

CITY OF STATHAM



Personnel Policy Handbook

Developed under the authority of the Mayor and City Council. Revised and approved on

January 20, 2026.

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Employee Acknowledgment Form

This Personnel Policy Handbook describes the employment policies and procedures of the City of Statham, Georgia. As a condition of employment, I certify that I have read and understand the contents of the Personnel Policy Handbook and agree to and accept the policies and procedures set forth therein. I understand that I have the right to consult with the mayor and/or City Administrator regarding any questions I have regarding the contents of Personnel Policy Handbook.

I acknowledge that I am an employee at-will and have entered my employment with the City of Statham voluntarily and that there is no specified length of employment. Any employment agreement that would alter my status as an employee at-will must be in writing executed by the mayor in accordance with the City Charter, including approval by the Mayor and City Council.

This Personnel Handbook replaces and supersedes any earlier personnel practice, policy, or guidelines previously in existence, and I expressly deny any right or privilege existing under any previous iteration. However, since the policies and procedures described within this handbook are subject to change from time to time, I acknowledge that revisions may occur. I understand that such changes may supersede, modify, or revoke existing policies.

Furthermore, I acknowledge that the Personnel Handbook is neither a contract of employment nor a legal document. I have received a copy of the City of Statham Personnel Handbook, and I understand that it is my responsibility to read and comply with the policies contained in the manual and any revisions made to it.

Employee Signature: _____

Employee Name: _____

Date: _____

SECTION 1: PERSONNEL POLICY AND ADMINISTRATION

1. Purpose

The provisions of this Handbook are designed to set the highest possible standard of conduct for employees in the City to ensure the citizens receive the best possible delivery of governmental services. This Handbook provides general information about city policies, procedures, expectations, and benefits. The Handbook, however, cannot anticipate every situation or answer every question regarding your employment. Therefore, the policies set forth in this Handbook may require interpretative decisions by the individuals administering the same. In the event of a change in law or a conflict in federal or state law with the contents of this Handbook, the federal and/or state law shall supersede the policies contained within this Handbook.

2. Scope; At-Will Employment; Amendments

The provisions of this Handbook apply to all employees of the City of Statham, Georgia (the "City"), regardless of whether the employee is on or off duty. This Handbook does not constitute a contract of employment or associated benefit of said employment. Nothing in this Handbook should be construed as a contract or guarantee of continued employment with the City, nor shall anything in this Handbook be construed to alter the at-will nature of all employee's employment with the City.

Any changes, modifications, amendments, or revisions to this Handbook must be approved by affirmative vote of the Mayor and City Council pursuant to the City Charter. The use of titles or headings in this Handbook shall not govern, limit, modify, or affect the scope of meaning or intent of any provision. Any statement in a directive found to be unenforceable shall not affect the validity of the remaining contents. Except where specifically provided for herein, all provisions of this Handbook are applied to all regular full-time, part-time, probationary, exempt, non-exempt, seasonal, and temporary employees.

3. Definitions

The following words and phrases shall have the following meanings.

- *Days* refer to business days, rather than calendar days or shift days.
- *Department* shall mean the subdivision of the City, including, but not limited to, City Hall, Building Department, Police Department, Public Works, Municipal Court, Roads Department, Water Department, or such other departments as created or recognized by The Mayor.

- *Department Head* means the highest administrative employee of a department, whether indicated as Director, Chief, or other job title or rank.
- *Employee* means any individual filling an approved, budgeted position with the city.
- *Exempt Employee* means a full-time, salaried employee according to the federal Fair Labor Standards Act (FLSA) subject to equal pay provisions but exempt from minimum wage and overtime pay provisions.
- *Non-Exempt Employee* means an employee defined according to the FLSA to be subject to equal pay, minimum wage, and overtime provisions. For regular employees, non-exempt employees shall be subject to a 40-hour work week for pay, minimum wage, and overtime/PTO purposes. For uniform officers of the Police Department, exempt employees shall be subject to an 85.5-hour bi-weekly work period for pay, minimum wage, and overtime/PTO purposes.
- *Relative*. For purposes of this Handbook, relatives are defined as spouses, parents or stepparents, parent-in-law, child or stepchild, siblings or stepsiblings, sibling in laws, grandparents or grandparent in laws, and grandchildren.
- *Supervisor* means an employee formally assigned to supervisory responsibilities for other personnel and operations of a work unit within a larger department of City government. Department Heads, the Chief of Police, and the City Administrator should be understood to be supervisors of individuals who report directly to them.

4. **General Authority.**

Except for matters reserved by state law or the City Charter to the Mayor and City Council, the general and final authority for personnel matters rests with the mayor and his/her delegate including the City Administrator. This Handbook provides statements of policy and establishes required procedure relating to the administration of personnel matters and employment-related decisions. At any time, the City does not have a person serving in the role of the City Administrator, the duties, and responsibilities of the City Administrator under this policy should lie with the mayor. The mayor's and/or City Administrator's authority includes, but is not limited to:

- Establishment of rates of compensation
- Discipline up to and including termination of employment.
- Direction and description of job duties and functions.
- Assignment or transfer of employees between positions and departments.
- Establishment of goals for City departments.
- Determine the methods, means, and allocation/assignment of personnel needed to conduct the City's mission.
- Determine reasonable and necessary work schedules.
- Review and assessment of the performance of duties by City employees.

5. Role of Department Heads in Administration.

Subject to the Mayor and/or City Administrator’s oversight, authority over personnel and employment matters within each Department of the City is hereby delegated to the Department Heads. Such delegation shall include all powers and duties identified in Paragraph 3 of this Section.

6. Departmental Operating Rules.

Each Department of the City may adopt operating rules, regulations and/or policy related employment matters unique to the duties and operations of the Department, such as the Statham Police Department’s Standard Operating Procedures. Where any Department rule or policy related to employment matters directly conflicts with a provision of this Handbook, the provision of this Handbook shall be deemed controlling. Any departmental operating rule, regulation, policy, and subsequent amendments thereto adopted pursuant to this Section shall be submitted to the City Administrator within ten (10) days of their adoption by the City for maintenance of the human resources function of the City Administrator.

7. Maintenance of Personnel Records.

A record of employment for each employee, including, but not limited to applications, background checks, personnel reviews, disciplinary documents and other employment-related records, will be maintained by the City Administrator. Personnel records for terminated employees shall be retained as required under all applicable record retention laws. An employee has the right to review and request copies of their personnel file at any time. Such requests will be facilitated by the City Clerk. All requests by members of the public shall be resolved in accordance with the Georgia Open Records Act (O.C.G.A. § 50-18-70, *et. seq.*

It is the responsibility of each employee to notify the city of any personal data changes, such as name, address, phone number, emergency contact information, change in beneficiaries, etc. Employees agree to provide all requested documents requested by the city to corroborate any requested change of personal data.

