of pay on any promotion is contingent upon approval of the County Administrator.

- b) Candidates for promotion shall be chosen based on their qualifications and work records without regard to age, sex, race, color, creed, religion, national origin, physical handicap or disability.
- c) Any employee who is appointed to work in an interim position where he/she performs the duties of a vacant existing position of a higher classification for more than two consecutive pay periods shall be temporarily moved to the higher class and salary range and receive the compensation due for a promotion as noted in this Section. Interim appointments are not to exceed one calendar year. Once the employee is no longer performing the duties of the interim position and returns to their former position, classification, and salary range, they will thereafter lose the monetary incentive pay for the interim position and will revert to the salary to which he/she would have been entitled had they remained in their permanent position. Any employee who is appointed to an interim position shall have no right to appeal if the employee is removed from the position for any reason during the interim appointment period.
- d) The promotional probation period for a current employee is six months after being promoted to a new position on either a permanent, temporary, or interim basis. Unsuccessful completion of the evaluation period may result in the employee being reassigned (based on qualifications and job availability).
- e) All employees (classified or probationary) are eligible for promotion or may apply for another position within the organization.

### **Demotion**

A Department Head, with approval from the County Administrator, may demote a member of the classified service or a regular part-time employee for documented instances of inefficient performance of his or her job duties, disciplinary concerns, and failure to pass required tests or other good cause. When an employee is demoted to a lower position, the employee shall be paid at a rate which is within the approved range for the lower position.

### **Transfer**

If a vacancy occurs and an employee is eligible for a transfer, the Department Head wishing to hire the employee shall request the transfer. All regular transfers are subject to the approval of the County Administrator.

**Transfers.** If a position is open at an equivalent pay grade, an employee may request that the Department Head offer them consideration to transfer to that position. If the knowledge, skill, and abilities required for that job are not the same as for the present job, the employee will be tested and interviewed for the new position. The County Administrator may transfer an employee to a position, at the same pay grade, if the employee is qualified to do the work and if the salary is not changed. The County Administrator may temporarily transfer an employee to a higher or lower position without a change in salary. A temporary transfer to a higher position may be made for up to one hundred eighty (180) days without giving a salary increase.

**Procedure for Filling Vacant Positions.**

The County's recruitment and selection activities shall be directed toward securing and maintaining the most qualified personnel available consistent with the County's ability to competitively attract and retain such personnel. All action relating to filling of vacancies shall be conducted in accordance with the County's Equal Employment Policy.

It is the responsibility of the Human Resources Division to place or have placed a public advertisement in a conspicuous location easily accessible to the employees and the public in the Administration Building and on the County's website. In addition to the public notice, an advertisement may be placed in the local newspaper and/or one or more professional publications. The public notice and advertisement may contain the following information: the identity of the government; announcement date and date after which applications will be accepted; the closing date for the position; position title and salary range; position qualifications; where to obtain an application; and the County's statement that it is an Equal Employment Opportunity Employer.

1. The Department Head is to request in writing and submit to the Personnel Department, the position to be advertised. The Department Head request and the announcement for the position shall specify the title, duties, responsibilities, minimum qualification requirements, manner of making application, and final date on which applications will be accepted. All job announcements will state that the County is an "Equal Opportunity Employer".
2. Applications may be obtained from the County Commissioners Office [or from the County's web page](#) and must be returned to said office within the time specified in the notice. Otherwise, the application will be taken but placed in a six (6) month holding file. The application will require information covering training, experience, and other job related information. All applications must be signed by the applicant.
3. Current county employees who wish to be considered for another classified position will submit their application within the advertising period, and his/her application will be reviewed for said position. When vacancies occur, applications already on file in the Commissioner's Office will be reviewed along with all new applications for said position. The County Administrator may modify the application form at his discretion. (Revised 3/11/14)
4. It is the policy of the County to employ according to job related qualifications. It is the policy of Bryan County to use all appropriate means to attract qualified candidates for employment, and to make such investigations and examinations as are deemed appropriate to assess fairly the aptitude, education, and experience, knowledge, and skills, character, physical fitness, and other qualities required for the position in the service of the County.

**Disqualification of Applicants.** After the job application closing date, the County

Administrator may disqualify any applicant who does not meet the requirements for the position, who practices or attempts to practice fraud or deception in completion of the application or who has an unsatisfactory past record of employment. The applicant may be required to submit proof of education, military service, necessary licenses, or any

other such documentation.

Depending on specific requirements of the job, one or more of the following selection criteria may be required of the applicant: performance and psychological tests, written examinations, oral interviews, reference checks, and driving and criminal history checks. The interviewer may ask whether an applicant can perform any of the essential functions and/or physical and mental requirements. If an applicant is unable to perform an essential function, it must then be decided whether a change in the job description would denote an “unfair hardship or burden” on the County. If an applicant is unable to perform an essential duty because of disability, this matter must be brought to the attention of the County Administrator. A substance abuse test is required for all prospective employees after a conditional offer of employment has been issued. If the applicant fails any required test even though they have been offered employment, the conditional offer of employment may be rescinded. Selected applicants and employees must have all required licenses and certifications required by a position before they apply for it, and upon request they must provide evidence that such licenses and/or certifications are current. Any misrepresentation of certification or of possession of a required license is grounds for termination.

**Selection Process.** The Department Head has responsibility for hiring employees for his/her department, and if a **highly qualified** current employee is not promoted to said position, the Department Head shall not interview less than three qualified applicants (provided applications from three qualified individuals have been received). If no qualified applicants apply for the advertised position, the Department Head cannot hire an applicant for a different position without first advertising the different position for a minimum of fourteen (14) days. Upon reaching a determination as to the best qualified candidate, the Department Head shall notify the County Administrator, no candidate can be offered in excess of the Minimum Starting Pay Rate, unless justified by the Department Head and approved by the County Administrator. Once the candidate has been selected and notified by the appropriate Department Head, Human resources will set up a date and time for orientation and new hire paperwork to be completed. No person shall begin work as an employee until he or she has completed an orientation session. The orientation session ensures that all new employees complete the proper employment forms for tax and benefit purposes and that all new employees receive and acknowledge receiving a copy of the County’s personnel policies and procedures. It is also imperative during the orientation session that the new employee provide the County with sufficient personal information to allow the County to establish employee records and implement appropriate fringe benefit actions.

**Selection Process for Department Head.** The process will be principally the same procedures outlined in paragraph 5-408. The County Administrator will screen all applicants and provide a list of the most qualified for interview. The appointing authority will interview at least three (3) qualified individuals (provided three qualified applicants apply). Upon reaching a determination the appointing authority will notify the County Administrator to offer the job to the selected individual pending medical evaluation and drug/alcohol screen.

**Performance Appraisal**, Reserved. (Revised 4/4/06)

**Objective**

The purpose of the employee performance evaluation shall be primarily to inform employees of how well they are performing their work and how they can improve their work performance. Such performance evaluation may also be used in determining merit raises or bonuses; as a basis for training, promotion, demotion, transfer, or dismissal; and for such other purposes as set forth in these policies.

**Period of Evaluation**

All employees except temporary and part-time workers shall be evaluated annually no later than (Thirty) 30 days prior to their anniversary date. Department Heads shall make every attempt to conduct annual evaluations for his or her department within a week's time, or as soon as possible. An employee shall not be eligible for any pay raise until the performance evaluation form has been completely processed.

**Evaluations**

Evaluations shall be prepared by the immediate supervisor of each employee and reviewed by the Department Head and the Director of Human Resources. **All Department Heads and Supervisors will attend an in house class on evaluations and rater training prior to being allowed to complete any employee evaluations.** Evaluations will be suited to each specific job classification. All evaluations requesting an increase will have sufficient documentation maintained throughout the course of the evaluation period, so that any lay person would recognize the need for the requested salary increase. In no case will any employee be recommended for an increase without documentation from the appropriate supervisor and signature of the Department Head. All increases require the final approval of the County Administrator.

**Review with Employees**

The evaluator shall discuss each performance evaluation with the employee being evaluated. If an employee disagrees with statements in an evaluation, such employee may submit, within ten (10) days following the conference with his or her supervisor, a written statement which shall be attached to the evaluation form and forwarded to the Human Resources Director.

**Confidentiality of Performance Evaluations**

Performance evaluations shall be confidential and shall not be made available except as required by law or at the request of the employee only to the employee evaluated, the employee's department head, the Human Resource Director and the County Administrator.

**Effective Date**

This performance evaluation process shall become effective in fiscal year 2016

1. Supervisors are responsible for providing evaluations that are objective, appropriately documented, timely, and communicated clearly to employees. Supervisors are also required to provide ongoing communication and feedback concerning employee performance.
2. Reviewing Administrators share responsibility for ensuring that measurement criteria and ratings are substantiated and applied consistently by supervisors. The Department Heads will initiate annual inspections for the performance evaluation system to determine if objectives are being met.
3. Training will be provided periodically to supervisors and reviewing Administrators. This training will address their responsibilities in performing and managing the review process.

## **PERFORMANCE IMPROVEMENT PLAN**

A non-probationary employee who receives an overall rating of decreased performance or unsatisfactory at the annual review will be placed on a Performance Improvement Plan. Employees may be placed on a Performance Improvement Plan for failing to follow County or Department Policies and rules. Also an employee may be placed on a Performance Improvement Plan at any time when their supervisors feel that performance is sufficiently deficient to support such action.

Before an employee is placed on a Performance Improvement Plan, a meeting with the Department head will be held. This meeting will include the employee, the supervisor who performed the review, Plans will be scheduled for a six-month period, but may be extended if the employee is absent for a significant period of time due to sick leave, military leave, extended vacations or other extended absences.

Employees may be disciplined while in a Performance Improvement Plan, including written counseling, reprimands or termination. If an employee on a Performance Improvement Plan commits an offense that would normally result in suspension, termination, or demotion they may still be suspended or terminated.

To successfully complete the Plan employees must receive satisfactory evaluations two months into the Plan, four months into the Plan, and at the conclusion of the plan unless more frequent evaluations are specifically required by the plan. Failure to meet these criteria will be considered as failure to successfully complete the Plan.

Each Plan is designed to address individual developmental needs. The Plan is defined in writing using the Department Performance Improvement Plan form as included in this SOP. The employee will be given specific examples of prior work behaviors that are deficient. A written corrective action plan will be included. A written progress report will be provided to the employee at a minimum in the two month and four month stage of the plan. The feedback will address progress the employee has made and areas that

continue to need improvement. A final review of the plan will be completed within 30 days of the successful completion of the plan. Employees who are terminated or resign during a performance Improvement Plan will not require a final review.

**Separations.** Any employee may voluntarily resign, abandon the job, be separated in a reduction-in-force, or be dismissed for disciplinary reasons as described in Article XII.

**1. Resignation-** Resigning Department Heads are encouraged to give a minimum of 4 weeks' notice. A minimum of two weeks' notice is expected of all other resigning personnel. Such notice should be given to the Department Head. Department Heads shall notify the County Administrator and Human Resources of the resignation.

**2. Reduction in Work Force-** In the event that a reduction in the work force becomes necessary, consideration shall be given to the quality of each employee's past performance, organizational needs, and seniority in determining those employees to be retained. Employees who are laid off because of reduction in work force shall be given at least two weeks' notice of anticipated lay-off. No classified service employee shall be separated while there are temporary or probationary employees serving the same function in the department, unless the classified service employee is not willing to transfer to the position held by the temporary or probationary employee.

**3. Disability-** An employee may be separated for disability when the employee cannot perform the essential functions of the position because of a physical or mental impairment, with reasonable accommodation. The employee or the County may initiate action but it shall be supported by medical evidence certified by a physician in all cases. The County may require an examination to be performed by a physician of its choice at the expense of the County. Before an employee is separated for disability, a reasonable effort shall be made to locate alternative positions within the County's service for which the employee may be suited.

**4. Death-** An employee who dies while employed by the County shall be separated from service effective as of the date of death. Accumulated ~~annual~~ leave and any salary due the employee shall be paid to the estate of the deceased. In the case that the employee dies in the line of duty, (defined as any employee who is killed while on duty and in connection with the duties of his/her position), accumulated sick leave shall be paid to the estate of the deceased employee.

**5. Dismissal-** An employee may be discharged at any time for cause. A probationary employee may be discharged at any time during the probationary period with or without cause. The County Administrator with approval of the Commoner's shall have the authority to discharge or remove Department Heads with or without cause, when it is judged to be in the best interest of the County. Department Heads and serve at the pleasure of the County and shall not possess a property right to their position.

**6. Abandonment of Position-** Failure to report to work for two or more consecutive workdays, or leaving assigned duties, without proper notification and authorization shall be cause for dismissal and shall be documented as abandonment of position. Employees who find it necessary to be absent, or leave their assigned duties, shall be responsible for notifying their Supervisor or Department Head no later than thirty minutes after their work shift begins, (for call-in situations), and immediately before leaving assigned duties. Emergency service employees shall be responsible for calling thirty minutes prior to the time their shift begins. In all cases, Department management has the authority to assign duties as needed. Failure to work as assigned, or leave work without proper notification will constitute job abandonment.

**7. Individuals Seeking Re-employment by the County** - All employees previously employed by the county, where involuntary separation occurred, that are seeking re-employment must be reviewed and approved by the appointing authority before rehiring.

**Establishment.** A classification plan has been established and is maintained and filed in the Human Resources Office. The plan is available for review by county employees.

**Basis for Position Classification.** Each position shall be assigned or allocated to an appropriate job classification on the basis of the kind and level of its duties and responsibilities to the end that all positions in the same classification shall be sufficiently alike to permit the use of a single descriptive title, the same tests of competence and the same salary range, thus carrying out the basic principle of classification, which is equal pay for equal work. A job classification may contain one position or a number of positions. The County Administrator shall from time to time review the job classifications and submit a report thereof to the Commission.

**Changes in Classification Plan.**

1. The classification plan may be amended from time to time by the County Commission. Such changes may result from the need of creating new positions, changes in organization or changes in assigned duties and responsibilities.
2. The County Administrator *with support from the Human Resources Director* shall review all requests for creation of new positions, the abolition or consolidation of present positions, reclassification of positions to different job classes, or the reallocation of positions to new salary range. In such reviews, the County Administrator, *with support from the Human Resources Director*, shall study the current duties and responsibilities of the position concerned and recommend to the Commission appropriate action necessary to ensure the correct classification and allocation of the position.
3. Each Department Head shall report to the County Administrator any changes in the organization or assignment of duties and responsibilities to a given employee which results in changes in the position-classification plan or in the classification of any of the positions within the department.

