



City of Canton Personnel Manual

Approved by Canton City Council on _____

CITY OF CANTON

PERSONNEL MANUAL

Dear Employee,

Welcome to the City of Canton!

We are excited to have you as a part of our progressive team. You were hired because we believe you can contribute to the achievement of our goals and commitment to teamwork, cooperation, and quality of service. At the City of Canton, every position in the City is important! Our employees are our most valuable and greatest asset.

This manual is being provided to make sure you have information about our policies, procedures, benefits, and other employment issues. For new employees, the manual will introduce our organization and explain how we ensure smooth business operations. For those who have been with us for some time, the manual contains the current status of our policies and benefits. These policies and benefits have changed over time as a result of our continuous improvement efforts.

The City of Canton is committed to developing creative solutions that will result in the model government for the 21st century. As part of the team, you will discover that the pursuit of excellence is truly a rewarding aspect of your career with the City of Canton. As a team member, you must “own” the results of your productivity.

All employees are expected to be familiar with and abide by the policies in this manual. The performance of each and every employee is important to the success of our operations and the continuation of our benefits.

This personnel manual should not be construed as an employment contract or an agreement for employment for any specified period of time. The City reserves the right to make changes to the manual as conditions require; you will be provided with a new manual when changes are necessary.

Welcome aboard and we look forward to your contribution.

Sincerely,

City of Canton, City Manager

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A WORD ABOUT THIS HANDBOOK

This Personnel Manual contains various rules, policies, and procedures relating to employment with the City of Canton (the "City"). The information contained in this Manual is designed as an advisory guide to assist the City and our supervisors with the effective management of personnel and is not meant to address every conceivable situation or issue that arises in the workplace. The provisions and guidelines contained in this Manual are not binding on the City and may be changed, interpreted, modified, revoked, suspended, terminated, or added to by the City, in whole or in part, at any time, at the City's sole option, and without prior notice to employees. This Manual, however, cannot anticipate and is not intended to cover every situation which may arise or to create specific policy to be applied in every instance. Instead, this Manual is intended only to give on-site management general advice concerning personnel decisions. Also, as a basic promise, the City will comply with all applicable local, state, and federal laws.

Further, certain job positions may have additional rules and requirements that apply to those specific job duties. Each employee shall be subject to all rules and requirements that have been established regarding the employee's position with the City. In the event of a conflict between any job-specific rules or requirements and any provisions of this Personnel Manual, the provisions as set forth in this Personnel Manual shall be deemed the controlling provision.

Nothing in this manual or in any of the City's personnel policies shall be deemed to create, comprise, define, or constitute any type of oral or written employment contract, promise, or guarantee, express or implied, between the City and any one or all of its employees. Nothing in the manual is intended to provide any assurance of continued employment or any guaranty of continuity of benefits or rights. Each employee must understand that they are an at-will employee and that nothing in this manual or other documents shall be construed to change the employee's at-will status or otherwise create any type of contractual right. In the absence of a specific agreement to the contrary, authorized in writing by the City Council, employment with and compensation from the City are for no definite period of time and may be terminated by the City or the employee at any time, for any reason, with or without cause, and with or without notice. Any written or oral statements or promises to the contrary are hereby expressly disavowed and should not be relied upon by prospective or existing employees.

CHAPTER 1 - EQUAL EMPLOYMENT OPPORTUNITY

1. Equal Employment Opportunity Policy

The City of Canton is committed to maintaining a workplace that is free of inappropriate or unlawful conduct on the basis of race, color, religion, sex, national origin, age, disability, genetic information, or other protected group status as provided by law. In keeping with this commitment, we prohibit the unlawful treatment of employees, including harassment, discrimination, and retaliation, by anyone, including any supervisor, coworker, contractor, subcontractor, vendor, client, visitor, customer, or agent. It is our policy to comply with all applicable federal, state, and local laws.

Prohibited Conduct

This Policy applies to all aspects of employment, including, but not limited to, recruitment, hiring, promotion, demotion, transfer, lay-off, recall, discipline, compensation, and benefits. Improper conduct also consists of misconduct that includes unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status or activity (e.g., opposition to prohibited discrimination or participation in the statutory complaint process) as provided for by law. This includes conduct by someone to another of the same gender. We prohibit unlawful conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment. No one, including any supervisor, has authority to engage in such conduct.

If you feel you have been subject to the type of conduct prohibited by this Policy, you must report this conduct in accordance with the City's Complaint Procedure, which is contained in this Manual. You should report any improper conduct before it becomes severe or pervasive, and you do not have to wait until it rises to the level of an unlawful action.

Sexual Harassment

Unlawful harassment based on an individual's sex is prohibited. Unlawful harassment can take more forms. For instance, unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct can constitute sex-based harassment when (1) submission to the conduct is an explicit or implicit term or condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Inappropriate conduct may include explicit sexual propositions; sexual innuendo; suggestive comments; jokes about gender-specific traits; gender-specific foul or obscene language or gestures; displays of foul, obscene, or sexual material; sexually-related emails and text messages; and physical contact, such as patting, pinching, or brushing against another's body.

An individual who feels he or she has witnessed or been subject to harassment must follow the City's Complaint Procedure, which is contained in this Manual.

Prohibition of Other Types of Discriminatory Harassment

It also is against City policy to engage in verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, national origin, age, disability, genetic information, or other protected group status as provided by law, that: (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment: (2) has the purpose or effect of unreasonably interfering with an individual's work performance: or (3) otherwise adversely affects an individual's employment opportunities.

Americans with Disabilities Act

It is our policy to provide equal employment opportunity to applicants and employees with covered disabilities under the Americans with Disabilities Act of 1990, as amended, ("ADA") or other applicable law. This Policy applies to all aspects of employment and application for employment. As required by the ADA or other applicable law, we will provide reasonable accommodations to qualified individuals with a disability in the workplace unless such accommodations present an undue hardship or if the individual is a direct threat to the health or safety of the individual or others.

An individual with a disability may request a reasonable accommodation at any time during the application process or during employment. Reasonable accommodations are changes made to the work environment or to the manner or circumstances in which the job customarily is performed that allow an individual with a disability to perform all essential job functions. We are not required, however, to provide an accommodation if doing so would cause an undue hardship to the City or if the individual is a direct threat to the health or safety of the individual or others in the workplace.

All requests for accommodations will be addressed in connection with an interactive dialogue with the affected individual. The responsibility for seeking a reasonable accommodation begins with the employee or applicant. To request an accommodation, an individual should complete an Accommodation Request Form (which is available in the Human Resources Department) and return it to the Director of Human Resources.

Upon receiving a request for accommodation, we will seek an interactive process with the individual to clarify his or her needs and identify the appropriate reasonable accommodation. During this process, we may request reasonable documentation, including medical documentation, of the individual's disability and need for a reasonable accommodation. Failure to provide required medical information or to otherwise participate in a meaningful way in the interactive dialogue process regarding an accommodation request may result in denial of an accommodation. Because of the personal nature of some disability issues, we will take every reasonable effort to ensure confidentiality during the review process.

Individuals will be notified of our decision regarding their request for an accommodation. Any individual believing that a reasonable accommodation has not been provided or who otherwise feels he or she has been discriminated against on account of a disability must follow the City's Complaint Procedure, which is contained in this Manual.

Religious Accommodations

The City respects the sincerely held religious beliefs and practices of all employees and will make, on request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the City's business. An employee whose religious beliefs or practices conflicts with his or her job, work schedule, or with the City's policy or practice on dress and appearance or with other aspects of employment and who seeks a religious accommodation must submit a written request for an accommodation to the City's Human Resources Director. Upon receiving a request for accommodation, we will seek an interactive process with the individual to clarify his or her needs and identify the appropriate reasonable accommodation. Failure to provide required information or to otherwise participate in a meaningful way in the interactive dialogue process regarding an accommodation request may result in denial of an accommodation.

2. Employee Complaint Procedure

All employees should help to assure that we avoid any form of unlawful or inappropriate conduct. If you feel that you have experienced or witnessed (1) harassment, (2) discrimination, (3) improper denial of a request for accommodation, (4) denial of requested leave under the FMLA, ADA, or otherwise, (5) retaliation, (6) violation of any policy of the City or policy in this Manual, (7) failure to pay overtime or other violation of the FLSA or wage payment laws, or (8) other unlawful or inappropriate conduct by anyone, including employees, supervisors, coworkers, contractors, subcontractors, vendors, clients, visitors, customers, or agents, you are to notify immediately (preferably in writing within 24 hours) the Director of Human Resources. The address and telephone number for the Human Resources Department is 151 Elizabeth Street, Canton, GA 30114, 770-704-1524. If you are not contacted promptly about your complaint or are not satisfied with the response, you are to re-file it with the Director of Human Resources and also send notification of your complaint in writing by certified mail to our City Manager, whose address is 151 Elizabeth Street, Canton, GA 30114. If you are not comfortable discussing the matter with the Director of Human Resources or otherwise do not wish to discuss the matter with the Director of Human Resources, you are to file your complaint directly with the City Manager. We prohibit unlawful retaliation against anyone who has made a complaint or provides information related to a complaint.

Employees utilizing this Complaint Procedure are encouraged to use the Employee Complaint Form that is included in the Appendix to this Manual and also is available from the Human Resources Department.

We will undertake an objective and appropriate review of any complaint and expect all employees to fully cooperate with internal investigations that may be initiated by the City to examine any perceived violation of City policy or procedure or any other matter. To the extent practicable and appropriate, we will keep any complaint and the terms of its resolution confidential. We will take corrective action as we determine is appropriate, including such discipline up to and including immediate termination of employment. We will undertake corrective action to stop inappropriate conduct before it rises to the level of an unlawful action. You will be notified as to the outcome of your complaint. If you have any questions about the status of your complaint, you should contact the Director of Human Resources at the above telephone number and address.

Intentionally False Claims: We recognize that intentional or malicious false accusations of misconduct can have a serious effect on innocent men and women. Individuals making such false accusations of misconduct will be disciplined in accordance with the nature and extent of his or her false accusation. We encourage any employee to raise questions he or she may have regarding misconduct or this Policy with the Director of Human Resources.

CHAPTER 2 - ADMINISTRATION OF PERSONNEL RULES

1. Mayor and City Council

The City Council shall be responsible for adopting rules and regulations consistent with the City Charter Sec. 3.17 Personnel policies concerning:

- The method of employee selection and periods of employment;
- The administration of the position classification and pay plan, methods of promotion and application of service ratings thereto, and transfer of employees within the classification plan;
- Hours of work, paid leave, and other leaves of absence, overtime pay, and the order and manner in which layoffs shall be effected;
- Such dismissal hearings as due process may require; and
- Such other personnel notice as may be necessary to provide for adequate and systematic handling of personnel affairs.

2. City Manager

The City Manager shall be responsible for administration of the personnel rules, regulations, and policies of the City and for interpreting the various provisions contained therein.

