



**Bulloch County
Board of
Commissioners
Regular Meeting**

**11.17.2015
Estimated Time: 30 Minutes
North Main Annex Community Room
Statesboro, Georgia
8:30 AM**

Meeting Function:	Board of Commissioners	Type of Meeting:	Regular Meeting
Meeting Chair:	Chairman, Garret Nevil (Presiding)	Recorder:	Clerk of the Board, Olympia Gaines
Parliamentarian:	County Attorney, Jeff Akins	Ex-Officio:	Tom Couch, County Manager; Andy Welch, Assistant County Manager; Whitney Richland, Chief Financial Officer, Cindy Steinmann Management Analyst, Dink Butler, Transportation Director, Kirk Tatum, County Engineer

General Business Agenda

ITEM	RESOURCE PERSON/FACILITATOR	TIME	REFER
Call to Order; Welcome Media and Visitors	Chairman Nevil	8:30 AM	
Invocation and Pledge of Allegiance	Commissioner Rushing	8:32 AM	
Roll Call	Clerk of the Board	8:34 AM	
Approval of General Agenda	Chairman Nevil	8:36 AM	
Public Comments	Audience	8:38 AM	
Consent Agenda	Chairman	8:40 AM	
To approve the minutes of the Regular Meeting and Executive Session held November 3, 2015	Clerk of the Board		Tab A
To grant approval of 2016 alcoholic beverage renewal licenses for package retail beer and wine and pouring (beer/wine/liquor) sales to establishments with a current 2015 license	Clerk of the Board		Tab B
To adopt a resolution to Fix and Publish Qualifying Fees for County Elected Offices	Legal		Tab C
To adopt a resolution to approve and adopt a Revised and Restated Personnel Policy Manual and Employee Handbook	Human Resources/Legal		Tab D
New Business		8:42 AM	
Discussion and/or Action: to approve a contract with Peek Pavement Marking, LLC for \$119,947.00 for re-striping and STOP sign replacement on approximately 64.19 miles of various count roads.	Roads and Bridges		Tab E
Commission and Staff Comments	Chairman Nevil, et al.	8:44 AM	
Adjourn	Chairman Nevil	8:46 AM	

Additional Information: None

Background information in Board packets.

November 3, 2015
Statesboro, GA

Regular Meeting

The Board of Commissioners met at 5:30 pm in the Community Room of the North Main Annex. Chairman Nevil welcomed guests and called the meeting to order. Commissioner Thompson gave the invocation and Pledge of Allegiance.

Mrs. Olympia Gaines, Clerk of the Board, performed the roll call of the commissioners and staff. The following commissioners were present: Chairman Nevil, Commissioner Simmons, Commissioner Mosley, Commissioner Thompson, Commissioner Gibson, and Commissioner Ethridge. Commissioner Rushing was absent. The following staff were present: County Manager Tom Couch, County Attorney Jeff Akins, Assistant County Manager Andy Welch, Zoning Administrator Randy Newman, Solid Waste Director Fred White, Management Analyst Cindy Steinmann, Transportation Director Dink Butler, 911 Director Kelly Barnard, EMS Director Doug Vickers, Tax Assessor John Scott, GIS Coordinator Paul Conner, and Statesboro-Bulloch Airport Director Kathy Boykin.

Chairman Nevil stated the first item of business was the approval of the Zoning Agenda. Commissioner Ethridge offered a motion to approve the Zoning Agenda as presented. Commissioner Simmons seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion.

Chairman Nevil called on Zoning Administrator Randy Newman to present the first item of business. Mr. Newman presented item #1 which was an application submitted by Katherine Kendrick for a conditional use to allow a manufactured home to be placed on the property. The property consists of 4.37 acres and is located at 158 BL Kendrick Road in Stilson, parcel number ST01000007 000. John Kendrick acted as agent. There was no one signed up to speak on this request (See Exhibit #2015-130). Mr. Kendrick informed the Board that they would like to place the home there to assist with the care of his ailing mother. Without further discussion, Commissioner Mosley offered a motion to approve the conditional use request to allow a manufactured home to be placed on the property. Commissioner Ethridge seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson,

Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion.

Mr. Newman presented item # 2 which was an application submitted by Beatrice Lee Baker to rezone 4 parcels totaling 8.7 acres from R-80 to R-25. The property is located on Furman Road, parcel numbers MS22000007 000, MS22000010 000, MS22000011 000, and MS22000012 001. John Dotson acted as agent. There was no one signed up to speak on this request (See Exhibit #2015-131). Mr. Dotson stated the family would like to divide the parcels among the grandchildren. Without further discussion, Commissioner Simmons offered a motion to approve the rezone of 4 parcels totaling 8.7 acres from R-80 to R-25. Commissioner Mosley seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion.

Mr. Newman presented item #3 which was an application submitted by Linda Brannen/Grace Community Church for a conditional use to allow a church to be placed on the property. The property consists of 64.09 acres and is located on Cypress Lake Road, parcel number MS22000005 000. John Dotson acted as agent. There were nine people signed up to speak on the request (See Exhibit # 2015-132). Mr. Dotson stated the sketch presented was only a concept of what the church could look like and referenced concerns addressed in the Planning and Zoning meeting on October 8, 2015. He stated these concerns would be addressed once the design is completed. Mr. John Cook, Assistant Minister of Grace Community Church, reiterated that the sketch was only a concept to see what they could build on the property. He stated the church is agreeable with conditions 1 and 3-11, but would like to have condition 2 removed from the list as this would limit future use of the land by the Church for storage of ground equipment and/or other similar uses; he provide a sketch to illustrate the area of the property in question (See Exhibit #2015-133). Dr. John Slater expressed his concerns with current traffic issues, the speed limit, and vehicle load limits on Cypress Lake Road. He asked about paving activities relating to the storm water management plan.

Mr. Newman stated the traffic impact study will be submitted along with the conceptual site plan application to the Planning and Zoning Commission; he also stated the storm water management plan will be submitted thirty (30) days prior to the submission of a building permit to the County. Mr. Couch stated the traffic impact study will be completed by a qualified and

professional engineer and issues relating to the traffic concerns and the storm water management plan should be addressed prior to development.

Mrs. Laura Marsh expressed concerns on behalf of the Irongate Homeowners Association. She stated they would like the setback for the church to be further than 150 feet, and to ensure that conditions 6 and 11 are included in the approval. Mrs. Marsh echoed similar concerns of Dr. Slater and asked the County to look at what needs to be done at the intersection of Veterans Memorial Highway and Cypress Lake Road.

Mr. Matthew Hart, Mr. Casey Brown, and Mr. Jason McGibony expressed support for the conditional use proposal.

Mr. Daniel Hagan, Vice-President of Hazelwood Homeowners Association, expressed his concerns with the intersection of Veterans Memorial Highway and Cypress Lake Road and the development of the remaining 50 acres. Mr. Bubba Hunt stated the plan was to purchase land so that the church would have enough room for development. He stated the land is strictly for church enjoyment. Mr. Bill Sellars expressed his concerns over the absence of lights and visibility at night at the intersection of Veterans Memorial Highway and Cypress Lake Road and would like for the County to take action on this intersection.

After some discussion, Commissioner Thompson offered a motion to approve the conditional use request to allow a church to be placed on the property with conditions (See Exhibit #2015-134). Commissioner Ethridge seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion.

Commissioner Gibson asked what could be done to get GDOT to look into the concerns with the intersection. Mr. Couch stated the County could petition GDOT for a traffic signal warrant analysis to be completed; however, the County itself cannot undertake and complete the warrant analysis. Commissioner Simmons agreed this issue needs to be looked into and stated the Board will try to get GDOT to look into the intersection concerns.

Mr. Newman presented item #4 which was an application submitted by Jacking Rushing to rezone 100 acres from R-80 to R-25 and 26 acres from R-80 to R-3. The property is located at the intersection of Cypress Lake Road and Coley Boyd Road, parcel numbers 061 000013 000, 061 000013 002, and 061 000014 000. John Dotson acted as agent. There were three people signed up to speak on the request (See Exhibit #2015-135). Mr. Dotson stated Mr. Rushing

would like to build single-family and multi-family homes on the parcels. He stated Mr. Rushing has agreed to include as a condition the installation of a vegetative buffer and is open to moving the entrance down from Cassie Lee Road to Coley Boyd Road. Mrs. Laura Marsh expressed concerns on behalf of the Irongate Homeowners Association that they would prefer the parcel remain R-80; however, if the property is rezoned, she stated they would prefer that the rezone be beneficial to the surrounding area and not affect property values. Mrs. Marsh stated they would like to limit development to town homes with lots versus multi-family homes or duplexes. She stated that they would also like to ensure condition 9 is included in the approval. Mrs. Marsh also expressed concerns with heavy truck access on Cypress Lake Road and storm water drain-off.

Mr. Bruce Hope stated he would like to see the entrance moved down to Lot 81 or 80 near the Georgia Power substation to reduce the impact on the neighbors of car lights entering and exiting the subdivision. Mr. Jason McGibony expressed his concerns with visibility turning onto Coley Boyd Road.

After some discussion, Commissioner Ethridge offered a motion to approve the rezone of 100 acres from R-80 to R-25 and 26 acres from R-80 to R-3 with conditions (See Exhibit #2015-136). Commissioner Mosley seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion.

Chairman Nevil asked for changes or modifications of the General Agenda. Hearing no amendments or modifications, Commissioner Gibson offered a motion to approve the General Agenda as presented. Commissioner Mosley seconded the motion and it carried unanimously with Commissioner Thompson, Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion.

Chairman Nevil asked for public comments from the audience at large or in writing. Mr. Ray Mckinney, Chairman of the Hospital Authority, provided a presentation on the annual tax relief contribution from the Hospital Authority. He stated that he has presented Chairman Nevil with the contribution check in the amount of \$863,469.95. He provided a brief overview of the 2015 annual report and informed the Board of amendments to the Hospital Authority's investment policy.

Mrs. Annie Bellinger expressed her concerns with the danger associated with the intersection of Veterans Memorial Highway and Cypress Lake Road. She stated that she was in a

serious accident at this intersection a year ago. Mrs. Bellinger also expressed her concerns with voting and representation in the Westside neighborhood, stating that she would like for the older residents/citizens to be treated fairly as it pertains to issues for that neighborhood.

Mrs. Marilyn Sellars spoke about the need for street lights at the intersection of Veterans Memorial Highway and Cypress Lake Road. Chairman Nevil thanked the audience for their comments and input.

Chairman Nevil stated the next item on the agenda was to approve the Consent Agenda as follows: (1) to approve the minutes of the Regular Meeting and Executive Session held on October 20, 2015; (2) to approve the appointment of Jared Akins to the Department of Family and Children Services Board; (3) to approve the appointment of Ryan McNeal to the Bulloch Alcohol and Drug Council; (4) to approve the appointment of Tan Adams, Billy Allen, and Paul Roesel to the Development Authority of Bulloch County Board; (5) to authorize renewal of the E-911 phone system service and support yearly contract (See Exhibit #2015-137); (6) to approve Land Use Agreement for military exercise at the Airport (See Exhibit #2015-138); (7) to approve Inducement Agreement and PILOT Agreement (See Exhibit #2015-139 and Exhibit #2015-140); (8) to adopt a resolution for a public transportation grant (See Exhibit #2015-141). Commissioner Simmons offered a motion to approve the Consent Agenda as presented. Commissioner Ethridge seconded the motion and it carried unanimously with Commissioner Thompson, Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion.

Chairman Nevil stated the first item under New Business was for Discussion and/or Action to authorize a sole source contract and purchase order for change detection software. Chairman Nevil called on Chief Tax Appraiser John Scott to initiate discussion on the matter. Mr. Scott stated the Department of Revenue mandates that the tax assessors review all parcels every three years; however, the tax assessors' office is not staffed to handle this mandate and maintain the normal work load for the year. He is recommending that the Board authorize a purchase order for change detection software in which the current database would be converted to GIS format to assist in detecting parcels that do not match what is in the current database. Mr. Scott stated the cost would be a one-time fee of \$50,000; however, the project would support itself in the first year with a projected return of \$75,020 as well as generating recurring revenue. After some discussion, Commissioner Simmons offered a motion to authorize a sole source

contract and purchase order for change detection software (See Exhibit #2015-142). Commissioner Thompson seconded the motion and it carried unanimously with Commissioner Thompson, Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion.

Chairman Nevil stated the next item under New Business was for Discussion and/or Action to authorize a sole source contract and purchase order for lead monitors. Chairman Nevil called EMS Director Doug Vickers to initiate discussion on the matter. Mr. Vickers stated that the EMS Department is in need of additional lead monitors which transmit EKG's to the nearest appropriate hospital. He is recommending the purchase of 3 lead monitors for \$64,104.00 from Zoll to be paid for over two years in equal installments of \$32,052. EMS has \$29,000 budgeted for lead monitors this year and an equipment pool of \$30,000 for each of the next two years in the CIP. Without further discussion, Commissioner Gibson offered a motion to authorize a sole source contract and purchase order for lead monitors (See Exhibit #2015-143). Commissioner Mosley seconded the motion and it carried unanimously with Commissioner Thompson, Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion.

Chairman Nevil called for general comments or statements from the commissioners and staff. The commissioners thanked everyone for attending the meeting, for their hard work, and comments. The commissioners stated they would work on the issues associated with the intersection of Veterans Memorial Highway and Cypress Lake Road. Commissioner Gibson especially thanked Mr. Vickers and the Public Safety Department for all that they do. Chairman Nevil thanked everyone for their attendance and input.

Hearing no further comments from the Board or staff, Chairman Nevil stated there was no further business expected for the open session of the regular agenda and the Board must close the meeting and enter into Executive Session to discuss Personnel Matters. Chairman Nevil called for a motion to adjourn into Executive Session in accordance with the provisions of O.C.G.A. § 50-14-3 (b) (2) and other applicable laws, pursuant to the advice of County Attorney Jeff Akins, for the purpose of discussing and deliberating on Personnel Matters. Without further discussion, Commissioner Thompson offered a motion to adjourn and enter into Executive Session to discuss and deliberate on Personnel Matters (See Exhibit #2015-144). Commissioner Gibson seconded the motion and it carried unanimously with Commissioner

Ethridge, Commissioner Simmons, Commissioner Mosley, Commissioner Thompson and Commissioner Gibson voting in favor of the motion.

The meeting was reconvened, and Chairman Nevil asked if there were any further comments from the commissioners or staff. Hearing no further comments from the Commissioners or staff, Chairman Nevil asked for a motion to adjourn. Commissioner Simmons offered a motion to adjourn the meeting. Commissioner Mosley seconded the motion and it carried unanimously with Commissioner Ethridge, Commissioner Thompson, Commissioner Simmons, Commissioner Gibson, and Commissioner Mosley all voting in favor of the motion.

J. Garrett Nevil, Chairman

Attest: _____
Olympia Gaines, Clerk

**BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY**

DEPARTMENT MAKING REQUEST: Sheriff/Administration/County Clerk	MEETING DATE: 11.17.2015		
	RESOLUTION ATTACHED?	YES	NO
			x

REQUESTED MOTION OR ITEM TITLE:

To grant alcoholic beverage 2016 renewal licenses for package retail beer and wine, and pouring (beer/wine/liquor) to establishments with a current 2015 license.

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED:

Please see the attached list for recommendations for approvals.

AGENDA CATEGORY (CHECK ONE)		FINANCIAL IMPACT STATEMENT				
PRESENTATION		BUDGETED ITEM?	YES	N	AMENDMENT REQUIRED?	YES
			NO			NO
PUBLIC HEARING		ATTACH DETAILED ANALYSIS, IF NEEDED:				
CONSENT	x					
NEW BUSINESS	x					
OLD BUSINESS						
OTHER						

APPROVED FOR AGENDA											
DEPARTMENT DIRECTOR		PURCHASING OFFICER		OTHER		COUNTY CLERK		COUNTY STAFF ATTORNEY		COUNTY MANAGER	
YES		YES		YES		YES	x	YES		YES	
NO		NO		NO		NO		NO		NO	
INITIAL		INITIAL		INITIAL		INITIAL ODG		INITIAL		INITIAL	
DATE		DATE		DATE		DATE	11/9/15	DATE		DATE	11/9/15

COMMISSION ACTION AND REFERRAL (Box 9)		
APPROVED		DATE TO BE RETURNED TO AGENDA
DENIED		
DEFERRED		NOTES
OTHER		

2016 ALCOHOL LICENSE – RENEWALS

RECOMMENDATION: APPROVAL

11-17-2015

ON-PREMISES

Forest Height Country Club-Darin Van Tassell
Moose Lodge # 1089-Thomas Barnard

OFF-PREMISES

Country Club Food Mart-Pallavi Patel & Nimisha Patel
J&D Grocery-Ashleigh Handy
Parker's # 45-Kimberly Couterman & Amy Mae Lane
Zip-N-Food# 8-Keyuriben Patel
Zip-N-Food # 11-Jagishchandra Bhatt & Keyuri Patel
Zip-N-Food # 12- Meenaben Patel
Zip-N-Food # 16-Pallavi Patel
Stilson Country Store-Gerald Forehand
Chevron Food Mart-Avenika Patel
Tobacco and More #2 Pervez Chaudhry
301 Food & Gas-Vatsal Pithwa & Bindiya Pithwa

BULLOCH COUNTY BOARD OF COMMISSIONERS AGENDA ITEM SUMMARY

DEPARTMENT MAKING REQUEST (Box 1)				MEETING DATE (Box 2) November 17, 2015							
Legal				RESOLUTION ATTACHED? (Box 3)		YES	X				
						NO					
REQUESTED MOTION OR ITEM TITLE (Box 4)											
Resolution to Fix and Publish Qualifying Fees for County Elected Offices											
SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED (Box 5)											
O.C.G.A. § 21-2-131 requires the Board of Commissioners as governing authority to fix and publish qualifying fees for those county offices up for election in 2016 on or before February 1. This statute also mandates a formula to determine the qualifying fee, which is 3% of gross compensation or the minimum statutory salary depending upon the particular office. The attached resolution fixes qualifying fees in accordance with the statutory formula. Approval is recommended.											
AGENDA CATEGORY (CHECK ONE) (Box 6)			FINANCIAL IMPACT STATEMENT (Box 7)								
PRESENTATION (6a)			BUDGETED ITEM? (7a)		YES	AMENDMENT REQUIRED? (7b)					
					NO	YES					
							NO				
PUBLIC HEARING (6b)		ATTACH DETAILED ANALYSIS, IF NEEDED (7c)									
CONSENT (6c)		X									
NEW BUSINESS (6d)											
OLD BUSINESS (6e)											
OTHER (6f)											
APPROVED FOR AGENDA (Box 8)											
DEPARTMENT DIRECTOR		PURCHASING OFFICER		OTHER		COUNTY CLERK		COUNTY STAFF ATTORNEY		COUNTY MANAGER	
YES		YES		YES		YES		YES		YES	
NO		NO		NO		NO		NO		NO	
INITIAL		INITIAL		INITIAL		INITIAL <i>OD</i>		INITIAL <i>jsa</i>		INITIAL <i>[Signature]</i>	
DATE		DATE		DATE		DATE <i>11/11/15</i>		DATE <i>11/4/15</i>		DATE <i>11/9/15</i>	
COMMISSION ACTION AND REFERRAL (Box 9)											
APPROVED		DATE TO BE RETURNED TO AGENDA									
DENIED											
DEFERRED		NOTES									
OTHER											

**STATE OF GEORGIA
COUNTY OF BULLOCH**

THE BULLOCH COUNTY BOARD OF COMMISSIONERS

RESOLUTION # 2015 - ____

WHEREAS, O.C.G.A. § 21-2-131 provides that the governing authority of any county shall fix and publish a qualifying fee for each county office to be filled in an upcoming election on or before February 1 of any year in which a general primary, nonpartisan election, or general election is to be held; and

WHEREAS, O.C.G.A. § 21-2-131 further provides certain statutory requirements for calculating said qualifying fees;

NOW THEREFORE, BE IT RESOLVED by the Bulloch County Board of Commissioners that qualifying fees for the following county offices to be filled in the upcoming elections in calendar year 2016 are hereby fixed and published in accordance with the statutory requirements as follows:

<u>OFFICE</u>	<u>QUALIFYING FEE</u>
Chairman of the Board of Commissioners	\$600.00
Member of the Board of Commissioners	\$225.00
Member of the Board of Education	\$72.00
Clerk of Superior Court	\$1,894.94
Probate Court Judge	\$1,894.94
Sheriff	\$2,270.25
Tax Commissioner	\$1,894.94
State Court Judge	\$3,623.48
Magistrate Court Judge	\$1,894.94
Solicitor-General	\$3,706.07
Coroner	\$630.00
County Surveyor	\$100.00

RESOLUTION APPROVED AND ADOPTED this 17th day of November, 2015.