## ARTICLE V: PAY FOR EMPLOYEES

**Pay Plan.** The pay for all employees is established by the pay plan for the class of position in which they are employed. The pay plan will be amended from time to time at the discretion of the Commission *and as otherwise denoted*.

**Pay Scale.** For each class of position, a minimum starting pay is assigned. Initial employment is normally at minimum pay but depending on the employees experience and the recommendation of the Department Head and concurrence of the County Administrator, the employee may be employed above the minimum pay specified for the position.

**Notice to Employees of Pay and Salary Range; Basis for Further Increase.** After each class or position has been assigned to a minimum salary and the pay plan and rules for its administration have been adopted by the commission, each employee shall be advised of the applicable pay and the job classification to which the position title has been assigned. Further salary increases will only be applicable if:

1. The position is reclassified;
2. The employee is promoted to another position having a higher salary grade;
3. A general salary increase is granted to all employees;

**New Appointments.** Generally, a new employee will be paid the minimum of the approved position to which the new employee is appointed. *Initial employment is normally at minimum pay but depending on the employees experience and the recommendation of the Department Head and concurrence of the County Administrator, the employee may be employed above the minimum pay specified for the position.*

**Promotions.** When an employee is promoted to a position in a higher class, the employee's salary shall be increased to the minimum rate for the higher class. In the case of overlapping ranges, the promoted employee shall be increased to a salary above the employee's previous salary.

**Reinstated Employees.** A reinstated employee shall be paid in accordance with Section 5-504.

**Transfers.** The pay of an employee transferred to another position of the same pay classification shall remain unchanged

**Demotions.** An employee demoted to a position of lower job classification shall be reduced to the salary of the new classification.

**Pay Period.** The pay period for all employees hired shall be every two weeks. The

recorded pay cycle run from the beginning of the period for each department to be determined by each department head. In all cases employees will be paid on Friday. In rare occasions it may be necessary for an employee to receive their pay earlier than Friday; these instances will be approved on a case by case basis with Department Head and Human Resources coordination and the approval of the County Administrator.

## **ARTICLE VI: APPOINTMENTS**

**5-601 Vacancies.** The **Human Resources Division** shall publicize vacancies to be filled, encourage qualified county employees to apply for upward classification, and seek new applicants.

**5-602 Application for Appointment: Form and Design.** Department Heads shall examine applications of applicants for employment and recommend applicants for appointment to vacancies existing within their departments. Appointments shall be made on the basis of ability, training, and experience without regard to age, race, creed, national origin, sex, religion, or handicapped status.

### **5-603 Types of Appointments.**

1. **Permanent Appointment** - Appointment to permanent positions shall be made only when a vacancy in a permanent classification exists and such appointments shall be subject to a probationary period.
2. **Temporary Appointment** - In the absence of an appropriate list for filling vacancies, temporary appointments may be made for a period not to exceed twelve (12) months. No temporary appointment shall be construed to confer tenure of office by the employee and any temporary appointments may be terminated at any time.
3. **Emergency Appointment** - When an emergency exists and in order to prevent stoppage of public service or inconvenience to the public, appointments may be made for a period not to exceed thirty (30) days.
4. **Exempt Appointments** - Appointment to positions identified by elected County Officials as personal staff.

### **5-604 Pre-Employment Medical Examination and Drug/Alcohol Screening/MVR**

Prospective employees shall be required to complete a drug/alcohol screening as a condition for employment. Any prospective employee applying for any position of a "safety-sensitive" nature, including, but not limited to Fire, EMS, Deputy, CDL Holder, Jailer, Detention Officer, Communication Officer and Transit Driver will be required to complete a pre-employment medical examination, as well as the drug/alcohol screening. The physician to conduct the examination(s) shall be selected by the county and expenses for the examination(s) assumed by the same.

It is the policy of Bryan County and a requirement of employment that every employee filling a position that requires a valid driver's license have a motor vehicle record (MVR) specified grading requirements. This MVR policy applies both to drivers of entity owned

vehicles, and employees using personal vehicles in the course of their employment as well. Employee MVR's will be examined prior to the date of employment and every two (2) years thereafter. Any job offer made where the job requires a valid driver's license will be contingent upon a MVR meeting the required standards. Continued employment with the County in a position requiring a valid driver's license will require an MVR meeting the specified standards.

**Type A Violation** – Includes (but not limited to) DWI/DUI/OWI/OUI, refusing substance test, reckless driving, manslaughter, hit & run, eluding a police officer, any felony, drag racing, license suspension and driving while license suspended. Any driver with these types of violations is a major concern.

**Type B Violation** – Includes all vehicle accidents regardless of fault.

**Type C Violation** – Includes all moving violations not classified as Type A or Type B. (speeding, improper lane change, failure to yield, running red lights or stop signs)

**Type D Violation** – Includes all non-moving violations (illegal parking or vehicle defects).

**Criteria:**

Declination, Termination or Reassignment to a Non-Driving Position:

One or more Type A violations in preceding 36 months

Two or more Type B violations in preceding 36 months

Three or more Type C violations in preceding 36 months

One Type B violation and two Type C violations in preceding 36 months

**Probation:**

One Type B violation in preceding 36 months

Two Type C violations in preceding 36 months

One Type C violation and two Type D violations in preceding 36 months

Three Type D violations in preceding 36 months

Employees placed on probation will have MVR reports conducted every 6 months, and will remain on probation until such time as violations are reduced to an acceptable level.

## ARTICLE VII: TYPES OF EMPLOYMENT

**5-701 Full-Time Employment.** Full-Time employees shall be defined as personnel who regularly work forty (40) hours or more per week for not less than six (6) consecutive months. Personal leave and holidays count as time worked for this purpose.

**5-702 Part-Time Employment.** Part-Time employees are those employees who work less than twenty-eight (28) hours per week. (Revised - 11/11/14)

## ARTICLE VIII: LEAVE

**Personal Leave.** Personal leave is based on years of service to the County and is

computed as follows: Annual leave is to be considered on the basis of a calendar year, January 1 through December 31. The maximum personal leave which may be earned is thirty (30) days or 240 hours per calendar year for employees working 2,080 hours during the year. If more than 30 days (240 hours) are needed during any calendar year, it must be approved by the Department Head and the County Administrator. **Regular full-time employees shall accrue annual leave based on actual hours worked beginning on the first day of employment. Note that new full-time employees accrue annual leave from their first date of employment but are not eligible for annual leave until they have completed a period of six (6) months.** All regular full-time employees shall accrue annual leave based on the following schedule:

**80 hour standard Employee's 8 hour shift**

80 hours	6.67 hours per month First Year
112 hours	9.33 hours per month after 12 months
144 hours	12 hours per month after 60 months
192 hours	16 hours per month after 120 months
216 hours	18 hours per month after 180 months
240 hours	20 hours per month after 240 months

**84 hour NON standard Employee's 12 hour shifts**

84 hours	7 hours per month First Year
120 hours	10 hours per month after 12 months
153 hours	12.75 hours per month after 60 months
203 hours	16.92 hours per month after 120 months
222 hours	18.5 hours per month after 180 months
252 hours	21 hours per month after 240 months

**106 hour NON standard Employee's 24 hour shifts**

106 hours	8.83 hours per month First Year
142 hours	11.83 hours per month after 12 months
180 hours	15 hours per month after 60 months
228 hours	19 hours per month after 120 months
276 hours	23 hours per month after 180 months
318 hours	26.5 hours per month after 240 months

The maximum personal leave hours which may be carried over to a new calendar year is **480** hours. Zero (0) hours will be banked. Leave accumulated over **480** hours during a calendar year must be taken by the employee, or the employee will forfeit any accumulated personal leave over **480** hours. Any full time employee resigning from service of Bryan County voluntarily and in good standing will be paid for all accumulated personal leave. Any full time employee retiring from county service can be paid lump sum for accumulated personal leave, or the employee may take terminal leave to use the accumulated personal leave. (Revised-6/01/04) *This change represents the best usage of time in conjunction with the Family Medical Leave Act. All employees currently below the 480 threshold will be held to the new policy requirements, those over this threshold will be held to their current leave.*

1. When a regularly scheduled holiday occurs during the period of an employee's leave, an additional day of leave shall be granted.
2. Employees resigning voluntarily and in good standing from county service will be paid for earned but unused leave. Employees dismissed or not resigning in good standing will

not be paid for earned ***or*** unused leave.

3. Leave shall be scheduled with, department operational requirements foremost and insofar as possible, the request of employees, with regard to seniority. Employees shall submit in writing a request for vacation to their department head at least two (2) weeks prior to the desired leave date. Department Heads shall meet the same requirement with requests submitted to the County Administrator.

- A. If an employee does not report to work because of illness, the employee must, at the earliest possible convenience on that date, notify the appropriate Department Head. Leave may be withheld unless such a report has been made. A physician's statement will be required for absences of three (3) or more consecutive days. A physician's statement may at any time be required when absence occurs frequently or habitually, provided the employee has been warned in writing.
- B. A leave form must be signed by the employee giving the date(s) the employee was absent from work. This must be completed promptly upon the employee's return to work. The Department Head is charged with the responsibility of reporting the necessary information to the Personnel Clerk.

**Bereavement Leave.** A maximum of five (5) days leave may be used at any one time for the bereavement of an immediate family member. This leave WILL NOT be deducted from employee's Personal Leave. Employees will produce any required documentation upon a supervisor's request.

**Civil Leave.** An employee will be granted civil leave when it is necessary for the employee to answer subpoena, perform emergency civilian duty for national defense, or serve on a jury. The employee has two options: 1) turn into County Clerk all compensation received from the civil authority and receives regular pay from the county, or 2) use personal leave at regular rate of pay and keep all compensation paid by the civil authority.

**Military Leave.** Georgia law requires that paid leave be granted to members of the Reserve and National Guard under certain conditions, and leave-of-absence is required under other conditions. These policies are in compliance with the law.

1. **Ordered Duty** - In compliance with O.C.G.A. 38-2-279, any employee ordered to military duty shall be placed on military leave with pay for a period of time not exceeding a total of eighteen (18) days in any one calendar year and not exceeding 18 days in any one continuous period of absence.
2. **Declared Emergency** - According to O.C.G.A. 38-2-279, in the event the Governor declares an emergency and orders any employee to State active duty as a member of the National Guard, the employee shall receive pay for a period not exceeding thirty (30) days in any one calendar year and not exceeding thirty (30) days in any one continuous period of active duty service.
3. **Leave-of-Absence** - According to O.C.G.A. 38-2-279, any voluntary member of the Reserve or National Guard shall be entitled to absent himself and shall be deemed to have a leave-of-absence as an employee while in attendance at any service school conducted by the Armed Forces of the United States for a period

up to six (6) months during any four (4) year period. Leave-of-Absence may be granted in cases of temporary disability and other emergency situations. A leave-of-absence prevents a break in service, but no benefits such as leave or time toward retirement shall accrue during leave-of-absence.

- a. **Leave-of-Absence while engaged in performance of ordered military duty** - According to O.C.G.A. 38-2-279(b), every public officer or employee shall be entitled to absent himself and shall be deemed to have a leave of absence from duties or service as a public officer or employee while engaged in the performance of ordered military duty and while going to and returning from such duty. (Revised 8/3/04)

**Maternity Leave.** Maternity leave is to be charged to leave to the extent available, or may, at the option of the employee, be taken without pay. Employees who desire to work beyond the sixth (6th) month of pregnancy shall submit a physician's certificate stating the employee is capable of performing her duties and that continued employment will not adversely affect the health of the employee and/or unborn child. An employee shall be reinstated in her current position, providing she returns to work within [the twelve \(12\) week FMLA guideline](#), following the termination of pregnancy.

**Leave Without Pay.** Upon recommendation of the employee's Department Head, the County Commission may grant leave without pay for a period not to exceed ninety (90) days when it is in the best interest of the County and the employee. When the leave without pay expires, the employee has the right to be reinstated to the position vacated if the position still exists, or to some other vacant position in the same class if the position no longer exists. Leave without pay may be requested for (1) illness when the employee does not have sufficient accumulated leave, (2) for vacation when the employee does not have sufficient accumulated leave. In addition, an employee may be placed on leave without pay when leave is taken without prior approval or when an employee is absent without notification.

**Holiday Leave.**

1. The County observes the following paid holidays each year:
  - New Year's Day (January 1)
  - Martin Luther King Day (January - Third Monday)
  - All Presidents Day (February - Third Monday)
  - National Memorial Day (May - Last Monday)
  - Independence Day (July 4)
  - Labor Day (September - First Monday)
  - Veterans Day (November 11<sup>th</sup>- Each Year)
  - Thanksgiving Day and the following Friday
  - Christmas Eve and Christmas Day
2. When a holiday falls on Saturday, it is observed on the Friday before. If it falls

- on a Sunday, it is observed on the following Monday.
3. Uninterrupted continuation of services is required of some County Departments. Consequently, the work schedule of some employees in these departments sometimes necessitates they work on authorized holidays. Holiday leave for these employees shall be as follows: (Revised - 2/2/10)
    - a. Employees whose scheduled day off falls on an authorized holiday shall be granted a workday of leave with pay at a later date within the same pay period. No employee will be authorized to save holiday.
    - b. Employees who are required to work on an authorized holiday shall elect to be paid straight time for the holiday, in addition to their regular pay for that day, or they may take a day off at a later time within the same pay period. Employees who fall under this category are 911, Sheriff's Department, Jailers, or any employee who may be required to work in an emergency situation.

**Temporary Disability.** A disabled employee may exhaust all accrued leave. When paid leave is exhausted, the employee may be placed on leave-of-absence without pay (see paragraph 5-806), depending on the duration of the absence and the need to fill the position. A doctor's statement will be required to determine the length of leave necessary. Maternity and other temporarily disabling conditions associated with pregnancy will be treated as any other disability.

**Family and Medical Leave Act 1993.** As provided by the 1993 Family and Medical Leave Act (FMLA), all eligible employees shall be entitled to take up to twelve (12) weeks of unpaid, job-protected leave during any twelve (12) month period for specified family and medical reasons.