3. Amendments

Any section or provision of the personnel rules, regulations and policies of the City can be amended or changed by the City Council at any time with or without notice.

CHAPTER 3 - CATEGORIES OF EMPLOYMENT/BENEFITS ELIGIBILITY

1. Exempt

Exempt employees are not eligible for overtime pay as specified by the Fair Labor Standards Act ("FLSA"). Exempt salaried employees are subject to deductions from their salaries only for lawful reasons.

2. Non-Exempt

Non-exempt employees are eligible for overtime pay as specified by FLSA standards.

3. Regular Full-Time

Regular full-time employees work thirty (30) or more hours per week in positions that require full-time staffing. These employees are eligible to receive all authorized City benefits.

4. Public Safety Full-Time - 207(k) Employees

Regular full-time law enforcement officers work a 43-hour work week or at least one hundred sixty eight (168) hours during a twenty-eight (28) day cycle or such other schedule as determined to be full-time in compliance with FLSA standards. Full-time employees are eligible to receive all authorized City benefits.

Regular full-time public safety employees include firefighters who work at least two hundred twelve (212) hours during a twenty-eight (28) day cycle or such other schedule as determined to be full-time in compliance with FLSA standards. Full-time employees are eligible to receive all authorized City benefits.

5. Regular Part-Time

Regular part-time employees work less than thirty (30) hours per week. City-provided benefits are not offered to part-time employees.

6. Temporary Employees

Temporary employees are hired to perform a specific job for a short duration or as designated by each department. City-provided benefits are not offered to temporary employees.

7. Essential Emergency Workers

All Employees are considered essential, however, under emergency conditions Public Safety and Public Works Employees are considered essential emergency personnel and are subject to

be on call. If an employee does not report when requested or required because the employee deems the conditions to be too dangerous to travel from their home to their work location, the employee will be required to take vacation leave in order to be paid for the time. In addition, the manager or supervisor will review each case of non-report, and if deemed necessary, may issue disciplinary action.

If an Official City Emergency Closing is issued by the governing authority or its designee due to a natural disaster or inclement weather all administrative non-emergency personnel will receive pay for their regularly scheduled hours for that day. This policy does not apply to essential emergency personnel as noted above.

8. Dual Employment

No full-time employee in City service may accept outside employment whether part-time, temporary or permanent, that may interfere with the employee's service to the City, without prior written approval from the respective Department Head and City Manager, if applicable. The request and approval must be in writing and included in the employee's personnel record. Each change in dual employment shall require separate approval. Approval may not be granted when, in the Department Head's opinion, such dual employment conflicts with, is likely to conflict or interfere with, or gives the appearance of a conflict with the employee's service to the City.

Employees shall not engage in any private business or activity while on duty with the City.

9. Reduction in Force

The City Manager reserves the right to eliminate positions as needed.

It is important for all employees to understand that: (1) no employee is guaranteed any certain number of hours per week or a particular schedule; (2) employees may be shifted from part-time to full-time or vice versa; and (3) the City specifically reserves the right to make changes to employees' hours and schedule without any advance notice or consent by the employee.

CHAPTER 4 – EMPLOYMENT; FILLING OF VACANCIES

1. Policy

In order to effect full utilization of its available human resources, the City has established a policy to select the most suitable person for the task to be performed. Factors that are considered may include educational and training background, previous experience, demonstrated skills, and character traits and the overall fit within the existing departmental staff.

2. Employment Applications

We rely upon the accuracy of information contained in the employment application and the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in exclusion of the applicant from further consideration for employment or, if the person has been hired, disciplinary action, up to and including termination of employment.

3. Posting of Open Positions

The posting of open positions will be determined by the City Manager and the Department Head. The City utilizes the option of internal job postings, newspaper ads and website postings. If an employee wishes to apply for a job that is posted internally, they must notify their Department Head in writing prior to submitting a completed City application. The City Manager must agree to the transfer.

4. Examinations

As determined by the City Manager and/or the Department Head, the selection process may include, but not necessarily be limited to, one or more of the following: oral interviews; evaluation of experience and training; written basic skills test; credit, driver and criminal history; references; and/or background checks.

5. Physical/Psychological Examinations

Some job positions require that applicants complete a medical, psychological and/or fitness for duty examination. After a conditional offer has been made to an applicant entering a designated job category, a physical and/or psychological examination(s) will be performed at the City's expense by a health professional designated by the City. The offer of employment and assignment to duties are contingent upon satisfactory completion of the exam(s).

Current employees may be required to take a physical and/or psychological examination(s) to determine fitness for duty. Such examinations will be scheduled at reasonable times and intervals and performed at the City's expense.

6. Final Selection of New Employees

The final selection of the person to fill each vacancy shall be made by the City Manager or his designee based upon the recommendation of the appropriate Department Head.

7. Transfers

Any current employee interested in applying for a transfer must notify his Department Head in writing and file a completed City application with the Human Resources' department.

If the position to which an employee transfers carries benefits and salary different from those of the previous position, the benefits of the new position apply.

8. Employment of Relatives

The City may permit the employment of a current employee's qualified relative as long as such employment does not, in the opinion of the City, create conflict of interest. Notify the Human Resources Department before your family member applies for employment. The term "family" shall include spouse, mother, father, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandmother, grandfather, grandchild, uncle, aunt, nephew, niece, stepparent, stepchild or member of a family by the remarriage of a parent.

Individuals who are related by blood, marriage or adoption, or who are part of the same household, are permitted to work in the same City department, provided no direct reporting or supervisor-to-subordinate relationship exists or could exist. That is, no employee is permitted to work within "the chain of command" when one relative's or housemate's work responsibilities, salary, hours, career progress or benefits could be influenced by the other relative or housemate.

Related employees have no influence of the employment, transfer, promotion, salary administration or other related management/personnel consideration of the other related staff members.

CHAPTER 5 – CLASSIFICATION, COMPENSATION PLAN, AND PAYROLL PRACTICES

1. Classification

The City Manager and the Human Resources Director will establish policies for maintaining and classifying a complete inventory of all positions in the City's service and accurate descriptions and specifications for each grade of employment.

2. Compensation

A personnel action form must be completed for all employees to reflect their compensation whether they are a new hire or receiving a change in pay.

The salary offered to the employee must be consistent with the salary and requirements of the new position and other appropriate factors. Thus, an employee who meets only the minimum requirements for the position will be started at the bottom of the salary range. Employees who exceed the minimum requirements for the position may be offered a salary consistent with factors such as the employee's level of skills, education, experience and knowledge. However if the requested salary is above the entry level for the position, it must be approved by the City Manager prior to making an offer to the employee. This form must be completed by the appropriate Department Head and submitted to the Human Resources Department. The Human Resources Department will submit it to the Finance Director for budgetary approval and subsequently to the City Manager for approval. These approvals must be obtained prior to the employee signing the form. Once these approvals are received the form will be returned to the Department Head.

Established salary ranges have a minimum and maximum pay for each pay grade/position. No employee shall exceed the maximum salary for their position. An employee at the top of the pay grade may not receive annual increases until the pay grade and/or range for the position is increased or unless authorized in writing by the City Manager. Maintenance of the salary ranges will be achieved through the budget process by increasing the ranges according to the Employment Cost Index (ECI) or the Consumer Price Index (CPI) recommended adjustments. These adjustments are intended to keep the salary ranges current with market conditions. If an employee should drop below the minimum of their position's salary range, they will be increased to the minimum of that range.

3. Education/Certification Increases

It is the policy of the City of Canton to encourage further education and the advanced certifications of our employees. The City of Canton intends to strengthen and upgrade the services rendered by our employees by encouraging qualified personnel to work for the City and to make a career in the City and by awarding pay incentives to those employees who enhance their value to the City by self-improvement and continuity on the job.

Each employee who successfully attains advanced certifications or completes educational degrees will be eligible for consideration of incentive pay. Employees must submit a written request for incentive pay to their Department Head and include documentation of the completed certification and/or degree.

All classes, points and degrees must be related to employee's position to be considered for the incentive increase. All incentive increases must be approved by the individual Department Head and subsequently approved by the Finance Director and the City Manager upon receipt of properly completed paperwork attesting to the completion of approved certifications and/or degrees.

4. Work Time/Overtime

The City complies with the requirements of the Fair Labor Standards Act and any applicable local law with respect to wages and hours. Please understand that there may be times when you will need to work overtime so that we may successfully meet our business needs. However, all overtime must be approved in advance by the Department Supervisor or Head or his or her designee.

Non-exempt hourly employees will be paid overtime at a rate of one and one-half times their regular hourly rate for all hours worked over 40 in a week (over 212 hours in a 28-day period for firefighter personnel and over 86 hours in a 14-day period for law enforcement personnel). Non-exempt employees who are paid on a salary basis may have their overtime calculated based on the fluctuating work week method. Such employees will receive their fixed salary as straight time pay for whatever hours they are called upon to work in a work week and will receive additional compensation for overtime hours worked at a rate of one-half their regular rate of pay. In that case, an employee's regular rate may vary from week to week and will be determined by dividing the number of hours worked in the week into the amount of the employee's fixed salary. For all employees, only actual hours worked count toward computing weekly overtime.

Exempt salaried employees do not receive overtime pay. Exempt salaried employees are subject to deductions from their salaries only for lawful reasons.

If an employee feels he or she has been subject to an improper salary deduction, has been improperly classified as exempt or non-exempt, or has not been paid overtime pay the employee believes he or she is due, the employee must utilize the City's Complaint Procedure, which is contained in this Manual. In the event it is determined that an improper deduction was made or that an employee was not paid any overtime due, the City will reimburse the employee.

Holiday, military, civil, education, bereavement, family medical, or any paid time off taken shall not be considered as hours worked for purposes of overtime pay.

5. Recording Your Time

We want to be sure that you are paid fairly for all hours that you work. To accomplish this, we must have an accurate record of the time that you work. The City uses an electronic timekeeping system to keep time records for non-exempt employees. Your supervisor will explain how this clock is used. The important points to remember are:

1. Be sure that you clock in at the start of your shift.
2. Be sure to clock out at the end of your shift.
3. If you leave the building on non-City business, you must clock out.

Non-exempt employees are required to take a sixty (60)-minute, unpaid meal break each day, which will be automatically deducted from your electronic time record. This meal break is explained the City's policy on Meal Time, which is contained in this Manual. If you are asked or instructed by anybody in the City to perform work "off the clock" (in other words, perform work without reporting it on the time system), during your 60-minute meal break or otherwise, you are directed to refuse and to immediately report the situation by utilizing the City's Complaint Procedure, which is contained in this Manual.

Using or accessing any timecard or time record or time record other than your own, or tampering with a timecard or time record in any way, will result in disciplinary action up to and including termination. Any change or omission from a timekeeping entry must be approved by your supervisor.