**BOARD OF COMMISSIONERS OF
BULLOCH COUNTY, GEORGIA**

By: _____
J. Garrett Nevil, Chairman

Attest: _____
Olympia Gaines, Clerk

BULLOCH COUNTY BOARD OF COMMISSIONERS AGENDA ITEM SUMMARY

DEPARTMENT MAKING REQUEST (Box 1)				MEETING DATE (Box 2) November 17, 2015							
Human Resources/Legal				RESOLUTION ATTACHED? (Box 3)		YES	X				
REQUESTED MOTION OR ITEM TITLE (Box 4)				NO							
Resolution to Approve and Adopt a Revised and Restated Personnel Policy Manual and Employee Handbook											
SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED (Box 5)											
The attached revised and restated Personnel Policy Manual and Employee Handbook incorporate necessary revisions and amendments to reflect changes in personnel administration and changes in rights, benefits, and obligations of employees, and to assure continuing legal compliance. The changes are summarized in the attached cover memorandum from the County Attorney. Approval is recommended.											
AGENDA CATEGORY (CHECK ONE) (Box 6)				FINANCIAL IMPACT STATEMENT (Box 7)							
PRESENTATION (6a)				BUDGETED ITEM? (7a)		YES					
						AMENDMENT REQUIRED? (7b)					
						YES					
						NO					
PUBLIC HEARING (6b)				ATTACH DETAILED ANALYSIS, IF NEEDED (7c)							
CONSENT (6c)		X									
NEW BUSINESS (6d)											
OLD BUSINESS (6e)											
OTHER (6f)											
APPROVED FOR AGENDA (Box 8)											
DEPARTMENT DIRECTOR		PURCHASING OFFICER		OTHER		COUNTY CLERK		COUNTY STAFF ATTORNEY		COUNTY MANAGER	
YES		YES		YES		YES		YES		YES	
NO		NO		NO		NO		NO		NO	
INITIAL		INITIAL		INITIAL		INITIAL <i>OB</i>		INITIAL <i>Jsa</i>		INITIAL <i>[Signature]</i>	
DATE		DATE		DATE		DATE <i>11/11/15</i>		DATE <i>11/17/15</i>		DATE <i>11/9/15</i>	
COMMISSION ACTION AND REFERRAL (Box 9)											
APPROVED		DATE TO BE RETURNED TO AGENDA									
DENIED											
DEFERRED		NOTES									
OTHER											

From the desk of Jeff S. Akins

County Attorney

Bulloch County Board of Commissioners

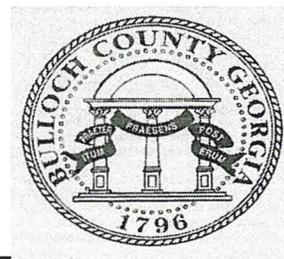
P.O. Box 347

Statesboro, Georgia 30459

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Fax No.: 912-764-8634

Email: jakins@bullochcounty.net



MEMORANDUM

To: Board of Commissioners

From: Jeff Akins

Date: November 4, 2015

Re: Amendments to Personnel Policy Manual & Employee Handbook

We are recommending several revisions to the Personnel Policy Manual (the "Manual") and the Employee Handbook (the "Handbook") for reasons of legal compliance, to conform policies to current practices, and to make some changes we think are advisable.

In order to easily identify the changes, the attached Manual and Handbook have deleted language in blue strikethrough font and new language in red font. We will have clean copies of the revised Manual and Handbook at the meeting for approval.

The following is a brief summary of the recommended revisions:

(1) Some provisions were added about criminal background and driver's history checks to make policy consistent with current practice.

(2) Some provisions regarding sexual harassment and abuse related to inmates were added to comply with a federal law called the Prison Rape Elimination Act (PREA). This is required because of exposure of BCCI inmates to County employees. BCCI will be audited early next year for PREA compliance, and these provisions need to be added to the Manual and Handbook prior to the PREA audit.

(3) The categories of "special shift" and "intermittent" employees are being eliminated. These categories have caused much confusion in the past. All employees will now be classified as either "full-time," "part-time," or "temporary."

(4) The definition of part-time employee has been revised to make it consistent with the requirements of the Patient Protection and Affordable Care Act (“PPACA”).

(5) Full-time and part-time employees who are hired after the effective date of the revisions will be employees at will, meaning that they can be terminated with or without cause and will not be entitled to due process protections such as pre- and post-termination hearings. We are recommending this change because we believe that over time it will help streamline necessary employee disciplinary action and reduce the number of time-consuming employment hearings. However, it is important to emphasize that current full-time and part-time employees will retain their due process protections for their jobs, including the right to a hearing for any adverse employment action.

(6) Part-time employees hired after the effective date of the revisions will not accrue any paid leave or be entitled to holiday pay.

(7) Employees who suffer an injury compensable under workers’ compensation insurance will now have to elect between receiving workers’ compensation benefits or using their accrued paid sick and annual leave. They will not be able to collect both at the same time, which they have been able to do in the past. This change was recommended by ACCG-IRMA, our workers’ compensation insurer.

If you have any questions about the above or about any of the revisions in the attached documents, please do not hesitate to contact me.

**STATE OF GEORGIA
COUNTY OF BULLOCH**

THE BULLOCH COUNTY BOARD OF COMMISSIONERS

RESOLUTION # 2015 - ____

WHEREAS, Bulloch County has adopted a Personnel Policy Manual (the "Manual") and an Employee Handbook (the "Handbook") for purposes that include personnel administration and informing employees of their rights, benefits, and obligations; and

WHEREAS, periodic revisions and amendments to the Manual and Handbook are necessary to reflect changes in personnel administration and in the rights, benefits, and obligations of employees, and to assure continuing legal compliance; and

NOW THEREFORE, BE IT RESOLVED by the Bulloch County Board of Commissioners that a revised and restated Manual and Handbook in the forms attached hereto are hereby approved and adopted, and said revised and restated Manual and Handbook shall become effective immediately upon adoption of this resolution.

Resolution approved and adopted this 17th day of November, 2015.

**BOARD OF COMMISSIONERS OF
BULLOCH COUNTY, GEORGIA**

By: _____
J. Garrett Nevil, Chairman

Attest: _____
Olympia Gaines, Clerk

(SEAL)

Bulloch County Personnel Policy Manual



General Purpose

The personnel policy manual is not intended to and shall not constitute a contractual agreement or arrangement, nor is it intended to imply a right to continuous employment with the County. Bulloch County reserves the right at any time, with or without notice, to amend or eliminate any of the provisions in this personnel policy manual. Any inconsistency between this policy manual, summary explanations of benefits (such as health insurance and pension plans), and the plan documents governing those benefits, shall be resolved in favor of the plan documents. Where these policies contain summaries of various state and federal laws, the policies are not intended to explain every detail of those laws but merely to inform the employee that certain laws exist in regard to certain subjects. Consequently, there may be exceptions to what is stated and nothing contained in these policies is intended to expand or limit the employer's obligations or the employee's rights or obligations under those laws. For the sake of convenience, where the context so requires or reasonably permits masculine pronouns are understood to include the feminine and vice versa, and singular pronouns are understood to include the plural and vice versa.

- (a) These personnel policies shall apply to all County employees. They shall not apply to elected officials and independent contractors.
- (b) In general, the Constitutional officers, elected officials and department heads are responsible for administering these policies in their respective departments.
- (c) The personnel policies may be amended by: 1) an affirmative vote by a majority of the Board of Commissioners, or 2) submission in writing by the County Manager of a proposed amendment at a regular or called meeting of the Board of Commissioners. If the proposed amendment is not rejected or amended by the majority vote of the Board of Commissioners within 30 days of submission, same shall be considered as adopted.

The purpose of this policy manual is to help employees understand Bulloch County's personnel policies. This policy manual may be amended from time to time. Each department will be given a copy of amendments and is responsible for placing amendments in its handbook. It is the responsibility of the employee to become familiar with all policies and to ask his supervisor or the Human Resources Director for any needed clarification or explanation.

Issue Date: April 2006
Updated: March 2013
Updated: November 2015

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Background Check

Purpose

To provide consistent procedures for conducting background checks on new hires and transferring employees. **To provide consistent procedures for conducting driver's history checks on new hires, transferring employees, and current employees.** To provide for and communicate consistent standards for hiring or separation based upon background check results.

Policy

It is the policy of Bulloch County to validate the information provided by the applicant on the Bulloch County employment application that includes work history, criminal background history, licensure, and education as required for the position. Bulloch Applicants and/or employees who do not meet the standards for hiring will not be considered for employment or transfer.

To comply with a federal law called the Prison Rape Elimination Act (PREA), Bulloch County will not hire or promote anyone who may have contact with inmates who (i) has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997); (ii) has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or (iii) has been civilly or administratively adjudicated to have engaged in the activity described in (ii). Bulloch County will also consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates.

Scope

This policy applies to all employees of Bulloch County and applicants for employment with Bulloch County.

References

Employment Guidelines, Personal Conduct

Definitions

Applicant: An individual who is not currently employed by Bulloch County but has completed and submitted an application for employment to Bulloch County.

Minimum Qualifications: The least acceptable requirements for a position as outlined in the job description.

Acceptable Criminal Background History Report: A Criminal Background History Report with no convictions that would justify a decision not to hire an applicant or transfer an employee based on business necessity. In determining whether a decision is justified by "business necessity," Bulloch County will consider the following factors: (i) the nature and gravity of the offense or offenses; (ii) the time that has passed since the conviction and/or completion of the sentence; and (iii) the nature of the job held or sought.

Acceptable Driver's History Check: A driver's history check with no offenses or violations that would justify a decision not to hire an applicant or transfer, promote, or retain a current employee based on business necessity. In determining whether a decision is justified by "business necessity," Bulloch County will consider the following factors: (i) the nature and gravity of the

offenses or violations; (ii) the time that has passed since the offenses or violations; and (iii) the nature of the job held or sought.

Guidelines

All applicants must complete and sign all pre-employment paperwork including the application and background check authorization in order to be considered for employment.

Bulloch County must receive an acceptable criminal background history report on the applicant, and on employees transferring into a ~~safety sensitive~~ different position, prior to employment or transfer. If an unacceptable criminal background history report is received by Bulloch County, the applicant/transferring employee will not be considered for employment or transfer.

An unacceptable criminal background history report is one with convictions that justify not hiring the applicant or transferring the employee based on (i) the nature and gravity of the offense or offenses; (ii) the time that has passed since the conviction and/or completion of the sentence; and (iii) the nature of the job held or sought.

Applicants or employees with **felony or** misdemeanor convictions, misdemeanor pending actions, and/or felony pending actions may be excluded from employment, depending upon the number and type of such actions, the nature and likelihood of the conduct giving rise to such actions, and the type of position which the applicant or employee is seeking.

All applicant information must be verifiable, including current and previous employers, education and/or degrees as required for the position.

Any position that requires a license or certification by the job description or by state/federal law will be verified by Human Resources prior to employment. Initial verification may be done verbally with written verification to follow. This information is to be maintained in the employee's personnel file in the Human Resources office. If the required license or certification is not verifiable, the applicant will not be considered for that position.

Employees who are convicted of a misdemeanor or felony, except for routine traffic violations, are required to report such conviction to Human Resources and to their supervisor within three days of the conviction. The employee may be involuntarily separated, based upon the employee's position and the nature of the conviction.

A driver's history check will be performed on all applicants and any employee who is transferring or promoted to a new position. Driver's history checks will also be performed on all current employees every three years. An unacceptable driver's history check is one with offenses or violations that justify not hiring the applicant or not transferring, promoting, or retaining a current employee based on (i) the nature and gravity of the offenses or violations; (ii) the time that has passed since the offenses or violations; and (iii) the nature of the job held or sought.

Dual Employment

Purpose

To facilitate the correct payment of employees who work in more than one department and/or more than one job in a single department.

Policy

It is the policy of Bulloch County to ensure compliance with the Fair Labor Standards Act (FLSA), ensure aggregation of scheduled hours for benefit eligibility, and ensure appropriate payment of FICA taxes.

Scope

This policy applies to all employees of Bulloch County.

References

Employment Guidelines, Hours of Work

Definitions

Dual Employee: An employee who works in more than one department or works multiple jobs within the same department.

Primary Department: The department where the dual employee has the most regularly scheduled hours. If the employee is scheduled the same number of hours in each department ~~or is classified as Intermittent in each~~, the earliest hire date determines the primary department.

Secondary Department: Any department where a dual employee works other than the Primary Department.

Guidelines

A dual employee will be paid with one check in most cases.

Employees should be paid for each job according to the salary schedule established for that job. Employees may be paid different rates for each job worked. Overtime will be compensated at a rate of not less than one and one-half times the weighted average of the rate for each job for the workweek in which the overtime occurs; provided, however, that overtime may be compensated at a rate not less than one and one-half times the rate for the job in which the overtime is worked if the employee agrees to be so compensated prior to performance of the work.

Overtime is charged to the department where the overtime occurred. If an employee is Regular Full Time in the primary job, then all hours worked at the secondary job may be subject to overtime. FICA is charged to the department where the hours are worked.

Scheduled hours for full-time and part-time ~~jobs positions~~ will be aggregated to determine benefits eligibility. Temporary, ~~Special Shift or Intermittent~~ positions will not receive benefits even if total hours worked equal an amount that would otherwise be entitled to paid leave or other benefits.

All vacation time is paid by the primary department. An employee may not be paid annual leave or sick leave time when working in a secondary job during hours regularly scheduled for the primary job.

The employee should document time in and time out for every job. Time sheets should be turned in to the department head, who will verify the hours and send hours to Human Resources for payroll processing. Hours turned in must clearly show hours worked in each position. Time sheets must be turned in by 10 am on the Monday of a pay week to ensure that the employee is paid appropriately.

An exempt employee may work in a second non-exempt job for additional compensation, provided that the employee's primary duty remains his exempt job. ~~Overtime for the secondary job will begin only after 40 hours in the non-exempt position.~~

To begin a dual job, the employee needs to fill out a dual employment form in Human Resources and secure approval of the primary job Department Head. This should be done at least two weeks prior to the start date.

Employment Guidelines

Purpose

To provide guidelines that enable Bulloch County to identify, hire and promote those employees who meet Bulloch County's standards and who can, ~~and will, contribute to our services with or without reasonable accommodation, perform the essential functions of their positions.~~

Policy

It is the policy of Bulloch County to hire those individuals who meet employment requirements and are the most qualified applicant. Bulloch County is an equal opportunity employer and complies with applicable federal, state and local laws, regulations and guidelines regarding equal opportunity employment.

Scope

This policy applies to all employees of Bulloch County.

References

Orientation and Training, Equal Employment Opportunity, Work Authorization

Definitions

Fringe Benefits: Benefits to which eligible employees may be entitled, including but not necessarily limited to paid leave, paid holidays, group health insurance, retirement plan participation, dental insurance, vision insurance, and life insurance. When a particular benefit is subject to a plan document or other written requirements (such as group health insurance and retirement), any conflict between this manual and the plan document or other written requirements will be resolved in favor of the plan document or other written requirements.

Hour of Service: Each hour for which an employee is paid, or entitled to payment, for the performance of duties; and each hour for which an employee is paid, or entitled to payment, for a period of time during which no duties are performed due to vacation, holiday, illness, incapacity (including disability), layoff, jury duty, military duty or leave of absence.

Initial Measurement Period: A 12-month period that begins on the first day of the payroll period that includes the first day of the first full month following a new employee's hire date and ends on the last day of the payroll period preceding the payroll period that includes the last day of the twelfth full month following a new employee's hire date.

Probationary Employee: An employee on a trial status during the initial period of employment and the initial period after a transfer. All newly hired ~~and newly transferred and/or promoted~~ County employees are on a probationary status which, unless provided otherwise, extends for three (3) months from the date of hire ~~or transfer and/or promotion~~. ~~The purpose of the probationary period is~~

to allow the employee's supervisor an opportunity to initially evaluate the employee's performance and progress in the new position, and to determine if the employee is meeting performance expectations and is a good fit with the new position. Probationary periods may be extended under special circumstances. Probationary employees are "at will" employees, meaning that they can be terminated from employment with or without cause.

Reclassification Date: With respect to part-time employees, the reclassification date is the date on which an employee who was formerly classified as a special shift or intermittent employee (which were former categories of employees) is reclassified to a part-time employee.

Full-Time Employee: An employee who has successfully completed the probationary period, is assigned to a position which is expected to continue for an indefinite duration, and is ~~regularly scheduled to work at least 32~~ employed an average of at least 30 hours of service per week. Employees who are reasonably expected to be employed an average of at least 30 hours of service per week on their hire date or transfer date shall be classified as full-time employees after completion of their probationary period. Employees classified as full-time employees shall be eligible for ~~all employee~~ fringe benefits provided by the County. Newly hired or newly transferred probationary employees who, upon successful completion of their probationary periods will be full-time employees, shall be entitled to the same fringe benefits as full-time employees, subject to applicable eligibility provisions and time periods. Transferred or promoted ~~probationary full-time~~ Employees shall maintain existing fringe benefits. Full-time employees with a hire date on or before November 17, 2015 may only be terminated for cause. "Cause" includes, but is not necessarily limited to, unsatisfactory work performance or a violation of any of the provisions of this personnel policy manual or any other policies applicable to the employee's department. Full-time employees with a hire date after November 17, 2015 are employees at will, meaning that they can be terminated from employment with or without cause and are not entitled to any pre- or post-adverse employment action hearings or appeals.

Part-Time Employee: An employee who has successfully completed the probationary period, is assigned to a position which is expected to continue for an indefinite duration, and is ~~regularly scheduled to work at least 20 and no more than 34~~ reasonably expected to be employed an average of less than 30 hours of service per week during the initial measurement period or standard measurement period. A part-time employee who actually averages 30 hours of service or more per week during the initial measurement period or standard measurement period will be treated as a full-time employee during the entire subsequent stability period, even if the employee averages less than 30 hours of service per week during the stability period. However, if such an employee is not promoted to the status of a full-time employee, and if the employee averages less than 30 hours of service per week during the following standard measurement period, then the employee will return to part-time status during the next stability period. During any stability period in which a part-time employee is treated as a full-time employee, the employee will be offered group health insurance and will accrue paid leave on the same basis as a full-time employee; however, unless the employee is actually promoted to the status of a full-time employee, the employee will not be eligible for other fringe benefits such as participation in the retirement plan, unless the employee is otherwise eligible under the plan document or other written requirements applicable to those other fringe benefits. Part-time employees with a hire date or reclassification date on or before November 17, 2015 are entitled to pro rata ~~vacation~~ annual leave, sick leave, holiday pay, and bereavement leave fringe benefits. Eligibility for additional fringe benefits such as health insurance and retirement will be subject to the terms of those plans. Transferred or promoted part-time employees with a hire date or reclassification date on or before November 17, 2015 shall maintain existing fringe benefits. Part-time employees with a hire date or reclassification date after November 17, 2015 are not entitled to any fringe benefits, including but not necessarily limited to pro rata annual leave, sick leave, holiday

pay, and bereavement leave. ~~Probationary part-time Employees, who, upon successful completion of their probationary periods, will be Regular Part-Time Employees, shall be entitled to the same benefits as regular part-time employees, subject to applicable eligibility provisions and time periods.~~ Part-time employees with a hire date or reclassification date on or before November 17, 2015 may only be terminated for cause. "Cause" includes, but is not necessarily limited to, unsatisfactory work performance or a violation of any of the provisions of this personnel policy manual or any other policies applicable to the employee's department. ~~Part-time employees with a hire date or reclassification date after November 17, 2015 are employees at will, meaning that they can be terminated from employment with or without cause and are not entitled to any pre- or post-adverse employment action hearings or appeals.~~

Stability Period: A period of 12 months that follows and is associated with either an initial measurement period or the standard measurement period. The stability period for an initial measurement period begins on the last day of the first full month following the first anniversary of an employee's hire date. The stability period for the standard measurement period begins July 1st and ends on June 30th of each year.

Standard Measurement Period: A period of 12 months that begins each year on the first day of the payroll period that includes May 1st and ends each year on the last day of the payroll period preceding the payroll period that includes April 30th.

Temporary Employee: An employee whose work assignment is limited in duration to six months or less. These employees are not eligible for **any** fringe benefits. Temporary employees are "at will" employees, meaning that they can be terminated from employment with or without cause **and are not entitled to any pre- or post-adverse employment action hearings or appeals.** A temporary employee whose employment extends beyond six months, or who is rehired within six months of his or her separation from employment as a temporary employee, will be converted to or rehired as a full-time employee or a part-time employee.

~~Special Shift Employee: An employee who has successfully completed the probationary period, is assigned to a position which is expected to continue for an indefinite duration, and works a shift schedule which is regularly less than 20 hours per week, or which varies from week to week. These employees are not eligible for fringe benefits. Special Shift Employees are "at will" employees, meaning that they can be terminated from employment with or without cause.~~

~~Intermittent Employee: An employee qualified to work in one or more job assignments and who is on call to work at irregular intervals in one or more County departments. These employees are not eligible for fringe benefits. Intermittent Employees are "at will" employees, meaning that they can be terminated from employment with or without cause.~~

Guidelines

Human Resources will be responsible for programs and processes to select for employment qualified individuals for Bulloch County. Responsibility for evaluating individuals for employment shall be shared by Human Resources and hiring managers. The development and placement of all employment and recruitment advertising will be coordinated through Human Resources.

All employees must satisfactorily complete all pre-employment requirements as defined in the pre-employment background check guidelines. Failure to do so may prohibit an individual from becoming employed by Bulloch County.