1. **Family Leave Eligibility:** The FMLA provides up to twelve (12) weeks of unpaid, job-protected leave every twelve (12) months to eligible male and female employees for certain family and medical reasons. To be eligible, you must have worked for the County for at least one (1) year, and for 1,250 hours over the previous twelve (12) months. There also must be at least fifty (50) employees working for the County at the time of leave request.
2. **Covered Family and Medical Reasons:** An eligible employee shall be entitled to twelve (12) weeks of unpaid leave during a twelve (12) month period for one or more of the following reasons:
  - (a) the birth or placement of a child for adoption or foster care;
  - (b) to care for an immediate family member (spouse, child or parent) with a serious health condition;
  - (c) to take medical leave when the employee is unable to work because of a serious health condition;

- (d) a serious health condition, which shall be defined as an illness of a serious and long-term nature resulting in recurring or lengthy absences. Treatment of such an illness would occur in an inpatient situation at a hospital, hospice or residential medical care facility, or would consist of continuing care provided by a licensed health care provider.
- (e) A family member who has been called to or is on active duty in the armed forces may take up to 12 weeks of FMLA leave when they experience a “qualifying exigency”. **Qualifying Exigency** is defined as: A situation(s) in which the employee is needed to fulfill family and childcare responsibilities for covered service members who have been called to active duty. (Revised - 3/4/08)
- (f) Employees who have a family member injured in the line of duty are entitled to injured service member leave if they’re the “spouse, son, daughter, parent, or next of kin” of a covered service member who has a serious injury or illness. Qualifying employees are entitled to a combined total of 26 weeks of leave (including traditional FMLA leave) in a 12 month period, as opposed to the usual 12 weeks. (Revised - 3/4/08)

### ***Duties of Employees***

*Employees must:*

- A. *Provide thirty (30) days advance notice prior to the date of leave when the leave is foreseeable;*
- B. *Make reasonable efforts to schedule treatment so as not to disrupt the operations of the County;*
- C. *Provide certification of a serious health condition in a timely manner to the employer;*
- D. *Obtain a second opinion at the expense of the employer if requested by the employer;*  
*and*
- E. *Apply accrued paid leave for part or all of the twelve-week leave.*

### ***Duties of the Employer***

*Employers must:*

- A. *Provide leave to eligible employees;*
- B. *Provide group health insurance coverage during leave on the same terms as if employees were still active. Employer shall require the employee to pay his/her share of the health insurance coverage during the time he/she is on leave whether it is paid or unpaid leave;*
- C. *Preserve any employment benefits accrued prior to the leave, but not during the leave. The employer is **not required to continue accrual of benefits while the***

**employee is on leave; and**

- D. Restore the employee to the same or similar position upon return. After the twelve (12) week period there is no obligation on the employer's part to guarantee the employee's return to work.

**Exemptions**

- A. Employers may exempt key employees (highest paid 10%) whose leave would cause the employer to suffer economic hardship. An employer may limit husbands and wives who are both County employees to a combined twelve (12) weeks leave in cases of childbirth, adoption, or caring for ill family members. Leave for eligible personal health care is unique to each employee regardless of marital status.
- B. An employee who is no longer able to perform the essential functions of the job they left when placed on Family and Medical Leave may not be returned to that position if a reasonable accommodation cannot be made that would allow the employee to perform the essential functions of the job. The employee may be returned to another job they can perform. If an employee is no longer able to perform the essential functions of their job, no reasonable accommodation can be made to allow them to perform the essential functions of the job, and no other job opening is available that the employee can perform the employee may be terminated.

An employee may take leave if a serious health condition makes the employee unable to perform the functions of his/her position. Employees with questions about whether specific illnesses are covered under this policy are encouraged to meet with a representative from the Personnel Department.

3. **Calculation of Leave:** Eligible employees can use up to twelve (12) weeks of leave during any twelve (12) month period. The County will use a rolling twelve (12) month period measured backward from the date an employee uses any FMLA leave. Each time an employee uses leave, the County computes the amount of leave the employee has taken under this policy, subtracts it from the twelve (12) weeks, and the balance remaining is the amount the employee is entitled to take at that time. For example, if an employee has taken five (5) weeks of leave in the past twelve (12) months, he or she could take an additional seven (7) weeks under this policy.
- (a) Employees who request injured service member leave must meet the same eligibility requirements as employees, who seek leave for other purposes, see 3 above. (Revised - 3/4/08)
4. **Maintenance of Benefit:** An employee shall be entitled to maintain group health insurance coverage on the same basis as if he/she had continued to work at the County. To maintain uninterrupted coverage, the employee will have to continue to pay their share of insurance premium payments. This payment shall be made either in person or by mail to the County Clerk's Office by the 1<sup>st</sup> day of

each month. If the employee's payment is more than thirty (30) days overdue, then the insurance coverage will be terminated by the County.

If an employee informs the county that he/she does not intend to return to work at the end of the leave period, the County's obligation to provide health benefits ends immediately. If the employee chooses not to return to work for reasons other than a continued serious health condition, the County will require the employee to reimburse the County the full amount of insurance premiums that the County contributed towards the employee's health insurance during the leave period.

If the employee contributes to a life insurance or disability plan, the County will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the County will request that the employee continue to make those payments, along with the health insurance payments. If the employee does not continue these payments, the County will recover all payments from the employee at the end of the leave period, in a manner consistent with the law.

**Other benefits such as the accrual of seniority will not continue during leave. However, the use of family or medical leave will not be considered a break in service when vesting or eligibility to participate in benefit programs is being determined.**

5. **Periodic Reporting:** If an employee takes leave for more than two weeks, we require that the employee reports to us at least every two weeks on the status and intent to return to work. Health Insurance: If you are covered by our group health plan, we will continue to provide paid health insurance during FMLA leave on the same basis as during regular employment. If the employee does not return to work after the leave, the employee will be required to pay back all portions of the insurance premiums that the County paid during the leave, unless your failure to return to work is beyond the employee's control.
6. **Job Restoration:** An employee who utilizes family or medical leave under this policy will be restored the same job or a job with equivalent status, pay, benefits and other employment terms.

The County may choose to exempt certain highly compensated "KEY" employees from this job restoration requirement and not return them to the same or similar position at the completion of FMLA leave. Employees who may be exempted will be informed of this status at the time FMLA is requested. If the County deems it necessary to deny job restoration for a key employee on FMLA leave, the County will inform the employee of its intention and will offer the employee the opportunity to return to work immediately.

7. **Use of Paid and Unpaid Leave:** If an employee has accrued paid leave of less

**than twelve (12) weeks, the employee will use paid leave first and take the remainder of the twelve (12) weeks as unpaid leave.**

**If an employee uses leave because of his/her own serious medical condition or the serious health condition of an immediate family member, the employee will first use all paid personal leave, and then will be eligible for unpaid leave.**

An employee using leave for the birth of a child will use paid personal leave for physical recovery after childbirth. The amount of personal leave utilized after this point will be decided on a case by case basis. The employee then may use all paid personal leave, and then will be eligible for unpaid leave for the remainder of the twelve (12) weeks.

An employee using leave for the adoption or foster care of a child will use all paid personal leave first, and then will be eligible for unpaid leave for the remainder of the twelve (12) weeks.

8. **Intermittent Leave and Reduced Work Schedules:** In certain cases, intermittent use of the twelve (12) weeks of family or medical leave or a part of a reduced work week may be allowed by the County. Employees wishing to use leave intermittently or to utilize a reduced work week for birth or adoption purposes will need to discuss and gain approval for such use from the employee's department head and the Personnel Department.

Employees may also use family or medical leave intermittently or as part of a reduced work week whenever it is medically necessary. If the need to use leave is foreseeable and based on preplanned and prescheduled medical treatment, then the employee is responsible to schedule the treatment in a manner that does not unduly disrupt the County's operations. This provision is subject to the approval of the health care provider.

**In some cases, the County may temporarily transfer an employee using intermittent or a reduced work week to a different job with equivalent pay and benefits if another position would better accommodate the intermittent or reduced schedule.**

9. **Procedure for Requesting Leave:** All employees requesting leave under this policy must complete the Family/Medical leave form available from the Personnel Department. When an employee plans to take leave under this policy, the employee must give the County thirty (30) days' notice. If it is not possible to give thirty (30) days' notice, the employee must give as much notice as is possible. An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to the County's operations.

While on leave, employees are requested to report periodically to the

County regarding the status of the medical condition, and their intent to return to work.

10. **Procedure for Notice and Certification of Serious Health Condition:** On occasion, the County may require the employee to provide notice of the need to utilize leave (where it is possible to know beforehand) and/or may require the employee to provide certification of an employee's or immediate family member's serious health condition by a qualified health care provider. The employee should try to respond to such a request within fifteen (15) days of the request, or provide a reasonable explanation for the delay.

Qualified health care providers include: doctors of medicine or osteopathy, podiatrists, dentists, clinical psychologists, optometrists, and chiropractors, nurse practitioners and nurse-midwives authorized to practice under State Law and performing within the scope of their practice under State Law; and Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts.

When seeking certification of a serious medical condition, an employee should ensure that the certification contains the following:

- (a) Date when the condition began; expected duration; diagnosis; and a brief statement of treatment.
- (b) If employee is seeking medical leave for his/her own medical condition, certification should also include a statement that the employee is unable to perform the essential functions of the employee's position.
- (c) For a seriously ill family member, the certification should include a statement that the patient requires assistance and that the employee's presence would be beneficial or desirable.
- (d) If taking intermittent leave or working a reduced schedule, certification should include dates and duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule.

If deemed necessary, the County may ask for a second opinion. The County will pay for the employee to get a certification from a second doctor, which the County will select. If there is a conflict between the original certification and the second opinion, the County may require the opinion of a third doctor. The County and the employee will jointly select the third doctor, and the County will pay for the opinion. The third opinion will be considered final.

**Personal Leave Donation:** Donated Leave Policy

The Bryan County Board of Commissioners recognizes the need of its employees in times of catastrophic illness or injury and understands the financial needs faced by these employees. The Bryan County Board of Commissioners understands that in times of such crisis an employee may easily exhaust their earned donated leave and vacation time due to a catastrophic illness or injury. With this in mind the Board of Commissioners has authorized a Donated Leave Pool to be established for such unfortunate cases.

I. Policy Guidelines:

Definitions:

Full Time Employee - an employee as defined in the Bryan County Board of Commissioners Personnel Policy.

Catastrophic Illness or Injury- an unforeseen illness that results in dilapidating circumstances which are certified by a physician and hospitalization, home assisted, or other serious medical care

Administrative Officer -the Board of Commissioner's appoints the County Administrator to oversee administration of this donated leave pool policy. The County Administrator will appoint an individual to serve as the director of the pool. The director will serve at the discretion of the County Administrator for a term specified by the County Administrator, but not to exceed two years in any appointment. The County Administrator may designate him/her self as program manager provided no individual is available or willing to serve.

Recipient - Eligible employee applying for donated leave from the Leave Pool

II. Eligibility:

Any recipient or donor in this program must be a full time employee of the Bryan County Board of Commissioners as established by the personnel policy. Any recipient or donor in this program must have been a full time employee of the Bryan County Board of Commissioners for at least twelve (12) months.

III. Participation:

In order to participate in the Bryan County Board of Commissioners Employee Donated Leave Pool an employee must make a minimum donation of twenty four (24) hours of

his/her leave. Employees that have short term disability may enroll with sixteen (16) hours of his/her leave and employees with both short term and long disability may enroll with eight (8) hours of leave. Only those employees who donate to this pool will be eligible recipients of this pool. Participation in this program will be on a voluntary basis. An employee will also be able to enroll in this program during open enrollment as established by the Bryan County Board of Commissioners. These dates are to be set by the County Administrator; existing members may donate days any time during the year

IV. Usage Guidelines:

The recipient must have exhausted all of their accrued leave. Leave from the pool may only be granted in the event of a catastrophic illness or injury.

The recipient must make official application on the established form for the use of donated leave from the pool. This application must be accompanied by a physicians note verifying the applicant's condition and the necessity for the applicant's absence for the period of days applied for. The Department head signature and approval of the request is also required.

Leave may be approved up to the maximum of Twenty consecutive (20) days from the donated leave pool for each application per approved illness or injury.

Each member of the donated leave pool will only be eligible to receive 30 days from this pool each calendar year.

**Donations of leave to the Pool are non-refundable.**

All grants from the Pool will be based on availability. If the pool has been exhausted, then no days will be granted until available days have been donated.

All grants from the Pool are based on a first come first served basis of eligible applicants.

Maternity leave is excluded from coverage by the Pool. Exceptions will be considered where medical complications arise from normal pregnancy.

Donated leave days will not be granted to employees who are eligible to receive Worker's Compensation.

Any participating employee withdrawing donated leave shall not be required to replace those days except as a regular contributing member to the Pool.

Exception:

Alleged abuse of the Pool shall be investigated and, on the finding of wrong doing, the employee shall repay all of the donated leave credits drawn from the Pool as well as face consequences which result in suspension or termination.

Bryan County Board of Commissioners  
Donated Leave Pool Application

Recipient Information

Name: \_\_\_\_\_ Department: \_\_\_\_\_ Title: \_\_\_\_\_

Current leave balance: \_\_\_\_\_

I am applying for \_\_\_\_\_ hours of donated sick leave for the date(s) of \_\_\_\_\_:

I have attached the required doctors supporting documentation.

Reason for Absence:

**RECIPIENT STATEMENT OF UNDERSTANDING**

I certify that I am not currently receiving any paid benefit as a result of my employment with the County such as Worker's Compensation. I understand that I am not eligible to simultaneously receive Worker's Compensation while receiving pay from this donated time. I understand that donated sick hours paid to me will not exceed my normally scheduled minimum work hours per pay period. Additionally, I understand that compensation received under the Sick Leave Donation Program is considered taxable **income**.

Recipient Signature

Date

Department Head Signature:

Date:

My signature affixed to this document signifies my approval of the employees' request.

APPROVED ( ) DENIED ( )

Committee Chair:

Date:

Bryan County Board of Commissioners

Donated Leave Pool Membership Application  
Member Information

Name: Department: Title:

Current leave balance: \_\_\_\_\_

( ) I am donating \_\_\_ of leave for membership in the Leave Pool.

( ) I do not wish to participate in the leave pool at this time.