At the end of each pay period, you are required to approve your time worked and any leave hours recorded for the pay period by entering your approval to the electronic record. If you believe any of the information reflected is incorrect, you will have the opportunity to explain the issue, which then will be reviewed by the City's Human Resources Director. By approving your electronic timecard, you are certifying that the information you submitted is complete and accurate. You may be subject to disciplinary action up to and including termination for submitting any inaccurate information on your report.

You always must make sure you accurately record your time using the standard time recording system. Non-exempt employees are not to perform any work that is not recorded by the time system. If you are asked or instructed by anybody in the City to perform work "off the clock" (in other words, perform work without reporting it on the time system), you are directed to refuse. Make sure you record all of your work time using the standard time recording system. Also, if you are asked to work "off the clock," you immediately must report the situation by utilizing the City's Complaint Procedure, which is contained in this Manual. Finally, if you contend you have not been paid accurately for all hours you have worked, please utilize the City's Complaint Procedure, which is contained in this Manual.

Please also see the City's related policies on Work Time/Overtime and Meal Time, which are contained in this Manual.

6. Meal Time

A sixty (60)-minute, unpaid meal break must be taken each day by all non-exempt employees. You should be completely relieved of your duties during this meal break. Your supervisor is responsible for approving the scheduling of this meal break. This time will be automatically deducted from your electronic time record, which is explained in the City's policy on Recording Your Time, contained in this Manual.

If circumstances occur that you are not able to take your 60-minute uninterrupted meal break in which you were completely relieved of your duties, you should adjust your time entry in your electronic time record to show that you did not take any meal break, and you will be credited for working the entire 60-minute meal break.

If you are asked or instructed by anybody in the City to perform work "off the clock" (in other words, perform work without reporting it on the time system) during your 60-minute meal break, you are directed to refuse. Also, if you are asked to work "off the clock" during your meal break, you immediately must report the situation by utilizing the City's Complaint Procedure, which is contained in this Manual. Finally, if you contend you did perform work during a meal break and have not been paid accurately for that time, please utilize the City's Complaint Procedure, which is contained in this Manual.

7. Breaks And Nursing Mothers

Formal paid break periods are not designated. If and when breaks are given depends on the department involved and the operating needs of the department as determined by the supervisor and/or Department Head. These rest or break periods should not exceed fifteen (15) minutes. (NOTE: Such periods, including "coffee breaks" shall not be used to allow an employee to come in late, leave early or to extend the lunch period.)

The City complies with applicable provisions of the Patient Protection and Affordable Care Act. Consistent with this statute, the City provides all nursing mothers who are non-exempt employees under the Fair Labor Standards Act with reasonable break time to express breast milk for the nursing of a child for one year following the birth of the child, unless doing so creates an undue hardship. In the event that nursing breaks do not cause an undue hardship, the City will provide a private place other than a bathroom where a non-exempt nursing mother may express breast milk. These breaks will be unpaid. Please direct all requests regarding this Policy to the Director of Human Resources. If you have any complaint regarding this Policy, please utilize the City's Complaint Procedure, which is contained in this Manual.

8. Call-Back Pay

If a non-exempt employee is called back to work outside of normal working hours, that employee will be guaranteed a minimum of two hours of regular pay.

9. Pay Deductions

There are two types of payroll deductions: those required by law and those authorized by the employee.

Deductions by law include income tax (federal, state and/or local); Medicare/Social Security; and any court- or government-ordered request (such as tax levy, garnishment, etc.).

Deductions requested by an employee include medical insurance premiums; dental insurance premiums; retirement plans contributions; flexible spending account contributions; checking/savings account deposits; voluntary insurance plans premiums; and other deductions authorized by the employee in writing.

Changes in authorized deductions may be made through the Human Resources Department and must be requested in writing. Employees are responsible for checking their paycheck stubs to assure that the proper deductions are being withheld for the benefits they have selected and reporting any deduction errors using the City's Complaint Procedure, which is contained in this Manual. The City is not responsible for any loss of benefits due to an employee's failure to report such changes, unless otherwise required by law.

10. Changes in Personal Information

Employees are responsible for informing the Human Resources Department, in writing, of any changes in personal status such as:

- Name change
- Address change
- Beneficiary change
- Tax status change
- Change in marital status, number of children, and other information needed for benefits purposes.

Some requested changes may require forms to be completed.

11. Pay Advances

The City will not make personal loans or payroll advances to employees.

12. Administrative Pay Corrections

The City takes reasonable steps to ensure that employees receive the correct amount of pay in each paycheck, and that employees are paid promptly on the scheduled payday.

In the event that there is an error in your paycheck, you should promptly bring the discrepancy using the City's Complaint Procedure, which is contained in this Manual, so that

adjustments in pay and/or deductions can be corrected as quickly as possible. In the event of an overpayment, the Human Resources/Payroll Department will work with you to determine a feasible repayment schedule.

CHAPTER 6 – BENEFITS PLAN

1. Purpose

The benefits plan is designed to provide a supplemental package of programs which contribute to the physical and mental health and/or general well-being of the employee and their dependents. The plan is designed to enhance the attractiveness of working for the City and to aid the City's recruitment and retention efforts.

2. Administration of Benefits Plan

The primary responsibility for the day to day administration of the benefits plan shall rest with the Human Resources Department within the limits of these policies and procedures. Specific details on the various benefits programs, their availability, and the level of benefits are available from the Human Resources Department. The Finance Department shall serve as an alternate contact for this information when the Human Resources Director is not available.

Employees' rights and benefits are determined in accordance with the provisions of the applicable benefit policy, and benefits are effective only if employees are eligible for the benefit (including any insurance) and remain covered or insured in accordance with policy terms. Any benefit policy is subject to amendment, suspension, modification, or termination in accordance with any provision thereof or at the discretion of the City without the consent, notice to, or concurrence of any person covered or insured thereunder.

The City reserves the right to amend, suspend, modify, or terminate these benefits at any time and for any reason. No agent or person, except the City Council in writing, has authority to contravene the terms of this Policy, including waiving any condition or restriction of any benefit plan, extending the time for making a payment, or binding the City by making any promise or representation. No change in any benefit policy shall be valid unless evidenced by an endorsement on it signed by the aforesaid person. Unless otherwise required by applicable law or by a specific Policy contained in this Manual, once an employee is terminated, the City will not pay benefits under any benefit plan, except for that amount that the employee has contributed into the plan and has not yet utilized up to the time of termination.

3. Life Insurance

The City may provide life insurance for eligible employees.

4. Disability Insurance

The City may also choose to offer short-term and long-term disability insurance at an additional cost to interested eligible employees.

5. Health, Dental and Vision Insurance

The City may provide health, dental and vision programs for eligible employees.

The City may also choose to offer increased levels of health and dental insurance at an additional cost to interested eligible employees.

Dependent care coverage may be available to all eligible employees wishing to choose such a benefit at additional cost.

6. Benefits Continuation/COBRA

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City's health plan when a "qualifying event" would normally result in the loss of eligibility.

The Human Resources Department or its designee provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City's health insurance plan. The notice contains important information about the employee's rights and obligations.

7. Workers' Compensation

On-the-job injuries are covered by our Workers' Compensation Insurance Policy provided at no cost to you. If you are injured on the job, no matter how slightly, report the incident immediately to the Director of Human Resources. We ask for your assistance in alerting management to any condition that could lead or contribute to an employee accident.

Please also see the City's Temporary Modified Duty Program policy, which is contained in this Manual.

8. Other Payroll Deduction Programs

The City may offer such programs as it sees fit to its employees through the payroll deduction system. The cost of participating in such programs shall be borne by the individual employee. Examples of programs which may be available include: life insurance, disability insurance, savings plans, retirement plans and dependent care plans.

CHAPTER 7 – RETIREMENT PLANS

1. Defined Benefit Plan (GMEBS)

The City provides a defined benefit plan through Georgia Municipal Association. This retirement plan is fully funded by the City. Employees become vested after the completion of five (5) years of credited service. Please refer to the retirement handbook for additional details.

2. Deferred Compensation

Employees hired on or after May 3, 2013 may elect to contribute to a 457 plan up to the federally authorized legal contribution limit per calendar year. The City will match the employee's 457 plan contribution on a percent by percent basis to a maximum as determined by the City and approved by City Council. The employee shall have the ability to direct their contribution into the investment choices offered by the external defined contribution plan administrator.

Contributions made by the employer shall be vested immediately upon the employee's eligibility date for benefits and shall be portable based upon regulations defined in the City's plan document and guidelines defined by the IRS.

CHAPTER 8 – LEAVES OF ABSENCE

1. Leave Without Pay (Non-FMLA)

A regular full-time employee who needs time off from work for medical or other personal reasons, but who is not entitled to leave under the Family and Medical Leave Act (“FMLA”) or other law, may be granted leave of absence without pay at the discretion of the City Manager. An employee on an approved leave of absence without pay for a period exceeding one (1) month shall not accrue any paid leave.

Any request for leave of absence without pay shall be submitted in writing by the employee to the employee’s immediate supervisor stating the reason for requesting leave and the approximate length of time off the employee desires. Requests should be submitted as far in advance of the first day of leave as possible.

Any unapproved leave of absence may be cause for dismissal.

Employees may continue, at their expense, their group health and dental insurance coverage while on leave of absence without pay in accordance with the Consolidated Omnibus Budget Reconciliation Act (“COBRA”), Public Law 99-272, Title X.

Employees must contact the City’s Human Resources Department and the Finance Department to arrange for documentation and payment of insurance premiums. Employee and family coverage costs will be paid in advance on a monthly basis.

Employees shall contact the City’s Human Resources Department prior to departure regarding benefits that will be affected while on approved leave of absence without pay.

Upon return from an approved non-FMLA medical leave, the employee must provide a release from his or her health care provider authorizing him or her to return to work and listing any work restrictions. Upon receipt of the return-to-work authorization from the health care provider, the City will review any work restrictions and determine whether the employee’s position or another position for which the employee is qualified is available, including whether a reasonable accommodation is appropriate and available. If no such position is available, the employment relationship will be terminated.

This Policy will be applied in conjunction with the Americans with Disabilities Act, the Family and Medical Leave Act, the applicable state worker’s compensation law, or other applicable local, state, or federal law.

2. Paid Time Off (“PTO”) Policy

PTO is an all-purpose time off policy that the City provides to regular full-time employees; to use for vacation, personal illness, illness of an immediate family member, or other personal business. It combines traditional vacation and sick leave plans into one flexible, paid time-off policy. This is intended to help employees maintain the physical health and mental outlook on life and work that will benefit them in their work and relationships with the City. The amount of paid leave earned during each pay period will be based on employee’s length of service with the City and will be considered as an accrued benefit.

Employees can accumulate PTO up to a maximum of 640 hours for Regular Employees, 688 hours for Sworn Police Officers or 872 hours for Certified Firefighters.

Upon termination from city employment, employees shall be entitled to compensation at their current hourly rate for up to a maximum of 160 hours for Regular Employees, 172 hours for Sworn Police Officers or 218 hours for Certified Firefighters. In the event of an employee’s death, a payment of the accumulated paid leave up to this maximum amount may be paid to the employee’s estate.