8. Equal Employment Opportunity and Harassment.

The City of Statham provides equal opportunity to all employees and applicants without regard to race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, or status as covered veterans in accordance with applicable federal, state, and local laws. This policy applies to all terms and conditions of employment including, but not limited to

hiring, placement, promotion, termination, reduction in force, recall, transfers, leaves of absence, compensation, and training.

The city does not and will not permit unlawful discriminatory practices, sexual harassment, or harassment based on race, color, religion, national origin, age, or disability. Employees and their work environment should be free from all forms of unlawful harassment, discrimination, and intimidation. The city will not tolerate harassment in any form, whether managers, employees, or non-employees commit it. All managers and supervisors will be responsible for preventing and eliminating harassment, including sexual harassment. The City will promptly investigate any allegation of harassment and, if it is determined that harassment has occurred, the City will take appropriate disciplinary action, up to and including discharge of the offending party.

Harassment includes verbal or physical conduct that denigrates or shows hostility toward an individual or conduct that creates an intimidating, hostile, or offensive working environment for an individual because of his/her sex, race, color, religion, national origin, age, or disability. Harassment may include, but is not necessarily limited to, epithets, slurs, jokes, or other verbal or physical conduct relating to an individual's sex, race, color, religion, national origin, age, or disability.

Sexual harassment consists of unwelcome physical contact, sexual advances, requests for sexual favors and other inappropriate communications or verbal or physical conduct of a sexual nature that creates an offensive or hostile work atmosphere. Sexual harassment includes, but is not limited to:

- (a) Unwanted or unwelcome physical contact or conduct of any kind, including, patting, pinching, brushing up against, hugging, cornering, kissing, fondling, or any other similar physical contact.
- (b) Verbal abuse of a sexual nature, including sexual flirtations, advances, propositions, sexual innuendoes, sexually suggestive, insulting, or graphic comments, noises, or sounds.
- (c) Sexually explicit, suggestive, or offensive jokes.
- (d) Demeaning, insulting, intimidating, or sexually suggestive comments about an individual's dress, body, appearance, or personal life.
- (e) The display or distribution in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects or pictures, including nude photographs, drawings, or magazine pictures; and
- (f) Demeaning, insulting, intimidating, or sexually suggestive written, recorded or electronically transmitted messages.

Any employee who believes that he or she is being or has been harassed or discriminated against in violation of this policy should promptly go to his or her supervisor or the City Administrator and, orally or in writing, state the specific details of the sexually harassing, discriminatory, or other type of harassing behavior. If it is difficult or uncomfortable for the employee to discuss such a matter with his or her supervisor or the City Administrator or if the harassment involves the supervisor or City Administrator, the employee should report the incident to the mayor.

The policy of the City is to listen to all complaints, investigate with due regard for confidentiality, and quickly apply appropriate sanctions that will end any offensive behavior. Employees are required to cooperate fully with any investigation of harassment or discrimination. Sanctions for engaging in discrimination, sexual harassment, or other forms of impermissible harassment will depend upon the facts and circumstances of the incident.

The city will not retaliate against any employee because of reports of alleged harassment or discrimination or because of cooperation with any investigation. Any employee who believes retaliation has resulted from either the reporting of a complaint of harassment or discrimination or from participation in an investigation of such allegations should immediately report this to his or her supervisor or the City Administrator. If an employee has any questions concerning this policy, the employee should contact his or her supervisor or the City Administrator.

SECTION 2: ATTENDANCE, WORK HOURS, & STANDARDS OF PERFORMANCE

1. Standards of Conduct

Employees of the City are expected and required to maintain the highest standards of performance and conduct. While it is not possible to list all the types of employee misconduct that can result in discipline, common sense indicates that certain types of misconduct cannot be permitted. The following list includes some (but by no means all) of the types of conduct that can result in disciplinary action, up to and including termination of employment:

- Theft or destruction of the City's property or the property of other employees, managers, clients, citizens, or others doing business with the City.
- Abuse, threatening, or intimidating other employees, managers, clients, citizens, or others doing business with the city.
- Failure to follow the directives and/or orders of the employee's supervisor or insubordination.
- Use of obscene, disruptive, hostile, or abusive language.
- Insubordination or refusal to perform assigned duties.
- Circumvention of the chain of command or disparaging of a supervisor, Department Head, or other city officials to other employees.
- Willful or negligent non-performance of assigned duties.
- Unauthorized use or possession of weapons, firearms, or explosives.
- Excessive and/or unexcused tardiness or absence, or failure to notify the city of tardiness or absence in a timely manner.
- Dishonesty or falsification of the City's documents or records, including (but not limited to) time records, personnel records, and employment applications.
- Violation of the City's policies.
- Reporting to work under the influence of alcohol or illegal drugs.

- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs during the scope of one's employment.
- Physical violence toward a coworker.
- Accepting money, gifts of more than nominal value, favors, loans, or other special treatment from any supplier or vendor of The City.
- Sexual or other harassment or discrimination.
- Conduct or behavior that negatively reflects on the city; and
- Unauthorized disclosure of confidential information.

Violation of these standards of conduct – or any form of disruptive or inappropriate behavior – may result in appropriate disciplinary action. The nature and severity of the discipline will be determined by The City in its sole discretion, and will reflect the severity of the violation, the employee's past record, and other individual circumstances. The City reserves the right to provide corrective counseling at its sole discretion or to use sub-termination sanctions, however immediate dismissal may result in situations where corrective counseling is not deemed by The City to be appropriate to the situation.

2. Attendance and Punctuality.

The efficient operation of The City depends upon the regular attendance and punctuality of the City's employees. To maintain an important level of responsiveness to the citizens of the City of Statham, it is important that employees follow established work hours, avoid tardiness and unauthorized absences, and follow reporting requirements. All offices in the city will be kept open continuously from 8:00 a.m. to 5:00 p.m. Monday through Friday. All employees, whether exempt or non-exempt, are expected to be present at their workstations during regular business hours of the City, except for permitted lunch, break periods, or meetings and events occurring during normal work hours regardless of whether said employee has completed forty (40) hours of work in each week. If an exempt employee is absent for personal reasons for a period greater than four (4) hours in any given workday, such time must be deducted from the employee's PTO balance. The Statham Police Department schedule is to be set by the Chief of Police.

While the City recognizes that circumstances beyond an employee's control may sometimes cause the employee to be absent from work for all or part of the day, unexcused and/or excessive tardiness or absenteeism may result in disciplinary action up to and including

termination. Excuse absences are those which are taken in accordance with the City's established paid time off or other leave policies, and for which the employee gave sufficient notice to his or her supervisor. Unexcused absences occur when an employee fails to give the City sufficient notice of the absence or when the employee takes more time off from work than that permitted under the City's established policies.