MEMBER STATEMENT OF UNDERSTANDING:

I have read the Leave Pool Policy as adopted by the BCBOC. I understand the policy and agree to participate as the policy specifies. I understand that I must make a minimum donation of twenty four (24) hours of his/her leave. Employees that have short term disability may enroll with sixteen (16) hours of his/her leave and employees with both short term and long disability may enroll with eight (8) hours of leave.

Recipient Signature: Date:

Committee Chair: Date:

Leave  
Pool  
Committee  
Chair:  
Date:

**Declared Mandatory Evacuation.** (Revised 10/04/05) In the event the Governor of the State of Georgia or the Chairman of the Bryan County Board of Commissioners deems it necessary to call for a mandatory evacuation of Bryan County, Georgia, certain departmental employees will be required to remain for disaster relief efforts. The following departments will be put on stand-by and housed in county facilities, when necessary:

Sheriff's Department (As deemed by the Sheriff)  
EMA  
EMS  
Fire Department  
Public Works Department (As deemed by the Director)  
Tax Assessor's Department (Chief Appraiser & Field Appraisers)  
Planning and Zoning/Engineering and Inspections (Director, Zoning Administrators, Building Inspectors, County Engineer).

The employees required to be on stand-by will be paid for all hours worked at their normal pay structure in accord with the Federal Wage and Hour Laws & Regulations. Employees required to actively work during the declared emergency are eligible for hazard pay at a rate not to exceed twice the normal hourly rate of pay.

Employees not required by their supervisors to be on stand-by should evacuate as requested and will be deemed to use their personal leave for all time absent from work. If an employee does not have accumulated leave, then the employee will not be compensated during such absence.

## **ARTICLE IX: HOURS OF WORK**

**5-901 Authority of Established Hours of Work.** The County Commission shall set forth the hours of work for each Department, with all offices being open a minimum of forty (40) hours per week.

**5-902 Overtime/Compensatory Time - Approval and Designation.** Occasionally, employees may be called on to work overtime. Employees may be allowed compensatory time off for the period worked, or they will be paid at one and one-half the regular rate for all hours worked over forty (40) hours per week. Law Enforcement employees will receive overtime at a rate equivalent to half the regular hourly rate, for all hours worked over 171 hours in the twenty-eight (28) day work period or 86 hours during the fourteen (14) day work period. Any employee will still be required to account for their personal leave and report used leave. Any employee that abuses this policy and does not correctly report their personal leave will be subject to reprimand by the County Administrator. Ultimately, dismissal may result from repeated violations of this breach of conduct. Compensatory time may be given to hourly-waged employees for hours worked over the minimum number of hours required for a particular job. Employee may choose compensatory time in lieu of over-time pay. Employees working within BCES may work under the required

FLSA guidelines: The FLSA authorizes the establishment of work periods of not less than seven nor more than 28 days for public safety personnel. The regulations establish the maximum allowable non overtime hours as 212 hours per 28-day period for firefighters. For tours less than 28 days, the same ratio applies for allowable non-overtime hours. Some of the most common tours of duty and non-allowable overtime hours include:

- 28 days - 212 hours
- 21 days - 159 hours
- 14 days - 106 hours
- 7 days - 53 hours

*The purpose of the classification is to help determine what categories employees and new hires should be placed in regarding Department of Labor Fair Labor and Standards Act. The Bryan County Board of Commissioner's through the office of the County Administrator recognizes the following classes of jobs and their respective requirements under Federal and State Law:*

**Highly Compensated Employees-** This particular job class recognizes those employees that earn 100,000.00 per annum and as such are exempt from overtime regulations requirements. Employees in this class are credited for the performance of their work and not the particular hours worked in job related duties. This particular class of employee works non-traditional as well as traditional hours but is compensated not in hours worked but in total job performance. These employees are not required to track their time in the traditional sense and as such are exempt from being able to draw or collect overtime. This class of employee also is not required to track their leave in a traditional format, as in most cases Leave time will be negotiated by the County and Employee in their contract.

**Exempt Employees-** This particular class of employee (most often associated with Department Heads and some Professional Administrative positions) is charged with the direct supervision and influence of subordinate employees. The position works 40 + hours per week and receives no overtime compensation for hours worked beyond the standard weekly threshold of 40. This particular class of employee is again judged in job performance or productivity and not necessarily by the number of hours worked during the week. In this position the employee will be responsible to the County Administrator for the quality and quantity of work and performance not just of themselves but of those they supervise either directly or indirectly. In regards to leave this position is compensated at an agreed rate for services to be performed in the nominal 40 hour work week. The position is compensated for those hours based on agreed salary and job performance, if the employee works a minimum of four hours during the work day, they will have been credited with the full day. Employees in this classification must submit leave request for any period over four to the County Administrator for approval, pending job performance and current work load status. In no cases will employees in this classification fail to request such leave time without ensuring that a smooth and continuous flow of service to the citizens of Bryan County be uninterrupted.

**Exempt Salaried Employees-** This class of employee routinely performs task that are successfully completed in a 40 hour work week. This particular class of employee by job design, description, and salary (greater than 24,000.00 per annum) is not eligible for overtime compensation. The employee in this position may be required to work more than the standard 40

hours per standard week, for the agreed upon salary. These positions include highly skilled trades and administrative duties above simple clerical skills. This position maybe eligible for hour for hour compensation at the discretion of the County Administrator or their designee; Employees that work over the 40 hours maybe given that exact number of hours in straight compensatory time. Leave request for this classification will be based on the standard hour for hour principal.

**Non Exempt Salaried Employees-** This class of employee has accepted a salaried position, but their job duties and description do not rise to the level of exempt salaried performance. These employees generally work a 40 hour standard work cycle, and on occasion are required to work over the 40 hour threshold. These employees are to be compensated either by cash or compensatory time off at the 1.5 rate. Leave for this position is on an hour per hour principal. Supervisors of this class of employee are suggested to use any compensatory time on the books prior to using the employees PTO time accrued based on the years of service formula currently in place. All leave must be requested and approved through the employee's supervisor.

**Hourly Employees-** This class of employee is defined in the strictest sense as hour for hour based on job duties and description. The employee receives an agreed upon hourly rate of pay for service to the county. The employee is compensated for any hours above the 40 hour per week threshold. These employees are to be compensated either by cash or compensatory time off at the 1.5 rate. Leave for this position is on an hour per hour principal. Supervisors of this class of employee are suggested to use any compensatory time on the books prior to using the employees PTO time accrued based on the years of service formula currently in place. All leave must be requested and approved through the employee's supervisor.

The attached should help resolve any questions you may have or you may contact Human Resources. Employees considered "exempt" under Section 13(a) (1) of the FLSA will not receive overtime compensation.

1. Review minimum qualifications established for the job, including education, on-the-job training and experience.
2. Review prior job descriptions, job questionnaires and related documentation.
3. Confirm with Administrators that duties and qualifications are accurate.
4. Conduct workflow reviews—a useful tool in ascertaining job functions, processes, job boundaries and organizational operations. Schematics and charts can also prove to be helpful.
5. Gather organizational charts for departments and positions being reviewed.
6. Review policy manuals to determine functional autonomy of positions.
7. Gather prior performance reviews which document duties and responsibilities or respective positions.

**5-903 Authorization and Conditions Required to Accept Outside Employment.** Employees are expected to devote primary attention to the requirements of their county jobs. It is permissible to obtain outside employment if the employee first gains written approval from the appropriate Department Head and if :

1. There is no conflict in the working hours;
2. The employee's job efficiency is not reduced; and

3. There is no conflict of interests that could cause embarrassment to the county by employee.

## ARTICLE X: RULES AND REGULATIONS

### 5-1001 Political Activity.

No county employee in the classified service *shall actively advocate or oppose the candidacy of any individual for nomination or election to any county office.* Employees of Bryan County are encouraged to exercise their right to vote; but no employee shall make use of county time or equipment to aid a political candidate, political party, political cause or use his or her county position to persuade, influence, coerce or intimidate any person in the interest of a political candidate, party or cause. Employees shall be given up to one (1) paid hour off from employment duties to vote if job duties allow and he or she is eligible to vote.

Any county employee seeking elective office in public service within Bryan County or its municipalities shall, upon declaring candidacy, either resign or submit a request, in writing, to the County Administrator for a leave of absence without pay from date of his or her announcement through duration of the campaign or his or her assumption of office, whichever is later. If elected to an office, the employee shall immediately be separated from employment. If the employee is not elected to office, the County Administrator may, pending availability of position, reinstate him or her with the County upon written request and approval. Nothing contained herein shall be construed as giving to employee a right to return to work after the election

Employees are protected from political patronage. Likewise, the governing authority expects covered employees to avoid public political activity and involvement or interference with local elections. Prohibition against political solicitation and participation in local political campaigns afford protection for the employee as well as ensuring the integrity of the system by limiting the potential for a conflict of interest.

Employees are PROHIBITED from the following Activities on County Property during working hours:

1. Campaigning for an elected office
2. Making political speeches
3. Soliciting contributions for a candidate
4. Soliciting the sale of political party tickets
5. Engaging in political activities at the polling places (unless specially permitted by Georgia Law)
6. Acting as a poll watcher
7. Engaging in a political caucus

Nothing in this section shall be construed to prevent employees from becoming or continuing to be members of any political party, club, or organization; attending political

meetings, expressing their views in private on political matters outside working hours and off county premises; or voting with complete freedom in any election.

#### **5-1002 Employment of Relatives.**

The County may simultaneously employ more than one member of a family. While relatives currently employed within a Department may continue working in that department, in no case shall the family member be placed in a position with a direct report to, or under the supervision of, another family member. However, no newly hired employee will be hired into a department where an immediate family member already works. "Immediate family members" as used in the preceding sentence shall mean and include spouses, parents, guardians, brothers, sisters, sons, daughters, sons-in-law, daughters-in-law, grandparents, grandchildren, stepparents, stepchildren, step brothers/sisters, and other persons who are related by blood or marriage or reside in the same household.

It will be the responsibility of the Department Head to ensure there are no "direct reports" or supervision of family members within their department. It will also be the responsibility of the Department Head to report, and handle accordingly, any changes in relationships within the department from the adoption of this Policy forward.

The County reserves the right to reassign even current employees should any conflict arise within a Department due to relative relationships.

#### **5-1003 Travel: Reimbursement, Records, and Authorization Required.**

##### **Statement of Policy**

This Policy contains the regulations and information necessary to the traveler, and required for reimbursement of travel expenses. It is intended that this Chapter applies to Department Heads and all employees. It is the County's policy to allow travel on a limited basis provided that: (a) funding is available; (b) travel is duly authorized; and (c) travel is within the scope of the employee's employment and discharge of his/her official duties. On occasion, county employees are required to travel out of the immediate area. Out-of-area travel must have prior approval in writing of the appropriate Department Head, County Administrator or Commission Chairperson. Employees traveling outside the area shall notify the commission office of their itinerary. When possible, county vehicles will be used. In the event an employee has to use his/her personal vehicle to travel, the employee will be reimbursed. Mileage expenses for transportation in a personally owned vehicle shall be based on the rate per mile as prescribed by the IRS or previously established rates noted above. These rates are updated annually on January 1 of each year; the Chief Financial Officer will publish the revised rate as changes occur. If two or more persons travel to the same location in the same vehicle, only one such payment shall be made. Transportation other than by passenger vehicle will be reimbursed on an actual cost basis upon presentation of receipts and shall require approval from the County Administrator.

### **Authorized Travel and Expenses**

Travel and related expenses shall be authorized when a Department Head or employee is engaged in the conduct of official government business. A request for authorization to travel and secure reimbursement of resulting expenses must be completed in advance by the Department Head or employee and approved by the appropriate Department Head. A request that has been authorized by the Department Head will accompany each expense report submitted for reimbursement.

### **Registration, Lodging, and Travel Payments**

The following options are available for registration, lodging accommodations, or travel by common carrier as defined in herein and are subject to approval of the Department Director:

- (a) Upon receipt of a travel authorization request, the Finance Department may make necessary arrangements using a County credit card.
- (b) Upon receipt of approval to travel, the individual may arrange for registration, lodging and/or common carrier needs utilizing a personal credit card. If the individual elects to pay final costs with personal funds, reimbursement to the individual will be through the applicable reimbursement request form. If the individual elects not to pay final costs with personal funds, travel advance checks payable to the provider(s) may be generated and presented to the individual prior to departure as detailed in this Chapter.
- (c) Local and state government Elected Officials/Department Heads and employees are exempt from hotel/motel taxes while on official business in the state pursuant to O.C.G.A. § 48-13-51. Most hotels require that an exemption form be provided before allowing such exemption. Department Heads and employees should secure the appropriate exemption form from the Finance Department prior to travel.

### **Reimbursement of Expenses**

A request for reimbursement of expenses shall be submitted to the Finance Department within thirty calendar days following the date of return to work. Such request shall be made on such form as prescribed by the Finance Department. The request for reimbursement shall contain an itemized listing of all expenses incurred for such travel and must be approved and signed by the employee's Department Head. If a Department Head or employee fails to reconcile the account within the specified time period, and an extension of time is not granted by the Chief Financial Officer, the Chief Financial Officer may void such reimbursement claim. With the approval of the County Administrator or Department Head, the Chief Financial Officer shall be authorized to withhold any such cash advance or direct payment from the Department Head's or employee's paycheck.

### **Documentation of Expenses**

Documented and itemized receipts or other documentation shall be required for all expenses.

### **Allow-ability and Limitations of Expenses**

Payment by the County government shall be limited to the actual, necessary, and reasonable expenses incurred for authorized activities provided for in this Chapter. The standard for “reasonable” may be determined by the geographic location and other circumstances and the interpretation of this standard shall be made by the Chief Financial Officer or the County Administrator.

### **Meal Expenses for Travel Outside Bryan County and Documentation Requirements**

Department Heads are required to review the circumstances of each travel request to determine if meals are required giving consideration that meals are often provided as part of group activities and are included in registration fees. Department Heads will ensure that discretion is exercised in establishing any meal allowances on the Bryan County Reimbursement Form. Such allowances must be reasonable and be within the budget as approved by the Board of Commissioners. Actual meal expenses should be reviewed when the request for reimbursement is submitted. As addressed above, itemized receipts are required for all such expenses.