Regular full-time employees will continue to accrue paid leave credits while on authorized paid leave, but PTO shall not be accrued during leaves of absence without pay.

Pay for PTO shall be at the employee’s regular rate of pay in effect for the employee’s regular job on the payday immediately preceding the employee’s requested leave period.

A. Eligibility

Annual paid time off is accrued and granted to regular full-time employees. It is the policy of the City to allow a regular full-time employee during their first six (6) month of employment to utilize their leave accrual only when an employee is incapacitated due to personal illness, injury, or a medical/dental appointment or to care for an immediate family member who is ill or injured. The immediate family is defined for leave purposes as: parent, spouse, child, brother, sister, mother-in-law, father-in-law, grandparents, son-in-law, daughter in-law, grandchild, step-parents, step-siblings and step-children.

After successful completion of the first six (6) months of employment and employment continues the employee shall be entitled to continue their accrual of paid time off and utilize their leave for vacation, personal illness, illness of an immediate family member, or other personal business as they see fit with proper approval from their supervisor.

Paid time off will accrue biweekly as follows based on completed years of service:

Regular 2,080 hours per year Employees		
<u>Years of Service</u>	<u>Hours per Biweekly</u>	<u>Hours/Year</u>
	<u>Pay Period</u>	
Up to 1 year	4.62	120
1-3 years	5.23	136
4-7 years	6.16	160
8-15 years	7.70	200
16+ years	9.23	240

Regular 2,236 hours per year Employees (Police Officers)		
<u>Years of Service</u>	<u>Hours per Biweekly</u>	<u>Hours/Year</u>
	<u>Pay Period</u>	
Up to 1 year	4.96	129
1-3 years	5.62	146
4-7 years	6.61	172
8-15 years	8.27	215
16+ years	9.92	258

Regular 2,834 hours per year Employees (Fire Fighters)		
<u>Years of Service</u>	<u>Hours per Biweekly</u>	<u>Hours/Year</u>
	<u>Pay Period</u>	
Up to 1 year	6.31	164
1-3 years	7.13	185
4-7 years	8.38	218
8-15 years	10.48	272
16+ years	12.58	327

In the event any person having accrued PTO ceases to be employed by the City and is thereafter re-employed, the accrued personal leave of the employee at the time of separation does not carry over and is forfeited and the employee upon reemployment shall thereafter accrue and use personal leave in the same manner as if a new employee.

PTO shall not accrue during leaves of absence without pay.

B. Use and Scheduling of Paid Time Off

Except in special circumstances, or in case of sickness or illness, personal leave should be authorized by the Department Head on the Employee Leave Request Form, which is included in the Appendix of this Personnel Manual, at least five (5) working days prior to the requested date. Special circumstances will be determined at the sole discretion of Department Heads and/or the City Manager.

When possible, employees will be allowed to take leave at times they request, subject to operating, staffing and scheduling needs. The City reserves the right to limit the number of employees that may be absent from a given department at any one time. In case of a conflict in the leave choices of two (2) or more employees who cannot be spared at the same time, the Department Head will determine who will take leave.

PTO may be used for appointments for routine medical or dental examinations or treatment only when such appointments cannot be reasonably scheduled during non-working hours.

If the need for PTO is unforeseeable, and the employee is unable to provide advance notice at least five (5) working days in advance, in order to be eligible for PTO, an employee must report to the employee's supervisor at least sixty (60) minutes in advance of the scheduled starting time the reason for the absence. In such circumstance, police officers must report personal leave at least four (4) hours and firefighters at least two (2) hours in advance of the scheduled shift starting time. An employee who fails to so notify his supervisor may not be paid for the time taken prior to notification.

A doctor's release may be required if the employee is returning from a medical leave of three (3) days or more or at the discretion of the Department Head.

C. Charging of Personal Leave Hours

1. All City employees who work 2,080 annual hours shall be charged eight (8) hours of PTO for each day of personal absence.
2. Fire department employees working twenty-eight (28) day work cycles or 2,834 annual hours shall be charged twenty-four (24) hours of PTO for each day of personal absence.
3. Police department employees working 2,236 annual hours shall be charged with either (8.6) or (12.2) or (12.4) hours of PTO for each day of personal absence depending on what their regularly scheduled hours are.
4. PTO is used and charged in units of one-quarter (1/4) hour for non-exempt employees and units of four (4) hours for exempt employees.
5. When a holiday occurs during the period an employee is on authorized PTO with pay, PTO shall not be charged for the holiday.

In all cases, employees must use a minimum number of PTO hours each calendar year based on completed years of service as follows:

General Employees:

Upon completion of three (3) or less years of service	- 40 hours annually
Upon completion of four (4) years through seven (7) years of service	- 50 hours annually
Upon completion of eight (8) years through fifteen (15) years of service	- 60 hours annually
Upon completion of sixteen (16) years of service and over	- 80 hours annually

Sworn Police Department Employees:

Upon completion of three (3) or less years of service	- 43 hours annually
Upon completion of four (4) years through seven (7) years of service	- 53 hours annually
Upon completion of eight (8) years through fifteen (15) years of service	- 64 hours annually
Upon completion of sixteen (16) years of service and over	- 86 hours annually

Certified Fire Department Employees:

Upon completion of three (3) or less years of service	- 54 hours annually
Upon completion of four (4) years through seven (7) years of service	- 68 hours annually
Upon completion of eight (8) years through fifteen (15) years of service	- 82 hours annually
Upon completion of sixteen (16) years of service and over	- 109 hours annually

D. Cash Out of Personal Leave

Each year, at the sole discretion of the City, employees that meet certain eligibility requirements may be allowed to 'cash out' a certain amount of Paid Time Off. Generally, the cash out period will occur during the last quarter of the calendar year; the specific date to be determined each year by the City. Employees eligible to participate may be able to cash out an amount of leave up to their minimum required usage as referenced above in part 2.C. In order to qualify, the employee must have met the required usage of PTO during the preceding year as outlined in part 2.C. above, and also must maintain at least the equivalent of one week of their normal annual hours worked as referenced above in their PTO bank subsequent to the cash out. The cash out will be issued as a separate payroll check or in conjunction with the normal payroll schedule; whichever is deemed appropriate by the City.

3. Education Leave Policy

This policy is provided in order to encourage all regular full-time employees to continue their education in order to maintain and improve skills and knowledge useful in their current positions or necessary for assuming additional responsibilities in the future.

A. Definition

Educational leave is defined as authorized leave, with or without pay, to attend an accredited institution of higher learning which offers an academic curriculum leading to a degree or degrees. There shall be two (2) types of educational leave: leave without pay and leave with pay, at the discretion of the City Manager.

B. Eligibility

Any regular full-time employee who has satisfactorily completed at least six (6) months of continuous employment during the employee's current period of employment with the City is eligible to receive consideration for the education benefits provided herein.

C. Educational Leave without Pay

1. Applying for leave – An eligible employee may apply for educational leave without pay by submitting a letter of request to the employee's Department Head at least thirty (30) days before the first day of leave requested. The letter of request must include the type and purpose of leave, the duration and the letter of acceptance from the educational institution.
2. Reinstatement – Employees granted educational leave without pay will not be given any guarantee as to reemployment by the City.

D. Educational Leave with Pay

1. Educational leave with pay may be available to employees who are enrolled part-time in an institution of higher learning and pursuing courses which in the City's discretion directly benefit the City.
2. When an approved course cannot be scheduled during off-duty hours, an employee may request time off from the employee's regular work schedule so that they may attend classes. Such request shall be made in writing to the Department Head.
3. If a request for educational leave is endorsed by the Department Head and approved by the City Manager, the employee may be granted time off with pay to take one (1) course per school term for up to the equivalent of three (3) semester credit hours, provided such time off will not interfere with the normal operation of the affected department.

4. Bereavement (or Funeral) Leave

Employees may be granted up to three (3) workdays of bereavement leave (leave of absence with pay) upon the death of a member of the employee's immediate family. You must be scheduled to work during the time you are off work for the leave. Employees working a twenty-eight (28) day work cycle will be granted a twenty-four (24) hour period of bereavement leave. The immediate family is defined for bereavement purposes as: parent, spouse, child, brother, sister, mother-in-law, father-in-law, grandparents, son-in-law, daughter in-law, grandchild, step-parents, step-siblings and step-children.

An employee must request bereavement leave by contacting the employee's supervisor before going on leave. The City reserves the right to deny any request based on operational and staffing needs, and further reserves the right to require an employee to document the death of a family member.

There is no accrual of bereavement leave days and no payment upon separation from City employment. The three (3) workdays do not have to be taken simultaneously.

5. Military Leave

Employees are entitled to military leave in accordance with state and federal law. An employee going on military leave should present a copy of the employee's orders to the Department Head as soon as received or fill out a Verification of Military Duty form, which is included in the Appendix of this Personnel Manual. A copy of the employee's muster sheet is also acceptable as documentation of military leave.

Employees who are absent from work due to ordered military duty will be restored to the employee's previous position or to a position of like seniority, status, and pay unless the

circumstances of the City have so changed to make it impossible or unreasonable to do so or the position was a temporary position. In addition, employees are entitled to 18 days of pay (30 days for governor-declared emergencies) during each federal fiscal year (which is October 1st to September 30th) for the performance of ordered military duty and while going to and returning from such duty. "Ordered military duty" for purposes of this Policy includes military duty performed in the service of the State of Georgia or of the United States as a volunteer member of the National Guard or of any reserve force or reserve component of the Armed Forces of the United States pursuant to orders issued by the appropriate state or federal authority.

Continued benefits coverage is contingent on the employee paying all required benefits premiums. Note: The City Manager may approve additional coverage for military deployments of ninety one (91) days or longer. Most benefits continue to be available for employees on long-term military leave.

In addition, the Family and Medical Leave Act ("FMLA") and the Uniformed Services Employment and Reemployment Rights Act ("USERRA") contain provisions regarding certain types of military leave. The FMLA's provisions regarding military leave are addressed in detail in the Family and Medical Leave Act Policy in this Manual.

Employees who are eligible to take military leave must comply with all applicable requirements. Questions regarding the City's military leave policy should be directed to the Human Resources Director. If you believe you have been denied leave to which you are entitled or otherwise discriminated against because of your use of military leave, please utilize the City's Complaint Procedure, which is contained in this Manual.

6. Civil Leave

A. Jury Duty

Employees who are summoned for jury duty will be granted leave from work in order to serve. All regular full-time employees selected for jury duty shall be entitled to receive leave with pay for the period of absence required for jury service. Such leave shall not be charged to personal leave earnings, except that on any day when such employee is excused from service, the employee will be expected to report for duty at the employee's regular place of work or be charged personal leave for time excused from jury duty. Likewise, any period of time for which an employee is excused from jury duty because of illness shall be charged to personal leave. An employee may be required to present a statement from the court verifying jury service. The City reserves the right to limit the amount of paid jury leave.