An employee who is absent from work or delayed in reporting for work is required to call his or her immediate supervisor no less than one hour before the employee was to report to work to explain the reason for the absence or delay and the expected duration of the absence or delay. Similarly, employees who need to leave the office early for any reason must first obtain the permission of their immediate supervisor. Failure to notify the city of any anticipated absence or delay in reporting for work may be grounds for disciplinary action up to and including termination. Any employee who is absent from work for three (3) or more consecutive workdays shall be considered to have constructively resigned from his or her employment with the City unless the absence is excused, and the employee gave the City proper notice of the absence.

3. Personal Appearance.

Employees are expected to abide by their specific department dress code. Except as provided for in the Department's specific rules and policies, employees shall be identifiable as an employee of the City with a neat, tidy, and professional appearance, including appropriate dress and grooming to ensure that employee presents a professional image to the citizens and customers of the City.

4. Permitted Breaks.

Mealtime should be at least thirty (30) minutes in length but should not exceed one (1) hour. Other rest periods of short duration during the day should not be disruptive to operations in the City and should not exceed a fifteen (15) minutes period in the morning and fifteen (15) minutes in the afternoon and be approved by the employee's supervisor. In compliance with the Fair Labor Standards Act, mealtime during a shift or tour of duty is not considered compensable time, unless the employee is required to perform work related duties during the mealtime.

5. Alternative Work Schedules; Remote Work; Personal Cell Phone Usage.

The city recognizes that under certain circumstances, it may be appropriate or necessary to allow an employee to work an alternative work schedule on a limited, short-term basis. Subject to such circumstances and the operational requirements of the city, regular full-time employees may be permitted to work an alternative work schedule that allows the employee to work outside the normal work hours of 8:00 a.m. to 5:00 p.m. Monday through Friday. Such change in an employee's work schedule must be agreed to in writing by the Department Head

and the employee prior to implementation and shall not exceed more than two work weeks total in a calendar year.

In deciding whether to grant such alternative work schedules, the Department Head shall take into consideration whether the duties of the employee require regular interaction with citizens and other employees, whether the circumstances giving rise to necessity of such schedule is within the control of the employee, and the employee's historical job performance. In addition, the mayor and/or City Administrator must approve any change in an employee's work schedule to ensure there is no conflict with statutory/regulatory requirements or City policy. The city may cancel or suspend an employee's alternative work schedule privileges at any time, for any or no reason.

All employees are required to work more than their official hours, when necessary, as determined by City Administrator. Such additional work assignments may be rotated and allocated among employees qualified to perform the duties. Excess hours may be required or granted for a specific period or on a regular basis as operating circumstances warrant. Additional work by non-exempt employees must be approved in advance by the employee's supervisor. This includes but is not limited to work before or after regular work hours or work taken home.

Although the City recognizes the need to have personal cell phones at work, employees are expected to keep such devices in silent/vibrating mode during normal work hours. Except in the case of a personal or family emergency, employees should refrain from any usage of said devices for telephone, social media, or other non-city businesses except when on mandated breaks or during lunch. When using cell phones, employees should move away from colleagues to prevent distractions. Cell phones are not to be used to record or share confidential company information or use the company's network to download illegal or inappropriate materials from the internet.

6. Drug and Alcohol Policy.

The city 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 the city employee illegally uses drugs on the job, comes to work under their influence, possesses, distributes, or sells drugs in the workplace, or abuses alcohol on the job. The city recognizes that our society faces a growing problem of substance abuse. Many persons abuse alcohol or use drugs. The problems of substance abuse in society generally and among the City's employees affect far more than just the abusers' own health. In particular, the safety of co-workers and the public at large is threatened by the substance abusers who become the city employee. The City's reputation and integrity also may be adversely affected by the substance abuser. Therefore, the City has established the following policy:

- A. It is a violation of the City's policy for any employee to use, possess, sell, buy, transport, trade, offer for sale, or offer to buy illegal drugs or other nonprescribed intoxicants and controlled substances (or paraphernalia associated with such prohibited substances), or otherwise engage in the use of such substances on the City's property, during working hours, while traveling in the City's vehicles, or while on the job in any capacity.
- B. It is a violation of the City's policy for any employee to report to work or work under the influence of or while impaired by illegal drugs or other nonprescribed intoxicants and controlled substances, or to report to work or work while possessing in the employee's body, blood or urine, any detectable amount of such substances.
- C. It is a violation of the City's policy for any employee to report to work or work under the influence of or impaired by alcohol or to possess or consume alcohol on the City's property, during working hours, while traveling in the City vehicles, or while on the job in any capacity.
- D. It is a violation of the City's policy for any employee to use prescription drugs illegally or in a manner inconsistent with the physician's prescribed dosage. It is also a violation of the City's policy for an employee to use prescription drugs which have the effect of impairing the employee's ability to perform his or her job duties in a safe and acceptable manner. (However, nothing in this policy precludes the appropriate use of legally prescribed medications that do not cause unsafe or unacceptable job performance.)

7. Smoking, Vaping, and Tobacco Use

Smoking, vaping, and other smokeless tobacco products are prohibited in all enclosed facilities and in vehicles owned, leased, or operated by the city. Employees should also refrain from smoking, vaping, or use of other smokeless tobacco products while interacting with members of the public. Smoking, vaping, and use of other smokeless tobacco products shall be limited to permitted breaks.

8. Employee Safety Program.

The city of the city is extremely conscious of the safety of our employees and the citizens of our community. As an employer, we recognize our obligation to ensure the safest possible workplace for our employees. As a governmental entity, we recognize our responsibility to provide a safe environment for the public we serve.

It is our belief that most accidents are preventable. In accordance with this belief, we have allocated resources to administer an aggressive loss control program in our municipality. Each department head is responsible and will be held accountable for the loss control performance within his or her department. Our City Administrator is the safety coordinator/risk manager appointed to coordinate our overall loss control program. The safety coordinator, however, is not responsible for the line of functions that are the responsibility of the department heads and supervisors. It is expected that department heads will complement the effort of the safety coordinator to reduce accidents and provide for the safety of the public. These loss control responsibilities are continuous and equal in importance with all other operational considerations.

All employees are responsible for cooperating with and supporting our loss control program activities and objectives. All employees are expected to adopt the concept that the safe way to perform a task is the most efficient and only acceptable way to complete the task. Loss control is every employee's responsibility. Only with your help can we continue to maintain a safe environment for both our employees and the citizens we serve.

Each department should have a designated safety person responsible for preparing and holding regular safety meetings at a minimum of once per year, which attendance shall be documented and maintained. Each department should also conduct safety training and briefings for all new employees before the expiration of their probationary period.