Each individual under consideration for employment must possess the requirements as follows:

- Minimum age of 16 years.
- Education, experience and licensure commensurate with the individual job requirements.
- The necessary skills, as defined in the job description.
- Proof of authorization to work in the United States.
- Completion of the Bulloch County employment application and disclosure forms.
- Successful completion of a post offer drug screen for those positions that require a drug screen.

Information received from screenings, testing and assessing applicant's or employee's qualifications must be limited to necessary parties as allowed by law. No statements may be made to unauthorized parties regarding the applicant's or employee's qualifications, information, screening or testing results.

Bulloch County reserves the right to review and validate any or all information pertaining to employment requirements.

All employees must attend new employee orientation, and in most circumstances should attend prior to the employee reporting for work at his or her respective unit or department. In the event that the employee must begin work prior to attending new employee orientation, an alternative orientation program that meets all requirements must be held prior to the start date.

Employment of Relatives

Purpose

To provide guidelines for the employment of relatives as defined within this policy.

Policy

It is the policy of Bulloch County to consider for employment relatives of an employee provided the applicant meets all of the qualifications for employment. Such employment should not create either a direct or indirect supervisor/subordinate relationship with the ~~family member~~ relative, or create either an actual conflict of interest or the appearance of a conflict of interest. No Bulloch County employee may seek to influence the outcome of selection, transfer, promotion or corrective action decisions of relatives.

Scope

This policy applies to all employees **in departments under the jurisdiction of the Bulloch County Board of Commissioners. It does not apply to departments under the jurisdiction of other Bulloch County elected officials.**

References

Separation, Transfer

Definitions

Relative – Immediate family members, including spouse, child, parent, brother, sister, grandparent, grandchild, father-in-law, mother-in-law, sister-in-law, brother-in-law, stepparent, stepchild, stepsister, stepbrother, or other relative living in the employee's household. The relationships include those arising from half blood, adoption, or marriage.

Guidelines

Bulloch County is interested in hiring qualified applicants and will consider any person for employment who meets the qualifications for employment. Bulloch County's goal is to hire the most qualified applicant who is best suited for the position. Relatives will be considered for employment, with the following exceptions:

1. Their position or your position would exercise supervisory, appointment, grievance, adjustment, dismissal or disciplinary authority or influence over the other.
2. The employment would create an actual conflict of interest or the appearance of a conflict of interest.
3. The employment permits one relative to have access to the personnel records of the other.

If employees become related after employment, Human Resources will assist the employees in seeking a transfer in order to maintain policy compliance. If one of the employees is unable to secure a transfer, the employees will be permitted to determine which of them will voluntarily resign.

It is the responsibility of the employee's manager/supervisor and Human Resources to ensure that all employment actions are in compliance with the provisions of this policy.

Relatives of members of the Board of Commissioners are ineligible for employment by any County department as either full-time or part-time employees; provided, however, that a relative who is already employed by the County as a full-time or part-time employee at the time of the election of members of the Board of Commissioners shall be eligible to remain so employed by the County. Assuming other policies and guidelines relating to conflicts of interest are met, relatives of the Board of Commissioners shall be eligible for employment in any County department as **part-time** or temporary, ~~special shift, or intermittent~~ employees. Relatives of the County Manager are ineligible for employment in any capacity in any County department.

Employee Records

Purpose

To provide consistent procedures for maintaining employee records. To comply with government record keeping and reporting requirements.

Policy

It is the policy of Bulloch County to maintain records for applicants, employees and past employees in order to document service dates, employment-related decisions, evaluate and assess policies and comply with government record keeping and reporting requirements.

Scope

This policy applies to all employees of Bulloch County.

References

Employment Guidelines, Sunshine Law

Definitions

Guidelines

Bulloch County will maintain complete personnel files on all employees. Employee files are the property of Bulloch County and will be maintained in the Human Resources Department. Personnel files will contain original documents pertaining to initial hire and continuing employment. In order to carry out managerial responsibilities, supervisors should retain supplemental records on employees. Workers' compensation records and other health-related information will be maintained in a separate file located in the Human Resources Department.

All information contained in employee files, regardless of location, will be kept confidential, except as needed for business purposes or as disclosed to third parties as required by law.

Each employee may review his or her own personnel file under the supervision of a Human Resources representative. No employee is permitted to alter or remove any documents from his or her personnel file. If an employee feels that any file material is incomplete or inaccurate, the employee may submit information to complete the file or place a written statement of disagreement in the file or may appeal to Human Resources to have incomplete or inaccurate information corrected. Upon the employee's request, copies may be made of documents requiring the employee's signature.

All requests from persons inside or outside Bulloch County for information concerning an applicant, employee, or previous employee, must be referred to the Human Resources Department. Only Human Resources representatives are authorized to release such information. Only information on employment dates and position held is released, except as required by law. However, employees should have no expectation of privacy beyond those specifically exempted by law from the Sunshine Law.

Employees are responsible for ensuring that Human Resources has current employee data including home address, name, dependents, etc.

Bulloch County will maintain an employee's personnel records as defined in the Retention Schedule for Local Governments, published by The Georgia Archives, after the employee separates from ~~the system~~ **employment with the County**.

Equal Employment Opportunity

Purpose

To define and communicate that Bulloch County is an Equal Employment Opportunity (EEO) employer which complies with applicable federal, state and local laws, regulations and guidelines regarding equal opportunity employment.

Policy

Bulloch County does not tolerate the intimidation of, harassment of, or discrimination against individuals with regard to race, color, religion, national origin, sex, disability, age, veteran status or any other characteristic protected by law.

Scope

This policy applies to all employees of Bulloch County and applicants for employment with Bulloch County.

References

Definitions

Guidelines

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Bulloch County will be based on merit, qualification, and abilities, including:

- Recruiting, hiring, placement, transfer, promotion and demotion
- Training, development, and educational opportunities
- Resolution of employee complaints
- Compensation and benefits
- Reasonable accommodation to disabled persons

Bulloch County encourages all employees to bring questions or concerns about any type of discrimination in the workplace to the immediate attention of Human Resources or management. Anyone found to be engaging in any type of unlawful discrimination will be subject to corrective action, up to and including involuntary separation.

Hiring of Minors

Purpose

To describe the conditions under which minors may be employed by Bulloch County. Minors as defined herein shall not be employed in any job found and declared by the U.S. Secretary of Labor to be particularly hazardous for the employment of minors of such age or detrimental to their health or well-being. See Part 570 of Title 29 of the Code of Federal Regulations.

Policy

It is the policy of Bulloch County to verify the age of minors seeking employment with Bulloch County and to obtain work authorization for those minors.

Scope

This policy applies to all employees of Bulloch County.

References

Definitions

Minor – a person either 16 or 17 years of age.

Guidelines

Whenever a minor is employed, the hiring department is required to:

1. Obtain an Employment Certificate from the minor's school, which shall be accompanied by a letter from the minor's school administrator indicating that the minor is enrolled in school full-time and has an attendance record in good standing for the current academic year. Such letter shall be updated in January of each subsequent academic year during which the minor maintains his employment until such minor reaches the age of 18 years or receives a high school diploma, a general educational development (GED) diploma, a special education diploma, or a certificate of high school completion, or has terminated his secondary education and is enrolled in a postsecondary school.
2. Obtain and photocopy the minor's proof of age document.

Hours of Work

Purpose

To inform employees of the time and duration of work hours.

Policy

It is the policy of Bulloch County to establish time and duration of work hours according to service needs, work production flow, and state and federal guidelines.

Scope

This policy applies to all employees of Bulloch County.

References

Definitions

Exempt Employee – an employee exempt from overtime requirements of the Fair Labor Standards Act.

Nonexempt Employee - an employee compensated on an hourly basis and paid in compliance with the Fair Labor Standards Act.

Guidelines

The normal work week is Monday through Sunday beginning and ending at midnight on Sunday. The normal work day, for most positions, is eight consecutive hours of work with an unpaid meal period. Rest breaks of twenty minutes or less are considered as time worked.

The scheduled hours for employees will vary according to position, department, service needs, and work flow. Employees will be informed of their scheduled hours including rest breaks and meal periods. Any changes in employee schedules as deemed necessary by managers, based on service needs or work flow, will be communicated to employees as far in advance as possible. Any changes in employee schedules requested by employees must be approved by their manager or department director.

Managers may schedule overtime for nonexempt employees as it is deemed necessary. Employees must work overtime if requested by a manager. Nonexempt employees may not work overtime without the prior approval of their manager or department director. Non-exempt employees may not work outside the parameters of their schedules.

To allow employees time to prepare for work at the start of a shift and to wrap up work at the end of a shift, employees have a 7 minute grace period at the beginning and end of a shift. Employees may clock in to work up to seven minutes before the start of a shift and leave up to seven minutes after the end of a shift before overtime calculations begin.

Employees will be paid accurately and in compliance with all applicable state and federal laws. To ensure that pay is correct and there are no improper deductions, each employee should review pay stubs promptly to identify and report any errors. In accordance with the Fair Labor Standards Act regulations, exempt employees who are required to be paid on a salary basis may not have their pay reduced for variations in the quantity or quality of work performed. Improper pay deductions specified in Title 29 of the Code of Federal Regulations § 541.602(a) may not be made from the pay of salaried employees. Employees who believe that a deduction has been made that is inconsistent with their salaried status should immediately contact the Human Resources Department. Any complaint will be resolved within a reasonable time given all the facts and circumstances. If an investigation reveals that improper deductions were made, the employee will be reimbursed and Bulloch County will take whatever action it deems necessary to ensure compliance with the salary basis test in the future.

Licensure

Purpose

To require employees and applicants to have current licensure for positions which require licensure.

Policy

It is the policy of Bulloch County to require incumbent and new employees to have and keep current licensure for positions which require such in the job description. It is the employee's responsibility to keep his or her licensure current.

Scope

This policy applies to all employees of Bulloch County.

References

Progressive Corrective Action

Definitions

Licensure - license, registration, or certification required by agencies, law, and/or job description.

Guidelines

It is the responsibility of each department within Bulloch County to establish processes to verify, for each affected employee, evidence that the licensure has not expired and is in good standing. This verification may consist of visual verification, and, when required by certain licensing agencies or law, maintenance of the original licensure in the department where services are provided.

Prior to employment, Human Resources will verify the required licensure, and copies and/or verification of visualization will be retained in the employee's personnel file. Additionally, verification with the applicable state or national association and licensing agency is to be

conducted to ensure the license, registration, or certification is in good standing and has not expired.

Each department will establish a process to assure that each employee scheduled to work has valid and current licensure as required. This process will include a tracking of expiration dates and verification of renewals. This tracking and renewal verification may be a shared responsibility among Human Resources and the director of the department. Verification of each renewal must occur prior to the expiration date of the licensure.

No employee may work if he or she allows the licensure to expire. In this event, the department director is responsible for placing the employee on disciplinary suspension until evidence of current licensure is verified. An employee may be given a maximum of thirty days disciplinary suspension to produce evidence of current licensure. If the employee is unable to produce such evidence, the employee will be separated from employment.

Contract and/or Agency employees will be required to show verification of current licensure prior to or upon reporting for duty. The department director or designee is responsible for verification.

Each department director will maintain a master list of all positions within the department which require license, certification, and/or registration, and will assure that such requirements are reflected on the job description(s).

Orientation and Training

Purpose

To provide employees opportunities for training and to require attendance at training for certain subjects as necessary.

Policy

It is the policy of Bulloch County to require employees to attend certain educational classes as assigned, and to offer employees optional training and education to enhance personal growth and development and organizational effectiveness.

Scope

This policy applies to all employees of Bulloch County.

References

Definitions

Guidelines

Bulloch County will work with directors and employees to assess educational needs and develop and implement strategies to meet those needs. Education pertaining to job related subjects is required for all new employees, as well as employees who transfer from one Bulloch County department to another.

New Employee Orientation, or an equivalent, must be completed by each employee prior to the employee reporting for work at his or her respective unit or department. Additionally, each

employee must complete the initial orientation as designated for the position before being assigned to work independently.

Employees must seek authorization from their department director to attend educational programs as deemed beneficial for satisfactory job performance or growth and development. Training will be conducted during normal work hours whenever practical.

Sunshine Law

Purpose

To inform employees of their obligations and responsibilities to follow the Georgia State Law commonly referred to as the Sunshine Law that makes most public records and official meetings open to the public.

Policy

It is the policy of Bulloch County that employees should have no expectation of privacy beyond those specifically exempted by law from the Sunshine Law.

Scope

This policy applies to all employees of Bulloch County.

References

Definitions

Guidelines

All requests for records under the Sunshine Law will be processed within three days and in accordance with Georgia Law. The County Staff Attorney is available to provide guidance and may be contacted with questions about open records requests.

The receipt of personal mail at County work locations not only creates a cost to the County for processing it, but the mail may become subject to Georgia's Sunshine Law and could be treated as a public document. Therefore, the receipt of personal mail at any County work location is prohibited.

Transfer and Promotion

Purpose

To establish a consistent procedure for employees to transfer or be promoted within Bulloch County.

Policy

It is the policy of Bulloch County to facilitate transfers **and promotions** within departments and/or within Bulloch County. Employees interested in applying for transfer **and/or promotion** will be given consideration for transfer **and/or promotion** into a position for which they are qualified prior to the hiring of an external candidate.

Scope

This policy applies to all employees of Bulloch County.

References

Background Check, Drug Free Workplace

Definitions

Minimum Requirements - education, training, experience and licensure and/or skills as designated in the job description for the position.

Guidelines

The transfer and/or promotion process may be initiated by the employee and the requested position(s) must be currently open and posted on the Bulloch County bulletin boards. To be eligible for transfer **and/or promotion**, an employee must have been in his or her current position for at least six months and must meet all minimum requirements, including testing, for the position. For positions which require more stringent screening, such as law enforcement and vehicle operators, state, federal and department guidelines will apply. ~~If additional background screening is required, and~~ **All employees being considered for transfer and/or promotion will be subject to a criminal background and driver's history check. All employees being considered for transfer and/or promotion to a safety sensitive position will also be subject to a drug/alcohol screening. If the criminal background or driver's history check received by Bulloch County is unacceptable, the employee will not be considered for transfer and/or promotion and may be involuntarily separated. If drug/alcohol screening is not successfully completed, when required, the employee will not be considered for transfer and/or promotion and may be involuntarily separated.**

Employees who have a current corrective action may be considered for transfer **and/or promotion** upon the approval of both the current manager and the interviewing manager **unless they are under investigation for allegations involving sexual harassment.**

An employee transfer **and/or promotion** request form must be completed by the employee and submitted to the Human Resources department for approval and routing.

The interview process will be coordinated through the Human Resources department. Human Resources and/or Management will interview applicants.

Should an offer be made and accepted, the employee is responsible for giving the appropriate notice to his or her supervisor. Transfers **and/or promotions** should generally occur between two weeks and thirty days from the employee's acceptance of an offer, and should coincide with the beginning of a payroll period.

Any salary offer will be given in accordance with the Bulloch County compensation guidelines.

Work Authorization

Purpose

To determine that an employee's work authorization status is in compliance with federal INS regulations.

Policy

It is the policy of Bulloch County to require all employees to provide proof of eligibility for employment within the United States, in compliance with federal regulations.

Scope

This policy applies to all employees of Bulloch County.

References

Employment Guidelines

Definitions

INS - Immigration and Naturalization Service

Guidelines

Final applicants for employment must complete the INS Form I-9 document after receiving an employment offer. The INS-required documents demonstrating proof of eligibility to work in the United States must be submitted to the Human Resources department no later than three business days after the date of hire.

Only federally-approved visa types will be allowed. All visa information must be clear, with no stipulations, before the applicant will be allowed to begin employment.

For continued employment, it is the employee's responsibility to maintain work authorization eligibility and to provide documents demonstrating such to the Human Resources department.

Alternative Dispute Resolution (ADR)

Purpose

To provide Bulloch County employees with an expedient and fair process through which an employee's work-related concerns may be resolved, while maintaining a work environment that fosters open communication.

Policy

It is the policy of Bulloch County to encourage employees to bring work related complaints to the attention of management. Employees are provided with a process to present their issues for review and to appeal decisions by management through an internal alternative dispute resolution process. This process allows for investigation of issues, open discussion and timely final decisions. Any current Bulloch County employee is eligible to utilize the Alternative Dispute Resolution (ADR) process. Claims related to illegal acts will be investigated whether or not an employee makes a formal ADR request.

Scope

This policy applies to all employees of Bulloch County.

References

Progressive Corrective Action, Harassment, Sexual Harassment

Definitions

Dispute: A claim, demand or controversy between persons bound by this policy.

Negative Employment Action: Failure to secure a transfer or promotion, or **receiving** a written corrective action.

Guidelines

Any employee experiencing a conflict is encouraged to first seek to resolve the issue directly with the supervisor, and if it is not successfully resolved, to seek resolution through the chain of command. If this is not successful and/or not appropriate, eligible issues may be addressed through ADR.

Eligible issues included in this policy are those which involve a negative employment action. This policy does not apply to claims under an insurance policy provided by Bulloch County, complaints about annual reviews that do not result in a negative employment action, joint or group complaints, or conflicts between co-workers unless the complaint relates to unlawful actions.

Employees should be encouraged to use the ADR process and must not, under any circumstances, be penalized for doing so. No employee may retaliate, harass or intimidate any employee for participating in the ADR process. The Human Resources office is responsible for processing eligible issues.

Employees may choose to participate in the ADR process by submitting a request to Human Resources. The request should include all issue-related information and relevant documentation. The employee should bring forth the issue within thirty calendar days of the negative employment action. All information concerning the complaint will be treated as confidential employment information, except as needed for business purposes or as disclosed to third parties when required by law.

Human Resources will review the issue with the employee. Human Resources will conduct an investigation and will communicate a determination in writing to the employee.

Attendance and Punctuality

Purpose

To inform employees of attendance and punctuality guidelines.

Policy

It is the policy of Bulloch County to require employees to report for work punctually as scheduled for all assigned shifts.

Scope

This policy applies to all employees of Bulloch County.

References

Definitions

Absence - any time off from work that is unscheduled regardless of the manner in which or whether the time is paid.

Tardiness - any late arrival or failure to be present and prepared for the start of work, past the scheduled start time.

Leaving Early - any unauthorized departure from work before the scheduled end time of the shift.

~~Reasonably Immediate Notice—notice that is given no later than 28 hours after the time the employee was scheduled to report to work.~~

Guidelines

Employees must notify their supervisor, or designee, prior to the start of a shift **or as soon as reasonably possible under the circumstances** whenever they are unable to report for work. Employees must notify their supervisor, or designee, prior to the start of a shift **or as soon as reasonably possible under the circumstances** whenever they are unable to report on time. Employees must notify their supervisor, or designee, as soon as possible in advance when they must leave early.

Time away from work must be authorized by the supervisor or designee. An employee who fails to report to work without authorized leave or who fails to give reasonably immediate notice after failing to report to work may be ~~separated from employment for job abandonment~~ **subject to disciplinary action up to and including termination of employment.**

Bulloch County and its related services must be available to residents, ensuring the availability of resources to maintain operations regardless of weather conditions. Employees are expected to report for work as scheduled in the event of inclement weather, unless otherwise notified. Employees who are unable to report for work during inclement weather are expected to follow the reporting guidelines as required for any other absence or late arrival.

Three occurrences of absence in a three-month period are considered excessive, and may be grounds for corrective action.

Tardiness, or occurrences of leaving early, three times in a three-month period are considered excessive and may be grounds for corrective action.

Drug Free Workplace

Purpose

Bulloch County is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any County employee illegally uses drugs on or off the job, comes to work under the influence of alcohol or illegal drugs, possesses, distributes, or sells drugs in the workplace, or uses alcohol on the job. Bulloch County takes very seriously its responsibility and commitment to provide and maintain a safe and productive working environment free of alcohol and drug abuse. Therefore, any employee who violates any portion of the County's substance abuse policy, including but not limited to the refusal to submit to a substance abuse test when required to do so, shall be subject to appropriate disciplinary action up to and including termination of employment.

Policy

It is a violation of County policy for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job. It is a

violation of County policy for any employee to report to work under the influence of or while possessing in his or her body, blood, or urine illegal drugs in any detectable amount. It is a violation of County policy for any employee to report to work under the influence of or impaired by alcohol, or to consume or possess alcoholic beverages on County premises. It is a violation of County policy for any employee to use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than prescribed. However, nothing in this policy precludes the appropriate use of legally prescribed medications.

In compliance with Omnibus Transportation Employee Testing Act of 1991 and Federal Highway Administration regulations (49 CFR, Part 382), Bulloch County will maintain a program for testing alcohol and controlled substances for CDL holders. This program will include pre-employment, reasonable suspicion, random and post-accident alcohol and controlled substances testing of applicants for employment or employees who are required to hold Commercial Driver's License (CDL). Separate testing may be required to comply with federal regulations.

Scope

This policy applies to all employees of Bulloch County and applicants for employment with Bulloch County.

References

Definitions

Reasonable Suspicion – a reasonable belief based on specific and objective articulable facts and reasonable inferences drawn from those facts in light of experience. Situations that may give rise to a conclusion that an employee is under the influence of drugs and/or alcohol include, but are not limited to, situations listed in the Observation Checklist attached as Exhibit A.

Safety Sensitive Employee – positions where inattention to duty or errors in judgment by the employee or applicant while on duty will have the potential for significant risk of physical harm to the employee, other employees, or the general public. A list of such positions is attached as Exhibit B.