B. Official Court Attendance

Any employee subpoenaed or ordered to attend court to appear as a witness or to testify in some official capacity on behalf of the City, state, or the federal government is entitled to leave with pay for such period as may be required by the court.

C. Other Litigation

Absences of an employee to appear in any capacity in other litigation are charged against the employee's paid time off and the employee should comply with the PTO policy in connection with any absences for this purpose. If no paid leave is available, the time off for this purpose will be leave without pay.

7. Family and Medical Leave of Absence

The Family and Medical Leave Act of 1993 ("FMLA") provides unpaid, job-protected leave to eligible employees for certain family and medical reasons, without loss of health insurance benefits. The existence of this Policy shall not alter or expand the statutory requirements of the FMLA, and application of this Policy is correspondingly limited to those employers and employees who are protected based on the provisions of the FMLA.

In addition to the information on the Notice following this Policy (identified as Employee Rights and Responsibilities), the following information is provided to explain the employee's rights and obligations when requesting a family or medical leave:

A. Eligibility for Leave and Amount of Leave

To be eligible for leave under this Policy, an employee must have been employed for a total of twelve (12) months, must have worked at least 1,250 hours during the 12-month period preceding the commencement of the leave, and must work at a facility with 50 or more employees within a 75-mile radius of this worksite.

An eligible employee may take FMLA leave for up to 12 weeks of unpaid leave for one or more of the following reasons: (1) the birth of the employee's child; (2) placement of a child with the employee for adoption or foster care; (3) to care for the employee's child, spouse, or parent who has a serious health condition; (4) the employee's own serious health condition that makes the employee unable to perform the functions of his or her job, or (5) because of a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a member of the National Guard or Reserves who has been deployed to a foreign country under a call or order to active duty (or has been notified of an impending call or order to active duty) or is a member of the regular Armed Forces who has been deployed to a foreign country. An employee may take a total of 12 workweeks of unpaid leave for the reasons specified above during a rolling 12-month period measured backward from the date an employee uses any FMLA leave.

If you and your spouse are both employed by the City, the two of you together are entitled to a combined total of 12 weeks of FMLA leave for the birth, adoption, or placement of a child, or to care for a covered family member with a serious health condition. The right to FMLA leave for the birth, adoption, or placement of a child expires 12 months after the date of the birth, adoption or placement.

An eligible employee may take up to twenty-six (26) weeks of unpaid, job-protected leave in a single 12-month period (measured beginning on the date the leave begins) to care for a spouse, child, or parent who is a covered servicemember. The term “covered servicemember” means: (i) a servicemember (including in the Regular Armed Forces, the National Guard, and the Reserves) who has a serious injury or illness that was incurred or aggravated in the line of duty while on active duty for which he or she is undergoing treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, or (ii) a veteran undergoing medical treatment, recuperation, or therapy for a qualifying serious injury or illness that was incurred or aggravated in the line of duty while on active duty and who was a member of the Armed Forces (including in the National Guard or the Reserves) within five (5) years preceding the date the veteran undergoes that treatment, recuperation, or therapy.

FMLA leave to care for a seriously ill or injured servicemember runs concurrently with other leave entitlements provided under federal, state, and local law. Leave that qualifies as both leave to care for a covered servicemember and leave to care for a family member with a serious health condition during a single 12-month period may not be designated and counted as both types of leave. Such leave will be designated first as leave to care for a covered servicemember.

Unless otherwise required by law, no employee will be entitled to more than a combined total of 26 weeks of leave in a single 12-month period for any FMLA-qualifying reason.

The FMLA permits eligible employees to take leave intermittently or on a reduced- schedule leave when medically necessary for the serious health condition of the employee or the employee’s family member or to care for a covered servicemember with a serious injury or illness. In the case of planned medical treatment, the employee must attempt to schedule the intermittent or reduced-schedule leave so as not to unduly disrupt the City’s operations. Intermittent leave is not available for the birth, adoption or placement of a child unless agreed to by the City. The City may transfer the employee temporarily to an alternative position with equal pay and benefits that better accommodates any recurring periods of intermittent leave.

If an employee is entitled to paid leave under another benefit plan or policy (which includes, but is not limited to, short-term disability and unused paid vacation or sick leave), the employee must substitute the paid leave for FMLA leave. Such available paid leave will be counted against the unpaid FMLA leave entitlement. The employee is required to satisfy any procedural requirements for receiving payment under paid leave as provided in this Manual when substituting paid leave for FMLA leave. Paid leave will be prorated to supplement insurance payments (where applicable) to keep employees’ gross earnings at or near 100%. For example, since short-term disability pays 60% of standard wages, 40% will be paid from accrued time off. The employee may choose whether to apply vacation or sick accrued time off where both are available.

B. Request for and Designation of Leave

To request FMLA leave, the employee must complete a family medical leave of absence form, which is available in the City's Human Resources Department, and submit it to the Director of Human Resources. (A combined leave policy form is to be completed by any employee who is requesting leave and whose spouse also works for the City.) The form must be signed by the employee and submitted to the employee's Department Head. The Department Head then will submit the approved form to the City's Human Resources Department, with a copy to the City Finance Department. When the need for FMLA leave is foreseeable, the employee must provide notice and submit the family medical leave of absence form at least thirty (30) calendar days in advance of the effective date of the leave. If 30 days' notice is not practicable (such as if the employee is uncertain as to when the leave will begin or in the case of a medical emergency), the employee must provide notice as soon as practicable. If the need for leave is not foreseeable or in the case of a qualifying exigency, the employee must give the City notice of the need for FMLA leave as soon as practicable under the particular circumstances.

An employee requesting leave also must complete an insurance premium recovery authorization form, which is available in the City's Human Resources Department. This form certifies that an employee acknowledges the City's legal right to recover the cost of any premiums paid by the City to maintain the employee's coverage in group health benefits during any period of unpaid leave subject to certain exceptions, as set forth in Section D below.

An employee must provide notice sufficient for the City to determine that the leave is for an FMLA-qualifying event. In the case of unforeseeable leave, calling in "sick" without providing any additional information is not sufficient. When an employee seeks FMLA leave for a qualifying reason for which the City previously has granted FMLA-protected leave, the employee must specifically reference the qualifying reason for leave or the need for FMLA leave. If the employee fails to provide the City the reason for leave, leave may be denied.

The employee will be notified within five (5) business days of his or her request for FMLA leave whether the employee is eligible for FMLA leave, absent extenuating circumstances. At that time, employees will be provided written notice of their rights and responsibilities and the consequences for failure to meet these obligations. When the City has sufficient information to determine whether the leave is for an FMLA-qualifying event, the employee will be notified within five (5) business days whether the leave will be designated and counted as FMLA leave, absent extenuating circumstances.

When scheduling planned medical treatment, the employee must consult with the City in advance to ensure that the City's operations are not unduly disrupted by the employee's absence(s).

Employees should understand that, for any absences, whether covered by the FMLA or not, it is imperative to follow the City's usual and customary internal notice and procedural

requirements for requesting leave, as outlined in the City's Personnel Manual. If an employee fails to comply with the City's internal notice and procedural requirements and no unusual circumstances justify such failure, FMLA-protected leave may be delayed or denied.

C. Certification and Recertification of Leave

The City requires that an employee provide a complete and sufficient certification of a serious health condition of the employee or the employee's family member, of a qualifying exigency, or of the need to care for a covered servicemember with a serious injury or illness. Certification forms are available from the City's Human Resources Department. The employee must submit the completed certification form to the City within fifteen (15) calendar days, unless it is not practicable to do so under the particular circumstances. Failure to provide such certification may result in the delay or denial of FMLA leave.

If the City has reason to doubt the validity of a medical certification, the City, at its own expense, may require a second medical opinion from a physician it chooses. If the first and second opinions differ, the City, at its own expense, may require the opinion of a third health care provider that is approved jointly by the City and the employee. The third opinion will be considered final and binding.

Where the employee's need for leave due to the serious health condition of the employee or the employee's covered family member lasts beyond a single leave year, the City requires the employee to provide a new medical certification in each year the employee subsequently takes leave.

Where leave is taken for the serious health condition of the employee or the employee's covered family member, the City may require recertification of the leave every six (6) months, or on a more frequent basis in certain circumstances.

Employees returning from an approved FMLA leave due to their own serious health condition will be required to present a fitness-for-duty certification from their health care provider indicating that they are medically able to resume work. This certification specifically must address the employee's ability to perform the essential functions of his or her job. The City may delay returning the employee to work until this certification is received. Failure to provide this certification may subject the employee to termination.

In the case of intermittent FMLA leave for an employee's own serious health condition, employees are required to present a fitness-for-duty certification every thirty (30) days if the City determines that reasonable safety concerns exist regarding the employee's ability to perform his or her duties because of the employee's serious health condition.

D. Employee Responsibilities While on Leave

During an approved FMLA leave, employees are entitled to the same health insurance they had before the leave began. Employees who pay some or all of their health insurance

premium will be required to continue to pay the premiums in order to continue benefit coverage during the leave period. The employee is responsible for making arrangements to pay any premiums due during the leave period. Employees who do not return to work following FMLA leave will be liable for the payment of any health insurance premiums paid by the City during unpaid FMLA leave, unless the failure to return to work was due to the continuation, recurrence, or onset of a serious health condition or for other circumstances beyond the employee's control.

Employees will be required to periodically advise the City of their status and intent to return to work at the conclusion of the FMLA leave. Employees also must provide notice to the City at least two (2) business days prior to their return to work. If an employee unequivocally indicates his or her intent not to return to work after taking FMLA leave, the employee is subject to termination.

While on leave, the employee may not be eligible for bonuses or other payments based on attendance or job-related performance goals, in the City's discretion, where the employee has not met that goal due to FMLA leave.

Outside employment during an employee's leave period without written City approval is prohibited and may result in disciplinary action, up to and including termination of employment. Further, engaging in deceptive or misleading conduct as a part of an employee's leave (including lying about the reason or need for such leave) may result in disciplinary action, up to and including termination.

E. Return from Leave

Employees returning from FMLA leave will be restored to the same or an equivalent job. The FMLA does not entitle a restored employee to any right, benefit, or position of employment other than any right, benefit, or position to which the employee would not have been entitled had the employee not taken leave. An exception to the employment restoration provisions of the policy may be made if the employee on leave is a salaried employee and is among the highest paid ten percent (10%) of the City's employees (a "key employee") and restoring employment of the employee would result in substantial and grievous economic injury to the operations of the City.

A request to substitute paid leave for unpaid FMLA leave or a request for any leave not covered by the FMLA may be subject to additional approval, certification, and reinstatement requirements. In addition, employees requesting to substitute paid leave for unpaid FMLA leave or requesting other approved leave will be required to complete all applicable forms.

F. Complaint Procedure

If you believe you have been denied any right under the FMLA or otherwise discriminated against because of your use of FMLA leave, please utilize the City's Complaint Procedure, which is contained in this Manual.