9. Use of City Vehicles and Equipment.

Each employee understands that during the course of their employment, they may be required to utilize City owned vehicles, equipment, machinery, appliances, or other property (collectively hereinafter referred to as "City Vehicle and Equipment") that if operated in an unsafe manner, presents risks to the health, safety and well-being of the employee, other employees of the city and the public at large. Accordingly, each employee agrees that when operating any City Vehicle and Equipment, the employee will comply with all local, state, and federal safety laws and regulations including, but not limited to, posted speed limits, state and federal operating license requirements, traffic safety laws, OSHA safety regulations, and other applicable rules. In addition to legal requirements referenced above, each employee also agrees to operate City Vehicles and Equipment according to the manufacturer's recommended guidelines and purposes.

Such rules will apply to both the operator and any passenger or passive user of City Vehicles and Equipment. All passengers, including the driver, riding in a vehicle owned by the City are required to properly wear installed seat belts, harnesses and other safety control devices when operating or riding in a City Vehicle or Property. A failure to use your seat belt is a serious safety violation and is not to be taken lightly. It is a known fact that seat belts can and do help

reduce the severity of injuries when they are effectively used. Proper use constitutes proper adjustments as well as proper latching of the unit.

Prior to any employee's use of a City Vehicle or Property, each employee shall be required to submit their driver's license information to the City's safety officer and consents to grant the City access to the employee's driving history records to determine the fitness and suitability of employee to operate City Vehicles or Property. The City may require each employee that operates City Vehicles and Equipment to sign a release and indemnification agreement as a condition of their continued employment.

10. Social Media and Electronic Communications.

In the course of their employment with the city, employees will have access to City email accounts, telephones, voicemail, facsimile and other electronic communication systems. Employee understands that all data including emails, text messages, and audio recordings composed, sent, and received are the property of the City of Statham subject to retention and production under the Georgia Open Records Act.

Employees shall be responsible for utilizing such systems in a courteous, professional, ethical, and lawful manner. Employees should not use City computers or equipment for personal use. Under no circumstances should any electronic communication systems be used for sending, transmitting, intentionally receiving, copying, or storing any material that is harassing, racially offensive, sexually explicit, profane, obscene, intimidating, defamatory, or detrimental to the City in the City's sole discretion.

Given the multitude of concerns (legal, political, and ethical) raised by social media (Facebook, Twitter, etc.), actions and statements made by employees on social media platforms may reflect poorly upon the City, even where such postings are made on employee's personal social media accounts. As a result, employees shall not post online content as a representative of the City, or on the City's behalf without approval of the Mayor or the City Administrator. If discussing City related issues, all personnel must make it clear that they are speaking for themselves, and not on behalf of the City by displaying a disclaimer that states: "This is my own opinion and not an opinion or position held by the City of Statham, the Mayor or the City Council." Employees who choose to maintain or participate in social media or social networking platforms while off duty shall conduct themselves with professionalism and in such a manner that will not reflect negatively upon the City, its employees or themselves.

11. Non-fraternization.

Romantic or sexual relationships between a manager/supervisor and a direct report employee can cause real or perceived conflicts of interest. To prevent these conflicts, the city prohibits such relationships or any conduct that is intended or may be expected to lead to the formation of a romantic or sexual relationship between a manager/supervisor and an employee in a direct reporting relationship. This policy applies regardless of whether both parties freely consent to such relationships. Should a manager desire to date or become involved with a direct report employee, the manager should first resign from their position with the city.

Should two employees within the same department but not in a direct reporting relationship desire to become involved in a romantic relationship, they should disclose the relationship to the Department Head who shall then decide regarding the effect of the relationship on the operations of the department and City. If in the judgment of the Department Head, the relationship between two employees within the department creates a negative effect on departmental operations, then one of the two will be asked to transfer or resign their position with the city.

12. Code of Ethics.

No employee of the City shall knowingly:

- Engage in any business or transaction or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of official duties, or which would tend to impair the independence of his or her judgment or action in the performance of their official duties.
- Engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of official duties or would tend to impair the independence of his or her judgment or action in the performance of their official duties.
- Disclose confidential information concerning the property, government, or affairs of the governmental body by which engaged without proper legal authorization or use such information to advance the financial or other private interest of himself or herself or others.
- Accept any valuable gift, whether in the form of service, loan, object, or promise, from any person firm, or corporation which to his or her knowledge is interested, directly or indirectly, in any manner whatsoever in business dealings with the governmental body by which he or she is engaged; provided, however, that an elected official who is a candidate

for public office may accept campaign contributions and services in connection with any such campaign.

- Represent other private interests in any action or proceeding against this City or any portion of its government; or
- Vote or otherwise participate in the negotiation or in the making of any contract with any business or entity in which he or she has a financial interest.
- Use property owned by the City for personal benefit, convenience, or profit.

Any employee who has any private financial interest, directly or indirectly, in any contract or matter pending before or within any department of the City, shall disclose such private interest to their supervisor. Any violation of this Section which occurs with the knowledge, express or implied, of a party to a contract or sale shall render said contract or sale voidable at the option of the City Council and shall be grounds for discipline of the employee up to and including termination.

SECTION 3: HIRING, EMPLOYMENT DESIGNATIONS AND PERFORMANCE EVALUATIONS

1. Hiring and Selection.

The city is committed to employing the most highly qualified candidates for positions in compliance with all applicable employment laws. The Department Head shall be responsible for initiating any action for an open position including any recruitment efforts, advertising, or interviewing. The city recognizes that the needs of the city are changing and that the job market can be highly competitive. Thus, the City shall not proscribe any processes or procedures for recruiting qualified candidates to apply for open positions.

All candidates for a position, whether currently employed by the city, must complete a new employment application, resume or letter of interest. Additional information outside the initial employment application may be required from candidates. Omission or falsification of any material fact on an application or resume or any other documentation shall disqualify an applicant for consideration of employment and may be grounds for termination if discovered after the applicant has accepted employment with the City.

2. Nepotism & Conflicts of Interest

When relatives work within the same department or in positions where job responsibilities of one relative can influence the job duties and responsibilities of their relatives, conflicts of interest can arise. To prevent these conflicts, the City prohibits the hiring of two (2) or more relatives within the same department or in positions where job responsibilities of one relative can influence the job duties and responsibilities of relatives.

3. General Employment Designations.

A person employed by the city may hold one of the following types of employment designations:

A. Probationary: The initial ninety (90) day employment period during which all full-time employees are observed for effective job performance.

B. Regular: Upon satisfactory completion of a probationary period, an employee may be offered regular, full-time employment. The salary for a permanent employee shall be determined by the Mayor and City Council according to the job description and experience through the City's normal budgeting process. After each successive year of employment, the

employee shall be evaluated and may be granted a pay increase subject to the terms and conditions set forth in this Handbook.

C. Part-Time: Part-time employment may be made to fill positions which are authorized and established for a specified or indefinite period; when the work of a department requires the services of one or more employees on a seasonal or intermittent basis; or in cases of emergency. A part-time employee may be classified as a contractor, and the pay for a part-time employee shall be determined by the Mayor and City Council through the City's normal budgeting process.