Controlled Substance – all substances defined as “controlled substances” in the Georgia Controlled Substance Act, O.C.G.A. § 16-13-20 and 16-12-21(4) as said act shall appear from time to time.

Guidelines

Bulloch County prohibits the use, disbursement, transportation, promotion or sale of illegal drugs or other legal but illicitly-used substances or the use or misuse of any prescription drug without proper medical authorization. Employees must not report for work or remain on duty while impaired or intoxicated.

Pre-Employment Testing

As part of the post offer assessment, Bulloch County will conduct drug testing on all final applicants for safety sensitive positions. All job applicants shall be informed in advance that such testing is required, and postings for such jobs shall include a notice of this testing requirement. In the event of a confirmed positive drug screen, the applicant will no longer be considered for employment and any pending offer will be revoked. The applicant may be reconsidered for employment after one year if he or she reapplies.

Former employees who are rehired or reinstated to safety-sensitive positions will be tested. Any employee who has applied for transfer and is offered another position that is safety sensitive will be tested if that employee has not previously undergone drug testing. ~~Any safety sensitive employee returning to work after a leave of absence greater than two calendar weeks must successfully pass a drug screen prior to his or her return.~~

Reasonable Suspicion Testing

Any employee who sustains a work-related accident or injury may be required to submit to a drug/alcohol test. Refusal to submit to the test and/or failure to cooperate during the testing process may result in involuntary separation from employment.

If an employee is reasonably suspected of impairment or intoxication during scheduled working hours, the supervisor should immediately contact the Department Head to review the circumstances and reach a decision as to whether to require the employee to submit to a drug/alcohol test. If the decision is made to test the employee, he or she should be escorted by the supervisor to the testing site. An employee's consent to submit to the test is required as a condition of employment and refusal to consent will result in involuntary separation from employment. Any employee suspected of drug/alcohol abuse will not be allowed to return to work until notification by Human Resources. After completion of the testing process, the employee should be placed upon investigatory suspension, and arrangements should be made to provide transportation for the employee to his or her home.

Random and Periodic Testing

Employees in all positions designated as Safety Sensitive shall be required to submit to a drug and alcohol screening test at random or on a periodic basis as determined by Human Resources.

Prescription Drug Use

Any employee using prescription medication while on the job shall do so in strict accordance with medical directions. It is the employee's responsibility to notify the prescribing physician of the duties required by the employee's position and to ensure the physician approves the use of the prescription medication while the employee is performing his/her duties. The abuse and/or misuse of legally prescribed drugs, including the performance of duties when the employee knows or should know that he or she is potentially impaired due to prescription drug use, shall be prohibited and is a violation of this policy. Employees and job applicants shall at the time of testing, provide the testing agency with a list of those prescriptions and over-the-counter medications the employee has recently used.

Confirmed Positive Tests

If the employee's test is confirmed positive for illegal drug use and/or intoxication from alcohol, he or she may be involuntarily separated from employment. If the employee's test is confirmed positive for a prescription drug(s) and the employee is unable to show proof of proper medical authorization, he or she may be involuntarily separated from employment. The decision will be based upon the employee's length of service, his or her job performance, and the circumstances leading to testing. In the event that an employee is offered participation in a rehabilitation agreement in lieu of involuntary separation, he or she will receive written corrective action. If a decision is made to involuntarily separate an employee due to positive drug/alcohol test results, he or she may be conditionally eligible for rehire after one year.

Employees offered the opportunity to participate in a rehabilitation agreement as an alternative to involuntary separation must comply with all terms of the agreement and treatment guidelines. Any employee who fails to meet all terms will be subject to involuntary separation.

Nothing in this policy should be construed to restrict any employee's protective rights under the Americans with Disabilities Act, or other state or federal law.

Harassment

Purpose

To require all employees to maintain a work atmosphere free from harassment of any kind. To advise employees of the procedure for reporting harassment. To require all employees to maintain a work atmosphere free from retaliation regarding the reporting of harassment.

Policy

It is the policy of Bulloch County to provide a work atmosphere for its employees that is free from harassment from any source, and to require employees to maintain a work atmosphere that is free from harassment of any kind including verbal, physical, or sexual harassment. It is the policy of Bulloch County to provide employees a procedure for reporting harassment. Retaliation toward any employee who reports harassment is prohibited. **Bulloch County has a zero tolerance toward all forms of sexual abuse, sexual harassment, and any other type of illegal harassment.**

Scope

This policy applies to all employees of Bulloch County.

References

Equal Employment Opportunity

Definitions

Sexual Harassment – Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute 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, or (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.

Harassment – any verbal, visual, or physical conduct which has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment because of race, religion, national origin, ancestry, disability, marital status, age, or any other protected status.

Guidelines

Employees are required to maintain a work atmosphere that is free from harassment of any kind including verbal, physical or sexual harassment. Employees of Bulloch County must conduct themselves in a professional manner, abiding by Bulloch County Human Resources policies, and demonstrating ethical behaviors consistent with State and Federal guidelines. Employees who engage in harassing conduct are subject to corrective action, including involuntary separation from employment.

An employee who feels harassed is strongly urged and encouraged to report the situation to his or her supervisor. If the supervisor is unavailable or the employee believes it would be

inappropriate to contact that person, the employee should contact the Human Resources department or the County Manager. The employee who makes a report is not required to do so in writing but is required to maintain the confidentiality of such information, discussing details only with those individuals within the organization on a "need to know" basis.

The Human Resources department is responsible for conducting a thorough and confidential investigation and for conducting corrective action if the evidence is sufficient to confirm that harassment has taken place.

Any employee who observes anyone violating this policy will promptly notify his or her supervisor, a representative of Human Resources, or the County Manager.

Retaliation against employees for reporting sexual harassment or other illegal forms of harassment or assisting the organization in the investigation of a complaint will not be permitted. Retaliation can include, but is not limited to, such acts as refusing to recommend an employee for a benefit for which he or she qualifies, spreading rumors about the employee, encouraging hostility from co-workers and escalating the harassment.

If, after investigating a harassment complaint, the Human Resource department learns that an employee has made a complaint in bad faith or knowingly provided false information regarding a complaint, disciplinary action may be taken against the individual who provided the false information.

Hearings

Purpose

To provide procedural due process for those employees who may only be terminated for cause.

Policy

It is the policy of Bulloch County to allow any employee **who may only be terminated for cause** and who has been demoted, suspended without pay, or terminated to have the right to appeal for a hearing. Appeals of employees other than those evaluated by the County Manager shall be heard and decided by the County Manager. Appeals of employees evaluated by the County Manager shall be heard and decided by the Board of Commissioners.

Scope

This policy applies to **all employees any employee** of Bulloch County **who may only be terminated for cause**.

References

Progressive Corrective Action, Alternative Dispute Resolution (ADR), Separation

Definitions

Employee – Whenever the term “employee” is used in this section, the term employee refers to full-time employees **with a hire date on or before November 17, 2015** and part-time employees **with a hire date or reclassification date on or before November 17, 2015**, both of whom can only be terminated for cause.

Cause – Includes, but is not limited to, unsatisfactory work performance or a violation of any of the provisions of this policy manual or any other policies applicable to the employee's department.

Adverse Employment Action – Includes termination, demotion that results in a decrease in pay, or a suspension without pay.

Guidelines

~~Pre-Termination~~ *Pre-Adverse Employment Action Hearing*

Department Heads or their designees may take adverse employment action against an employee for cause. Prior to taking such adverse employment action, the Department Head or designee shall notify the employee orally or in writing of the specific reasons why the adverse employment action is being considered. The employee shall be given a reasonable amount of time after receiving the notice (at least 24 hours) to respond orally or in writing to the Department Head or designee concerning charges against him. The Department Head or designee shall set a definite time within the above parameters by which the employee must respond and so inform the employee. If the employee wishes to respond to the charges orally, the Department Head or designee shall schedule a meeting with the employee at a reasonable time and place. The Department Head or designee shall give due consideration to any response offered by the employee, whether written or oral or both, prior to making ~~any action~~ a final decision on the proposed adverse employment action. If the Department Head or designee decides to ~~terminate~~ take the adverse employment action against the employee, the Department Head or designee shall give the County Manager written notice of the ~~termination~~ adverse employment action and the reasons therefor. Any employee who has received an adverse employment action shall have the right to appeal for a post-adverse employment action hearing before the County Manager or the Board of Commissioners, as applicable, in accordance with the procedures set forth below.

~~Termination Appeal~~ *Post-Adverse Employment Action Hearing*

A post-adverse employment action hearing shall only be held if the employee or his authorized agent files ~~The employee or his authorized agent shall file~~ a written request for such hearing within 5 calendar days after the effective date of the ~~disciplinary~~ adverse employment action that is the subject of the appeal. Employees other than those evaluated by the County Manager shall file their written request for a hearing with the County Manager and simultaneously send a copy of the request to the employee's supervisor. Employees evaluated by the County Manager shall file their written request for a hearing with the Chair of the Board of Commissioners and simultaneously send a copy of the request to the County Manager. The hearing shall be held ~~before the County Manager or the Board of Commissioners, as applicable~~, not less than 5 working days nor more than 20 working days after the receipt by the County Manager or Chair of the request, and the employee shall be promptly notified of the time and place of the hearing after it has been scheduled.

Prior to the hearing, the employee may request from his supervisor the identity of any witnesses against the employee and a list of any documents or other tangible evidence related to the charges against the employee. The employee's supervisor shall furnish such information to the employee upon request, unless such information is deemed confidential under any state or federal law or unless there are other good and substantial reasons to withhold the information (for example, the identity of witnesses might be withheld if the supervisor has a reasonable belief that disclosure of this information could endanger the witnesses' physical safety). If the employee so requests it, he shall be granted supervised access to any documents or other tangible evidence related to the charges against him prior to the hearing.

Hearings shall be conducted informally and technical rules of evidence shall not apply. All testimony shall be under oath. The employee may request the assistance of another person of his choosing, including legal counsel, in preparing and presenting evidence at the hearing. The employee shall have the right to present witnesses and other evidence and shall have the right to cross-examine witnesses presented but not called by the employee. The County Manager or Chair, as appropriate, shall have the authority to compel any employee of the County to appear at the hearing as a witness under penalty of termination for failure to appear.

The affected employee shall be promptly notified in writing by the County Manager or Chair, as appropriate, of the final determination with respect to the adverse employment action. In the event the County Manager or, as the case may be, the Board of Commissioners, finds that there was not sufficient cause for the adverse employment action, the affected employee shall be paid in full for such portion of time as he was unjustly suspended, reduced in pay, or removed, and the employee shall be restored to his former position and pay status or to a position in the same class and pay status.

The County Manager or the Chair, as appropriate, may grant continuances of hearings at the request of either party to the hearing if, in the County Manager's or the Chair's opinion, such a continuance is necessary to enable either party to fairly present its case.

Personal Appearance

Purpose

To provide Bulloch County employees guidelines for personal appearance requirements.

Policy

It is the policy of Bulloch County for employees to abide by departmental requirements related to personal appearance in order to present a positive, well groomed, and professional appearance and to be easily identified, when appropriate.

Scope

This policy applies to all employees of Bulloch County.

References

Definitions

Guidelines

Bulloch County expects each employee to present a professional, businesslike image to the public while in the workplace. All employees are expected to meet the requirements for safety in the conditions they work under and to apply common sense and good taste regarding personal appearance. Employees are also expected to follow department guidelines regarding uniforms and other specifics of personal appearance and grooming. And, individual departments may have certain dress and grooming requirements specific to the type of work.

Clothing:

Clothing and shoes worn on duty must be clean, properly fitted and appropriate to the work situation. If required by the department, appropriate uniforms must be worn. Costs related to uniforms may be borne by either the employee or the organization, depending upon departmental

policy. The wearing of tight-fitting, suggestive or see-through attire, jeans, shorts, jogging suits, and T-shirts is generally not permitted. Exceptions in departments with requirements specific to the type of work may be approved by the department head. Dress down days where jeans are permitted are allowed with the approval of the Department Head.

Employees are expected to be clean and to practice good hygiene habits.

Employee Identification:

Employees who are required to wear ID badges must do so in a visible area on the upper body, right side up. Nothing should be worn on the badge which conceals the employee's name or department. If required, employees must adhere to uniform requirements which allow identification of their functions.

Failure to comply with this policy may result in progressive corrective action up to and including involuntary separation.

Personal Conduct

Purpose

To inform employees of the types of behavior considered inappropriate and unacceptable.

Policy

It is the policy of Bulloch County that employees who engage in conduct deemed to be inappropriate and unacceptable may be subject to corrective action. As representatives of Bulloch County, employees must conduct themselves in a professional manner, abiding by the standards of conduct consistent with the mission, vision, and values of Bulloch County and consistent with federal and state legislation.

Scope

This policy applies to all employees of Bulloch County.

References

Definitions

Bulloch County premises - any Bulloch County facility, grounds, parking areas, or service delivery areas.

Gift - lavish entertainment, free long distance travel or lodging, monetary rewards, or other objects except those of nominal value.

Guidelines

Employees of Bulloch County must conduct themselves in a professional manner, abiding by the standards of conduct, and demonstrating ethical behaviors.

Employees must not engage in any activity, practice, or act which conflicts or appears to create a conflict of interest with Bulloch County. Employees are not to accept any employment relationship with any organization which does business or seeks to do business with Bulloch County. Employees must disclose any financial interest they or their relatives have in any firm

which does business with or seeks to do business with Bulloch County. Employees are not to accept gifts or any special discount or loans from any person or firm doing or seeking to do business with Bulloch County. Employees are not to engage in any activities as agent, broker, salesman, or representative on behalf of any company that offers products or services that are similar to those offered or planned to be offered by Bulloch County.

The following examples depict behaviors considered inappropriate and unacceptable. Employees who engage in such behaviors may be subject to corrective action, including involuntary separation.

Policy Violation/Insubordination:

- Leaving assigned duty without permission.
- Sleeping during work time, except where authorized.
- Insubordination or the refusal to accept job assignments or requests made by supervisory personnel.
- Violation of established safety rules and procedures.
- Violation of policy on attendance.

Breach of trust.

- Acts, omissions, or mistakes which endanger the public.

Inappropriate Behavior:

- Conviction related to felony charges or a felony.
- Discourtesy to customers, visitors, or employees.
- Use of profanity or abusive language.

Fraudulent Activities:

- Falsification or alteration of any record or report such as an employment application, payroll or time record, production record, expense account or shipping and receiving record.
- Forgery or alteration of checks, misappropriation of funds, any irregularity in the handling or reporting of money transactions.
- Removal of County money, merchandise, or property, including property in custody of the County without permission.

Illegal Acts:

- Acts or threats of sexual misconduct or harassment.
- Acts or threats of physical harassment or violence.
- Gambling on Bulloch County premises.
- Destruction or defacement of Bulloch County property or the property of customers or employees.
- Possession, consumption, or being under the influence of intoxicating beverages, controlled substances, illegal drugs, or prescription medication outside medical authorization on Bulloch County premises.
- Abuse or misuse of equipment.

The preceding lists are not intended to be exclusive.

Employees who are convicted of a misdemeanor or felony are required to report such conviction to their supervisor or to Human Resources within three days of the conviction.

Any employee who observes anyone violating this policy will promptly notify his or her supervisor, a representative of Human Resources, or the Bulloch County Manager.

Employees who violate this policy may be subject to corrective action, including involuntary separation.

Political Activities

Purpose

To provide guidelines for employees to engage in political activities while preserving public confidence and maintaining the efficiency of County government and to protect employees from political patronage.

Policy

It is the policy of Bulloch County to prohibit employees from becoming a candidate for or holding an elected seat on the Bulloch County Board of Commissioners.

Employees of Bulloch County are expected to avoid public political activities that would have the effect of endorsing, promoting, or disparaging a particular candidate for an elected seat on the Bulloch County Board of Commissioners. While employees are encouraged to otherwise express their political opinions and to vote for the candidate of their choice in any political election, employees should not use their positions or County time or resources for political purposes.

Scope

This policy applies to all employees of Bulloch County.

References

Personal Conduct

Definitions

Guidelines

Progressive Corrective Action

Purpose

To provide for both employees and supervisors a positive, non-punitive progressive process to be used for employees who must improve and/or change performance and/or behavior.

Policy

It is the policy of Bulloch County to assist employees to remedy behavior and performance problems through progressive corrective action before ending the employment relationship by separation. In cases of misconduct or serious work rule violations, the employee may be subject to involuntary separation without prior corrective action.

Scope

This policy applies to all employees of Bulloch County.

References

Separation, Alternative Dispute Resolution (ADR), Personal Conduct, Licensure, Harassment, Hearings

Definitions

Guidelines

Bulloch County is committed to a workplace environment in which all employees are treated with dignity, respect, honesty, and fairness. Employees are expected to achieve and maintain required levels of work performance, to adhere to the policies and guidelines of Bulloch County, to work cooperatively with others, and to follow the work directives of their supervisors.

Employees who fail to meet performance expectations and/or fail to follow conduct guidelines are subject to corrective action. The corrective action process is intended to provide a structure for information exchange between the employee and the supervisor, and to provide a reasonable opportunity for the employee to improve or correct his or her performance and/or behavior. In general, the corrective actions which are taken become progressively more stringent if the employee does not achieve the expected behavior change and/or performance improvement within the time frames specified.

The action steps described in the following paragraphs outline a general process to guide the supervisor. However, the process is meant to be flexible and to allow for the judgment of the supervisor in consideration of individual circumstances. At the same time, supervisors are expected to treat similarly-situated individuals in a similar manner. The stage at which the process is initiated depends upon the nature, severity, and/or frequency of the behavior or performance problem. In general, the employee should be allowed a reasonable time in which to demonstrate performance improvement or behavior change. The elapsed time between action steps depends upon the circumstances. This policy does not create a contract or agreement which would entitle employees to any certain level or step in the corrective action process, or to any specific time frames between action steps. When giving any formal corrective action, suspension, or termination, a copy should be given to the employee, a copy retained for the departmental file, and the original sent to Human Resources.

NINETY-DAY PROBATIONARY PERIOD

The probationary period is a period of time during which a new employee **or an employee who has been transferred and/or promoted to a new position** is being evaluated on job capability and performance. During this time, both the employee and the supervisor have the opportunity to assess the relationship for appropriate fit. Probationary employees are "at-will" employees and may be terminated at any time during the probationary period with or without cause. The supervisor should work closely with the **new probationary** employee and provide coaching, feedback, and assistance concerning performance and fit with the position. A performance evaluation will be conducted at the end of the probationary period. If the supervisor determines that the employee is not meeting performance expectations and/or is not a good fit with the position, he or she may release the employee at any time during the ninety-day probationary period. If dismissed during the probationary period, the employee shall not be eligible for pay for accumulated annual leave. ~~and will not be eligible for a termination hearing.~~

COACHING

The coaching session provides a structure for the supervisor to communicate with the employee, and an opportunity to give positive feedback, as well as information and guidance regarding areas for improvement. Coaching sessions should be documented by the supervisor and maintained in the supervisor's departmental file. This documentation provides a chronological record of the employee's performance. Since coaching is not considered a part of the formal corrective action process, there is no requirement for the employee's signature, and no copies should be forwarded to Human Resources. One or more coaching sessions are generally held prior to proceeding to the next step. However, the supervisor may initiate a formal corrective action step or involuntary separation without coaching if circumstances warrant.

CORRECTIVE ACTION

Corrective action is the first step of the formal progressive process, and while not meant to be punitive, provides notice to the employee that performance improvement or behavior change must be seen. This step is used when performance improvement is not accomplished after one or more coaching sessions, or to address a serious performance or behavior problem; however, the supervisor may proceed to involuntary separation without corrective action if circumstances warrant. The corrective action session provides a structure for the supervisor to communicate the behavior requiring performance improvement, the behavior expected, and the reasons why a change is needed. The session allows the employee, with the supervisor's concurrence, to develop his or her planned actions to achieve the expected behavior, or a performance improvement plan. The supervisor should establish time frames for the expected improvement. The session should be documented, with signatures of both employee and supervisor. A copy should be given to the employee, a copy should be kept in the employee's departmental file, and the original should be forwarded to Human Resources for the employee's personnel file. The employee should be advised, if necessary, that his or her signature acknowledges receipt of a copy of the corrective action documentation, and does not necessarily denote agreement with the action taken. If an employee refuses to sign a corrective action notice, the supervisor should document the employee's refusal to sign the document and provide the employee with a copy. One or more corrective actions may be taken to address performance problems, based upon the circumstances.

INVOLUNTARY SEPARATION

If performance and/or behavior expectations are not met subsequent to one or more formal corrective actions, the appropriate next step is involuntary separation. Involuntary separation may be used without prior corrective action steps in the event of misconduct or serious work rule violation. The Human Resources Director should be consulted prior to any involuntary separation. The guidelines established in the Hearing policy should be followed. The supervisor should document the reason for the separation and the documentation should be signed by both supervisor and employee.