### **Meal Reimbursement Guidelines**

- A. Employees will be reimbursed for expenses for meals while on County business at the following maximum meal rates:  
\$ 50.00 a day maximum for meals
- B. Itemized receipts must be provided for meal reimbursement.
- C. Adjustments may be made to these amounts by the County Administrator for travel to high cost areas.
- D. For overnight out of town trips, a maximum of \$50.00 per day for meals applies only when individual meals are claimed.

### **Lodging**

Reasonable expenses associated with room accommodations will be paid for a hotel or motel upon presentation of an itemized bill. Whenever special rates are included as part of a planned program, payment will be made only for the special rate as long as such accommodation is available. Payment shall be limited to the single room rate. If Department Heads or employees elect to share a room, then double room rates will be paid.

### **Transportation**

#### **(a) Mileage Reimbursement**

Travel inside or in close proximity to Bryan County should be made in a government vehicle if available. If a government vehicle is not available for such purposes, reimbursement for mileage in a personally owned vehicle is allowable. Mileage expenses for transportation in a personally owned vehicle shall be based on the rate per mile as prescribed by the IRS. These rates are updated annually on January 1 of each year; the Chief Financial Officer will publish the revised rate as changes occur. If two or more persons travel to the same location in the same vehicle, only one such payment shall be made. A personally owned vehicle may be used for travel inside or outside the State of Georgia provided, however, that the allowable expense shall be the vehicle mileage

expense.

(b) Common Carrier

A common carrier shall be any scheduled airline, train, or bus and the rate shall be limited to the minimum fare available (economy or tourist). Roundtrip fares should be obtained whenever it will result in a cost savings and reservations should be made sufficiently in advance to take advantage of special savings plans offered by the carrier.

(c) Ground Transportation

Ground transportation by taxi, bus, or limousine is an allowable expense when actually incurred in conjunction with common carrier transportation to and from terminals, hotels, restaurants, and meeting locations if necessary. The most economical means of ground transportation should be used.

(d) Points of Departure and Return

The points of departure and return for travel status shall be either the office at which the Department Head or employee carries out his/her duties or his/her residence; whichever is more practical under the circumstances. The County, however, will only reimburse for actual miles traveled less the normal distance traveled to and from the Department Head or employee's residence and work, whichever is least.

(e) Direct Route

All travel should be by the most direct route. However, an expressway route, which involves more total mileage, may result in a savings in personnel time and, therefore, would be considered the more direct route. Reason and good judgment should be exercised in this determination.

### **Communications**

Telephone and "FAX" messages directly pertaining to official government business shall be allowable expenses. Claims for payment of such charges shall be itemized and shall include the location, the person contacted, and the justification for the communications.

### **Credit Cards**

Whenever allowable expenses are purchased or paid by credit card, the receipt shall include an itemization of expenditures or separate receipts must be obtained for each expenditure. A credit card receipt showing only an aggregate of charges, unless itemized, shall not constitute sufficient documentation and shall not be allowable without the County Administrator's approval.

### **County Issued Credit Cards**

Purpose:

The Bryan County Board of Commissioners recognizes that Elected Officials, the County Administrator, the Chief Financial Officer, Executive Employees and Department Heads are required to make expenditures of funds in the course of performing their functions in County government. The use of credit cards allows the County to be more effective, more

efficient, and more accountable to the public. Furthermore, the usage of a County issued credit card provides detailed purchase histories and other important record keeping information.

Guidelines for usage of County issued credit cards:

- For the carrying out of County business including reasonable travel, accommodation and meal expenses.
- The County recognizes that occasionally it will be beneficial for the County's business interests for a County official to purchase meals when working with other officials, business representatives or contracted agencies. Such use of the County issued credit card is recognized to be a legitimate expense of the County.
- No private expenditure shall be incurred, even if private funds are transferred or repaid immediately, to offset the expenditure.
- County issued credit cards will not be used in lieu of the normal purchasing procedures adopted by the County.

**Cancellation of County issued credit cards:**

The Chief Financial Officer or the County Administrator may cancel or order the surrender of any card which has been misused or abused. Such misuse or abuse of County issued credit cards will be handled as a disciplinary matter for County employees. Misuse or abuse of County issued credit cards by Elected Officials will be reported to the Board of Commissioners who will then determine what investigation and/or legal action should be taken.

**Registration Fees**

Registration fees for required and/or necessary certification testing, training, and continuing education sessions or similar activities shall be an allowable expense and payment shall be arranged in advance of the program date. The Department Head or employee shall be responsible for submitting the registration request to the Finance Department in sufficient time for the payment to be processed and mailed prior to any registration deadline. Optional assessments such as special events or personal memberships, which are not included in the registration fee, may not be deemed allowable expenses.

**Tips and Gratuities**

Tips or gratuities in conjunction with an authorized expense shall be allowable if they are determined to be reasonable by the Chief Financial Officer or the County Administrator.

**Parking and Toll Fees**

Expenses for parking and tolls shall be allowable if documented by paid receipt.

**Other Expenses**

The Chief Financial Officer and the County Administrator shall be authorized to pay other expenses, which may be incurred in conjunction with an authorized travel or activity if they are determined to be reasonable and proper. A claim for payment of such other

expenses shall include adequate documentation and justification to meet the purposes of this policy.

### **Unallowable Expenses**

The following expenses are specifically unallowable for payment:

Expenses incurred by any individual other than the Department Head or employee unless otherwise provided for in this policy. Expenses for entertainment.

Laundry service. Personal articles, toiletries, souvenirs, etc.

Expenses for alcoholic beverages. Payments to friends or other individuals for cost of meals, lodging, or transportation not a part of the authorized activity or program. Direct expenses of operation of a personal vehicle, such as gasoline, oil, parts, or repairs. Travel and related expenses incurred from a Department Head or employee's residence to his designated work site.

Any expenses incurred that are unrelated to official government business or activities as determined by the Chief Financial Officer and the County Administrator.

### **Family Members**

Expenses related to any County Official's or employee's spouse or any other family members accompanying the County Official and employee will not be covered.

**5-1004 Central Personnel File.** A central file of records on all personnel will be maintained by the Payroll Clerk. The file will contain for all employees the following:

1. Job application (for those employees on the payroll at the time of adoption of these rules, a similar form will be completed for informational purposes).
2. Copies of all positions or pay rate changes.
3. Attendance records, including all leave.
4. Other personnel action notices and personnel data required for the proper administration of the personnel program.

**5-1005 Personnel Record Changes.** If at any time, an employee's address, name, phone number, or other pertinent information changes, the changes should be immediately reported to the Personnel Department in writing, via the Personnel Action Form.

**5-1006 Inter-Department Labor Assistance Request.** If a situation arises in which the work load of a particular department necessitates the utilization of employee labor from other county departments, a request for such assistance shall be made at the Department Head level. Under no circumstances shall the Department Head of a department request or order an employee of another department to perform work duties outside the employee's normal assigned duties without Department Head approval.

**5-1007 Punctuality and Attendance.** Regular attendance and punctuality are essential to accomplishing the objective of providing efficient services to the public. Sometimes there will be a good reason for non-attendance and tardiness. In these situations, however, there are procedures that should be observed. An employee who is unable to arrive at work on time must either notify the supervisor or make arrangements for someone else to contact the supervisor as early in the workday as possible. This will allow the time to rearrange the work schedule with minimum possible inconvenience.

**5-1008 Care of Equipment and Supplies.** Equipment and supplies necessary for the proper performance of work are provided by the County. Misuse of equipment or waste of supplies result in high cost of governmental services. The serviceable life of most equipment can be greatly extended through use and preventive maintenance. It is the operator's responsibility to perform preventative maintenance and to operate equipment in a safe responsible manner. Additionally, no government equipment may be utilized for other than authorized county work and under no circumstances may county equipment be utilized for private purposes.

**5-1009 Attitude and Appearance.** All county employees shall treat the public with courtesy and respect, and to the extent possible, will be cooperative and responsive to legitimate requests for assistance from the public. All county employees will dress in a manner appropriate to their position as determined by the department head.

## COUNTY DRESS CODE

### SECTION I: Scope

The business casual dress code applies to all office and administrative personnel of Bryan County. This may or may not apply to uniformed employees or employees (such as Fleet, Building Maintenance, Building Inspectors, Tax Assessors, Animal Control/Code Enforcement, etc.) who work outside and in the field. These employees should follow guidelines set for their Department Head and should maintain a neat and well-groomed appearance nonetheless; in general adhering to the standard dress code when working conditions do not dictate another form of appropriate dress. In no cases should any employee dress in torn or ripped clothing while working as a representative of Bryan County. If shorts are permitted they must not be shorter than 2 inches above the knee.

### SECTION II: Guide

The following guidelines suggest what is or is not acceptable business casual attire:

Examples of Acceptable Attire:

- Knit or casual shirts with collars and or blouses
- Casual slacks; khakis
- Skirts (No shorter than two inches above the knee)
- Casual dresses or jumpers
- Casual dress shoes, flats or dressy sandals

For Further Clarification:

*Appropriate attire:* Business attire is to be worn by employees who do not wear uniforms.

Acceptable attire includes:

Men:

- Dress slacks
- Chinos or khakis
- Oxford button down collared shirts/Polo styled shirts
- Sweaters
- Business suits, blazers, or sport coats
- Footwear should be selected according to the type of work performed, keeping safety, comfort, and professional appearance in mind.
- On specific projects, as assigned, blue jeans without frays, holes, tears, patches, fading, etc. may be worn.

Women:

- Dress slacks
- Chinos or khakis
- Oxford button down collared shirts/Polo style shirts
- Blouses
- Sweaters
- Business suits or blazers
- Dresses and skirts no more than 2” above the knee
- Footwear should be selected according to the type of work performed, keeping safety, comfort, and professional appearance in mind.
- On specific projects, as assigned blue jeans without frays, holes, tears, patches, fading, etc. may be worn.

*Inappropriate Attire:*

- *Clothing that is see-through is unacceptable;*
- *Clothing should cover the chest, back, and midriff (including when standing, sitting, stooping, while arms are extended over the head or while bending over), and should not reveal undergarments;*
- *Clothing that allows excessive exposure of skin is not permitted;*
- *Athletic clothes including sweats, warm-ups, or workout clothing;*
- *Spandex or Lycra clothing (i.e. biker shorts/pants/body suits);*
- *“Flip Flops” are not allowed;*
- *Cut-off Shorts;*
- *Mid-drifts and crop tops;*
- *Tank tops, tube tops, halter tops, tops with spaghetti straps;*
- *Clothing that is excessively tight or loose, revealing, distracting,*
- *Clothing and jewelry that pose a safety hazard with the exception of medic alert jewelry;*
- *Bedroom shoes;*
- *Frayed clothing;*
- *Dirty or wrinkled clothing; or*

- *Clothing with vulgar or obscene words; or which features logos for alcoholic beverages, logos that are sexually offensive, contains profanity or other logos that are indecent, or are of a political nature.*
- *Sweat shirts and pants; athletic suits; bib overalls*
- *Any provocative, or inappropriate dresses*
- *Skorts or shorts*
- *Short skirts*
- *T-shirts, with or without writing or pictures; muscle shirts*
- *Thong style shoes; flip-flop sandals; beach/pool shoes; athletic shoes (unless a medical condition exists, in which case a physician's note is required)*
- *Spandex pants; form-fitting stirrup pants; leggings*
- *Baseball caps or other hats (except where appropriate according to job description)*
- *All clothing must be clean and free of holes, tears or rips. Bare midriffs are not acceptable*
- *All clothing supporting any current or future political candidate is prohibited*

### SECTION III: Casual Days

The Department Heads in conjunction with the County Administrator have the authority to determine which, if any, Fridays will be deemed casual days. It is important to remember that casual Fridays are a privilege and can be eliminated at any time. Please do not wear dirty or torn athletic shoes, T-shirts, with or without writing or pictures, or athletic gear/sweat suits on these days.

### SECTION IV: Administration

All supervisors are charged with enforcing the County's dress code policy. Any employee who does not meet the standards of this policy may be required to take corrective action, which may include leaving the premises. Any work time missed because of failure to comply with this policy will not be compensated. Repeated violations of this policy may be cause for disciplinary action.

### **5-1010 Workplace Romance/Consensual Personal Relationships**

The County does not prohibit consensual personal relationships between employees. However, due to the potential for favorable treatment or a conflict of interest, whether perceived or real, supervisor/subordinate romantic relationships are not allowed. The options for resolving the situation include moving one of the parties to another position within the organization or asking one of the parties to resign their position with the County. Refusal of reasonable alternative positions, if available, will be deemed a voluntary resignation. Those engaging in such relationships must disclose the relationship to their supervisor or the Director of Human Resources. The senior ranking person in the relationship is expected to make the disclosure.

In an effort to protect all our employees, the County reserves the right to reassign at least one of the individuals if any personal relationship causes a disruption to the work atmosphere. The County requires any employees in a consensual personal relationship

with one another, whether supervisor/subordinate or not, to notify the Director of Human Resources if the relationship ends, or is no longer consensual.

Failure to disclose the existence and/or termination of a consensual relationship which causes real or perceived favoritism or conflict of interest will be considered a violation of this Policy, subject to discipline up to and including termination.

## **5- 1011 Use of Vehicles for County Business**

### **Statement of Policy**

Vehicles owned by, titled to, or otherwise under the control of Bryan County are authorized for use in the performance of essential travel and transportation duties consistent with the assignment of any such vehicle to an employee by his/her applicable Department Head and County Administrator. Unless otherwise specifically provided by the applicable Department Head and County Administrator, use of a County vehicle is not authorized for unofficial travel duties or tasks or the transportation of unauthorized persons or items.

The Human Resources Director will periodically review reported accidents and injuries. Upon review of an accident, the Human Resources Director shall make a recommendation for disciplinary action if necessary. The recommended disciplinary action must be followed by the Department Head, at a minimum. More strenuous discipline may also be imposed by the Department Head and County Administrator based on the employee's overall personnel file and previous disciplinary actions.

### **Driver Responsibilities**

All drivers who operate a vehicle owned by, titled to, or otherwise controlled by the County are responsible for the proper care, use, and safety of the County vehicle. Moreover, all such drivers are required to meet the standards set forth in the Motor Vehicle Record ("MVR") requirements as detailed below in subparagraph (a). To the extent that there is a conflict between this Chapter and the MVR requirements, the most strenuous provision shall govern.