4. Probationary Period.

An employee's probationary period is regarded as an integral part of the selection process and shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to his or her position, and for rejecting any employee whose performance is not satisfactory. The original probationary period shall be ninety (90) days in length. The Department Head may, in the Department Head's discretion extend the probationary period one time by a period not to exceed ninety (90) days.

During the probationary period, any employee may be removed by the Department Head if the employee is unable or unwilling to perform the duties of the position satisfactorily or if, in the decision of the Department Head, the employee's continued employment is not in the best interests of the city. Upon removal a written report stating the reason for such removal, if any, shall be entered in the employee's personnel file.

Full-time, probationary employees shall not be eligible to receive employment benefits offered by the City, including, but not limited to, health insurance, or sick bank accrual, thirty (30) days from the initial date of hire. Full-time, probationary employees shall begin to accrue Paid Time Off ("PTO") immediately upon the start of their employment with the City.

5. Performance Evaluations.

The job performance of all employees will be reviewed periodically to determine if the employee is performing their job duties in a manner that fulfills the obligation of the city to its citizens, as well as to determine if promotions or salary adjustments are warranted. Periodic job reviews also provide important opportunities to establish performance goals, department needs, and identify opportunities for education, training, and job development.

Job performance reviews shall be completed at the conclusion of any probationary period, on the annual anniversary of employees' employment with the City or placement in a particular position. The Mayor and Department Heads reserve the right to perform such other periodic employment reviews as they deem necessary to make employment-related decisions.

The results of reviews shall be made in writing and shall be kept as part of the employee's personnel file. If an employee disagrees with the supervisor's assessment of their performance, the employee may write a letter of explanation stating their objections with the evaluation, which shall be included in their employment file. Any rebuttal submissions must be made in writing within thirty (30) days of the conclusion of the review.

6. Extra Employment.

The city recognizes that employees may seek additional employment during their off hours to earn additional income or develop new skills and experience. Despite any other outside employment, their city job is the primary employment responsibility for full-time employees. Working extended hours while at a secondary job may adversely affect the health, endurance, and productivity of employees. The city does not consider outside employment to be an excuse for poor job performance, tardiness, absenteeism, or refusal to work overtime or travel when required by the city. No employee shall hold more than one paid position with the City at one time.

All outside employment is subject to written approval by the Mayor or City Administrator prior to acceptance of such employment. A City employee may engage in any business, trade, occupation, or profession that does not:

- A) Bring the City into disrepute.
- B) Reflect discredit upon the employee as an employee of the City.
- C) Interfere with the performance of the employees' City duties.
- D) Present a conflict of interest.
- E) Result in misuse of City property or funds.
- F) Result in use of the city position for unethical/or illegal personal gain.
- G) Violate department policy or procedure; or
- H) Decrease the health or endurance of employees or adversely affect their productivity.

Department Heads are prohibited from engaging in any form of outside employment. Nothing in this provision shall be construed to prohibit or discourage employees from engaging in community service or voluntary service for community organizations.

SECTION 4: COMPENSATION AND BENEFITS

1. Classification and Pay Scale

The city will maintain a Classification and Pay Scale, including a complete list of all positions in the City's service, an accurate description of said position, and a pay scale for each position. The Classification and Pay Scale will use titles and categories based on similarities in duties and responsibilities. The Classification and Pay Scale will be designed to provide equal pay for equal work and to provide a pay range for each grade of positions, which will enable the city to recruit and retain qualified employees, as well as compete in the job market with other public employers. All aspects of the Pay Scale are contingent upon the availability of funds as determined in the sole discretion of the Mayor and City Council in the normal budgeting process.

The City Administration shall periodically review the Classification and Pay Scale and recommend appropriate changes to be approved by the Mayor and City Council.

2. Salary Adjustments; Limitations

Subject to annual budget appropriations, each Department Head may award an employee an annual pay increase in the greater amount of a percentage rate equal to the twelve-month increase in the Consumer Price Index published by the United States Bureau of Labor Statistics or five percent (5%). All pay raises shall be discussed and approved by the mayor and/or City Administrator prior to the employee is notified of the same. Pay increases may be granted at any time during employee's term of employment, however, except where such increases are the result of a promotion to a higher employment classification, no employee shall receive an increase in their rate of pay at a rate higher than the five percent (5%) within a twelve (12) month period without the express approval of the Mayor and City Council. Nothing contained in this provision shall be construed to guarantee an employee an annual pay increase, and all such increases shall be subject to annual budget appropriations and on the discretion of the Department Heads, Mayor, and City Council.

3. Pay Procedures.

All hourly employees and Department Heads are required to complete a time record for each week they work. For hourly employees, this time record must be completed, approved by their supervisor or Department Head, and turned into the City Administrator by 8:30 a.m. the last day of the pay period. For Department Heads, time sheets must be complete, approved by the mayor, and turned into the City Administrator by Monday following the last business day of the pay period. All employees will be paid on a bi-weekly basis. The workweek will begin on Sunday and end on Saturday. If the last day of the pay period falls on a City recognized holiday, the time record shall be submitted on the date preceding the holiday.

4. Overtime.

On occasion, the city will need employees to work overtime hours. Employees are expected to work overtime as needed. Repeated refusals to work overtime when requested and/or refusal to work overtime without a valid excuse may be grounds for discipline, up to and including termination.

Overtime work is work performed by a qualified, non-exempt employee, which exceeds the regular workweek, as defined in the Fair Labor Standards Act (FLSA). FLSA standard for non-public safety employees is a forty (40) hour workweek, for police shift employees, an eighty-five and a half (85.5) hour bi-weekly work period. Compensation for overtime hours shall be at time and a half for hours worked, more than the defined work period. Paid Time Off will not be considered as hours worked for overtime computation purposes. All overtime must be approved in writing by the Department Head prior to employees performing overtime work.

5. Expense Reimbursement

On occasion, employees may be required to travel on City business or incur other business expenses arising out of his or her employment with the City. An employee will be reimbursed for reasonable expenses incurred by the employee for business purposes provided that:

- A) The employee obtained prior written approval from his or her supervisor.
- B) The employee submits the request for reimbursement within one week after the expense was incurred.
- C) The employee has submitted a receipt for the expense.
- D) The city determines that the amount and purpose of such expenditures are reasonable in view of achieving the business purpose and within the limit or budget (if any) approved by the supervisor.

The mileage allowance for the City use of personal vehicles is based on the rate established by the Internal Revenue Service.

6. Employee Benefits

It is the policy of the City to provide its employees with various employee benefits. Although the City intends to provide these benefits indefinitely, it reserves the right to modify, amend, or terminate these benefits at any time and for any reason permitted by law. The determination of eligibility for benefits and the interpretation of plan terms is solely within the discretion of the City.