SUSPENSION PENDING INVESTIGATION

This corrective action step should be used in circumstances when it is in the organization's best interest for an employee or employees to leave the workplace immediately because of an incident or suspected work rule violation. This action serves as a tool for the supervisor to use to intervene in employee altercations, disagreements, or other situations when the facts of the situation may not be immediately clear to the supervisor, when time is needed to collect and consider facts, and/or resources needed to investigate issues may not be available. The employee should be told that he or she is being placed upon suspension pending investigation, and to clock out or sign out and leave immediately. The employee should be given a time and place to contact the supervisor during normal working hours, providing sufficient time to notify involved parties, collect

information, and consider the facts. Documentation of the suspension should be done. If practical, obtain the employee's signature and provide him or her with a copy. The original, signed by the supervisor, should be sent to Human Resources. The supervisor should notify Human Resources and the Department Head as soon as possible during normal working hours. All parties should make every effort to resolve the situation quickly, and in no case should the time period of the suspension exceed three working days. In the event that the employee is terminated for cause as a result of the investigation, he or she will not be paid for any time spent on suspension.

DISCIPLINARY SUSPENSION

This corrective action step falls outside the realm of normal progression and should be used only in unusual circumstances. While on disciplinary suspension, an employee may not be paid Annual Leave.

Reasonable Accommodation

Purpose

To provide employment practices related to work accommodations which are in compliance with the Americans with Disabilities Act (ADA).

Policy

It is the policy of Bulloch County to provide a consistent process to comply with the ADA by assisting applicants and employees in requesting and obtaining reasonable accommodation in order to be considered for positions for which they may be qualified with reasonable accommodation, or to perform the essential functions of the position in which they are employed.

Scope

This policy applies to all employees of Bulloch County and applicants for employment with Bulloch County.

References

Leave of Absence, Drug Free Workplace

Definitions

Reasonable Accommodation - Any adjustments within the work environment or work procedures which result in equal employment opportunity for a qualified individual with a disability, as defined in the ADA. These adjustments may include, but are not limited to, modification of existing facilities to make them accessible; job restructuring; part-time or modified work schedules; reassignment; acquisition or modification of equipment; appropriate alteration of examinations, training or policies; and the provision of qualified readers/interpreters.

Disabled - A person is "disabled" if he or she has a physical or mental impairment which substantially limits one or more major life activities, such as eating, walking, seeing, hearing, speaking, breathing or working; has a record of such an impairment, or is regarded as having such an impairment.

Essential Function - The "essential functions" of the job are the fundamental duties and responsibilities.

Guidelines

Reasonable accommodation is available to all disabled employees, as defined under the ADA, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Bulloch County is committed to taking actions necessary to provide equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

If an applicant or employee requests an accommodation in order to interview, begin or continue employment or return to work from a leave of absence, the department head, with the assistance of Human Resources, will make an effort to reasonably accommodate such requests by reviewing the restrictions as determined by the employee's or applicant's doctor, reviewing the job description, identifying functions for which accommodation may be necessary, and making recommendations. If no reasonable accommodation can be identified, the employment process will end at that time.

If an employee is unable to perform the essential functions of his or her job with or without accommodation the employee may be assigned to an appropriate available position within Bulloch County for which the employee is qualified. If the employee declines a position offered or if at the end of thirty days an appropriate position has not been found, Bulloch County may separate the employee from employment unless the employee is on an approved leave of absence.

This policy is based upon current interpretations of the ADA and is subject to change if the Act changes.

Searches

Purpose

To inform employees of the right of Bulloch County to access workplace areas and items.

Policy

It is the policy of Bulloch County to allow for workplace areas and items to be accessed by supervisor and other employees for work-related purposes and to allow for searches of workplace areas and items when warranted.

Scope

This policy applies to all employees of Bulloch County.

References

Drug Free Workplace, Progressive Corrective Action, Personal Conduct

Definitions

Workplace areas and items – includes, but is not limited to, offices, desks, file cabinets, computers, and County-owned vehicles.

Guidelines

Due to the nature and purpose of the workplace environment, an employee's workplace areas and items are expected to be routinely accessible to the employee's supervisors and/or co-workers for work-related purposes. An employee's workplace areas and items are also subject to being searched as part of an investigation for work-related misconduct when there is a reasonable suspicion that they may contain evidence of such misconduct.

Separation

Purpose

To delineate types of separation and the process for each.

Policy

It is the policy of Bulloch County to administer employee separations according to a consistent process.

Scope

This policy applies to all employees of Bulloch County.

References

Progressive Corrective Action, Licensure, Leave of Absence, Alternative Dispute Resolution (ADR), Hearings

Definitions

Voluntary Separation - separation initiated by the employee or resulting from an employee-initiated action, such as resignation, failure to return from leave of absence, retirement, death, failure to report to work or notifying the immediate supervisor within 28 hours after scheduled (job abandonment), or failure to keep licensure current.

Involuntary Separation - separation initiated by Bulloch County, such as termination for performance or behavioral reasons, release during the employee's ninety-day probation period, layoff, administrative discharge due to lack of work or failure to meet scheduling requirements, or administrative discharge.

Guidelines

Employees who resign or retire are required to give at least two weeks written notice. Exempt employees are required to give at least four weeks written notice. Employees who fail to provide proper written notice will receive a reduction in their annual leave balance to offset the amount of notice not given. Annual Leave hours may only be used during the notice period for time scheduled and approved by the employee's supervisor prior to the notice. Employees are expected to work during the notice period. However, Bulloch County reserves the right to pay employees rather than have them work through the notice period.

Employees who separate voluntarily are eligible to receive 100% payment of all Annual Leave hours accrued through the last day worked less any reduction resulting from failure to provide proper notice. **Employees who separate involuntarily are not eligible to receive payment of and will forfeit any accrued Annual Leave hours. Separating employees are not eligible to receive payment for any accrued Sick Leave hours regardless of the reason for separation.**

All separating employees are asked to participate in an exit interview and to follow the exit procedures of the respective Bulloch County department. All separating employees must return all County property.

Layoff

The County Manager may lay off employees for lack of work, budgetary restrictions or other changes that have taken place. Temporary, ~~Special Shift, Intermittent or~~ probationary employees will be laid off before full-time or part-time employees are affected. In determining who is to be laid off, consideration will be given to individual performance and the qualifications required for remaining jobs. Seniority will be considered when performance and qualifications are equal. Employees who are laid off may be eligible to be re-employed, if a vacancy occurs in a position for which they are qualified.

Use of Tobacco Products

Purpose

To provide guidelines for employee use of tobacco products on Bulloch County premises.

Policy

It is the policy of Bulloch County to prohibit smoking by employees during scheduled work time. Employees may smoke on Bulloch County premises only while on break or off duty and only in designated areas on or outside facility premises.

Scope

This policy applies to all employees of Bulloch County.

References

Definitions

Guidelines

Bulloch County is committed to the provision of a safe and healthy environment for all employees and visitors, and to compliance with all state, federal, and regulatory guidelines with regard to use of tobacco products on the premises.

Employees who choose to smoke must limit such use to off-duty times, meal or break periods and must use only the areas designated by the respective department.

Smoking by employees is prohibited in all Bulloch County facilities except in designated smoking areas. Employees are required to abide by provisions of this policy as well as by restrictions established in each Bulloch County department.

Compensation

Purpose

To provide fair, equitable and consistent compensation guidelines in keeping with accepted compensation processes.

Policy

It is the policy of Bulloch County that the duties and responsibilities of each position be defined and compensated on the basis of relevant external labor market, internal worth, and viable financial status. Bulloch County is committed to a compensation program based on fairness, objectivity and compliance with regulatory agencies.

Scope

This policy applies to all employees of Bulloch County.

References

Definitions

Base Pay - The hourly rate or salary paid for a job performed. Does not include shift differentials, benefits, overtime, incentive premiums, or any pay element other than base rate.

Compliance with Regulatory Agencies - Ensuring employee pay practices are consistent with Federal and State regulatory requirements.

Guidelines

Each Department must comply with the practices as described herein.

Determining the Salary Range: A position's salary range is derived through surveys of external pay practices in the defined labor market and comparisons to established position values internally.

Establishing Placement of Salary Within the Range: Provisions for establishing a specific employee's salary placement within the range are provided for recognizing employee knowledge, skills, and abilities as they relate to position qualifications, promotional opportunities, merit pay opportunities, and other compensation adjustments that address the relative value of positions to the organization internally as well as externally in the labor market.

Approval Authorization: Except where otherwise specifically noted, the County Manager must authorize a compensation change, except those administered as part of a cost of living increase or merit increase covered by the provisions of this policy.

Determining Base Pay for a Position: The salary shall be based on external competitiveness and internal equity reflecting the position's level of responsibility and the individual's contribution to the position. Program objectives are to provide for consistent pay for performance; internal equity; external market competitive rates; upward mobility; and management controls that support and reinforce the strategic goals and objectives of Bulloch County.

Requests for Review of New or Existing Positions: A job description should be drafted and sent, along with any attachments, to the Human Resources Department for approval, review, and evaluation. County Manager approval is required for the evaluation obtained.

Development of the Job Description: All managerial employees are responsible for maintaining current job descriptions on all positions within their departments. The Human Resources Department shall be responsible for assisting in the development of job descriptions as needed.

Job descriptions shall be reviewed by the manager as necessary to reflect current position responsibilities and a copy of each shall be forwarded to the Human Resources Department.

Market Surveys: Market surveys will be conducted by the Human Resources Department. Approval by the County Manager is required before implementation of any recommended changes.

Base Pay Plan Practices

Starting Salaries: For all positions, new hire starting salaries are determined at the discretion of the hiring Manager based upon the incumbent's background and experience. As a guide to help maintain internal equity, the grade's minimum salary may be increased 3% for each year of related training or experience that exceeds minimum qualifications of the position. Starting salaries must be in the salary range for the position.

Merit Increases: The merit pay plan consists of annual performance reviews to determine a salary increase. It is designed to provide an organization-wide guide for compensating employee performance. The amount allocated for merit increases is determined by the Board of Commissioners based on available funding.

Performance Evaluations: Each Bulloch County employee shall have his/her performance evaluated annually. The results of the evaluation shall be used to document eligibility for a merit increase. An increase not to exceed an annually specified amount may be given to an employee annually based on performance and position in the salary range. Merit increases exceeding the annualized specified maximum amount require County Manager approval. Each year the annual merit increase budget will be determined by Bulloch County Board of Commissioners. Each Bulloch County Manager shall be responsible for ensuring that overall merit increases do not exceed the merit increase budget for his/her functional area. The effective date of an employee's annual merit increase will be the first day of the pay period following his/her review date.

Promotion Pay Increases: For promotions (e.g., movement into a position classification assigned to a higher salary grade), the employee shall generally receive a base pay increase equal to one half of the percentage difference between the two grade midpoint salaries or movement to the minimum of the new grade's salary range, whichever results in a higher salary. The new rate of pay shall not exceed the new grade pay range maximum. The standard formula for calculating the promotion pay increase is as follows:

$$\frac{(\text{New Midpoint} - \text{Old Midpoint})}{\text{Old Midpoint}} \times .5$$

Any promotional increase in excess of the above percentage shall require County Manager approval.

Demotion Pay Decreases: Demotion pay (e.g., movement into a position classification assigned to a lower salary grade) decreases shall be determined at the discretion of the Department Head in consultation with Human Resources. Where circumstances warrant, a demoted employee's salary may remain at the same level as long as it does not exceed the salary range maximum.

Lateral Transfers: An employee who makes a lateral transfer (e.g., movement from one department to another in the same position or from one position to another with the same salary grade) retains his/her current base pay, up to the recognized maximum for the position. Evaluations will be done by the current supervisor and placed in the employee's file.

Discretionary Changes in Base Pay: Requests may be made to adjust employee base pay outside the normal performance evaluation cycle as a result of market change, job change, or for internal equity reasons. This does not include salary grade changes. Discretionary changes in base pay must be approved in consultation with the Human Resources Department and require County Manager approval.

Employees Working in Two or More Positions: Employees who work in different positions shall be paid an appropriate wage (base salary) based on the salary range applicable for each position. Overtime shall be paid in accordance with the Fair Labor Standards Act.

Supplemental Pay Practices in Addition to Base Pay:

Overtime Pay: Compensation of non-exempt employees for working overtime hours shall be in compliance with the Fair Labor Standards Act. Employees may receive compensatory time in lieu of overtime as described in the compensatory time section of this policy. Overtime pay is calculated on actual hours worked, and does not include annual leave or sick time or other forms of paid leave. An employee whose actual work hours exceed 40 hours in one week shall not receive additional annual leave pay or sick leave pay for that week unless regularly scheduled to work more than 40 hours in a week.

Compensatory Time: Non-exempt employees entitled to overtime pay may elect to receive compensatory time off instead of cash payment. The employee must agree to accept compensatory time in lieu of cash payment prior to the performance of work. If the compensatory time option is exercised, the employee is credited with one and a half hours for each hour worked as overtime. Maximum accruals of compensatory time shall be limited to forty (40) hours for regular employees, seventy-two (72) hours for Correctional Officers personnel and eighty (80) hours for other public safety personnel. After maximum accrual, overtime compensation shall be paid.

Employees may use compensatory time within a reasonable time period after making a request to their department head, unless doing so would unduly disrupt County operations. Compensatory time should be used for short term absences from work during times mutually agreed to by the employee and the department head.

If an employee is unable to use accrued compensatory time within a reasonable period, usually ninety (90) days, the employee will be paid their original overtime wage.

Upon termination of employment, an employee will be paid for unused compensatory time at a rate of compensation not less than (i) the average regular rate received by the employee during the last 3 years of employment, or (ii) the final regular rate received by the employee, whichever is greater.

Exempt Employees: Exempt employees are paid a fixed amount for their work and only under special circumstances may their salary be reduced and still remain in compliance with the Fair Labor Standards Act. Any reduction in pay for exempt employees should be submitted to the Human Resources Department for review and approval prior to implementation.

Call Back Pay: The responsibilities and duties of the County make it necessary that certain employees be available (i.e., "on call") to report for work outside normal working hours. The Department Head or his/her designee will maintain a list of employees to be assigned on-call duty. Employees will be assigned on-call duty on a rotational basis. Employees will normally not be assigned on-call duty for consecutive on-call periods. However, circumstances may occasionally require that an employee be assigned on-call duty for more than one consecutive

on-call period. The on-call periods shall be determined by the Department Head and approved by the County Manager.

Employees who are on call are expected to keep their pager and/or cell phone turned on and with them at all times, to refrain from consuming any alcoholic beverages, and to be available to report to work within approximately one hour or less, depending on department requirements, after being called. Other than these requirements, employees who are on call are free to use their on-call time for personal activities and are not required to remain in any particular location.

Employees who are on call will be paid according to departmental guidelines. On-call time is not compensable time under the Fair Labor Standards Act ("FLSA") since the employees, with minimal restrictions, are free to use on-call time for personal activities. Nonetheless, as compensation for being on call, employees may accrue one hour of compensatory time for each twenty-four hours or fraction thereof that they are on call. This time is non-FLSA compensatory time and is not subject to the requirements for compensatory time under the FLSA. Employees who earn compensatory time for being on call must use the time during the calendar year in which it is accrued. If an employee does not use the time during the calendar year in which it is accrued, the time will be forfeited and the employee will not be entitled to use the time or be otherwise compensated for it.

Family and Medical Leave

Purpose

To enable all eligible employees to receive extended time away from work due to the serious health condition of the employee, for the birth or placement of a child, or for the employee to care for a spouse, child, or parent who has a serious health condition in compliance with the Family and Medical Leave Act (FMLA).

Policy

It is the policy of Bulloch County to grant leaves of absences to its full-time and part-time employees who meet certain requirements and require a continuous absence under the Family and Medical Leave Act (FMLA).

Scope

The policy applies to all eligible employees of Bulloch County.

References

Paid Time Off, Leave of Absence, Drug Free Workplace

Definitions

Foster Care: Placement of a child pursuant to formal state action, rather than just an informal arrangement to care for a child.

Spouse: A husband or wife recognized under Georgia Law. ~~including a spouse by common-law marriage.~~

Son or daughter: A biological, adopted, or foster child, a stepchild, a legal ward, or a child to whom the employee stands in "loco parentis" (i.e., a child to whom the employee has day-to-day

caring responsibilities). Leave is available only if the son or daughter is under 18 years of age or, if older, is incapable of self-care.

Parent: A mother or father of an employee, or an individual who stands or stood in "loco parentis" (with day-to-day caring responsibilities) to an employee when the employee was a child. This does not include parents "in law".

Serious health condition: An illness, injury, impairment, or physical or mental condition involving either inpatient care or continuing treatment by a health care provider.

Incapable of self-care: An individual requires active assistance or supervision to provide daily self-care.

Health care provider: A doctor of medicine or osteopathy licensed to practice medicine, podiatrists, dentists, clinical psychologists, or other similar position.

Intermittent leave: Leave, due to a single illness or injury, taken on a reduced schedule of time rather than for one continuous period of time, and may include time away from work for durations of fifteen minutes to several weeks (e.g., medical appointments as part of an ongoing course of treatment such as chemotherapy).

Guidelines

The Family and Medical Leave of Absence Policy is designed to summarize an employee's rights under the Family and Medical Leave Act and the policy alternatives that Bulloch County has chosen under this Act. Nothing in this Policy is designed to circumvent Federal law or to limit any rights an employee may have under the Act. A Family and Medical Leave of Absence is an approved absence available to eligible employees for up to twelve (12) work weeks in a twelve (12) month period for the following events:

- for the birth and care of a newborn child;
- for the placement of a child for adoption or foster care;
- caring for the employee's seriously-ill spouse, child or parent;
- a serious health condition that makes the employee unable to perform the essential job functions.

The twelve (12) month period is computed from a rolling twelve (12) month period measured backwards from the date leave begins.

Spouses who are both employed by Bulloch County are limited to a combined total of twelve (12) work weeks during any twelve (12) month period if leave is taken for the birth, placement, adoption or foster care of a child or for the care of a parent with a serious health condition.

An employee's entitlement to FMLA for the birth or placement of a child expires twelve (12) months after the child's birth or placement.

For employees who meet eligibility requirements for FMLA, intermittent leave, or leave taken on a reduced schedule of time, will be granted when it is medically necessary for the employee to care for a spouse, child, or parent; or for the employee's own serious health condition. Employees may not take intermittent leave for the birth or adoption of a child. In determining maximum FMLA leave, total intermittent leave and/or continuous leave added together may not exceed twelve work weeks in a twelve-month period.

For foreseeable FMLA leaves, a 30-day advance notice should be provided to Human Resources prior to leave start date. Written medical certification from a health care provider should be submitted to Human Resources at least 15 days prior to the start of the requested leave.

All sick leave and annual leave must be utilized during the FMLA, unless the employee is receiving workers' compensation or disability benefits. Employees who have exhausted available leave time will have the option to take the time off without pay.

If the need for the leave is unforeseeable, the employee should give notice to the manager or human resources as soon as practical, ordinarily within one or two working days. Notice should be given either in person or by telephone when a medical emergency is involved. The notice may be given by the employee's spouse or other family member if the employee is unable to do so due to a serious health condition. If the leave is not foreseeable, the employee must provide the written medical certification within fifteen (15) days after the FMLA is granted.

When planning medical treatments, the employee must make reasonable efforts to schedule the leave to avoid undue disruption of Bulloch County operations, subject to the approval of the health care provider.

Bulloch County reserves the right, as permitted under federal law, to have a health care provider of its choice review and evaluate the employee's need for FMLA. If the employee-initiated and employer-initiated medical opinions differ, Bulloch County may require the opinion of a third health care provider, approved jointly by Bulloch County and the employee and paid for by Bulloch County.

Bulloch County may require the employee to obtain later medical certifications on a reasonable basis, but no more frequently than every thirty (30) days. Bulloch County may require a medical certification more frequently than 30 days if:

- the employee requests an extension of leave;
- changed circumstances occur regarding the illness or injury; or
- the employer receives information that casts doubt upon the validity of the most recent certification.

A letter of notification to return to work must be submitted 15 days prior to the scheduled return date. If an employee needs to extend his/her leave or wants to return to work prior to the scheduled return date, the employee must provide at least two (2) days notice to Human Resources. An employee who has been on FMLA due to his/her own serious health condition must provide to Human Resource a medical release from the health care provider, at least two days prior to the scheduled return date, stating that the employee is able to return to work and can perform the essential functions of the job.

Once FMLA has been exhausted, the employee may be eligible for other applicable leave policies.

If the employee does not return to work on the scheduled return date, the employee will be considered to have voluntarily resigned unless the employee provided proper notice prior to his scheduled date of return that he has a change in his medical condition which requires an extension of the Leave of Absence.

An employee who is granted FMLA will in most cases be returned to the position held prior to the leave or an equivalent position with equivalent pay, benefits, and other employment terms. If the

employee, after returning from the FMLA does not want to return to this position, the employee will be considered to have voluntarily resigned from that position and termination is effective as of the date the employee was to return. If the employee returns to the position but does not wish to remain in the position, he or she may utilize the employee transfer process.

Leave of Absence

Purpose

To provide an opportunity for employees to apply for a leave of absence other than Family and Medical Leave.

Policy

It is the policy of Bulloch County to allow full and part time employees to apply for a leave of absence for medical, personal or educational reasons beyond those required by state and federal law.

Scope

The policy applies to all eligible employees of Bulloch County.