#### **(a) Motor Vehicle Record.**

It is the policy of Bryan County and a requirement of employment that every employee in a position that requires a valid driver's license have an MVR meeting the grading requirements as stated below. The MVR policy applies both to drivers of County vehicles and employees using personal vehicles in the course of their employment.

Employee MVRs will be examined prior to the date of employment and at least every two years thereafter, upon availability of funds. Employees must submit their driver's license every two years and authorize Bryan County government to obtain MVR information pertinent to verification of their driving history. Any job offer made requiring a valid driver's license will be contingent upon the MVR meeting the required standards.

Continued employment with the County in a position requiring a valid driver's license will require an MVR meeting each of the standards outlined below:

- (1) All operators must have a valid driver's license issued by the state in which they reside. Employees relocating from another state must adhere to O.C.G.A § 40-5-20 in obtaining a timely transfer to a Georgia license. A copy of the new license must be submitted to Human Resources.
- (2) For jobs requiring a valid driver's license, no Applicant with more than eight points will be hired.
- (3) All operators must at all times meet the insurability standards of Bryan County's current insurance carrier.

(b) Additional Requirements.

Drivers must also adhere to the following minimum responsibilities:

- (1) Possess and maintain a valid driver's license approved by the class appropriate for the vehicle;
- (2) Obey all traffic laws and practice safe and courteous driving;
- (3) Ensure that vehicles are used for authorized purposes only;
- (4) Report all accidents, no matter how trivial, to the applicable Department Head immediately and submit a written report of the accident within twenty-four hours to the Human Resources Director;
- (5) Accept legal responsibility for violations and fines resulting from actions of the driver. This includes personal responsibility for speeding and illegal parking tickets;
- (6) Follow drug and alcohol arrests and conviction reporting procedures;
- (7) Usage of any forms of tobacco and e-cigarettes is prohibited inside County vehicles by driver or passengers;
- (8) No vehicle owned by, titled to, or otherwise controlled by the County shall be driven home if the employee lives outside of Bryan County unless otherwise approved by the County Administrator.
- (9) No employee may alter the exterior or interior of a County vehicle in any manner, without the written approval of the applicable Department Head and the County Administrator.

Anyone misusing or abusing County vehicles, using the County vehicle for other than approved purposes, transporting non-County employees except as expressly permitted by the applicable Department Head and County Administrator, or taking a vehicle home when not approved by the applicable Department Head and the County Administrator shall be subject to appropriate disciplinary action, including dismissal, as deemed appropriate.

The County Administrator has the express permission of the Board of Commissioners to take home his/her County-issued vehicle and to use the vehicle for any and all County business and for all uses enumerated below.

## **Personal Vehicle**

Each employee is to make every effort to use a County vehicle whenever possible. An employee's use of his/her personal vehicle in the performance of County business may be necessary. To that extent, the following rules are in effect:

- (a) Approved officials or employees who use their personal vehicles for County business may be reimbursed on a per mile driven basis at the rate determined by the Internal Revenue Service for that current period. Mileage for transit between home and work does not qualify for reimbursement.
- (b) Reimbursement travel should only be done with the advance knowledge and consent of the applicable Department Head. Accurate and substantiated mileage records must be maintained and submitted by the employee to the Finance Department for reimbursement. Such reporting to the Finance Department must include written authorization from the employee's Department Head for travel reimbursement prior to the Finance Department remitting any funds for reimbursement to the employee.
- (c) The rate of reimbursement shall be raised or lowered annually as indicated on January 1, depending upon the rate used by the Internal Revenue Service.

## **Authorized Use of County Vehicle**

Unless otherwise provided by the applicable Department Head and the County Administrator, the following constitutes authorized use of County vehicles:

- (a) Transport of officials, employees, clients, or guests of the County;
- (b) The performance of law enforcement duties;
- (c) When on official travel status, between places of official business and temporary place of lodging;
- (d) When on official travel status, between places of official business, or temporary place of lodging and places to obtain meals or medical assistance;
- (e) Transport of consultants, contractors, or commercial representatives when in direct interest of the County;
- (f) Transport of representatives from federal, state, or local government when in the direct interest of the County;
- (g) Commute between place of dispatch or place of performance of official business to a personal residence when specifically authorized by the employee's Department Head to do so;
- (h) Transport of County recreation program participants only when authorized by the applicable Department Head and County Administrator;
- (i) While on active service call, or on active County business, use for lunch or while on break from County business; or
- (j) Transport of family members only when approved by the County Administrator.

## **Unauthorized Use of County Vehicle**

Unless specifically provided otherwise by the applicable Department Head and the County Administrator, the following are unauthorized uses of County vehicles:

- (a) Travel or performance of a task of a personal nature, not connected with the accomplishment of official business;
- (b) Transport of family members other than as specified above;
- (c) Transport of friends, associates, or other persons who are not employees of the County serving the interest of the County;
- (d) Transport of items of cargo having no relationship to the conduct of official business;
- (e) Loan of vehicle for use in non-County authorized functions, to persons that are not employed by the County, or to persons not authorized by the County to operate the County vehicle;
- (f) Transport of acids, explosives, Weapons, ammunition or highly flammable material, except in the performance of an authorized task in the normal performance of duties; or
- (g) Transport of an item, equipment, or cargo projecting from the side, front, or rear of the vehicle in such a manner as to constitute an unsafe delivery.

### **Seatbelt Use**

Available safety belts shall be used while traveling on County business. Occupants must use safety belts in County owned, leased, or rented vehicles whenever such vehicles are in use and also in personal vehicles when utilizing the same for County business. All employees operating equipment that contains seatbelts must wear the seatbelts.

If an employee is provided a County owned vehicle that is used in the course of his/her employment and is also available for that employee's personal use, that employee, together with all passengers who occupy the vehicle at any time and for any purpose, are required to use safety belts at all times the vehicle is in motion.

Emergency Services Personnel are not required to wear seat belts in the back of an ambulance while engaged in patient care.

Safety belt use shall be enforced in the same manner and with the same enforcement standards as any other work rules. The driver of the vehicle is responsible for enforcing seatbelt use by all occupants.

Failure to follow this policy will result in disciplinary action up to termination.

### **Cell Phone Use While Driving**

Employees should limit usage of cell phones while driving a County vehicle. Drivers should utilize hands-free equipment when making or receiving calls to avoid distraction. No emailing, texting, instant messaging or internet usage should be attempted while driving or stopped at a

traffic light/stop sign. It should be done while the vehicle is parked in a safe area dependent upon traffic and weather conditions.

## ARTICLE XI: SEPARATION OF EMPLOYEES

### 5-1101 Types of Separation.

1. **Dismissal** - An involuntary separation, except by expiration of term specified by law, suspension, layoff, or retirement.
2. **Suspension** - Involuntary separation during a limited period of time for disciplinary purposes.
3. **Resignation** - Voluntary separation.
4. **Reduction in Force**- Involuntary separation through no fault of the employee, as by reason of lack of funds, organizational changes, completion of temporary or restricted employment, or similar reason will have no adverse effect on the employee's eligibility for further employment.
5. **Retirement**- An employee may be separated from employment with Bryan County upon his/her retirement consistent with retirement eligibility contained in federal and state law, as well as in the Bryan County Retirement Plan. Any employee who wishes to retire shall provide written notice a minimum of fourteen calendar days prior to the intended retirement date to the affected Department Head. After providing notice of retirement, the employee is not eligible to utilize Personal Leave time without prior approval of County Administrator and only under special circumstances. All leave will be paid to the employee in a lump sum during the next pay period. The employee may choose to exercise terminal leave and have any accrued leave time used to calculate an earlier retirement date. Any employee eligible for the Bryan County Retirement Plan who retires from employment with Bryan County must terminate employment prior to receiving any benefit under the Retirement Plan.

**5-1102 Resignation Procedures.** The County Administrator, County Clerk and Department Heads are required to submit notices in writing to the County Commission at least thirty (30) days in advance of their intent to resign in order to leave the county service in good standing. All other employees are required to notify their Department Heads in writing two (2) weeks in advance of their intent to resign in order to leave the county service in good standing.

## ARTICLE XII: DISCIPLINARY ACTION

### 5-1201 Types of Discipline.

**Reprimands** - An oral or written advisement to the employee that some phase of the employee's work performance is not satisfactory and must be corrected to prevent the employee from exposure to more severe disciplinary action. Reprimands may be given by the Department Heads.

**Suspension** - Temporary separation from service for disciplinary purposes where the case is not sufficiently grave to merit dismissal. An employee may be suspended by the appropriate Department Head for a period not to exceed thirty (30) days within one (1) calendar year.

**Demotions** - Demotions are necessary in order that employees whose work has not been satisfactory, but who do not deserve dismissal, may be retained and assigned less difficult work. An employee may be demoted by the appropriate Department Head.

**Dismissals** - Dismissals may be made for inefficiency, insubordination, misconduct, drug/alcohol use on the job, or other just causes. A Department Head may dismiss a regular full-time employee within said Department Head's jurisdiction with concurrence of the County Administrator or County Commission.

## **DISCIPLINARY ACTION**

### **SECTION I: Timeline of a Disciplinary Action**

If an employee commits an offense for which any disciplinary action is necessary, his or her supervisor should take action as soon as possible after the supervisor obtains knowledge of the occurrence.

### **SECTION II: Oral Reprimand**

Any employee may be called in at any time for private conference with his or her supervisor regarding unacceptable behavioral patterns or work performance. The conference shall be documented in the employee's personnel file by his or her supervisor as soon as possible.

### **SECTION III: Written Reprimand**

A written reprimand may be given to any employee or a regular part-time employee when an oral warning has not resulted in the desired improvement or if the incident requires greater discipline than an oral reprimand. A copy of the reprimand shall be placed in the personnel file of the employee as soon as possible.

### **SECTION IV: Suspension without Pay**

A Department Head, with approval, may suspend an employee or regular part-time employee without pay for cause. The suspension period shall not exceed thirty (30) days. A suspension imposed pursuant to this section shall be reported to the County Administrator and the Human Resources Director immediately and must be reported the same day the employee is suspended.

The following is a separate and distinct provision from the above and foregoing provision with respect to employees and criminal activity. An employee who is under criminal indictment or who has a warrant taken out against him/her for a serious criminal offense may, after investigation by the Department Head and with the County Administrators approval, be suspended without pay for an indefinite period pending the outcome and resolution of the criminal charges. A written statement explaining the specific reasons for the suspension shall be forwarded to the Human Resources Director.

Any Bryan County employee who enters a plea of guilty, nolo contendere, guilty under the *First Offender Act*, or is found guilty of a felony or other serious criminal offense shall be

discharged from employment.

#### **SECTION V: Notification of and Review Procedures**

This section shall establish the procedures to be followed whenever a suspension without pay, demotion or dismissal is to be imposed upon a member of the classified service or a regular part-time employee (Department Heads), as well as provisional, probationary and temporary employees have no property right to their positions and therefore are not subject to this Section).

Whenever a Department Head has reason to believe cause for disciplinary action exists and that a suspension without pay, demotion or dismissal is warranted, the Department Head shall personally meet with the employee and provide oral notice of the charge and proposed disciplinary action, and the employee shall be afforded an opportunity to make an oral response to the Department Head. This meeting shall take place *before* a suspension without pay, demotion or dismissal is actually imposed. The meeting is to provide a check against the possibility of a mistake as to the facts, and to allow the employee to explain his or her actions and to respond to the proposed level of disciplinary action. The Department Head shall make a written record of the meeting.

If the Department Head still believes a suspension without pay, demotion or dismissal is warranted, the employee will be notified. The Department Head, Human Resources Director, and County Administrator will be notified as well. The disciplinary action shall take effect at the time specified by the Department Head in said notice.

A Department Head may suspend any employee *with* pay until the meeting described herein takes place and the Department Head's decision as to disciplinary action is made.

#### **SECTION IV: Last Chance Agreement**

##### **Employee Last-Chance Agreement**

*Note: Serious employee misconduct requires serious consequences. However, if immediate termination isn't wanted or warranted, consider entering into a last-chance agreement (LCA) with the employee. It can help turn around the employee.*

When an employee violates company policy or fails to meet performance expectations, Bryan County, in lieu of terminating employment, has the option of providing the employee with a final opportunity to continue employment. Example to follow:

“In this case, [Employee name] has [describe policy violation or reason for agreement]. Instead Of immediately terminating employment, [Employee] will be suspended from work without pay For [X] work days.”

A written disciplinary notice has been given to the employee on [date] regarding [violation or reason for agreement]. The employee has also received the employer's expectations, an improvement plan and a time period for improvement.

The employee understands this agreement is a final chance to remain employed with Bryan County. If the employer believes the employee has failed to make improvements or has

behaved inappropriately within the specified time period as described in the warning, the employee will face immediate termination.

The employee understands that Bryan County is an at-will employer. The employee agrees to comply with all company policies and procedures and understands that this agreement does not prevent the employer from taking disciplinary action, including termination, for violations.