Eligibility for these group benefit plans will depend upon the specific requirements of each benefit plan. The duly adopted minutes of a City Council meeting or other such policies or ordinances adopted describe in detail the eligibility requirements and benefits provided by each plan. Actual benefits and employees' rights to these benefits are controlled by actual plan documents and summary plan descriptions for each plan. If there is a conflict between this Handbook and the contents of such plan documents, the plan documents are controlled. If you have any questions about these plans, please contact the City Administrator.

SECTION 5: HOLIDAYS AND LEAVE AND BENEFITS

1. Holidays

The city observes the following holidays:

- New Year's Day (January 1st)
- Martin Luther King, Jr. Day (3rd Monday in January)
- Good Friday (Friday before Easter Sunday)
- Memorial Day (last Monday in May)
- Juneteenth (June 19th)
- Independence Day (July 4th)
- Labor Day (First Monday in September)
- Veterans Day (November 11th)
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve (December 24th)
- Christmas Day (December 25th)
- Floating Holiday

When a holiday falls on a Saturday, the preceding Friday shall be declared a holiday for City employees. When a holiday falls on a Sunday, the following Monday shall be declared a holiday for City employees.

Floating Holiday is granted to each City employee each calendar year. Floating Holiday must be used as a single 8-hour day, and hours may not be divided between different days. A Floating Holiday must be used in the calendar year in which it was received and will not be rolled over into the following year. Floating Holidays are not paid upon separation from the City.

A non-exempt employee who is required to work on an official City holiday will be paid at their regular hourly rate for the actual hours worked as well as the holiday pay. A non-exempt shift employee scheduled off on an actual calendar holiday will be paid holiday equalization of eight (8) hours. All full-time shift employees will receive a minimum of eight (8) hours of holiday pay, whether on shift, through holiday equalization, or a combination of the two. An exempt employee who is assigned to a shift on an official City holiday would receive an additional 8 hours of holiday equalization pay regardless of whether they worked the holiday or not. Employees must work their regularly scheduled workday or shift or be on an approved leave status the day before and after a holiday to receive holiday pay.

2. Paid Time Off (“PTO”)

Personal time off is important for an employee's overall mental and physical health and rest and relaxation. As such, the City has adopted the following Paid Time Off (PTO) policy.

All eligible, full-time employees of the City shall accrue PTO at the rates stated below:

| Longevity | 80-Hour Bi-Weekly Work Week | | | 85.5-Hour Bi-Weekly Work Week | | |
|----------------|-----------------------------|------------------------------|-------------------------|-------------------------------|---------------|-------------------------|
| | Hours per pay period | Maximum Annual Hours Accrual | Maximum Rollover Amount | Hours per pay period | Maximum Hours | Maximum Rollover Amount |
| <1 Year | 6.769 | 177 | 177 | 6.980 | 182 | 182 |
| 1 to 5 Years | 8.307 | 216 | 256 | 8.625 | 225 | 268 |
| 6 to 10 Years | 9.846 | 256 | 336 | 10.269 | 267 | 352 |
| 11 to 15 Years | 11.384 | 296 | 416 | 11.913 | 310 | 438 |
| 16+ Years | 12.923 | 336 | 496 | 13.557 | 353 | 524 |

Employees may use their PTO for any purpose or reason so long as any such use follows the approval procedures found within this section. Any employee that is out on unplanned PTO for three (3) or more consecutive workdays must provide their immediate supervisor with a return-to-work statement from a healthcare provider. For the purposes of PTO, the benefit year shall be the 12-month period that begins when the employee commences employment with the City. An employee's benefit year may be extended for a significant leave of absence except for a military leave of absence.

New employees and rehired employees must complete a 180-day period prior to being eligible to use PTO. Employees who change status from full-time to any other employment status are not eligible to continue to accrue PTO following said conversion. Use of PTO must be requested and approved by the Department Head with reasonable advance notice. This allows both the employee and the city to plan and prepare for the employees' absence. The Department Head and/or Mayor may require an employee to take up to one week of PTO, if, in Department Head's or the Mayor's absolute discretion, the use of PTO would benefit the employee, the department, or the City.

If an employee is called into work while on PTO by the Mayor or their Department Head or to address a situation that involves an imminent risk to the health and safety of the citizens, the employee's PTO shall be terminated, and no PTO will be deducted for the day on which PTO is terminated. If an employee is on PTO and chooses to work remotely, such work shall be

considered a gratuity to the City, the employee will not receive any additional pay for such work, and the employee's PTO balance will be deducted accordingly. If an employee wishes to terminate their previously approved PTO early, such termination of PTO must be approved by the Department Head or Mayor prior to the employee's return to work.

In the event of a sudden illness where such advance approval is not practical, employees must inform their immediate supervisor of their situation as soon as practical. Failure to do so may result in the denial of the PTO request and/or disciplinary action, up to and including termination of employment.

PTO is not transferable between employees. Employees may carry over unused PTO up to the maximum accrual rate for their longevity category. Employees on FMLA must use all available PTO prior to using unpaid leave. PTO does not accrue while the employee is on FMLA. Upon termination of employment, any accrued PTO will be paid out on the employee's final paycheck under the following circumstances:

- Resignation with at least two weeks' (14 calendar days) notice.
- Not-for-cause termination.
- Approved employment status change from full-time to part-time.

Accrued PTO will not be paid out and will be forfeited in the following circumstances:

- Termination of employment for any cause during the employee's initial probationary period with the City or extension thereof.
- Resignation with no notice or less than two weeks' notice.
- For-cause termination.
- Failure to return any City property.

Employees may elect to take a pay-out of an amount equal to one half of their annual PTO accrual on the first business day of November each year. Any such election must be made in writing to the employee's Department Head with a copy to the mayor and/or City Administrator. Upon receipt of such election, the employee's PTO balance will be immediately deducted so as not to result in a loss of any future PTO accrual following the election; provided, however, that payment of the deducted PTO amount shall be made by check or direct deposit separate and apart from the employee's regular paycheck.

3. Voluntary Leave Bank

Once an employee reaches the maximum accrual amount for PTO, the employee may elect to accrue Voluntary Leave at the rates and to the maximum amounts set forth in the following table:

| Longevity | 80-Hour Bi-Weekly Work Week | | | 85.5-Hour Bi-Weekly Work Week | | |
|----------------|------------------------------------|-----------------------|-------|-------------------------------|---------------|-------|
| | Accrual Rates Hours per pay period | Maximum Hours Accrual | Weeks | Hours per pay period | Maximum Hours | Weeks |
| <1 Year | 3.077 | 80 | 2 | 3.288 | 85.5 | 2 |
| 1 to 5 Years | 4.615 | 156 | 3 | 4.933 | 167 | 3 |
| 6 to 10 Years | 6.154 | 208 | 4 | 6.577 | 222 | 4 |
| 11 to 15 Years | 7.692 | 260 | 5 | 8.221 | 278 | 5 |
| 16+ Years | 9.231 | 312 | 6 | 9.865 | 333 | 6 |

Voluntary Leave accrued pursuant to this section shall not be a compensable benefit but shall instead be available to employee only for use as sick leave in lieu of PTO. Voluntary Leave may be donated to any other employee of the City upon written submission of the same to the City Administrator. Election to participate in the Voluntary Leave Bank must be made by writing to the City Administrator. Upon the separation of employment from the City, employees shall not be entitled to receive any form of compensation in any form for accrued but unused Voluntary Leave hours.