References

Paid Time Off, Family and Medical Leave, Military Leave, Drug Free Workplace

Definitions

Leave of Absence (LOA) : A continuous absence from work in excess of two calendar weeks for medical, educational, or personal reasons that has been approved by Human Resources and the employee's manager.

Family and Medical Leave: Extended time away from work due to the serious health condition of the employee, for the birth or placement of a child, or for the employee to care for a spouse, child, or parent who has a serious health condition in compliance with the Family and Medical Leave Act (FMLA).

Guidelines

Generally, full-time and part-time employees are eligible for a leave of absence. These guidelines also apply when an employee, who at the end of FMLA, requests an additional Leave of Absence.

When an employee anticipates that a continuous absence will exceed two calendar weeks, regardless of the reason for the absence, a Request for Leave of Absence form must be submitted to Human Resources at least thirty days prior to the first day of the anticipated absence (applies to foreseeable leaves). The Request for Leave of Absence form must be signed by the employee's manager. If the absence was not anticipated, the employee must submit a Request for Leave of Absence form within thirty days of the employee's first day of absence. This policy does not apply to approved vacations in excess of two weeks.

An employee may not exceed six months for any type of leave in any twelve month period, with the exception of military leave. In the event that an employee's previously-held position is unavailable, he/she will be eligible for one calendar month's administrative leave to seek another position, beyond the six-month maximum.

A medical leave of absence may continue until whichever of the following occurs first:

- The employee voluntarily resigns.
- The employee fails to provide proper documentation of the nature and anticipated length of absence.
- The employee refuses an examination by a physician Bulloch County's choosing, if needed.
- The employee's physician releases the employee to return to work.

Employees on leave of absence are not eligible for any type of pay except for sick leave, vacation, or workers compensation pay. Employees on an unpaid leave of absence do not accrue vacation or sick leave.

An employee on a leave of absence may not accept employment elsewhere. An employee who accepts employment elsewhere while on a leave of absence will be considered to have voluntarily resigned without notice.

An employee who is granted a Leave of Absence is not guaranteed a job upon return unless required by law, such as in FMLA. If the position the employee held prior to the Leave of Absence is not available, the employee may have a thirty (30) day administrative leave to secure a new position, beyond the six-month maximum.

Military Leave

Purpose

To provide employees leaves of absence for military service, training or other obligations in compliance with state and federal laws.

Policy

It is the policy of Bulloch County that any employee shall be entitled to a leave of absence while engaged in the performance of ordered military duty and while going and returning from such duty.

It is the policy of Bulloch County that any employee who is or becomes a voluntary member of any force of the organized militia or of any reserve force or reserve component of the armed forces of the United States shall be entitled to a leave of absence while in attendance as a member of such force or reserve component at any service school or schools conducted by the armed forces of the United States for a period or periods up to and including 6 months and while going and returning from the school or schools, notwithstanding that orders for such attendance are or may be issued with the consent of the employee. However, no employee shall be entitled to leave in excess of a total of 6 months during any 4-year period.

At the conclusion of the leave, employees generally have the right to return to the same position held prior to the leave or to positions with equivalent seniority, pay and benefits. Employees are requested to notify their supervisors as soon as they are aware of the military obligation.

Scope

The policy applies to all employees of Bulloch County

References

Paid Time Off

Definitions

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 schools or schools conducted by the armed forces of the United States as a voluntary member of any force of the organized militia or of any reserve component of the armed forces of the United States pursuant to orders issued by competent state and federal authority without the consent of the employee. Such duty, performed for a period or periods not exceeding a total of 30 days in any one federal fiscal year (October 1 – September 30), shall be deemed ordered military duty regardless of whether the orders are or may be issued with the consent of the employee.

Guidelines

Unless prevented from doing so by military necessity, the employee should complete a Request for Leave of Absence and provide his or her immediate supervisor with notice that the employee will be engaging in military service, including, where feasible, a copy of the orders directing the military duty. Employees are requested to provide such notice within 30 days of active military service.

Any employee shall be placed on paid leave while engaged in performance of ordered military duty and while going and returning from such duty for a period of time not to exceed 18 days in any one federal fiscal year and not to exceed 18 days in any one continuous period of absence. In the event the Governor declares an emergency and orders any employee to state active duty as a member of the National Guard, such employee, while performing such duty, shall be placed on paid leave for a period not exceeding 30 days in any one federal fiscal year and not exceeding 30 days in any one continuous period of such state active duty service. Employees on military leave may, at their option, use any or all accrued paid vacation during their absence after these paid periods are exhausted.

Questions regarding the company's military leave policy, applicable state and federal laws and continuation of benefits should contact Human Resources.

Paid Time Off

Purpose

To enable all eligible employees to receive pay for time away from work for personal use, sickness, jury duty, and bereavement.

Policy

It is the policy of Bulloch County to provide certain types of paid leave to eligible employees.

Scope

The policy applies to all eligible employees of Bulloch County.

References

Leave of Absence

Definitions

Annual Leave: Time used for vacation or personal time by eligible employees. **An employee may use annual leave for illness, but only after the employee has exhausted all accrued sick leave.**

Bereavement Leave: Time allowed for employees for a death in the employee's immediate family

Holiday Pay: Days set aside annual to observe holidays. Those holidays include:

- New Year's Day
- Martin Luther King, Jr.'s Birthday
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day and the following Friday
- Two days during the Christmas season (annually designated by the County Manager).

Immediate Family: An employee's spouse, child, parent, brother, sister, grandparent, grandchild or similar in-law or step-family relationship, or other relative living in the employee's household.

Jury Duty and Civil Leave: Time when an employee is serving on a jury or when subpoenaed in connection with the employee's County employment to appear before a public body or commission when such service coincides with the employee's regular work schedule.

Sick Leave: Time used for personal illness or illness of the employee's immediate family member.

Guidelines

Eligible employees begin to accrue annual leave and sick leave immediately upon employment. Eligible part-time employees accrue annual leave and sick leave at a pro-rated amount based upon the hours regularly scheduled to work. Annual leave cannot be taken during the probationary period except for unusual circumstances.

Annual Leave

Annual leave accrues as follows for full-time employees:

- Employees with up to five years of continuous service accrue annual leave at a rate of 8 hours per month.
- The next pay-period after the employee's five year anniversary date, the employee will accrue annual leave at a rate of 10 hours per month.
- The next pay-period after the employee's fifteen year anniversary date, the employee will accrue annual leave at a rate of 12 hours per month.

~~Eligible part-time employees~~ **Part-time employees with a hire date or reclassification date on or before November 17, 2015** accrue annual leave at a pro-rated amount based upon the hours regularly scheduled to work. **Part-time employees with a hire date or reclassification date after November 17, 2015 do not accrue any annual leave.**

Employees with less than 10 years of service will be allowed to carry over a maximum of 80 hours of annual leave as of December 31st each year. Employees with 10 or more years of service will be **able allowed** to carry over a maximum of 120 hours of annual leave as of December 31st each year.

Each November, employees with at least one year of service as of July 1st may “cash-out” up to 40 hours of annual leave as long as they maintain a minimum of 40 hours of annual leave after the “cash-out.” “Cash-out” applications are available in Human Resources.

Sick Leave

~~Effective on September 1, 2009 with no retroactive accrual,~~ Sick leave ~~will~~ accrues as follows for full-time employees:

- Employees with up to five years of continuous service accrue sick leave at a rate of 8 hours per month.
- The next pay period after the employee’s five year anniversary date, the employee will accrue sick leave at a rate of 10 hours per month.

Sick leave may be used for the employee’s personal illness or illness of the employee’s spouse, child, parent, grandparent, grandchild, father-in-law, or mother-in-law.

Employees may accumulate a maximum of 960 hours of sick leave. ~~Beginning July 1, 2006,~~ Employees who reach the maximum accrual will have hours converted to annual leave at a four-to-one rate (4 hours of sick leave convert to 1 hour of annual leave).

A medical certification signed by a licensed physician may be required to substantiate time off due to sickness for an absence of three or more consecutive work days or when absences occur frequently.

~~Employees with at least one year of service as of July 1st, who have no more than one sick leave occurrence (one full day or up to three consecutive days), and have no other unscheduled absences for one calendar year, may convert up to 16 hours of sick leave at a two-to-one rate (2 hours of sick leave convert to 1 hour of annual leave) each year in January.~~

Sick and Annual Leave in Lieu of Workers’ Compensation Benefits

Employees who suffer an accidental injury or occupational disease where compensation is payable during a period of incapacity under the Georgia Workers’ Compensation Act will be required to elect between using their accrued sick and annual leave in lieu of workers’ compensation benefits, or accepting workers’ compensation benefits in lieu of using accrued sick and annual leave. Employees cannot be paid both workers’ compensation benefits and accrued sick/annual leave during a period of incapacity that is compensable under the Georgia Workers’ Compensation Act.

Sick Leave Donation Program

The Sick Leave donation program allows employees, with the prior approval of their Department Head and Human Resources, to voluntarily donate their accrued sick leave to a qualified employee who is unable to work because of extended illness or injury. Sick leave donation will only be approved in cases of an employee’s serious health condition.

To qualify to receive donated sick leave, an employee must obtain approval from their Department Head and Human Resources before any sick leave may be donated. An employee’s supervisor may make a request for sick leave donation on the employee’s behalf.

Human Resources will solicit sick leave on behalf of eligible employees. Individual employees shall not solicit sick leave donations.

An employee must use all applicable paid leave before any donated leave is received.

Employees donating sick leave must maintain a balance of at least 80 hours of sick leave.

Bereavement Leave

Eligible employees may receive paid bereavement leave for a death in the employee's immediate family. Full-time and probationary employees being evaluated for full-time positions are eligible for up to 24 hours of bereavement. Part-time employees ~~and probationary employees being evaluated for part-time positions~~, with a hire date or reclassification date on or before November 17, 2015 are eligible for up to 12 hours of paid bereavement leave. Part-time employees with a hire date or reclassification date after November 17, 2015 are not eligible for any paid bereavement leave.

The amount of paid bereavement leave that an eligible employee receives for a death in the employee's immediate family shall be within the discretion of the employee's Department Head based upon the particular circumstances, but shall not exceed the maximum amounts stated above for each period of bereavement leave.

Holiday Pay

Eligible employees receive up to 10 paid holidays each year. Full-time employees will be paid 8 hours for each holiday. Part-time employees with a hire date or reclassification date on or before November 17, 2015 will receive pro-rated pay based on the hours regularly scheduled to work. Part-time employees with a hire date or reclassification date after November 17, 2015 do not receive any holiday pay.

If a holiday falls on a Saturday, it will generally be observed on the preceding Friday. If a holiday falls on a Sunday, it will generally be observed on the following Monday.

Employees may be required to work on a holiday. If an employee is required to work during a holiday, the Department Head may pay the employee for the holiday or grant the employee commensurate time off within six months of the holiday.

Jury Duty

Because jury duty is recognized as a civic responsibility, the County will continue to pay a full-time employee's regular salary when serving on a jury or when subpoenaed in connection with the employee's County employment to appear before a public body or commission when such service coincides with the regular work schedule of the employee. However, if an employee is dismissed from jury duty before 1:00 pm, that employee is expected to report for work for the remainder of that day.

Exhibit A

Observation Checklist

Physical Signs or Conditions

Walking

- Stumbling
- Swaying
- Staggering
- Holding on
- Unable to walk
- Unsteady
- Falling

Standing

- Swaying
- Sagging at knees
- Rigid
- Unable to stand
- Feet wide apart
- Staggering

Speech

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

Demeanor

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

Actions

- Resisting communications
- Fighting
- Withdrawn or improperly talkative
- Spends excessive amount of time on telephone
- Displays violent behavior
- Avoids talking with supervisor
- Has exaggerated sense of self-importance

Eyes

- Bloodshot
- Watery
- Dilated
- Glassy
- Droopy
- Closed

Appearance/Clothing

- Messy
- Dirty
- Partially dressed
- Body excrement stains
- Stains on clothing
- Odor
- Neat
- Clean

Breath

- Alcoholic odor
- Faint alcoholic odor
- No alcoholic odor

Accidents

- Taking needless risks
- Disregard for safety of others
- Higher than average accidents on job

Exhibit B

Safety Sensitive Positions: Employees who pose a risk of substantial bodily harm to themselves or the public while performing their duties or using the equipment provided.

Correctional Institute

All Employees

Parks and Recreation

Lifeguard Supervisor

Head Lifeguard

Lifeguard

Correctional Officer

Summer Day Camp Employees

After School Program Employees

Probation

Probation Director

Probation Officer

Public Safety

Public Safety Director

Deputy Public Safety Director

Animal Control Employees

Animal Shelter Employees

EMS Employees (not including Billing)

Fire Department Employees

911 Employees

Public Works

Correctional Officer

Truck Driver

Sheriff's Department & Jail

All Employees

Bulloch County Employee Handbook



General Purpose

This employee handbook is intended to provide you a summary and brief explanation of our key policies, procedures and general practices. The information contained in this handbook is meant to assist you in understanding your responsibilities as an employee of Bulloch County.

All employees are subject to the provisions of this handbook. It and the policies and procedures that it covers may be canceled or changed at any time, with or without notice. In such case, the new or revised policies will supersede those published in this handbook. Should there be a conflict between information provided in the handbook and the provisions of the Bulloch County Personnel Policy Manual, the policy manual will govern.

This handbook offers a summary of the policies contained in the Bulloch County Personnel Policy Manual. All employees are expected to familiarize themselves with the policies. A copy of the Bulloch County Personnel Policy Manual is available for your review from your supervisor. All policies are subject to review and revision on an ongoing basis, and policies may be added, deleted or revised.

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Background Check

It is the policy of Bulloch County to validate the information you provide on the Bulloch County employment application including work history, criminal background, licensure, and education as required for the position. If you do not meet the standards for hiring, you will not be considered for employment or transfer.

You must complete and sign all pre-employment paperwork including the application and background check authorization in order to be considered for employment.

An unacceptable criminal background history report is one with convictions that justify not hiring the applicant or transferring or promoting an employee based on (i) the nature and gravity of the offense or offenses; (ii) the time that has passed since the conviction and/or completion of the sentence; and (iii) the nature of the job held or sought.

If you are convicted of a misdemeanor or felony, except for routine traffic violations, you are required to report such conviction to Human Resources and to your supervisor within three days of the conviction. You may be involuntarily separated, based upon your position and the nature of the conviction.

A driver's history check will be performed on all applicants and any employee who is transferring or promoted to a new position. Driver's history checks will also be performed on all current employees every three years. An unacceptable driver's history check is one with offenses or violations that justify not hiring the applicant or not transferring, promoting, or retaining a current employee based on (i) the nature and gravity of the offenses or violations; (ii) the time that has passed since the offenses or violations; and (iii) the nature of the job held or sought.

Dual Employment

It is the policy of Bulloch County to ensure compliance with the Fair Labor Standards Act (FLSA), aggregation of scheduled hours for benefit eligibility, and appropriate payment of FICA taxes.

You are a dual employee if you work in more than one department or work multiple jobs within the same department. The Primary Department is the department where you have the most regularly scheduled hours. The Secondary Department is any department where a dual employee works other than the Primary Department.

Scheduled hours for full-time and part-time positions will be aggregated to determine benefits eligibility. Temporary, ~~Special Shift or Intermittent~~ positions will not receive benefits even if total hours worked equal an amount that would otherwise be entitled to benefits.

To begin a dual job, you need to fill out a dual employment form in Human Resources and secure approval of your primary job Department Head. This should be done at least two weeks before the start date.

Employment Guidelines

It is the policy of Bulloch County to hire those individuals who meet employment requirements and are the most qualified applicant. Bulloch County is an equal opportunity employer and complies with applicable federal, state and local laws, regulations and guidelines regarding equal opportunity employment.

All newly hired and newly transferred and/or promoted County employees are on a probationary status which, unless provided otherwise, extends for three (3) months from the date of hire or transfer and/or promotion. Probationary periods may be extended under special circumstances. Probationary employees are "at will" employees, meaning that they can be terminated from employment with or without cause.

Employees are classified into the following types once the probationary period has been completed: full-time, part-time, and temporary. ~~Special Shift, and Intermittent.~~

Full-time employees ~~and Regular Part Time Employees~~ with a hire date on or before November 17, 2015 may only be terminated for cause. Full-time employees with a hire date after November 17, 2015 are employees at will, meaning that they can be terminated from employment with or without cause and are not entitled to any pre- or post-adverse employment action hearings or appeals.

Part-time employees with a hire date or reclassification date on or before November 17, 2015 may only be terminated for cause. Part-time employees with a hire date or reclassification date after November 17, 2015 are employees at will, meaning that they can be terminated from employment with or without cause and are not entitled to any pre- or post-adverse employment action hearings or appeals. For purposes of this Handbook, the term "reclassification date" means the date on which a special shift or intermittent employee (which were former categories of employees) was reclassified to a part-time employee.

Temporary, ~~Special Shift and Intermittent~~ employees are "at will" employees, meaning that they can be terminated from employment with or without cause and are not entitled to any pre- or post-adverse employment action hearings or appeals.

All employees must attend new employee orientation, and in most circumstances you should attend before you start work in your department.

Employment of Relatives

It is the policy of Bulloch County to consider for employment relatives of an employee provided the applicant meets all of the qualifications for employment. Such employment should not create either a direct or indirect supervisor/subordinate relationship with the ~~family member~~ relative, or create either an actual conflict of interest or the appearance of a conflict of interest. No Bulloch County employee may seek to influence the outcome of selection, transfer, promotion or corrective action decisions of relatives.

This policy applies to all employees in departments under the jurisdiction of the Bulloch County Board of Commissioners. It does not apply to departments under the jurisdiction of other Bulloch County elected officials.

A Relative includes immediate family members, including spouse, child, parent, brother, sister, grandparent, grandchild, father-in-law, mother-in-law, sister-in-law, brother-in-law, stepparent, stepchild, stepsister, stepbrother, or other relative living in your household. The relationships include those arising from half blood, adoption, or marriage.

Relatives of members of the Board of Commissioners are ineligible for employment by any County department as either full-time or part-time employees; provided, however, that a relative who is already employed by the County as a full-time or part-time employee at the time of the election of members of the Board of Commissioners shall be eligible to remain so employed by the County. Assuming other policies and guidelines relating to conflicts of interest are met, relatives of the Board of Commissioners shall be eligible for employment in any County department as part-time or temporary, ~~special shift, or intermittent~~ employees. Relatives of the County Manager are ineligible for employment in any capacity in any County department.

Employee Records

It is the policy of Bulloch County to maintain records for applicants, employees and past employees in order to document service dates, employment-related decisions, evaluate and assess policies and comply with government record keeping and reporting requirements.

All information contained in employee files, regardless of location, will be kept confidential, except as needed for business purposes or as disclosed to third parties as required by law.

You are responsible for ensuring that Human Resources has your current employee data including home address, name, dependents, etc.

Equal Employment Opportunity

Bulloch County is an Equal Employment Opportunity (EEO) employer and complies with applicable federal, state and local laws, regulations and guidelines regarding equal opportunity employment.

Bulloch County does not tolerate the intimidation of, harassment of, or discrimination against individuals with regard to race, color, religion, national origin, sex, disability, age, veteran status or any other characteristic protected by law.

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Bulloch County will be based on merit, qualification, and abilities, including:

- Recruiting, hiring, placement, transfer, promotion and demotion
- Training, development, and educational opportunities
- Resolution of employee complaints
- Compensation and benefits
- Reasonable accommodation to disabled persons

Bulloch County encourages all employees to bring questions or concerns about any type of discrimination in the workplace to the immediate attention of Human Resources or management. Anyone found to be engaging in any type of unlawful discrimination will be subject to corrective action, up to and including involuntary separation.

Hiring of Minors

It is the policy of Bulloch County to verify the age of minors seeking employment with Bulloch County and to obtain work authorization for those minors.

Hours of Work

It is the policy of Bulloch County to establish time and duration of work hours according to service needs, work production flow, and state and federal guidelines.

The normal work week is Monday through Sunday beginning and ending at midnight on Sunday. The normal work day, for most positions, is eight hours and an unpaid meal period. Rest breaks of twenty minutes or less are considered as time worked.

If you are an hourly employee, your manager may schedule overtime as needed. You must work overtime if requested by a manager. You may not work overtime without the prior approval of your manager or department director. You may not work outside the parameters of your schedule. To allow you time to prepare for work at the start of a shift and to wrap up work at the end of a shift, you have a 7-minute grace period at the beginning and end of a shift. You may clock in to work up to seven minutes before the start of a shift and leave up to seven minutes after the end of a shift before overtime calculations begin.

To ensure that pay is correct with no improper deductions, you should review pay stubs promptly to identify and report any errors. Any complaint will be resolved within a reasonable time given all the facts

and circumstances. If an investigation reveals that improper deductions were made, you will be reimbursed.

Licensure

It is the policy of Bulloch County to require you to have and keep current licensure if it is required by your job. It is your responsibility to keep your licensure current.

You may not work if you allow your licensure to expire. In this event, the department director is responsible for placing you on disciplinary suspension until evidence of current licensure is verified. You may be given a maximum of thirty days disciplinary suspension to produce evidence of current licensure. If you are unable to produce such evidence, you will be separated from employment.