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

***The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".**

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

***Special hours of service eligibility requirements apply to airline flight crew employees.**

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and

a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.



For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Wage and Hour Division



WHD Publication 1420 Revised February 2013

8. Holidays

A. Holidays Observed

The City observes the following holidays:

New Year's Day (Observed on the 1st working day of the Calendar Year)

Martin Luther King, Jr Day

Memorial Day

Independence Day

Labor Day

Veterans Day

Thanksgiving Day

Day after Thanksgiving

Christmas Eve

Christmas Day

Floating Holiday (any approved requested day in the Calendar Year)

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.

The City retains the discretion, at all times, to modify the holiday schedule (including whether a day is considered a holiday under this policy) without notice to the employees.

B. Holiday Pay

All regular full-time employees will receive (8) hours of holiday pay for each of the holidays defined above. Non-exempt employees authorized to work during any holiday as defined above shall be paid at the rate of one and one-half times the normal hourly rate for hours worked on the holiday, plus holiday pay equal to (8) hours.

Non-exempt firefighters and uniformed sworn law enforcement personnel authorized to work during any holiday as defined above shall be paid at the rate of one and one-half times the normal hourly rate for hours worked on the holiday, plus holiday pay equal to (10.90) hours for firefighters and (8.60) hours for sworn officers.

C. Floating Holiday

Employees will accrue a Floating Holiday in the month of January following the completion of the first six (6) months of employment and each January thereafter. Floating Holidays must be used during the calendar year in which accrued. Any unused Floating Holiday will be forfeited at the end of the calendar year and will not be paid out upon termination of employment.

9. **Temporary Modified Duty Program**

The City will consider requests for accommodation in the form of modified duty on a temporary basis for employees who are injured or otherwise unable to perform their regular job duties due to temporary incapacity, including due to pregnancy, worker's compensation/occupational injuries, and non-occupational injuries. For such requests for temporary modified duty, including change of job duties, "light duty," reduced work schedule, or leave from work, the City will consider requests on a case-by-case basis. Requests for temporary modified duty should be directed in writing to the Director of Human Resources. The final decision as to eligibility for and to the nature and duration of the temporary modified duty is within the sole discretion of the City. The City may consider factors such as the nature of the employee's impairment and limitations, the nature and requirements of the employee's job position, the employee's tenure with the City, unusual personal hardship, employee work performance, City business needs and expenses, and other business considerations regarding the approval, nature, and duration of temporary modified duty in a particular situation.

This policy is not applicable to, and does not supersede any available rights in connection with, accommodations that are required under the Americans with Disabilities Act ("ADA"), to leave that is required under the Family and Medical Leave Act ("FMLA"), or to non-FMLA medical leave. For any such requests, please see the City's respective Equal Employment Opportunity, Family and Medical Leave, and Leave Without Pay (Non-FMLA) Policies contained in this Manual.

CHAPTER 9 – EMPLOYEE PERFORMANCE EVALUATION

1. Purpose

The City has adopted an employee performance analysis system and evaluation process to help the supervisor and employee understand what their goals are in order to accomplish the job more efficiently. The performance evaluation process:

1. is used to establish specific goals which the employee should attain;
2. is used to evaluate the employee's efforts in accomplishing the job; and
3. may be used by the supervisor in determining eligibility for merit bonuses.

Please understand, however, that a positive performance review does not guarantee an increase in compensation, a promotion, or continued employment since compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of the City.

2. Employees Subject to Evaluation

Performance evaluations are conducted for all regular full-time employees of the City. These evaluations are to be conducted by the employee's supervisor annually. The performance evaluation shall be completed, reviewed with the employee and signed by the employee, supervisor, Department Head and City manager, if applicable. Then it is to be forwarded to the Human Resources Department to be included in the employee's personnel record.

Employees may be evaluated three (3) months and six (6) months from the start of their employment or at any time (generally orally). Performance evaluations may be conducted at any other times that the City deems appropriate.

3. Performance Evaluation Conducted by Supervisor

Evaluations are conducted by the immediate supervisors and discussed with the employee after the Department Head has approved the evaluation. After the evaluation report has been discussed, the employee must sign the report indicating that the employee has seen and discussed the evaluation with their supervisor. The employee's signature does not necessarily indicate agreement with the rating. If the employee refuses to sign, it will be so noted by the supervisor. The employee also may make any comments upon the evaluation form.

4. Review by Department Head and/or City Manager

The Department Head shall review all evaluations prior to the supervisor's discussion with the employee. Should the Department Head be the supervisor conducting the evaluation,

the City Manager will be the reviewer prior to the evaluation being discussed with the employee.

CHAPTER 10 – TUITION REIMBURSEMENT

1. Purpose

To encourage and provide an opportunity for the City of Canton employees to improve their job-related knowledge, skills, and abilities through training and/or education.

2. Eligibility

This policy is applicable to all regular full-time employees of the City of Canton who have successfully completed their first year of employment and who are rated as satisfactory or better on their last annual evaluation.

3. Policy

Educational training must be obtained at an accredited educational institution. Accredited institutions include public school systems, technical colleges, colleges, and universities that are accredited through authorities determined to be reliable by the Secretary of Education of the U.S. Department of Education.

Education/Training received during normally scheduled work hours of an employee shall not be considered eligible for reimbursement under these provisions. Participation must solely be on the employee's own time and shall not interfere with satisfactory performance of the employee's job duties for the City.

Education/Training shall be reviewed and considered eligible under these provisions only when:

- Training/education is directly related to the employee's current line of work; or
- To enhance the employee's potential advancement to a position with the City of Canton and to which the individual has a reasonable expectation of advancing.

Approved courses may range from obtaining GED certification through Master's degree level of studies.

Employee eligibility will be determined and approved by the Department Head and the Human Resources Director or designee and submitted to the City Manager for approval prior to enrollment in the course(s). Applications received after the course(s) have begun shall not be considered for educational reimbursement.

There will be no duplicate payments for the same course. If the course is reimbursable under any Local, State or Federal Educational benefits (including V.A.) or any other outside agencies, grants (HOPE, Pell), scholarships, etc., the City of Canton will provide educational

reimbursement only for the cost above those paid by the other outside sources. The employee is required first to apply for any outside benefits for which the employee is eligible. The employee shall provide proof, upon request, of all applications and/or denials of other benefits prior to applying for educational reimbursement through the City of Canton.

Matriculation (actual tuition fees) and technology/laboratory fees (directly related to course only) are reimbursable. Application fees, miscellaneous administrative fees, graduation fees, test and examination fees, evaluation fees, parking fees, activity fees, health fees, food, mileage, lodging, etc. are not subject to reimbursement.

Reimbursement shall be limited to actual out-of-pocket expenses after application of any subsidies as noted above and shall be based upon successful completion of the course. Tuition reimbursement payments shall be based on the achievement of a passing grade of "C" or higher for pre-authorized expenses.

Any course that is provided on a pass/fail basis only, as approved by the City of Canton under this program, shall be eligible for 100% tuition reimbursement for successful completion of the course and a passing grade.

Course books and similar materials are not subject to reimbursement.

Reimbursement under this policy shall be made only after completion of the education or training. Prior to receiving reimbursement, the employee must submit appropriate official paperwork reflecting completion of education or training, the actual fee schedule/statement, the grade report, and receipt of payment to the Human Resources Department. Reimbursement requested more than thirty (30) after completion of course shall not be honored.

Employee must remain on the City's active payroll throughout the completion of the education or training. Employees will not be reimbursed for the expenses associated with the course if they voluntarily leave or are terminated from the City of Canton before the course is completed.

In no event shall the amount reimbursed to an employee exceed \$3,000 in a single fiscal year.

Employee agrees that any reimbursement made pursuant to this policy is neither intended to, nor does it, create, comprise, define, or constitute any type of oral or written assurance, promise, or guarantee, express or implied, between the City and any one or all of its employees providing for any assurance of continued employment for a definite period of time.

4. Accountability

The Human Resources Department is accountable for the implementation and maintenance of the Tuition Reimbursement Policy.

Department Heads are accountable for the approval of accurate information that is provided by employees requesting tuition reimbursement.

The employee is responsible for submitting their application(s) and all requirements as stated in the policy prior to the deadline.

5. Procedures

Applications for Tuition Reimbursement may be obtained from the Human Resources Department or any other designated area in the employee's department.

A. The Employee Shall:

Provide a total annual cost estimate for the course of study (approved by the Department Head) in which the employee will be seeking tuition reimbursement to the Human Resources Department prior to October 1 for the following calendar year.

Submit a completed Tuition Reimbursement Application for each semester, quarter or term to include associated cost and all applicable signatures.

The City Manager shall approve tuition reimbursement applications for Department Heads.

B. The Department Head Shall:

Certify that the requested course(s) meet(s) the requirements for tuition reimbursement as it relates to the nature and purpose of the course of study; the benefits to be derived by the employee and the City of Canton; the employee's level of responsibility and the estimated cost.

Approve and forward the employee's application for tuition reimbursement to the Human Resources Management for approval and processing.

Establish a tuition reimbursement budget each fiscal year based on the employee's tuition reimbursement applications.

C. The Human Resources Department Shall:

Administer the Tuition Reimbursement Program.

Approve all proposed expenditures and all actual expenditures as submitted.

Process requests for reimbursement in an accurate and timely manner.

Maintain tuition reimbursement records in the Human Resources Department.

Provide counsel and advisement to employees/Department Heads relative to the tuition reimbursement policy and procedures.

D. Continuation of Policy

There is no guarantee that this policy will remain in effect past the term for which you apply.

E. Falsification of Documents

Any employee(s) who falsifies the employee's application or refund documents is subject to disciplinary action up to and including termination.

CHAPTER 11 – GENERAL GUIDELINES

1. Business Practices/Ethical Code of Conduct

Ethical conduct is integral to the success of the City. Because the conduct and character of the City depend upon the actions of many persons, it is important that each employee understands and accepts the following standards of conduct for which he or she will be held accountable:

- A. Honest and ethical conduct, including the ethical handling of actual or apparent conflicts of interest between personal and professional relationships;
- B. Full, fair, accurate, timely and understandable disclosure in all reports or other public communications made by the City;
- C. Compliance with applicable laws and governmental rules and regulations;
- D. Prompt internal reporting of violations of this Code to an appropriate person or persons identified in this Code; and
- E. Accountability for adherence to this Code.

The City is committed to maintaining a business environment that is free of inappropriate or unlawful conduct. In keeping with this commitment, we will not tolerate any unethical or illegal conduct on the part of our employees, business partners, contractors, subcontractors, vendors, or agents. All persons or entities performing work on behalf or for the benefit of the City are expected to follow the letter and spirit of all applicable laws, regulations, ordinances and accepted financial reporting standards applicable to our business.