4. Jury Duty and Witness Duty Leave

The city will not discharge, discipline, threaten, or otherwise penalize an employee who is required to miss work to serve on a jury or attend a judicial proceeding in response to a subpoena or other court order or summons. Employees who are called to perform such jury duty service or witness service will continue to receive their regular compensation during the period they must be absent from work for such jury duty service or witness service, for up to two weeks. An employee who is called for jury duty or who is subpoenaed to appear as a witness must immediately inform his or her supervisor, and if requested, provide the city with a copy of the jury duty notice or summons.

5. Military Leave.

The city will grant an unpaid military leave of absence to employees who serve in the Armed Forces, the National Guard, or the commissioned corps of the Public Health Service, as required by the federal Uniformed Services Employment and Reemployment Rights Act (USERRA) and state law. Employees may elect to use accrued PTO to receive compensation during their military leave. While an employee is on military leave, he or she may be entitled to

continue health insurance coverage for a period if the employee meets certain conditions. Employees should notify their manager as soon as is practicable when military leave is required and must provide the city with appropriate documentation of their military service.

An employee who leaves work to perform active duty or training is ordinarily entitled to return to their old position or an equivalent position after discharge or release from duty if he or she meets certain eligibility requirements. To be qualified for employment under USERRA, the employee must generally:

- terminate his or her military service under honorable conditions.
- give the city advance notice of the military service.
- be absent for military service for no more than five years (cumulatively); and apply for reemployment within 8 hours (after leave of less than 31 days), 14 days (after leave of 31-180 days), or 90 days (after leave of 181 days or more).

Applicable state laws may impose different eligibility requirements, including different time limits within which an employee must apply for reinstatement. Upon an employee's return to work after military leave, the employee's seniority and other rights and benefits will be calculated as if the employee had remained employed during the military leave.

Employees who leave their employment to participate in assemblies or annual training, to attend service schools conducted by the Armed Forces, or to serve in the organized militia or state National Guard may also have certain rights under state law. Employees should consult the City Administrator for further information regarding their military leave rights.

6. Bereavement Leave

At the conclusion of their initial probationary period or any extension thereof, full-time employees shall be eligible to take up to a total of ten (10) days in a year of paid bereavement leave in the event of a death of an employee's relative. This leave will be paid at the regular employee rate and will not count towards PTO and will not count towards deferred compensation.

Bereavement days that exceed the maximum amount allowed per year shall be unpaid unless the employee uses PTO. Employees must request leave of bereavement by contacting their supervisor or Department Head prior to the leave period. There is no accumulation of bereavement leave and no payment upon separation from City employment.

7. Administrative Leave

The City Administrator or a Department Head with the City Administrator's consent, may place an employee on Administrative Leave when an employee is being investigated by City for possible misconduct or by a law enforcement agency for possible violation of a criminal law or in any instance where it is considered to be in the interest of City and/or the employee. Administrative Leave shall be with pay for the initial ten (10) workdays of the Administrative Leave period. At the expiration of the initial ten-day period, if the investigation has not been completed, the employee may be placed on Administrative Leave without pay for such period as is necessary to complete any investigation.

The purposes of Administrative Leave are to provide an investigatory opportunity or to relieve the employee of his/her duties when it is deemed in the best interest of the city and the employee. Designation of the leave as "administrative leave" is to prevent any stigma against an employee during a period of Administrative Leave. Notice of the conclusion of the Administrative Leave period shall be provided in writing to the employee by the applicable Department Head with copies of the written notice provided to the City Administrator.

The decision to place an employee on Administrative Leave is entirely discretionary. Certain acts of misconduct or criminal arrests may be more suitable for immediate termination as determined by the Mayor and City Administrator.

8. Time Off to Vote.

Employees are encouraged to vote and may take up to two hours off to vote if their work schedule and polling place make voting difficult. This time off will be unpaid. Employees must notify their supervisors at least two days in advance of their intention to take such time off and coordinate the specific period when the employee will be excused to minimize operational impact.

9. Worker's Compensation.

The City provides workers' compensation insurance for all its employees. This insurance provides financial benefits for employees who suffer a work-related injury, illness, or fatality, and is unable to perform their normal job functions, in accordance the Georgia Worker's Compensation Act and other federal, state, or local law. Every employee is encouraged to use caution in his or her work and follow all applicable safety requirements and procedures. However, if an employee does become injured or ill while on the job – regardless of how minor the injury or illness may seem – the incident must be reported to the employee's supervisor immediately. In addition, the supervisor or Department Head must complete an accident report as soon as possible. A list of physicians who have been approved by the City's compensation insurance carrier is posted at City Hall.

10. City Related Training.

An employee who takes an approved training or development course relevant to the employee's job with the City may be reimbursed one hundred percent (100%) up to a maximum of \$3,000 per calendar year of tuition costs under the following terms and conditions:

- To be reimbursed, the course must be job-related or related to a position to which the employee can be promoted.
- The course has been successfully completed with a minimum grade of "C" at the undergraduate level and "B" at the graduate level; and
- Funds for reimbursement are available in the department budget.
- Submission of proof of tuition payment, other receipts eligible for reimbursement and a copy of their grade(s) within ten (10) days of completion of the course.
- All training must be scheduled in advance and approved by employee's supervisor and/or Department Head prior to enrollment and completion.

SECTION 6: DISCIPLINE

1. Types of Disciplinary Action

It is the policy of the City to adopt a progressive system of discipline. The primary purpose of disciplinary action is to correct or prevent the recurrence of employee performance or conduct that is detrimental to quality job performance or the interest of the citizenry, the employee, the city, or other employees. Accordingly, the city adopts the following disciplinary actions which may be used by a personnel officer as appropriate:

- A. Oral Reprimand. A discussion of the matter with the employee. No formal written notes or oral reprimand shall be placed in the employee's personnel file.
- B. Written Reprimand. When an oral warning has not resulted in any improvement, a written reprimand detailing the infraction shall be issued to and signed by the employee. Copies of this reprimand shall be filed in the employee's personnel file.
- C. Suspension. An employee may be suspended without pay for up to ten (10) days. A written statement detailing the reason for the suspension shall be given to the employee. Copies shall also be filed in the employee's personnel file.
- D. Demotion or Reduction in Salary. An employee may be demoted to a lower paying position or have his salary reduced for cause. A written statement of the reasons for such action shall be furnished to the employee. Copies shall be filed in the employee's personnel file.
- E. Dismissal. An employee may be dismissed with or without cause. The employee shall be furnished with a formal dismissal notice stating the reasons, if there are any, for dismissal. A copy of the discharge notice shall be placed in the employee's personnel file.