Orientation and Training

It is the policy of Bulloch County to require employees to attend certain educational classes as assigned, and to offer employees optional training and education to enhance personal growth and development and organizational effectiveness.

New Employee Orientation, or an equivalent, must be completed before you report for work in your department. Additionally, each employee must complete the initial orientation as designated for the position before being assigned to work independently.

You must seek authorization from your department director to attend educational programs that will help your job performance or growth and development. Training will be conducted during normal work hours whenever practical.

Sunshine Law

It is the policy of Bulloch County that employees should have no expectation of privacy beyond those specifically exempted by law from the Sunshine Law. You have obligations and responsibilities to follow the Georgia State Law commonly referred to as the Sunshine Law that makes most public records and official meetings open to the public.

All requests for records under the Sunshine Law will be processed within three days and in accordance with Georgia Law. The County Staff Attorney is available to provide guidance and may be contacted with questions about open records requests.

The receipt of personal mail at County work locations not only creates a cost to the County for processing it, but the mail may become subject to Georgia's Sunshine Law and could be treated as a public document. Therefore, the receipt of personal mail at any County work location is prohibited.

Transfer and Promotion

It is the policy of Bulloch County to facilitate transfers **and/or promotions** within departments and/or within Bulloch County. Employees interested in applying for transfer **and/or promotion** will be given consideration for transfer **and/or promotion** into a position for which they are qualified prior to the hiring of an external candidate.

To be eligible for transfer **and/or promotion**, you must have been in your current position for at least six months and must meet all minimum requirements, including testing, for the position. ~~If additional background screening is required, and~~ **All employees being considered for transfer and/or promotion will be subject to a criminal background and driver's history check. All employees being considered for transfer and/or promotion to a safety sensitive position will also be subject to a drug/alcohol screening.**

If the criminal background or driver's history check received by Bulloch County is unacceptable, you will not be considered for transfer and/or promotion and may be involuntarily separated. If drug/alcohol screening is not successfully completed, when required, you will not be considered for transfer and/or promotion and may be involuntarily separated.

If you have a current corrective action, you may be considered for transfer and/or promotion upon the approval of both the current manager and the interviewing manager.

You must complete an employee transfer and/or promotion request form and submit the form to the Human Resources department for approval and routing.

Should an offer be made and accepted, you are responsible for giving the appropriate notice to your supervisor. Transfers and/or promotions should generally occur between two weeks and thirty days from your acceptance of an offer, and should coincide with the beginning of a payroll period.

Work Authorization

It is the policy of Bulloch County to require all employees to provide proof of eligibility for employment within the United States, in compliance with federal regulations.

Alternative Dispute Resolution (ADR)

It is the policy of Bulloch County to encourage employees to bring work related complaints to the attention of management. You are provided with a process to present your issue for review and to appeal decisions by management through an internal process. This process allows for investigation of issues, open discussion and timely final decisions. Any current Bulloch County employee is eligible to utilize the Alternative Dispute Resolution (ADR) process. Claims related to illegal acts will be investigated whether or not an employee makes a formal ADR request.

If you are experiencing a conflict, you are encouraged to first seek to resolve the issue directly with your supervisor, and if it is not successfully resolved, to seek resolution through the chain of command. If this is not successful and/or not appropriate, eligible issues may be addressed through ADR.

Eligible issues included in this policy are those which involve a Negative Employment Action: failure to secure a transfer or promotion or a written corrective action. This policy does not apply to claims under an insurance policy provided by Bulloch County, complaints about annual reviews that do not result in Negative Employment Action, joint or group complaints, or conflicts between co-workers unless the complaint relates to unlawful actions.

You are encouraged to use the ADR process and will not, under any circumstances, be penalized for doing so. No employee may retaliate, harass or intimidate any employee for participating.

You may choose to participate in the ADR process by submitting a request to Human Resources. The request should include all issue-related information and relevant documentation. You should do so within thirty calendar days of the issue.

All information concerning the complaint will be confidential, except as needed for business purposes or when required by law. Human Resources will review the issue with you, and will conduct an investigation and communicate a determination in writing.

Attendance and Punctuality

It is the policy of Bulloch County to require employees to report for work punctually as scheduled for all assigned shifts.

~~You must provide Reasonably Immediate Notice: notice that is given no later than 28 hours after the time you were scheduled to report to work.~~

Employees must notify their supervisor, or designee, prior to the start of a shift or as soon as reasonably possible under the circumstances whenever they are unable to report for work or on time.

Time away from work must be authorized by the supervisor or designee. An employee who fails to report to work without authorized leave or who fails to give reasonably immediate notice after failing to report to work may be ~~separated from employment for job abandonment~~ subject to disciplinary action up to and including termination of employment.

Employees are expected to report for work as scheduled in the event of inclement weather, unless otherwise notified. Employees who are unable to report for work during inclement weather are expected to follow the reporting guidelines as required for any other absence or late arrival.

Three occurrences of absence in a three-month period are considered excessive, and may be grounds for corrective action.

Tardiness, or occurrences of leaving early, three times in a three-month period are considered excessive and may be grounds for corrective action.

Drug Free Workplace

Bulloch County is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any County employee illegally uses drugs on or off the job, comes to work under the influence of alcohol or illegal drugs, possesses, distributes, or sells drugs in the workplace, or uses alcohol on the job. Bulloch County takes very seriously its responsibility and commitment to provide and maintain a safe and productive working environment free of alcohol and drug abuse. Therefore, any employee who violates any portion of the County's substance abuse policy, including but not limited to the refusal to submit to a substance abuse test when required to do so, shall be subject to appropriate disciplinary action up to and including termination of employment.

It is a violation of County policy for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job. It is a violation of County policy for any employee to report to work under the influence of or while possessing in your body, blood, or urine illegal drugs in any detectable amount. It is a violation of County policy for any employee to report to work under the influence of or impaired by alcohol, or to consume or possess alcoholic beverages on County premises. It is a violation of County policy for any employee to use prescription drugs illegally (i.e., to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than prescribed). However, nothing in this policy precludes the appropriate use of legally prescribed medications.

In compliance with Omnibus Transportation Employee Testing Act of 1991 and Federal Highway Administration regulations (49 CFR, Part 382), Bulloch County will maintain a program for testing alcohol and controlled substances for CDL holders. This program will include pre-employment, reasonable suspicion, random and post-accident alcohol and controlled substances testing of applicants for employment or employees who are required to hold Commercial Driver's License (CDL). Separate testing may be required to comply with federal regulations.

As part of the post offer assessment, Bulloch County will conduct drug testing on all final applicants for safety sensitive positions.

Any employee who sustains a work-related accident or injury may be required to submit to a drug/alcohol test. Refusal to submit to the test and/or failure to cooperate during the testing process may result in involuntary separation from employment.

Employees in all positions designated as Safety Sensitive shall be required to submit to a drug and alcohol screening test at random or on a periodic basis as determined by Human Resources.

All employees are subject to testing when there is a reasonable suspicion of drug or alcohol use in the workplace.

Any employee using prescription medication while on the job shall do so in strict accordance with medical directions. It is your responsibility to notify the prescribing physician of the duties required by your position and to ensure the physician approves the use of the prescription medication while you are performing your duties. The abuse and/or misuse of legally prescribed drugs, including the performance of duties when an employee knows or should know that he or she is potentially impaired due to prescription drug use, shall be prohibited and is a violation of this policy. Employees and job applicants shall at the time of testing, provide the testing agency with a list of those prescriptions and over-the-counter medications you have recently used.

Nothing in this policy should be construed to restrict your rights under the Americans with Disabilities Act or other law.

Harassment

It is the policy of Bulloch County to provide a work atmosphere for its employees that is free from harassment from any source, and to require employees to maintain a work atmosphere that is free from harassment of any kind including verbal, physical, or sexual harassment. It is the policy of Bulloch County to provide employees a procedure for reporting harassment. Retaliation toward any employee who reports harassment is prohibited. **Bulloch County has a zero tolerance toward all forms of sexual abuse, sexual harassment, and any other type of illegal harassment.**

Sexual Harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or 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.

Harassment is any verbal, visual, or physical conduct which has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment because of race, religion, national origin, ancestry, disability, marital status, age, or any other protected status.

You are required to maintain a work atmosphere that is free from harassment of any kind including verbal, physical or sexual harassment.

If you feel harassed, you are strongly urged and encouraged to report the situation to your supervisor. If your supervisor is unavailable or you believe it would be inappropriate to contact that person, you should contact the Human Resources department or the County Manager. If you make a report, you are not required to do so in writing but you are required to maintain the confidentiality of the information, discussing details only with those individuals within the organization on a "need to know" basis.

The Human Resources department is responsible for conducting a thorough and confidential investigation and for conducting corrective action if the evidence is sufficient to confirm that harassment has taken place.

If you observe anyone violating this policy, notify your supervisor, a representative of Human Resources, or the County Manager.

Retaliation against employees for reporting sexual harassment or other illegal forms of harassment or assisting the organization in the investigation of a complaint will not be permitted. Retaliation can include, but is not limited to, such acts as refusing to recommend an employee for a benefit for which he or she qualifies, spreading rumors, encouraging hostility from co-workers and escalating the harassment.

If, after investigating a harassment complaint, the Human Resource department learns that an employee has made a complaint in bad faith or knowingly provided false information regarding a complaint, disciplinary action may be taken against the individual who provided the false information.

Hearings

It is the policy of Bulloch County to allow any ~~Regular Full Time or Regular Part Time~~ employee who can only be terminated for cause and who has been demoted, suspended without pay or terminated to have the right to appeal for a hearing. Appeals of employees other than those evaluated by the County Manager shall be heard and decided by the County Manager. Appeals of employees evaluated by the County Manager shall be heard and decided by the Board of Commissioners.

Whenever the term "employee" is used in this section, the term employee refers to full-time employees with a hire date on or before November 17, 2015 and part-time employees with a hire date or reclassification date on or before November 17, 2015, both of whom can only be terminated for cause. Cause includes, but is not limited to, unsatisfactory work performance or a violation of any of the provisions of this policy manual or any other policies applicable to your department.

Adverse Employment Action includes termination, demotion that results in a decrease in pay, or a suspension without pay.

Pre-Termination Pre-Adverse Employment Action Hearing

Department Heads or their designees may take adverse employment action against an employee for cause. Prior to taking such adverse employment action, the Department Head or designee shall notify the employee orally or in writing of the specific reasons why the adverse employment action is being considered. The employee shall be given a reasonable amount of time after receiving the notice (at least 24 hours) to respond orally or in writing to the Department Head or designee concerning charges against him. The Department Head or designee shall set a definite time within the above parameters by which the employee must respond and so inform the employee. If the employee wishes to respond to the charges orally, the Department Head or designee shall schedule a meeting with the employee at a reasonable time and place. The Department Head or designee shall give due consideration to any response offered by the employee, whether written or oral or both, prior to making any action a final decision on the proposed adverse employment action. If the Department Head or designee decides to terminate take the adverse employment action against the employee, the Department Head or designee shall give the County Manager written notice of the termination adverse employment action and the reasons therefor. Any employee who has received an adverse employment action shall have the right to appeal for a post-adverse employment action hearing before the County Manager or the Board of Commissioners, as applicable, in accordance with the procedures set forth below.

Termination Appeal Post-Adverse Employment Action Hearing

A post-adverse employment action hearing shall only be held if the employee or his authorized agent files ~~The employee or his authorized agent shall file~~ a written request for such hearing within 5 calendar

days after the effective date of the **disciplinary adverse employment** action that is the subject of the appeal. Employees other than those evaluated by the County Manager shall file their written request for a hearing with the County Manager and simultaneously send a copy of the request to the employee's supervisor. Employees evaluated by the County Manager shall file their written request for a hearing with the Chair of the Board of Commissioners and simultaneously send a copy of the request to the County Manager. The hearing shall be held **before the County Manager or the Board of Commissioners, as applicable**, not less than 5 working days nor more than 20 working days after the receipt by the County Manager or Chair of the request and the employee shall be promptly notified of the time and place of the hearing after it has been scheduled.

Prior to the hearing, the employee may request from his supervisor the identity of any witnesses against the employee and a list of any documents or other tangible evidence related to the charges against the employee. The employee's supervisor shall furnish such information to the employee upon request, unless such information is deemed confidential under any state or federal law or unless there are other good and substantial reasons to withhold the information (for example, the identity of witnesses might be withheld if the supervisor has a reasonable belief that disclosure of this information could endanger the witnesses' physical safety). If the employee so requests it, he shall be granted supervised access to any documents or other tangible evidence related to the charges against him prior to the hearing.

Hearings shall be conducted informally and technical rules of evidence shall not apply. All testimony shall be under oath. The employee may request the assistance of another person of his choosing, including legal counsel, in preparing and presenting evidence at the hearing. The employee shall have the right to present witnesses and other evidence and shall have the right to cross-examine witnesses presented but not called by the employee. The County Manager or Chair, as appropriate, shall have the authority to compel any employee of the County to appear at the hearing as a witness under penalty of termination for failure to appear.

The affected employee shall be promptly notified in writing by the County Manager or Chair, as appropriate, of the final determination with respect to the adverse employment action. In the event the County Manager or, as the case may be, the Board of Commissioners, finds that there was not sufficient cause for the adverse employment action, the affected employee shall be paid in full for such portion of time as he was unjustly suspended, reduced in pay, or removed, and the employee shall be restored to his former position and pay status or to a position in the same class and pay status.

The County Manager or the Chair, as appropriate, may grant continuances of hearings at the request of either party to the hearing if, in the County Manager's or the Chair's opinion, such a continuance is necessary to enable either party to fairly present its case.

Personal Appearance

It is the policy of Bulloch County for employees to abide by departmental requirements related to personal appearance in order to present a positive, well groomed, and professional appearance and to be easily identified, when appropriate.

Bulloch County expects you to present a professional image to the public. You are expected to meet the requirements for safety in the conditions you work under. You are also expected to follow department guidelines regarding uniforms and other specifics of appearance. Individual departments may have dress and grooming requirements specific to the type of work.

If you are required to wear an ID badge, you must do so in a visible area on the upper body, right side up. Nothing should be worn on the badge which conceals your name or department.

Personal Conduct

It is the policy of Bulloch County that employees who engage in conduct deemed to be inappropriate and unacceptable may be subject to corrective action. As representatives of Bulloch County, you must conduct yourself in a professional manner, abiding by the standards of conduct consistent with the mission and values of Bulloch County and consistent with federal and state law.

You must not engage in any activity, practice, or act which conflicts or appears to create a conflict of interest. You are not to accept an employment relationship with any organization which does business or seeks to do business with the County. You are not to accept gifts, any special discount or loans from any person or firm doing or seeking to do business with the County. You are not to act as agent, broker, salesman, or representative on behalf of any company that offers products or services that are similar to those offered or planned to be offered by Bulloch County.

The following examples depict behaviors considered inappropriate and unacceptable. Employees who engage in such behaviors may be subject to corrective action, including involuntary separation.

Policy Violation/Insubordination:

- Leaving assigned duty without permission.
- Sleeping during work time, except where authorized.
- Insubordination or the refusal to accept job assignments or requests made by supervisory personnel.
- Violation of established safety rules and procedures.
- Violation of policy on attendance.

Breach of Trust:

- Acts, omissions, or mistakes which endanger the public.

Inappropriate Behavior:

- Conviction related to felony charges or a felony.
- Discourtesy to customers, visitors, or employees.
- Use of profanity or abusive language.

Fraudulent Activities:

- Falsification or alteration of any record or report such as an employment application, payroll or time record, production record, expense account or shipping and receiving record.
- Forgery or alteration of checks, misappropriation of funds, any irregularity in the handling or reporting of money transactions.
- Removal of County money, merchandise, or property, including property in County custody without permission.

Illegal Acts:

- Acts or threats of sexual misconduct or harassment.
- Acts or threats of physical harassment or violence.
- Gambling on Bulloch County premises.
- Destruction or defacement of Bulloch County property or the property of customers or employees.
- Possession, consumption, or being under the influence of intoxicating beverages, controlled substances, illegal drugs, or prescription medication outside medical authorization on Bulloch County premises.
- Abuse or misuse of equipment.

The preceding lists are not intended to be exclusive.

If you are convicted of a misdemeanor or felony, you are required to report such conviction to your supervisor or to Human Resources within three days of the conviction.

Political Activities

It is the policy of Bulloch County to prohibit employees from becoming a candidate for or holding an elected seat on the Bulloch County Board of Commissioners.

You are expected to avoid public political activities that would have the effect of endorsing, promoting, or disparaging a particular candidate for an elected seat on the Bulloch County Board of Commissioners. While you are encouraged to otherwise express your political opinions and to vote for the candidate of your choice in any political election, you should not use your position or County time or resources for political purposes.

Progressive Corrective Action

It is the policy of Bulloch County to assist employees to remedy behavior and performance problems through progressive corrective action before ending the employment relationship by separation. In cases of misconduct or serious work rule violations, you may be subject to involuntary separation without prior corrective action.

Bulloch County is committed to a workplace environment in which all employees are treated with dignity, respect, honesty, and fairness. You are expected to achieve and maintain required levels of work performance, to adhere to the policies and guidelines of Bulloch County, to work cooperatively with others, and to follow the work directives of your supervisors.

If you fail to meet performance expectations and/or fail to follow conduct guidelines, you are subject to corrective action. The corrective action process is intended to provide a structure for information exchange between you and your supervisor, and to provide a reasonable opportunity for you to improve or correct your performance and/or behavior. In general, the corrective actions which are taken become progressively more stringent if you do not achieve the expected behavior change and/or performance improvement within the time frames specified.

The Probationary Period is a period of time during which a new employee **or an employee who has been transferred and/or promoted to a new position** is being evaluated on job capability and performance. During this time, both you and the supervisor have the opportunity to assess the relationship for appropriate fit. Probationary employees are "at-will" employees and may be terminated at any time during the probationary period with or without cause.

Reasonable Accommodation

It is the policy of Bulloch County to provide a consistent process to comply with the Americans with Disability Act (ADA) by assisting in requesting and obtaining reasonable accommodation in order to be considered for positions for which you may be qualified with reasonable accommodation, or to perform the essential functions of the position in which you are employed.

Reasonable accommodation is available to all disabled employees, as defined under the ADA, where your disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

If you request an accommodation in order to interview, begin or continue employment or return to work from a leave of absence, the department head, with the assistance of Human Resources, will make an effort to reasonably accommodate you by reviewing the restrictions as determined by your doctor, reviewing the job description, identifying functions for which accommodation may be necessary, and

making recommendations. If no reasonable accommodation can be found, the employment process will end.

If you are unable to perform the essential functions of your job with or without accommodation you may be assigned to an appropriate position for which you are qualified. If you decline a position offered or if at the end of thirty days an appropriate position has not been found, Bulloch County may separate you from employment unless you are on an approved leave.

This policy is based upon current interpretations of the ADA and is subject to change if the Act changes.

Searches

It is the policy of Bulloch County to allow for workplace areas and items to be accessed by supervisor and other employees for work-related purposes and to allow for searches of workplace areas and items when warranted. Workplace areas and items include, but are not limited to, offices, desks, file cabinets, computers, and County-owned vehicles.

Separation

It is the policy of Bulloch County to administer employee separations according to a consistent process.

Employees who resign or retire are required to give at least two weeks written notice. Exempt employees are required to give at least four weeks written notice. If you fail to provide proper written notice, you will receive a reduction in your annual leave balance to offset the amount of notice not given. Annual Leave hours may only be used during the notice period for time scheduled and approved by your supervisor prior to the notice. You are expected to work during the notice period. However, Bulloch County reserves the right to pay you rather than have you work through the notice period.

If you separate voluntarily, you are eligible to receive 100% payment of all Annual Leave hours accrued through the last day worked less any reduction resulting from failure to provide proper notice. If you are separated involuntarily, you are not eligible to receive and will forfeit any accrued Annual Leave hours. Separating employees are not eligible to receive payment of accrued Sick Leave hours regardless of the reason for separation.

All separating employees are asked to participate in an exit interview and to follow the exit procedures of your department. You must return all County property.

Use of Tobacco Products

It is the policy of Bulloch County to prohibit smoking by employees during scheduled work time. Employees may smoke on Bulloch County premises only while on break or off duty and only in designated areas on or outside facility premises.

Compensation

It is the policy of Bulloch County that the duties and responsibilities of each position be defined and compensated on the basis of relevant external labor market, internal worth, and viable financial status. Bulloch County is committed to a compensation program based on fairness, objectivity and compliance with regulatory agencies.

Compensation of non-exempt employees for working overtime hours shall be in compliance with the Fair Labor Standards Act. Employees may receive compensatory time ("comp time") in lieu of payment for overtime if the employee agrees to accept comp time in lieu of cash payment for overtime prior to performance of the work. Overtime pay is calculated on actual hours worked, and does not include annual

leave or sick time or other forms of paid leave. An employee whose actual work hours exceed 40 hours in one week shall not receive additional annual leave pay or sick leave pay for that week unless regularly scheduled to work more than 40 hours.

You may use comp time within a reasonable time period after making a request to your department head, unless doing so would unduly disrupt County operations. If you are unable to use comp time within a reasonable period, you will be paid **overtime in cash for the comp time**. **Maximum accruals of comp time are limited to 72 hours for correctional officers, 80 hours for other public safety personnel, and 40 hours for all other employees. After maximum accruals are reached, employees must be paid in cash for overtime hours until comp time hours are reduced below the maximum accrual.**

Exempt employees are paid a fixed amount for your work and only under special circumstances may salary be reduced.