Agreed to by: \_\_\_\_\_  
(signature)

Employee printed name: \_\_\_\_\_

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

Supervisor: \_\_\_\_\_  
(Signature)

Supervisors printed name: \_\_\_\_\_

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

Human Resources Director: \_\_\_\_\_  
(Signature)

Human Resources Director printed name: \_\_\_\_\_

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

EMPLOYEE DISCIPLINE WARNING NOTICE	
Employee Name:	Date:
Supervisor Name:	
Department:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Title:	<input type="checkbox"/>
<input type="checkbox"/> First Warning	<input type="checkbox"/> Second Warning <input type="checkbox"/> Other
Previous discipline meeting was held on:	
<b>1. Your behavior/actions have been found unsatisfactory for the following reasons:</b>	

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Lateness                 | <input type="checkbox"/> Rudeness                    | <input type="checkbox"/> Quality of work produced |
| <input type="checkbox"/> Damaged equipment        | <input type="checkbox"/> Fighting                    | <input type="checkbox"/> Policy violation         |
| <input type="checkbox"/> Refusal to work overtime | <input type="checkbox"/> Language                    | <input type="checkbox"/> Carelessness             |
| <input type="checkbox"/> Absenteeism              | <input type="checkbox"/> Failure to follow procedure | <input type="checkbox"/> Safety                   |
| <input type="checkbox"/> Insubordination          | <input type="checkbox"/> Failure to meet quota       | <input type="checkbox"/> Intoxication             |
|   | <input type="checkbox"/> Quantity of work produced   | <input type="checkbox"/> Use of illegal drugs     |
| <input type="checkbox"/> Other:                   |  |   |

**2. Previous meetings regarding this behavior were held on:**

**3. The latest incident occurred on:**

Date:

Time:

Place:

**4. The following corrective action must be taken by the employee:**

**5. Deadline:**

**6. If corrective action is not taken, the consequence will be:**

Last written warning

Suspension

Last chance

Termination

Other (specify):

Discussion:

**7. Follow-up meeting will be held on:**

Employee Comments:

Supervisor Comments:

Employee Signature:

Date:

*Note: Your signature on this form means that we have discussed the situation. It doesn't necessarily mean you agree that the infraction occurred.*

Supervisor Signature:

Date:

cc: Employee  
Supervisor  
Human Resources  
Personnel File

**5-1202 Cause for Reprimand, Suspension, Demotion, or Dismissal.**

Any employee of Bryan County may be dismissed (fired), demoted, suspended without pay, transferred to another position in the same class or reprimanded for the following reasons, including, but not limited to:

1. Incompetence or inefficiency in performance of work related duties;
2. Offensive conduct or conduct unbecoming an employee of the County on or off duty;
3. Insubordination or violation of any official order given by a supervisor or a regulation of the County;
4. Accepting bribes;
5. Conviction of a crime involving moral turpitude;
6. Negligent or willful conduct which results in damage to or waste of county, public or private property;
7. Inexcusable absence and/or excessive tardiness;
8. Failure to maintain credentials, certification, license or other requirement necessary to carry out the duties of his or her employment;
9. Stealing;
10. Illegal use, sale, purchase or unlawful possession of drugs (Controlled Substances, as defined by law);
11. Use, sale, purchase or possession of alcohol while on duty;
12. Participation in prohibited political activities;
13. Intentional falsification of official county records;
14. Participation in a strike against the County;
15. Possession of an unauthorized weapon while on duty;
16. Failure to cooperate in drug or alcohol testing;
17. Failure to cooperate in an investigation; or
18. Other activity, which is not compatible with good public service such as and including the following:
  - a. Employees shall abide by all federal, state and local laws, this Policy, and all official communications of the County.
  - b. Fraudulent Applications  
Employees who have misrepresented the facts in applying for employment, or in any subsequent applications for assignments in the department, through false statements or failure to disclose pertinent information, shall be subject to disciplinary action, including dismissal.
  - c. Duty Not to Give False or Misleading Information  
Employees shall not knowingly give any false or misleading information concerning the duties, responsibilities or actions of the County or any member thereof, nor withhold any information that is their duty to report, nor falsify any department documents.
  - d. Duty Regarding Respect of Fellow Employees  
Employees shall treat superiors, subordinates and associates with respect. They shall avoid censuring subordinates in the presence of others and shall not injure or

discredit those under their authority by intentional conduct or by abusive conduct. This section shall not be construed to prohibit informal oral reprimands or constructive criticisms directed to a subordinate. Any acts of counseling, disciplining, complaining or criticizing must be done positively and constructively in an appropriate and when at all times feasible private setting.

- e. Duty to Give Name Upon Request  
Failure to furnish identification as is consistent with one's duty is prohibited. To this end, a County employee shall politely give their name, and other pertinent information to any person upon request.
- f. Duty Not to Solicit Money, Goods or Services  
Employees, on or off-duty, shall not solicit money, goods, services, or special consideration except for charitable purposes and then only after obtaining permission from the County Administrator.
- g. Duty to Refrain From Accepting Money, Goods or Services  
Employees shall not accept money, goods, services, or special consideration as an inducement to perform or refrain from performing an official act. If the donor is anonymous or it is impossible to return the gift to the donor, the disposition of the gift will be made by the County Administrator. Employees shall not accept gifts from other employees junior in rank or position other than on special occasions, such as holidays or birthdays. Employees will not borrow or loan money to one another. This does not prohibit one employee from buying another employees lunch, etc. This is designed to avoid a potential future obligation between employees which may affect judgment in future action.
- h. Duty to Refrain From Disclosing any Information Relating to County Activities  
Discussion of the operations and official business of the County, which is of a confidential nature without the permission of a supervisor, is prohibited. All employees are prohibited from passing criminal history or driver's history information or any other document that is considered confidential to unauthorized persons. (For purposes of this section, all department documents and orders are to be considered confidential unless identified otherwise by a supervisor.) This section does not apply to orders that are of the nature that they must be communicated to others.
- i. Duty to Refrain From Revealing Telephone Numbers  
Employees shall not disclose private telephone numbers or addresses of any Bryan County employee to the general public.
- j. County Telephone  
Instructed employees shall maintain a reliable cell phone service which may be used for official contact. Employees have a duty to respond to calls on County subsidized phones at all times. Employees shall promptly notify via chain-of-command of any change of telephone number or any change of address.
- k. Duty Regarding Use of County Postage  
County purchased postage will not be used for mailing material not of a department or County related nature.
- l. Duty to be Alert  
Employees shall remain alert and not sleep while on-duty. Employees will not engage in acts which would inhibit their ability to respond to calls for service or

- otherwise affect their ability to perform in their capacity during their normal shift.
- m. Prompt Performance of Duty / Neglect of Duty  
Neglect of duty is failure to promptly perform as directed all lawful duties required by constituted authority, notwithstanding the general assignment of duties and responsibilities. To this end, there shall be no failure to give suitable attention to the performance of duty. Examples include, but are not limited to; failure to take appropriate action on an act or condition deserving attention, absence without leave, failure to report to duty at the time and place designated, unnecessary absence from one's assignment during a tour of duty, failure to perform duties comply with any rule or regulation, general or special order, or failure to conform to County operating policies and / or procedures, and in the case of a superior or supervisor, the failure to properly supervise.
- n. Prohibited Association / Frequenting  
Frequenting or associating with person(s), organizations, or places, known to be involved in criminal activity unless necessary for law enforcement business, where such associating or frequenting would be detrimental to the image of the County is prohibited. Employees will not engage in romantic relationships with subordinate employees or with employees who have a real or perceived level of authority over them. Any employee, who engages in a romantic relationship with a co-employee, must notify the County Administrator in writing.
- o. Subversive Organizations  
Employees shall not knowingly be a member of or affiliated with any subversive organization whose avowed purpose advocates the overthrow or disruption of the lawful function of any federal, state, county, or municipal government. Exceptions may be made when necessary in the performance of duty.
- p. Duty to Refrain From Recommending Certain Services  
Employees shall not, in their official capacity, recommend any particular legal counsel, bonding company, or wrecker service.
- q. Duty With Regard to Civil Proceedings  
No employee shall start any civil proceedings arising out of an action or activity as a County Employee without first notifying the County Administrator. Private civil actions which have no connection with a member's department position or official action are not within the scope of this rule.
- r. Duty to Report Summons as Defendant - Employees of the County shall immediately report, in writing, the facts of the matter to their immediate supervisor whenever they learn they are about to become a defendant in any criminal or job-related civil case. Members shall also report the facts of the matter to their immediate supervisor whenever they learn that any fellow member is about to be or is a defendant in any job-related civil case. The supervisor will contact the effected employee for validation of the information. A copy of the served papers should be furnished at the time of notification. The paperwork should be forwarded through the chain-of-command to the County Administrator via, to the County **Attorney** who will notify the appropriate **County** departments.
- s. Court Appearance  
Employees who are subpoenaed to any judicial hearing (criminal or civil) will honor said subpoena and notify their immediate supervisor in a timely manner.

Employees will appear in court anytime they have a case or are instructed to do so by a supervisor.

t. Serving as a Character Witness

Before giving testimony as a character witness for any defendant in a criminal or civil trial, employees will notify the County Administrator through the chain-of-command.

u. Duty Regarding Issued Items

Employees have the responsibility to maintain all issued items with diligence and report all losses, thefts, or damage of items consistent with department policy. Additionally, members shall return all equipment owned by the County upon separation, and shall return any equipment when ordered to do so by a supervisor. Employees deemed responsible for the loss or damage of issued items may, in addition to any disciplinary action given, be required to compensate the County for the loss or damage in a manner prescribed by the County Administrator or their designee.

Employees will immediately report in writing all damage to vehicles, property and equipment and file such report which contains all known facts surrounding the cause and nature of the damage.

v. Duty in Regard to Use of County Supplies or Services

Employees of Bryan County shall not draw county supplies or resources for their personal use. The use of the time, facilities, equipment or supplies of the county for private gain or advantage is prohibited.

w. Alteration or Modification of County Equipment

Employees of Bryan County shall not alter or modify any county equipment issued to them, or to which they have access, except as provided below. Any necessary modification or alterations may be made on the authority of the Department Head.

x. Leaving Keys in County Owned Vehicles

Leaving the keys to any unattended County owned vehicle in the ignition switch, or in plain view of any person looking into the window of the vehicle is prohibited. An unattended vehicle is one which is out of the immediate control of the operator.

y. Parking in Unauthorized or Reserved Parking Spaces

Parking of any employee's assigned County owned vehicle, or personally owned vehicle in another employee's assigned or reserved parking space at any Bryan County Building is prohibited.

Parking in designated handicap permit spaces or marked fire lanes, unless responding to an actual emergency is prohibited as well as in violation of State and local laws.

z. Duty With Regard to Bulletin Boards

Documents of official County or Commission business should be posted on official bulletin boards. Employees are responsible for reading daily posted

notices on bulletin boards.

Destroying or defacing any official written notice relating to County business is prohibited. The posting of or circulation of any notices of a non-official derogatory character relating to any person, group or activity is prohibited.

- aa. Duty to Refrain from Conducting Personal Business While On-Duty  
Employees shall refrain from conducting personal business while on-duty which inhibits their ability to perform their job or which decreases their expected performance.
- bb. Truthfulness / Cooperation  
Conducting business in a less than truthful manner is prohibited.
- cc. Fighting  
Fighting with another employee of the County is prohibited.
- dd. Possession / Use of Alcohol  
Employees shall not purchase, possess, use, or be under the influence of, or have the odor on their person of an alcoholic beverage while in uniform, on-duty, or in a County-owned vehicle, except in the line of duty.  
Possession and /or use of alcohol or alcoholic beverages on duty other than as authorized by specific job function or assignment are prohibited. At no time will an on-duty employee of the County use or be under the influence of alcohol to any degree or percentage, unless authorized by the appropriate County Authority.
- ee. Possession of Controlled Substances  
On-duty possession or use of controlled substances (as defined in OCGA 16-13), except with the approval and guidance of a licensed physician and with the knowledge of a supervisor is prohibited. In the event an employee has a controlled substance prescribed by a duly licensed practitioner, a written release from that practitioner will be required stating the employee is able to perform the assigned duties while under the influence of such controlled substance. At no time will an employee use or be under the influence of a controlled substance where such use or influence impairs the ability to perform the assigned duties.  
NOTE: To determine one's fitness for duty in relation to alcohol and / or controlled substances, all evidence and / or circumstances up to and including the results of an intoximeter, urinalysis, or blood test may be considered. In administering an intoximeter test, only a State certified instrument capable of printing test results will be used.
- ff. Duty to Respond to Assignments  
Employees shall respond to all assignments without argument and unnecessary delay. No employee shall fail to aid, assist, or protect a fellow citizen to the fullest extent of his / her professional capabilities in time of need in accordance with the policies and procedures of the County.
- gg. Reports  
Failure to promptly submit reports as are required by performance of an employee's duties or by constituted authority is prohibited. All reports shall be

- turned in at the employee's end of the duty day, unless specifically authorized not to do so by a supervisor.
- hh. County Records / Reports / Citations  
Stealing, forging, tampering with or unauthorized altering or copying of any Bryan County record, report or citation is prohibited. To this end, the removal of any record, card, report, letter, document, or other official file or media from the County Offices in which it is contained, except by process of law or as directed by a Department Head or a supervisor is prohibited. All reports, forms, memoranda, citations, or other papers utilized in this department shall be completed in black or blue ink, computer printed, or typed. Special projects may require deviation from this requirement.
- ii. Duty to Read / Understand / Comply With Policy  
Failure to read and / or comply with all laws, rules and regulations, general and special orders, policies and procedures of the County, or written or verbal orders of a supervisor is prohibited. To this end, it shall be considered neglect of duty to fail to inquire of a supervisor the meaning or application of any of the above directives or orders.
- jj. Violation of Law  
Violation or attempted violation of any federal, state, county or municipal law or ordinance is prohibited (whether criminal proceedings are instituted or not).
- kk. Issuance of Orders  
Orders from supervisors to subordinates shall be in a professional, clear, understandable language, civil in tone and manner and issued in pursuit of County business.
- ll. Use of Tobacco Products  
Use of tobacco products while in any County building, vehicle, or at any time while in personal contact with the public is prohibited. This policy will not apply to designated smoking areas at government or other public buildings such as restaurants. This policy does apply to use of smokeless tobacco in the office, and vehicles.
- mm. Cooperation within the County  
Cooperation among the departments, units and ranks within the County is essential. Therefore, all employees are charged with establishing and maintaining a spirit of cooperation within the County.
- nn. Misconduct Known to Personnel  
Failure to report an employee's violation of a law, rule or regulation, policy or procedure, or a general or special order is prohibited. To this end, all such violations shall be officially reported to a supervisor.
- oo. Conduct Unbecoming - On / Off Duty Conduct  
Engaging in conduct on or off duty which adversely affects the efficiency of the County, and has a tendency to destroy public respect for the employee and the County, or destroys confidence in the operation of the county service is conduct

unbecoming and is prohibited. Examples of such conduct shall include, but not be limited to the following:

1. Fraud in securing employment;
2. Conviction of any felony or of a misdemeanor involving moral turpitude or the entry of a plea of nolo contendere to either;
3. Misuse of County funds or property;
4. Falsification of County records, including application forms, time records, and financial records for personal profit or to grant special privileges;
5. Reporting to work or working under the influence of alcohol or drugs or partaking of such substances during working hours except that prescribed medication that does not adversely affect an employee's ability to perform assigned work may be taken within the limits set by a physician so long as medically necessary;
6. Instigation of, participation in, or leadership of a strike, sit-down, stay-in, sympathy strike, walk-out, slow-down, sick-out, or any other interference with stoppage, or restriction of work;
7. Concealment of a failure to report any employment, ownership interest, or personal activity in conflict with the legitimate interests of the County;
8. Engaging in infamous or notoriously disgraceful conduct that adversely affects the County's legitimate interests;
9. Insubordinate, rebellious, or factious conduct, Harassment of grossly disrespectful behavior toward other Employees and or County officials; or
10. Fighting during working time or on County property.
11. Engaging in sexual contact or acts while on duty.

pp. Cooperation with Administrative and /or Internal Investigations

Failure to fully cooperate with administrative investigations as described in this Manual is prohibited. Failure to answer questions, respond to lawful orders, render material and relevant statements in an internal investigation when such orders, questions and statements are directly related to job responsibilities is prohibited.