Employees may be subjected to disciplinary action for violation of any provision of this Handbook, including, without limitation, violations of the Standards of Conduct listed in Paragraph 1 of Section 2 of this Handbook.

Although the Department Head remains the arbiter of disciplinary decisions for employees within their department, any disciplinary decision that results in the suspension, demotion, or termination of an employee must be discussed with the mayor and/or City Administrator prior to such decision being communicated to the employee.

2. Appeals of Disciplinary Decisions.

Any employee who is suspended, demoted, or dismissed has the right to seek a name-clearing hearing before the Mayor, Vice-Mayor, and City Administrator. If the aggrieved party is a Department Head, such name-clearing hearing shall be held before the Mayor and City Council. The decision of the reviewing body shall be final. The right to a name-clearing hearing shall have no effect on the at-will status of employment, and the reviewing body shall have no effect on the decision to terminate the employer-employee relationship. The results and findings of the name-clearing hearing shall be recorded in the individual's employment file.

3. Whistleblower Protection

The City is committed to promoting compliance with the laws, rules, and regulations that govern its business operations and encouraging its employees to report unlawful conduct. Employees are often the first to become aware of unethical behavior or business improprieties but may not express their concerns for fear of retaliation. The City will not tolerate harassment, retaliation, or reprisals at any time against any employee who has, in good faith, protested or made a complaint against some policy or practice of the City or any of its employees.

This Whistleblower Policy applies to serious concerns relating primarily to unethical, fraudulent, or illegal business conduct. This Whistleblower Policy is not intended to address every concern that may arise in the workplace. Employees should be aware that the City has other policies and procedures and available channels of communication for reporting certain concerns that may not be covered by this Whistleblower Policy and/or that may be more appropriate mechanisms for addressing such concerns, including the City's anti-discrimination and harassment policies.

Employees may submit complaints, concerns, and information regarding potential unethical, fraudulent, or illegal conduct to their immediate supervisors. However, if the employee is not comfortable speaking with his or her supervisor, or is not satisfied with the supervisor's response, or if the concern relates to a particularly serious or sensitive issue, including accounting-related matters and allegations of corporate fraud, the employee is encouraged to raise the matter directly with the Department Head, the City Administrator, and/or Mayor.

Complaints may be made anonymously. Employees who choose to identify themselves when submitting a report may be contacted by a city representative to gain additional information. To the extent permissible under applicable law, the city will keep confidential all communications with a reporting employee relating to that employee's complaint.

When submitting a complaint, employees should provide as much detailed information as possible, including the background and history of the concern, names, dates, and places where

possible, and the reasons why the situation is reason for concern. This is particularly important where an employee submits a complaint on an anonymous basis, as the city will be unable to contact the reporting employee with requests for additional information or clarification.

The city will respond to employee concerns by investigating them, if appropriate. Please note that an investigation into concerns raised is not an indication of whether they have been confirmed or rejected. To protect individuals and the city, initial inquiries will be made to decide whether an investigation is appropriate and, if so, the form and scope of the investigation. The action taken by the city will depend on the nature and severity of the concern, as determined during any investigation.

Concerns or allegations that fall within the scope of another policy (for example, discrimination and harassment policies), will normally be investigated and remedy consistently with the specific procedure applicable to that policy.

All conversations, calls, and reports made under this policy in good faith will be taken seriously. However, employees who file reports or provide evidence that they know to be false or without a reasonable belief in the truth and accuracy of such information will not be protected by this policy and may be subject to corrective action up to and including immediate termination.

The city recognizes that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal. The city will not tolerate retaliation and will do what it lawfully can to protect employees when they raise concern in good faith. It is the City's policy to adhere to all applicable laws protecting its employees against unlawful discrimination or retaliation because of their lawfully reporting complaints or participating in investigations regarding alleged unethical, illegal, or fraudulent matters. In particular, the city prohibits any form of unlawful discrimination or retaliation or taking any adverse action against employees for engaging in the following conduct:

- Providing information or otherwise assisting in an investigation regarding any conduct that the employee believes violates federal or state law or regulations; and/or
- Filing, testifying, participating in, or otherwise assisting in any proceeding relating to an alleged violation of federal or state laws or regulations.

Employees who believe that they have been subjected to any conduct that violates this policy may file a complaint using the procedures outlined above. Any employee who unlawfully discriminates or retaliates against another employee because of his or her protected actions as described in this policy may be subject to corrective action, up to and including termination.

5. Termination of Employment

An employee's position with the City may be terminated upon any one of the following circumstances.

- A. Voluntary Resignation. To voluntarily resign in good standing, an employee must give written notice of termination at least fourteen (14) calendar days prior to the proposed resignation date. Failure to comply with this rule shall be cause for denying compensation for unused vacation leave. The Mayor and City Council may exempt an employee from this rule when exceptional circumstances warrant such an exemption. An employee leaving the service in good standing shall be compensated for any unused vacation leave.
- B. Compulsory Resignations. An employee who without valid reason fails to report to work for three consecutive workdays without authorized leave shall be separated from the payroll and reported as compulsory resignation. Such employee is not eligible for re-employment and shall not be paid for unused annual leave. Any exceptions to this policy must be approved in writing by the Mayor and City Council.
- C. Loss of Job Requirements. Any employee who is unable to perform his or her job satisfactorily because of loss of a necessary license or other requirement shall be separated by compulsory resignation.
- D. Death. When a permanent employee dies while in the service of the city, his or her estate shall be eligible to receive payment for the deceased employee's accumulated, unused vacation time.
- E. Termination. An employee may be terminated with or without cause at any time in the sole and absolute discretion of the City.

The Mayor, City Administrator, and/or Department Head may conduct an exit interview with each employee who leaves his or her employment with the city. During the exit interview, employees will be asked to turn in all the City property, settle any outstanding balances owed to the City, and supply a forwarding address (if applicable).

6. Severance Pay

In the event a Department Head is terminated without cause, the city will pay said Department a severance package of the same number of weeks as the number of years longevity of service the Department Head has with the city. In addition to the foregoing, the terminated Department Head may, at their sole cost and expense, elect continuation of health coverage provisions of the Consolidated Omnibus Budget Reconciliation Act of 1986 ("COBRA"), 29 U.S.C. §§ 1161–1168 and 42 U.S.C. §§ 300bb-1–300bb-8.