The responsibilities and duties of the County make it necessary that certain employees be available (“on call”) to report for work outside normal working hours.

When you are on call, you are expected to keep your pager and/or cell phone turned on and with you at all times, to refrain from consuming any alcoholic beverages, and to be available to report to work within approximately one hour or less, depending on department requirements, after being called. Other than these requirements, you are free to use your on-call time for personal activities and are not required to remain in any particular location.

Employees who are on call will be paid according to departmental guidelines.

Family and Medical Leave

It is the policy of Bulloch County to grant leaves of absences to employees who meet certain requirements and require a continuous absence under the Family and Medical Leave Act (FMLA).

The Family and Medical Leave of Absence Policy is designed to summarize your rights under the Family and Medical Leave Act and the policy alternatives that Bulloch County has chosen under this Act. Nothing in this Policy is designed to circumvent Federal law or to limit any rights you may have under the Act. A Family and Medical Leave of Absence is an approved absence available to eligible employees for up to twelve (12) work weeks in a twelve (12) month period for the following events:

- for the birth and care of a newborn child;
- for the placement of a child for adoption or foster care;
- caring for your seriously-ill spouse, child or parent;
- a serious health condition that makes you unable to perform the essential job functions.

The twelve month period is computed from a rolling twelve month period measured backwards from the date leave begins.

Spouses who are both employed by Bulloch County are limited to a combined total of twelve weeks during any twelve month period if leave is taken for the birth, placement, adoption or foster care of a child or for the care of a parent with a serious health condition.

Your entitlement to FMLA for the birth or placement of a child expires twelve months after the child’s birth or placement.

If you meet eligibility requirements for FMLA, intermittent leave may be granted when it is medically necessary for you to care for a spouse, child, or parent; or for your own serious health condition. Employees may not take intermittent leave for the birth or adoption of a child. In determining maximum

FMLA leave, total intermittent leave and/or continuous leave added together may not exceed twelve work weeks in a twelve month period.

For foreseeable FMLA leaves, a 30-day advance notice should be provided to Human Resources prior to leave start date. Written medical certification from a health care provider should be submitted to Human Resources at least 15 days prior to the start of the requested leave.

If the need for the leave is unforeseeable, you should give notice to the manager or human resources as soon as practical, ordinarily within one or two working days. Notice should be given either in person or by telephone when a medical emergency is involved. The notice may be given by your spouse or other family member if you are unable to do so due to a serious health condition. If the leave is not foreseeable, you must provide the written medical certification within fifteen (15) days after the FMLA is granted.

When planning medical treatments, you must make reasonable efforts to schedule the leave to avoid undue disruption of Bulloch County operations, subject to the approval of the health care provider.

All sick leave and annual leave must be used during the FMLA, unless you are receiving workers compensation or disability benefits. If you have exhausted available leave time, you will have the option to take the time off without pay.

Bulloch County reserves the right to have a health care provider of its choice review and evaluate your need for FMLA. If medical opinions differ, Bulloch County may require the opinion of a third health care provider, approved jointly by Bulloch County and you and paid for by Bulloch County.

Bulloch County may require you to obtain later medical certifications on a reasonable basis, but no more frequently than every thirty days.

A letter of notification to return to work must be submitted 15 days prior to the scheduled return date. If you need to extend your leave or want to return to work prior to the scheduled return date, you must provide at least two days notice to Human Resources. If you have been on FMLA due to your own serious health condition, you must provide to Human Resource a medical release from the health care provider at least two days prior to the scheduled return date stating that you are able to return to work and can perform the essential functions of your job.

Once FMLA has been exhausted, you may be eligible for other applicable leave policies.

If you do not return to work on the scheduled return date, you will be considered to have voluntarily resigned unless you provided proper notice before your scheduled date of return that you have a change in your medical condition which requires an extension of the leave.

When granted FMLA, you will in most cases be returned to the position held prior to the leave or an equivalent position with equivalent pay, benefits, and other employment terms. If you, after returning from the FMLA do not want to return to this position, you will be considered to have voluntarily resigned from that position and termination is effective as of the date you were to return. If you return to the position but do not wish to remain in the position, you may utilize the transfer process.

Leave of Absence

It is the policy of Bulloch County to allow full and part time employees to apply for a leave of absence for medical, personal or educational reasons beyond those required by law.

A Leave of Absence is a continuous absence from work in excess of two weeks for medical, educational, or personal reasons that has been approved by Human Resources and your manager.

Generally, full-time and part-time employees are eligible for a leave of absence. These guidelines also apply when an employee, who at the end of FMLA, requests additional Leave of Absence.

If you think that you need to be out of work for two calendar weeks or more, a Request for Leave of Absence form must be submitted to Human Resources at least thirty days prior to the first day of the anticipated absence. The Request for Leave of Absence form must be signed by your manager. If the absence was not anticipated, you must submit a Request for Leave of Absence form within thirty days of your first day of absence. This policy does not apply to approved vacations in excess of two weeks.

An employee may not exceed six months for any type of leave in any twelve month period, with the exception of military leave. In the event that your previously-held position is unavailable, you will be eligible for one calendar month's administrative leave to seek another position, beyond the six-month maximum.

While on a leave of absence, you are not eligible for any type of pay except for sick leave, vacation, or workers compensation pay. You do not earn vacation or sick leave while on an unpaid leave of absence.

You may not accept employment elsewhere while on a leave of absence. If you accept employment elsewhere while on a leave, you will be considered to have voluntarily resigned without notice.

If you are granted a Leave of Absence, you are not guaranteed a job upon return unless required by law, such as in FMLA.

Military Leave

To provide employees leaves of absence for military service, training or other obligations in compliance with state and federal laws.

It is the policy of Bulloch County that any employee shall be entitled to a leave of absence while engaged in the performance of ordered military duty and while going and returning from such duty.

It is the policy of Bulloch County that any employee who is or becomes a voluntary member of any force of the organized militia or of any reserve force or reserve component of the armed forces of the United States shall be entitled to a leave of absence while in attendance as a member of such force or reserve component at any service school or schools conducted by the armed forces of the United States for a period or periods up to and including 6 months and while going and returning from the school or schools. However, no employee shall be entitled to leave in excess of a total of 6 months during any 4-year period.

At the conclusion of the leave, employees generally have the right to return to the same position held prior to the leave or to positions with equivalent seniority, pay and benefits. Employees are requested to notify their supervisors as soon as they are aware of the military obligation.

Ordered Military Duty is any military duty performed in the service of the state or of the United States including, but not limited to, attendance at any service schools or schools conducted by the armed forces of the United States as a voluntary member of any force of the organized militia or of any reserve component of the armed forces of the United States pursuant to orders issued by competent state and federal authority without the consent of you. Such duty, performed for a period or periods not exceeding a total of 30 days in any one federal fiscal year (October 1 – September 30), shall be deemed ordered military duty regardless of whether the orders are or may be issued with your consent.

Unless prevented from doing so by military necessity, you should complete a Request for Leave of Absence and provide your immediate supervisor with notice that you will be engaging in military service, including, where feasible, a copy of the orders directing the military duty. Employees are requested to provide such notice within 30 days of active military service.

Any employee shall be placed on paid leave while engaged in performance of ordered military duty and while going and returning from such duty for a period of time not to exceed 18 days in any one federal fiscal year and not to exceed 18 days in any one continuous period of absence. In the event the Governor declares an emergency and orders any employee to state active duty as a member of the National Guard, such employee, while performing such duty, shall be placed on paid leave for a period not exceeding 30 days in any one federal fiscal year and not exceeding 30 days in any one continuous period of such state active duty service. Employees on military leave may, at your option, use any or all accrued paid vacation during your absence after these paid periods are exhausted.

Questions regarding the military leave policy, applicable state and federal laws and continuation of benefits should contact Human Resources.

Paid Time Off

It is the policy of Bulloch County to enable all eligible employees to receive pay for time away from work for personal use, sickness, jury duty, and bereavement.

Annual Leave is time used for vacation or personal time by eligible employees. An employee may use annual leave for illness, but only after the employee has exhausted all accrued sick leave.

Bereavement Leave is time allowed for employees for a death in the employee's immediate family.

Holiday Pay is days set aside annually to observe holidays. Those holidays include:

- New Year's Day
- Martin Luther King, Jr.'s Birthday
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day and the following Friday
- Two days during the Christmas season (annually designated by the County Manager).

Immediate Family includes your spouse, child, parent, brother, sister, grandchild or similar in-law or step-family relationship, or other relative living in your household.

Jury Duty and Civil Leave is time when you are serving on a jury or when subpoenaed in connection with your County employment to appear before a public body or commission when such service coincides with your regular work schedule.

Sick Leave is time used for personal illness or illness of your immediate family member.

Eligible employees begin to accrue annual leave and sick leave immediately upon employment. Eligible part-time employees accrue annual leave and sick leave at a pro-rated amount based upon the hours regularly scheduled to work. Annual leave cannot be taken during the Probationary Period except for unusual circumstances.

Annual Leave

Annual leave accrues as follows for full-time employees:

- Employees with up to five years of continuous service accrue annual leave at a rate of 8 hours per month.
- The next pay-period after your five year anniversary date, you will accrue annual leave at a rate of 10 hours per month.

- The next pay-period after your fifteen year anniversary date, you will accrue annual leave at a rate of 12 hours per month.

~~Eligible part-time employees~~ Part-time employees with a hire date or reclassification date on or before November 17, 2015 accrue annual leave at a pro-rated amount based upon the hours regularly scheduled to work. Part-time employees with a hire date or reclassification date after November 17, 2015 do not accrue any annual leave.

Employees with less than 10 years of service will be allowed to carry over a maximum of 80 hours of annual leave as of December 31st each year. Employees with 10 or more years of service will be able to carry over a maximum of 120 hours of annual leave as of December 31st each year.

Each November, employees with at least one year of service as of July 1st may “cash-out” up to 40 hours of annual leave as long as they maintain a minimum of 40 hours of annual leave after the “cash-out.” “Cash-out” applications are available in Human Resources.

Sick Leave

~~Effective on September 1, 2009 with no retroactive accrual,~~ Sick leave **will** accrues as follows for full-time employees:

- Employees with up to five years of continuous service accrue sick leave at a rate of 8 hours per month.
- The next pay-period after the employee’s five year anniversary date, the employee will accrue sick leave at a rate of 10 hours per month.

Part-time employees **with a hire date or reclassification date on or before November 17, 2015** accrue sick leave at a pro-rated amount based upon the hours regularly scheduled to work. **Part-time employees with a hire date or reclassification date after November 17, 2015 do not accrue any annual leave.**

Sick leave may be used for your personal illness or illness of your spouse, child, parent, grandparent, grandchild, father-in-law, or mother-in-law.

A medical certification signed by a licensed physician may be required to substantiate time off due to sickness for an absence of three or more consecutive work days or when absences occur frequently.

Employees may accumulate a maximum of 960 hours of sick leave. Beginning July 1, 2006, employees who reach the maximum accrual will have hours converted to annual leave at a four-to-one rate (4 hours of sick leave convert to 1 hour of annual leave.)

~~Employees with at least one year of service as of July 1st, who have no more than one sick leave occurrence (one full day or up to three consecutive days), and have no other unscheduled absences for one calendar year, may convert up to 16 hours of sick leave at a two-to-one rate (2 hours of sick leave convert to 1 hour of annual leave) each year in January.~~

Sick and Annual Leave in Lieu of Workers’ Compensation Benefits

Employees who suffer an accidental injury or occupational disease where compensation is payable during a period of incapacity under the Georgia Workers’ Compensation Act will be required to elect between using their accrued sick and annual leave in lieu of workers’ compensation benefits, or accepting workers’ compensation benefits in lieu of using accrued sick and annual leave. Employees cannot be paid both workers’ compensation benefits and accrued sick/annual leave during a period of incapacity that is compensable under the Georgia Workers’ Compensation Act

Sick Leave Donation Program

The Sick Leave donation program allows employees, with the prior approval of your Department Head and Human Resources, to voluntarily donate accrued sick leave to a qualified employee who is unable to work because of extended illness or injury. Sick leave donation will only be approved in cases of an employee's serious health condition.

To qualify to receive donated sick leave, you must obtain approval from your Department Head and Human Resources before any sick leave may be donated. Your supervisor may make a request for sick leave donation on your behalf.

Human Resources will request sick leave donations on behalf of eligible employees. Individual employees shall not solicit donations.

An employee must use all applicable paid leave before any donated leave is received.

Employees donating sick leave must maintain a balance of at least 80 hours of sick leave.

Bereavement Leave

Eligible employees may receive paid bereavement leave for a death in your immediate family. Full-time and probationary employees being evaluated for full-time positions are eligible for up to 24 hours of bereavement. Part-time employees ~~and probationary employees being evaluated for part-time positions,~~ with a hire date or reclassification date on or before November 17, 2015 are eligible for up to 12 hours of paid bereavement leave. Part-time employees with a hire date or reclassification date after November 17, 2015 are not eligible for any paid bereavement leave.

The amount of paid bereavement leave that an eligible employee receives for a death in your immediate family shall be within the discretion of your Department Head based upon the particular circumstances, but shall not exceed the maximum amounts stated above for each period of bereavement leave.

Holiday Pay

Eligible employees receive up to 10 paid holidays each year. Full-time employees will be paid 8 hours for each holiday. Part-time employees with a hire date or reclassification date on or before November 17, 2015 will receive pro-rated pay based on the hours regularly scheduled to work. Part-time employees with a hire date or reclassification date after November 17, 2015 do not receive any holiday pay.

If a holiday falls on a Saturday, it will generally be observed on the preceding Friday. If a holiday falls on a Sunday, it will generally be observed on the following Monday.

Employees may be required to work on a holiday. If an employee is required to work during a holiday, the Department Head may pay you for the holiday or grant you time off within six months of the holiday.

Jury Duty

Because jury duty is recognized as a civic responsibility, the County will continue to pay a full-time employee's regular salary when serving on a jury or when subpoenaed in connection with your County employment to appear before a public body or commission when such service coincides with your regular work schedule. However, if an employee is dismissed from jury duty before 1:00 pm, you are expected to report for work for the remainder of that day.

Computers and Telecommunications Use Policies

Use of any County-owned computer equipment (i.e. personal computers, system terminals, printers, or other peripherals, or any software), shall be for County business purposes only. The County reserves the right to monitor data, documents, and electronic mail (e-mail) messages at any time, with, or without notice to you. The County Manager, Elected or Appointed Department Heads or their designees may periodically audit the

storage devices of all computers and reserves the right to clear any and all data not related to County business. You may be disciplined up to discharge for improper use of County-owned equipment, or software.

Financial Policies

The Bulloch County Board of Commissioners has a responsibility to carefully account for public funds, to manage finances wisely, and to plan for the provision of public services. Sound financial policies are necessary to carry out these objectives responsibly and efficiently. The Bulloch County Board of Commissioners financial policies are the basic framework for its overall financial management. The broad purpose of the financial policies is to enable the Bulloch County Board of Commissioners to achieve and maintain a long-term positive financial condition. The key values of the County's financial management include fiscal integrity, prudence, planning, accountability, honesty, and openness. Specifically, the purpose is to provide guidelines for planning, directing, and maintaining day-to-day financial affairs.

Purchasing Policies

The County Manager and associated staff perform as the county's representative in dealing with all businesses supplying or aspiring to supply materials and services to the county. Purchasing policies should be followed when making any purchases.

Travel Policies

Due to the nature of the County's size, operational requirements and location of facilities, periodic travel is required from time to time to conduct County business. The preferred method for employees traveling within the County for business purposes is a County vehicle. However, in certain circumstances, the only other available method is the use of vehicles owned by the employee. The use of either County vehicles or employee owned vehicles is subject to County Vehicle Use Policies and County Safety and Risk Management Policies.

Use of a privately owned vehicle is permitted subject to Bulloch County Safety and Risk Management Policies. If private automobiles are used, employees will be reimbursed at mileage rates established and modified from time to time by the standard allowable U.S. Internal Revenue Service (IRS) rate for automobile use.

Vehicle Use Policies

The Vehicle Use policies govern the use of assigned and unassigned Bulloch County vehicles and are applicable to all users of County vehicles. Vehicles owned by, titled to or otherwise controlled by the County are authorized for use in performance of all essential travel and transportation duties. Unless express permission has been otherwise granted by the County Manager, use is not authorized for unofficial travel duties or tasks, the transport of unauthorized persons or items, or the performance of tasks outside the rated capabilities of the vehicle. When in doubt, the deciding criteria should be the nature of the travel task and the extent to which the task is defensible in the event of public criticism or question by higher authority.

**BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY**

DEPARTMENT MAKING REQUEST (Box 1)	MEETING DATE (Box 2) November 17, 2015		
Roads and Bridges	RESOLUTION ATTACHED? (Box 3)	YES	
		NO	X

REQUESTED MOTION OR ITEM TITLE (Box 4)

Request that the Board approve a contract with Peek Pavement Marking, LLC for \$119,947.00 for re-striping and STOP sign replacement on approximately 64.19 miles of various county roads. The bid results are attached.

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED (Box 5)

For this project, the county solicited bids for re-striping in the northeast quadrant of the county. All of the roads are between Portal and US 301. The list of roads selected is attached.

AGENDA CATEGORY (CHECK ONE) (Box 6)		FINANCIAL IMPACT STATEMENT (Box 7)					
PRESENTATION (6a)		BUDGETED ITEM? (7a)	YES		AMENDMENT REQUIRED? (7b)	YES	
			NO			NO	X
PUBLIC HEARING (6b)		ATTACH DETAILED ANALYSIS, IF NEEDED (7c)					
CONSENT (6c)							
NEW BUSINESS (6d)	X						
OLD BUSINESS (6e)							
OTHER (6f)							

APPROVED FOR AGENDA (Box 8)											
DEPARTMENT DIRECTOR		PURCHASING OFFICER		OTHER		COUNTY CLERK		COUNTY STAFF ATTORNEY		COUNTY MANAGER	
YES	X	YES	✓	YES	✓	YES	✓	YES		YES	✓
NO		NO		NO		NO		NO		NO	
INITIAL	VKT	INITIAL	JB	INITIAL	CS	INITIAL	OP	INITIAL		INITIAL	
DATE	11/04/2015	DATE	11-11-2015	DATE	11.4.15	DATE	11/9/15	DATE		DATE	11.9.15

COMMISSION ACTION AND REFERRAL (Box 9)	
APPROVED	DATE TO BE RETURNED TO AGENDA
DENIED	
DEFERRED	NOTES
OTHER	

MEMORANDUM

Date: November 3, 2015
To: Tom Couch
From: Faye Bragg
Subject: Bid Opening for Portal Area Road Restriping

Sealed bids were opened in the Library/Conference Room 102 at 115 N Main Street, Statesboro, GA on Wednesday, October 28, 2015, at 3:00 pm for the Portal Area Road Restriping and Road Sign Alternate Bid.

Three (3) bids were e-mailed on October 13, 2015, as well as being posted on the County's website and an ad run in the *Statesboro Herald* on October 13 & October 20, 2015. Three (3) bids were e-mailed as requested during solicitation.

Four (4) bids were received:

Vendor	Base Bid	Alternate Bid	Total Bid	Vendor Declaration & Non-Collusion Affidavit	Contractor Affidavit	Bid Bond
Peek Pavement Marking LLC	\$86,810.00	\$32,687.00	\$119,947.00	Yes	Yes	Yes
Mid-State Striping Inc.	\$101,552.50	\$28,935.00	\$130,487.50	Yes	Yes	Yes
East Coast Asphalt	\$123,600.00	\$29,655.66	\$153,255.66	Yes	Yes	Yes
Mid-State Construction & Striping	\$179,793.52	\$28,935.00	\$208,728.52	Yes	Yes	Yes

Bid opening attendees: Kirk Tatum and Faye Bragg.

NOTICE OF SOLICITATION: INVITATION TO BID
BULLOCH COUNTY TRANSPORTATION IMPROVEMENT PROGRAM

Roads to be Re-striped (2015/2016)

	<u>Miles</u>
Womack Rd	2.48
Old Portal Rd	5.17
Pecan Grove Rd	0.52
Joy St.	0.20
Pleasant Hill Rd	5.40
Old Dill Rd	4.47
Oak Grove ChurchRd	0.86
Mixon Rd	1.65
Mallard Pond Rd	5.10
Nevils Creek Church Rd	0.88
Middleground Rd	2.78
Two Chop Rd	4.24
Vickie Ln	0.58
Lakeview Rd	8.98
Maria Sorrell Rd	2.48
Kyle Sorrell Rd	1.13
Clito Rd	3.53
WC Hodges Rd	3.15
Stuckey Ln & Rd*	1.00
Hope Church Rd	1.00
Randy Lowery Rd	0.73
Matthews Rd	0.78
Woodrum Rd	0.40
Jerry Hall Rd	0.78
Cross Creek Cir	0.46
Akins Pond Rd	3.43
Francis Scott Rd*	0.57
Joe Kennedy Blvd***	0.72***

* Centerline only

***Four (4) lane road

Total 64.19