An employee will be dismissed for violation of any conditions or standards on the Bryan County Drug and Alcohol Policy.

Disciplinary action against an employee based on sex, age, creed, national origin, race, religion, handicap status, or for partisan reasons, shall be considered a violation of these rules.

## **5-1203 GRIEVANCES**

### **Definition**

A grievance is a claim or complaint based upon an event or condition, which affects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions. A grievance might involve alleged safety or health hazards, unsatisfactory physical facilities, surroundings, materials or equipment, unfair or discriminatory supervisory or disciplinary practices, unjust treatment by fellow workers, unreasonable work quotas, or any other grievance relating to conditions of employment. Classified service and probationary employees do not have the right to file a grievance.

### **Procedure**

Any County employee who has a grievance shall follow the grievance procedures set forth herein.

**Step One.** The employee with a grievance shall present the matter in writing to their immediate supervisor within ten (10) calendar days of its occurrence or within ten (10) calendar days of the time the employee learns of its occurrence, with the objective of resolving the matter informally. The supervisor is encouraged to consult with any employee deemed necessary to reach a correct, impartial, and equitable determination and shall respond to the grievance in writing as soon as possible after receiving the grievance.

**Step Two.** If the supervisor's decision or response is not satisfactory to the employee or if he or she fails to receive an answer within a reasonable period of time, the employee may submit the grievance in writing within ten (10) calendar days to the Department Head who shall hear the grievance and render a decision as soon as possible after receiving the grievance.

**Step Three.** If the Department Head's decision or response is not satisfactory to the employee, the employee may submit the grievance in writing within ten (10) calendar days to the appropriate Human Resources Director who shall hear the grievance and render a decision in writing as soon as possible after receiving the grievance.

**Step Four.** If the decision of the Human Resources Director is not satisfactory to the employee, the employee may file the grievance with the County Administrator by submitting the grievance, in writing, through the Human Resources Director within ten (10) calendar days following the decision reached in step three. The Human Resources Director will submit the grievance to the County Administrator who shall hear the grievance and render a decision in writing as soon as possible after receiving the grievance. **The County Administrator's decision shall be final.**

## **5-1204 -Appeals Procedure**

*All regular full-time employees are granted the right of appeal. The appeal must be filed within five (5) days of the effective date of disciplinary action. The employee must file the written appeal with the Human Resources Director.*

### ***SECTION I: Right to Appeal***

*A full time employee who is suspended without pay, whose pay is reduced as the result*

*of a demotion, or who is dismissed by his or her Department Head shall have a right of appeal to the County Administrator.*

***SECTION II: Procedure***

*Within five (5) working days of receiving a notice of the disciplinary action, the employee may request an appeal, in writing, through the Human Resources Department. Any appeal filed outside the five (5) days will not be honored and the appellant shall lose all appeal rights. The Human Resources Director will forward the notice to the County Administrator. The County Administrator will schedule a hearing on the appeal within a reasonable time, and in any event, no later than thirty (30) days of his/her receipt of the notice of appeal, unless the employee requests or consents to an extension of time. The hearing conducted by the County Administrator shall include an interview with the employee (unless the employee waives the right to be interviewed), and review of the employee's personnel file. The County Administrator shall also interview the Department Head. The County Administrator may, at his/her discretion, interview other witnesses, including County employees requested by the employee who has been disciplined. Witnesses who are not employees may be interviewed (again at the County Administrator's discretion), but the party wishing to present a non-employee witness shall be responsible for securing his or her attendance. The disciplined employee shall have the right to review all witness interviews. A record shall be made of the hearing before the County Administrator which permits accurate transcription. The County Administrator shall have the authority to increase or decrease the penalty where warranted. The decision of the County Administrator concerning the appeal shall be in writing and a copy shall be supplied to the employee.*

*The letter requesting an appeal should contain the following information:*

- *Name, mailing address, and telephone number of the appellant.*
- *Reason for the appeal, i.e. termination, suspension, demotion.*
- *Names of any witnesses the appellant would like to have appear (only witnesses with relevant first-hand information will be eligible to testify).*
- *If witnesses are requested, a brief summary of the facts to which each witness will testify.*

*The County Administrator's Office will be responsible for scheduling the date for the appeal hearing and will notify the Human Resources Department to contact the appellant to inform them of the date. Once the date has been agreed upon by both parties the Human Resources Department will send a confirmation letter to the appellant. In some cases the date for the appeal hearing will not allow the Human Resources Department enough time to send a confirmation letter. In that case the telephone conversation will serve as official confirmation. If the appellant later determines they are unable to attend the appeals hearing on the scheduled date, they*

*must notify the County Administrator's Office or the Human Resources Department as soon as possible.*

*Section III: Review by the Board of Commissioners*

*An employee shall have the right to petition the Board of Commissioners to review the record of the decision of the County Administrator which upholds a termination of employment. The petition shall be in writing, shall explain the legal and factual grounds for the appeal and shall be filed with the Clerk of the Board of Commissioners within five (5) working days after the County Administrator has rendered his/her decision. Within forty-five (45) days after filing the petition, the Board of Commissioners shall, by majority vote in public session, determine whether to permit the review. An employee shall not have an absolute right to request a review of the decision rendered by the County Administrator to the Board of Commissioners. The decision to review, in all cases, shall be at the discretion of the Board of Commissioners.*

*Department Heads shall have no right to appeal a decision of the County Administrator.*

*The failure of an employee to file appropriate documents necessary to pursue an appeal within the time limitations contained herein shall constitute a waiver and forfeiture of the employee's right to appeal or seek discretionary review.*

*No employee shall be further disciplined or discriminated against in any way for proper use of the appeals system.*

**ARTICLE XIII: SUPPLEMENTS AND AMENDMENTS.**

**5-1301 Supplements.** The County Commission or Department Heads, with approval from the Commission, may establish additional personnel rules and regulation deemed necessary for the efficient operation of a particular office or department.

**5-1302 Amendments.** These rules may be amended from time to time as deemed necessary. All changes shall be approved by the County Commission.

**ARTICLE XIV: INTERNET & ELECTRONIC COMMUNICATION**  
**Revised 12/13/11**

**5-1400 Policy Statement.** Computers and computer-related services are made available to departments and employees of Bryan County for business-related purposes. In particular,

Internet and electronic mail (e-mail) services are provided to support open communications and exchange of information and the opportunity for collaborative government-related work. While Bryan County believes that computers and computer-related services, including Internet and e-mail, are essential tools for its departments and employees, access to such services is a revocable privilege. As such, conformance with the acceptable use, as expressed in this Policy, is required. Departments of Bryan County are expected to maintain and enforce this policy.

**5-1401 Relationship.** This Policy is applicable to and prohibits workplace harassment between employees and members of the public and is not limited to harassment between employees. Moreover, this Policy is applicable to and prohibits harassment that adversely affects the workplace, regardless of whether it actually takes place in the workplace or during work hours.

**5-1402 No Expectation of Privacy.** Bryan County computers and any data stored in them are the property of Bryan County and may be accessed at any time by authorized officials of Bryan County. Employees shall not expect privacy in the use of County Computers. Bryan County may, without notice, monitor Internet usage and/or email and review computer files to ensure that computers are not being used for impermissible purposes.

**5-1403 Public Records.** Many email and other electronic files constitute public records for purposes of state record retention laws. As such, whether a given email or electronic file is subject to a retention schedule must be determined by its content rather than its format. As a general rule, any email or other electronic file which is a substitute for a letter, memorandum, notice, report, or other traditional record that would be subject to a particular retention schedule, then it too is subject to the schedule. Conversely, if the email or other electronic file is merely transitory, it need not be retained beyond its useful life (e.g. listserv messages, meeting notices, general staff announcements, invitations to events, etc.). Users of County computers and other computer-related services must also bear in mind that all emails and other electronic files are generally subject to disclosure under the Open Records Act.

**5-1404 Acceptable Uses.** The following constitute acceptable uses of the Internet and email made available to employees by Bryan County.

1. Communication and information exchange directly related to the user's duties and responsibilities as an employee of Bryan County or the mission and function of his/her department.
2. Communication and exchange of the user's professional development as an employee of Bryan County to maintain currency of his/her relevant training or

education, or to discuss issues related to his/her research, projects, or programs as an employee of Bryan County.

3. Use in applying for or administering grants or contracts for Bryan County's research or programs.
4. Use for advisory, standards, research, analysis, and professional society activities related to the user's duties and responsibilities as an employee of Bryan County.
5. Announcements of new Bryan County regulations, ordinances, procedures, policies, rules, services, programs, information, or activities.
6. Any other authorized Bryan County related administrative communications not requiring a high level of security.

**5-1405 Specifically Unacceptable Uses.** The following constitute unacceptable uses of the Internet and email made available to employees by Bryan County and may subject an employee to disciplinary action, up to and including termination of employment.

1. Visiting inappropriate web site (erotica, hate groups, etc.)
2. Unauthorized attempts to access any computer or network.
3. Sending or posting threatening or otherwise inappropriate messages.
4. Sending or posting racially and/or sexually harassing messages or images, sending or posting any sexually suggestive or explicit messages, or any other use which violate Bryan County policies regarding workplace harassment, discrimination, and/or retaliation.
5. Accessing or copying confidential and/or proprietary software, programs, or other electronic files without permission.
6. Sending or posting confidential information without authorization.
7. Downloading, uploading, or sending viruses or other malicious files or programs.
8. Opening or sending emails or other electronic files that may endanger Bryan County computers and/or network.
9. Using the Internet and/or email for any purpose which violates a federal, state, or local law.

10. Using the Internet and/or email for any private business or other for-profit activities unrelated to the user's duties and responsibilities as an employee of Bryan County.
11. Access, downloading, or sending computer games that have no bearing on the user's duties and responsibilities as an employee of Bryan County, recognizing that some games designed to teach, illustrate, train, or simulate agency-related issues may be acceptable.
12. Accessing, copying, or modifying electronic files stored within Bryan County computers outside of the user's duties and responsibilities as an employee of Bryan County without authorization.
13. Disclosing or exchanging passwords or seeking or obtaining passwords of other employees of Bryan County or other authorized users of Bryan County computers and computer-related services.
14. Representing oneself as another user, either on the Bryan County internal network or elsewhere on the Internet, without authorization.
15. Intentionally developing programs designed to harass other users or infiltrate a computer or computing system and/or damage or alter the software components of same.
16. Fundraising or public relations activities not specifically related to the user's duties and responsibilities or to Bryan County approved activities.

**5-1406 Procedures.** Department heads, or their designees, are responsible for their employees' compliance with the provisions of this Policy and for promptly investigating non-compliance. Suspension of service to users may occur when deemed necessary to maintain the operation and integrity of Bryan County's network. User accounts and password access may be withdrawn without notice if a user violates the acceptable use policy. Disciplinary action up to and including termination or employment may be imposed depending on the severity of the violation. Criminal or civil action against users may be initiated when laws are violated.

**5-1407 Guidelines.** The following additional guidelines apply to users of the Internet and email made available to employees by Bryan County.

- a. **Checking for viruses.** Any software obtained from outside Bryan County shall be scanned prior to use for viruses and other malicious files or programs.

- b **Contractors.** Contractors and other non-County users may be granted access to Bryan County provided Internet and/or email services at the discretion of the Department Head. Acceptable use by such users is the responsibility of Bryan County Contract Administrator, who is expected to provide such users with this policy.
- c **Passwords.** Use passwords associated with the Bryan County information system only on that system. When setting up an account at a different information system that will be accessed using the Internet, choose a password that is different from ones used on Bryan County's information system. Do not use the same password for both local and remote Internet-accessed systems. If the password used at the remote, Internet-accessed remote site were to be comprised, the different password used locally would still be secure. Passwords should not be so obvious so that others could easily guess them, and passwords should be changed at least every sixty days.
- d **Logging Off.** Always make a reasonable attempt to complete the logoff or other termination procedure when finished using a remote, Internet-accessed system or similar resource. This will help prevent potential breaches of security.
- e **Email Security.** Always remain mindful that unencrypted email sent or received outside any department and on the Internet cannot be expected to be secure.
- f **Large File Transfers and Internet Capacity.** The Internet connection is a shared resource. While routine email and file transfer activities generally will not impact other users, large file transfers and intensive multimedia activities will impact the service levels of other users. Users contemplating file transfers of over ten megabytes per transfer or interactive video activities shall be considerate of other users, schedule these activities early or late in the day or, if possible, after business hours.
- i **Conduct & Etiquette.** Know and follow generally accepted Internet and email etiquette. Refrain from language or other uses of the Internet and email that reflect poorly on Bryan County.
- g **Correspondence with Legal Counsel/Disclaimer.** Any email or other correspondence sent to the Bryan County Attorney or other legal counsel for Bryan County, if sent for the purpose of assisting legal counsel in providing legal advice to Bryan County, must include the following disclaimer:

*“This communication and all attachments may contain privileged and*

*confidential legal communications/attorney work product intended solely for the use of the addressee. If you are not the intended recipient, any reading, distribution, copying or other use of this communication and/or any attachments hereto is prohibited and you should delete this message from all locations, and advise the sender at 912-653-3819. Thank you.”*

#### **5-1408 Use of Computer Software.**

1. In compliance with federal copyright laws, Bryan County will not participate in or condone the illegal duplication of licensed microcomputer software. Such activity is strictly prohibited on Bryan County premises and/or computers. Bryan County does not own the copyright to any software or its related documentation and, unless authorized by the software developer, does not have the right to reproduce it for use on more than one computer.
  
2. With regard to use on local area networks or on multiple machines. Bryan County employees and other authorized users shall use the software only in accordance with the license agreement.
  
3. Bryan County employees are required to promptly report any misuse of software or related documentation within Bryan County to their department head or to the County Administrator.