Conflict of Interest. While employed by the City, it is your obligation to act at all times in the best interest of the City and not allow any personal activity to conflict with or interfere with your service to the City. As a result, the assumption of or engagement in any interest, relationship, or activity by an employee tending to impair the independence of such person's judgment with respect to the best interest of the City constitutes a conflict of interest. Employees must report in writing all situations involving even a possible conflict for review by the Director of Human Resources and thereby avoid any attempt to judge their own case. Opportunities to engage in any community work or to serve in any outside organization or your doubts about outside business interests or activities should be discussed with the Director of Human Resources. The City expects its employees to exercise the utmost good faith in the performance of their duties. Keeping the City informed will enable you to receive proper recognition for individual efforts and will avoid any conflict with established City policies. Examples of actions which might result in or create the appearance of a conflict of interest include:

- a. using the employee's job position with the City for private gain;
- b. giving preferential treatment to any person;
- c. impeding government efficiency or economy;
- d. failing to exercise complete independence or impartiality;

- e. making a decision on behalf of the City outside of official channels; or
- f. affecting adversely the confidence of the public in the integrity of City government.

Gifts. Gifts deserve special mention. Although gifts are often sent by vendors, suppliers, or citizens of the City to employees as an expression of a friendly association, the acceptance of these gifts may establish in the mind of the vendor, supplier, or citizen who sent the gift the need to continue such a practice in order to continue business with the City. This takes away from the City's emphasis on public service to citizens. It is difficult to justify this practice from the standpoint of ethical business conduct. Therefore, in the best interest of all employees as well as the City's service to its citizens, no employee shall solicit or accept rewards of any kind, whether direct or indirect, for the performance of duties, or request for gratuities, or use his or her job position to seek favors or preferential treatment of any kind. Further, an employee shall not accept gratuities of any kind, whether direct or indirect, in the course of the employee's duties with the City, or from any person or entity where the relationship was established in the course of the employee's duties with the City, with a value in excess of twenty five dollars (\$25.00) without the express written permission of the City Manager. Nothing in this section shall prohibit an employee from: (1) receiving any occasional food or beverage of nominal value, or (2) receiving any promotional item or items generally distributed to the general public provided that the acceptance of such item or items will not influence the employee's performance or failure to perform any official action.

Outside Employment. The City hopes that you will not find it necessary to seek additional outside employment. Outside employment must not conflict or interfere in any way with your responsibilities within the City. Employees seeking outside employment must comply with the Dual Employment policy, contained herein.

Complaint Procedure. The City will not tolerate conduct that is contrary to any local, state, or federal law. No supervisor or City employee has authority to engage in such conduct. If you feel you have been witness to or have knowledge of the type of conduct prohibited by this Policy, you must report this conduct by utilizing the City's Complaint Procedure, which is contained in this Manual. The harassment, discrimination, unlawful treatment, or other form of retaliation against any individual making a report of a violation of this Policy by anyone, including any employee, supervisor, coworker, contractor, subcontractor, vendor, or agent of the City, is prohibited. In the event you feel you have been subjected to retaliation for making a complaint pursuant to this Policy, you must report this conduct by utilizing the City's Complaint Procedure, which is contained in this Manual.

2. Standards of Conduct

Each employee has an obligation to observe and follow the City's policies and to maintain proper standards of conduct at all times. If an individual's behavior interferes with the orderly and efficient operation of a department, corrective disciplinary measures will be taken. All employees also share an obligation to safeguard the integrity of the City's reputation and assure the continuation of ethical practices. Disciplinary action may include a verbal counseling, written warning, suspension without pay, and discharge. Please note that the City reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. The City will deal with each situation individually, and nothing in this Manual should be construed as a promise of specific treatment in a given situation.

It is not possible to list all acts and omissions which can lead to disciplinary actions. Offenses which may result in disciplinary action up to and including discharge include, but are not limited to, those presented below:

- a. Misconduct;
- b. Failure or refusal to follow oral or written instructions or other form of insubordination;
- c. Inefficiency or lack of effort in the performance of duties or other form of unsatisfactory performance;
- d. Sleeping on the job;
- e. Suspicion of theft or dishonesty
- f. Careless, negligent or improper use of City property or equipment or damage or destruction of City property or equipment;
- g. Conduct which endangers others or results in property damage;
- h. Failure to maintain satisfactory and/or harmonious working relationships with the public or fellow employees;
- i. Failure to report for duty at the assigned time and place;
- j. Excessive absenteeism or tardiness;
- k. Creating or contributing to unsanitary conditions;
- l. Failure to obtain or maintain a current license or certificate required for performing the job;
- m. Failure to use safety equipment or to comply with safety rules;
- n. Gambling on City property or City work sites;
- o. Improper use of paid time off (PTO), FMLA leave, or other type of leave;
- p. Violation of the City's EEO Policy or Business Practices/Ethical Code of Conduct Policy, or disrespect toward fellow employees, citizens, visitors or other members of the public;
- q. Conduct unbecoming a City officer or employee, including any conduct which affects the employee's reputation or which reasonably could create concern on the part of citizens or fellow employees;
- r. Misappropriation or misuse of City property or funds;
- s. Falsification or misrepresentation of information in any time, personnel, or other City records;

- t. Participation in any action that disrupts or disturbs the operation of the City or any segment of City government;
- u. Visiting or trespassing at the home of any City official or employee for the purpose of harassing or for the purpose of requesting discussion about job-related matters;
- v. Committing an act that endangers the personal well-being and/or property of others while on the job;
- w. Possession of unauthorized firearms or weapons on the job;
- x. Violation of the City's Substance Abuse policy, including possession, use or sale of alcohol or controlled substances during working hours, reporting to work under the influence of alcohol or controlled substances, or unlawful use of controlled substances;
- y. Unauthorized or inappropriate use or disclosure of confidential information from official records;
- z. Using or attempting to use personal or political influence to secure promotion, leave of absence, transfer, change of pay rate, disciplinary action or in any manner related to one's work;
- aa. Violating any of the provisions or regulations of this Personnel Manual;
- bb. Violating department regulations by an employee of that department;
- cc. Violating an ordinance of the City or a state or federal law; and
- dd. Any other conduct which, in the City's sole discretion, warrants disciplinary action.

These examples are not all-inclusive. Because this list does not cover every action for which you may be disciplined, you also are expected to use common sense and conduct yourself in a reasonable and inoffensive manner. We emphasize that discipline and discharge decisions may be based on an assessment of all relevant factors, including the severity of the infraction and the employee's work record, as determined by the City.

3. Workplace Violence

The City is committed to providing its employees a safe environment for working and conducting business. In this regard, the City will not tolerate any threats, threatening behavior, acts of violence, or any related conduct that interferes with or disrupts the City's safe working environment. This prohibition applies to City employees, vendors, customers, and visitors, whether or not the conduct occurs on or off City property.

Threats, threatening behavior, acts of violence or related disruptive conduct includes conduct against persons or property that is sufficiently severe, offensive, or intimidating that it disturbs, interferes with, or prevents normal work functions or activities. Specific examples of conduct that may be considered "threats, threatening behavior, acts of violence, or related disruptive conduct" include, but are not limited to, the following:

- a. Hitting or shoving an individual.
- b. Threatening to harm an individual or his/her family, friends, associates, or their property.
- c. The intentional destruction or threat of destruction of property owned, operated, or controlled by the City.
- d. Harassing or threatening individuals through any form of written or electronic communications.
- e. Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the City.
- f. Harassing surveillance of another City employee and making a credible threat with intent to place the other person in reasonable fear of his or her safety.
- g. Unlawful possession of firearms, weapons, or any other dangerous devices on City property, except as provided for by the Business Security and Employee Privacy Act, which, subject to several exceptions, allow employees who are licensed to carry concealed weapons to store firearms in their vehicles while on City property, as long as the firearm is properly concealed in a glove box, trunk, or other enclosed compartment within the vehicle.

All employees are responsible for refraining from making threats, engaging in threatening behavior, acts of violence, or related disruptive conduct and for seeking assistance to resolve personal issues that may lead to acts of violence in the workplace. If you feel that you have experienced or witnessed conduct that is prohibited under this Policy, you are to follow the City's Complaint Procedure, which is contained in this Manual.

4. Tobacco Use Policy

The City recognizes the hazards caused by exposure to environmental tobacco smoke, as well as the life threatening diseases linked to the use of all forms of tobacco. We are committed to providing a safe and healthy environment for our staff, citizens and visitors. As per the City Ordinance, all City buildings and vehicles are designated as smoke free areas. Neither smoking nor tobacco product use is permitted within fifteen (15) feet of any City building entrance or exit and is not permitted in any City vehicle. This policy prohibits the use of products to include: cigarettes, cigars, pipes; all forms of smokeless tobacco; clove cigarettes; any smoking device that uses tobacco such as hookahs or simulates the use of tobacco such as electronic cigarettes. The policy applies to both employees and visitors of the City. The decision to provide or not provide designated smoking and tobacco use areas outside of the building will be at the discretion of management or other decision-making body. Smoking and tobacco use will be restricted to a designated tobacco use area or in the employee's privately-owned vehicle as long as it is not within fifteen (15) feet of any City building entrance or exit. Tobacco users must maintain the cleanliness and safety of designated tobacco use areas. All materials used for smoking in this area, including cigarette butts and matches, will be extinguished and disposed of in appropriate containers. Supervisors will ensure periodic cleanup of the designated smoking area. If the designated smoking area is not properly maintained (for example, if cigarette butts are found on the ground), the designated area can be eliminated at the discretion of management or other decision-making body.

5. Personal Appearance Policy (Dress Code)

Our City's professional atmosphere is maintained, in part, by the image we present to our co-workers and the public. The City expects all employees to present a neat, well-groomed appearance, and a courteous disposition. Good personal hygiene is expected at all times. Clothing should be clean, neat, and well kept (no holes, tears, patches, fading, or frayed areas). Facial hair should be clean and neatly trimmed. Fragrances, if used, must be mild; patrons and other employees may be allergic or sensitive to perfumes, colognes, or other fragrant products.

Employees must dress in a businesslike manner and avoid extremes in dress. Flashy, skimpy or revealing clothing is unacceptable. Articles of clothing should not be too tight or too baggy. Clothing must not expose the chest, armpits, stomach, waistline, backside or undergarments including when bending over, sitting down, or otherwise moving about. The Department Head, in will determine when clothing or appearance does not meet these requirements.

Employees provided with City uniforms must wear them as instructed while on duty and keep them in neat and clean condition.

The City wants to ensure that its employees meet the public's expectations in terms of the City's image. Thus, for the employees who have contact with the public, we limit the types of

tattoos and piercings that may be visible. No employee may make visible a tattoo that might be offensive or a violation of the City's EEO Policy. Any employee who might have such a tattoo must keep it covered while at work or while representing the City. Likewise, we do not want to appear extreme by the number or location of piercings visible. As with articles of clothing, the Department Head will determine whether particular tattoos or piercings (including earrings) should not be visible. If tattoos or piercings are not in keeping with the image that the City chooses to present to its citizens, employees may be required to cover the tattoo and cover/remove the piercing.

Employees are expected to observe our Personal Appearance Policy at all times while at work or otherwise while representing the City. Employees who are determined to have unacceptable attire or appearance in violation of this policy may be requested to leave work and return in acceptable attire or appearance. Such time away from work will be without pay for non-exempt employees. Violation of this policy may result in discipline, up to and including immediate termination of employment.

The City will reasonably accommodate employees' covered disabilities and sincerely held religious practices with regard to dress and grooming in accordance with applicable law, unless such accommodation would cause the City an undue hardship. Employees desiring such an accommodation must submit a request in writing to the Human Resources Director for consideration and approval. Appropriate documentation of the need and basis for an accommodation may be required in connection with such a request.

6. Work Area Appearance

We expect employees to maintain their work areas in a neat, professional and acceptable manner. Each employee shall maintain the area in which he or she is working, and all employees are expected to maintain the common areas.

7. Non-Fraternization

Romantic or sexual relationships between a supervisor or manager and an employee who reports either directly or indirectly to that supervisor/manager is the type of conduct that can cause real or perceived conflicts of interest, or otherwise be problematic. Therefore, the City prohibits such relationships and any conduct (such as dating between a supervisor, manager, and any City employee who is a direct or indirect subordinate) that is intended or may reasonably be expected to lead to the formation of a romantic or sexual relationship.

This policy applies regardless of whether both parties freely consent to such a relationship. When City management learns that such a relationship or activity has occurred, the participating superior will be subject to disciplinary action up to and including termination of employment. Should a supervisor or manager desire to date or become involved with an employee, the superior shall first resign from employment with the City.

CHAPTER 12 – SEPARATION FROM EMPLOYMENT

1. Voluntary Resignation

An employee who desires to resign from employment should notify his supervisor at least two (2) calendar weeks in advance of the last day of work. The City encourages employees to submit a letter of resignation stating the reason for the resignation.

An employee who resigns from employment with the City will be paid for all accrued unused PTO hours up to the approved maximum limit in accordance with the City's Paid Time Off ("PTO") Policy. If it is determined to be in the best interest of the City, the City Manager may grant the employee "pay in lieu of notice." After receiving written notice of voluntary resignation, the Department Head shall notify the Human Resources Department and schedule an exit interview for the employee.

Employees who miss three (3) or more days of work without notice and/or prior supervisory authorization will be considered to have voluntarily abandoned their position with the City effective as of the last day worked (no call, no show) unless there are substantial mitigating circumstances. For fire department employees, one (1) or more days of no call, no show on a twenty-four (24) hour shift will be considered to have voluntarily abandoned their position with the City unless there are substantial mitigating circumstances.

2. Involuntary Termination

An employee who is involuntarily terminated for disciplinary reasons will be paid for all accrued unused PTO hours up to the approved maximum limit in accordance with the City's Paid Time Off ("PTO") Policy. The Department Head will notify the Human Resources Department of the intended termination and schedule an exit interview.

3. Return of City Property

All City property assigned to an employee must be returned in good, working condition prior to an employee's separation from employment for any reason. If such property is not returned or is damaged beyond repair, the value of the item(s) will be deducted from the employee's final check to the extent permitted by law.

4. Use of Paid Time Off During Notice Period

An employee who is separating from employment with the City for any reason may not use paid time off for any part of the employee's notice period unless approved by the Department Head and a physician statement is provided.

CHAPTER 13 – SUGGESTIONS AND CONCERNS

1. Open Door Policy

No one benefits when issues and concerns are not addressed. Employees with issues and concerns of any type are encouraged to bring them forward as soon as possible to management. Supervisors and Department Heads are responsible for listening, understanding, and responding to employees in a timely and productive manner.

An employee's supervisor and normal chain of command are the appropriate channels to quickly address issues and concerns. Your supervisor and your Department Head have the best context from which to view and understand your point of view. City policy promotes resolving issues and concerns through chain of command whenever possible.

In severe cases or when the complaint involves the immediate supervisor, employees may go directly to the appropriate Department Head, Human Resources or City Manager.

Of course, if you have a complaint that is covered by the EEO Policy or any other City policy as set forth in this Manual, you must use the City's Complaint Procedure, which is contained in this Manual. Your job will not be adversely affected in any way because you choose to use this procedure or the City's Complaint Procedure.

2. Problem-Solving Procedure

The City encourages employees to discuss any questions, suggestions, complaints, or anything else they wish with the appropriate members of management. .

First, you should discuss any problem with your immediate supervisor. Very often, your supervisor is in the best position to handle your problem satisfactorily. This informal process often will resolve your problem. Employees in the Police and Fire Departments, when practicable, should follow the chain of command within the Department in this process. Employees should make every effort to discuss their problems with their immediate supervisor within five (5) working days of the action or decision giving rise to the issue.

If you are not satisfied after you have spoken with your immediate supervisor and have gone through the chain of command as applicable, or if you feel that you cannot speak to your supervisor, you should submit a written grievance to your Department Head. This written grievance should be submitted within five (5) working days of your immediate supervisor's decision or the action or decision giving rise to the issue, whichever is later.

Finally, if you still believe that your problem has not been fairly or fully addressed, or if you feel that you cannot speak to your supervisor and/or Department Head, you can speak with the Human Resources Department outside of the chain of command, if necessary.

An employee may speak with the Human Resources Director at any time to express concerns or seek assistance; however, depending on the nature of the problem involved and other relevant circumstances, the employee may be directed to follow the above-described problem-solving procedure prior to the Human Resources Director's consideration of the problem.

If you have a complaint that is covered by the EEO Policy or any other City policy as set forth in this Manual, you must use the City's Complaint Procedure, which is contained in this Manual.

Your suggestions and comments on any subject are important to us so we encourage you to take every opportunity to discuss them with us. Your job will not be adversely affected in any way because you choose to use this procedure or the City's Complaint Procedure.

CHAPTER 14 – WORKPLACE PRIVACY AND INSPECTION/MONITORING

1. General Policy

The workplace is intended to be a place of business. Each employee must understand that personal items and personal communications received and/or stored on City premises or City equipment are not entitled to a guarantee of privacy.

The City provides offices, desks, electronic and telephonic communication, and, when necessary, computers to employees. Although assigned to the employee, these items belong to and are the property of the City. Similarly, any computer files created on any City equipment belong to and are the property of the City. Unauthorized programs and files may not be used on City computers without the written permission of the City. The City can make no assurances about the security or privacy of any office, desk, file cabinet, computer, or other City facility and discourages the storage of valuables, perishables, and other personal items in them.

Additionally, the City reserves the right to open, search, and inspect any item of any kind on City property, including, but not limited to, employee desks, lockers, file cabinets, and other areas that are a part of an individual's workspace, at any time with or without reason, notice, or consent. The City also reserves the right to review voice mail, electronic mail, computer files, and other electronic information generated by or stored in the City's electronic systems.

CHAPTER 15 - COMPUTER AND ELECTRONIC COMMUNICATIONS POLICY

This policy governs the use of the City's computer and electronic communications system, which includes telephone, voice mail, fax machines, Internet, electronic mail (e-mail), and other computer usage. City employees and other users are encouraged to use the City's computer and electronic communications system to assist them in performing their work responsibilities effectively, efficiently, and at the highest level. E-mail and the Internet are the newest communication tools. Users are to use e-mail and the Internet as they would any other type of City communications tools.

1. General Guidelines

The computer and electronic communications system is the property of City government and may only be used for approved purposes. Occasional, limited, appropriate personal use of the computer and electronic communications system is permitted if the use does not:

- a. interfere with the user's work performance;
- b. interfere with any other user's work performance;
- c. compromise the integrity of the computer and electronic communications system; or
- d. violate any other provision of this policy or any other policy, guideline, or standard of the City.

Personal use of the computer and electronic communications system is a privilege that may be revoked at any time. The City has sole discretion to determine what constitutes reasonable personal use and whether personal use is interfering with the performance of one's job duties.

2. No Expectation of Privacy

Users do not have an expectation of privacy, and waive their right of privacy, in their use of the computer and electronic communications system, including, but not limited to, the e-mail and voice mail messages they create, store, send and receive, and the Internet sites they visit.

3. Monitoring of Computer and Electronic Communication Usage

The City's computer and electronic communications system, including all data and files stored on or transmitted using the City's computer and electronic communications system, are the property of the City. This means that the City owns all data and files stored on or transmitted using any of the City's computer and electronic communications system, such as computers, network servers, or email servers. As such, the City has the right to access, monitor, and inspect any and all aspects of its computer and electronic communications

system, including, but not limited to, monitoring sites visited by users on the Internet, reviewing material downloaded or uploaded by users to the Internet, and reviewing e-mail sent and received by users. This applies even with respect to data or information transmitted or received using any of the City's technology resources, such as its networks or Internet connection, using an employee's personal device, such as a personal mobile phone, smartphone, or computer. This right applies both during an employee's employment with the City and after separation from employment for any reason, voluntary or involuntary. Such monitoring may be conducted without prior notice. Use of the City's computer and electronic communications system shall constitute consent to such monitoring.

4. Maintaining Professionalism

At all times, users have the responsibility to use computer resources in a professional, ethical, and lawful manner. Users should use the same care in drafting e-mail and other electronic documents as they would for any other written communications. The quality of writing reflects on the City. Users should always strive to use good grammar and correct punctuation, keeping in mind that anything created or stored on the computer system may be reviewed by others.

5. Inappropriate Use

Employees are expected to access and use the City's computer and electronic communications system in a professional manner and in compliance with this and all other City policies. Under no circumstances should the City's computer and electronic communications system be used for sending, transmitting, intentionally receiving, copying, or storing any communication that is fraudulent, harassing, racially offensive, sexually explicit, profane, obscene, intimidating, defamatory, or in the City's sole opinion, otherwise unlawful or inappropriate. Users encountering or receiving this kind of material should immediately report the incident to their supervisors and the Information Technology Director ("IT Director"). Exceptions are limited to police investigations into criminal activities, which may require the use of the Internet for information and intelligence gathering. This is permissible with the prior approval of the Chief of Police.

Other prohibited uses of the City's computer and electronic communication systems, include:

- a. Sending chain letters;
- b. Compromising the integrity of the City and its business in any way;
- c. "Moonlighting" or the advertisement of personal business;
- d. Accessing any technology resources, including networks, servers, drives, folders, or files, to which the employee has not been granted access or authorization or in a manner that exceeds such employee's access or authorization (this includes accessing any other person's computer, voicemail, files, or data without approval);
- e. Making unauthorized copies of City files or other data;

- f. Using any of the City's files or other data for an unauthorized purpose, even if the employee was otherwise authorized to access such files or data;
- g. Revealing, publicizing, or otherwise disclosing any confidential information belonging to the City without authorization;
- h. Destroying, deleting, erasing, or concealing City files or other data, or otherwise making such files or data unavailable or inaccessible to the City or to other authorized users of the City's computer and electronic communication system;
- i. Violating any local, state, or federal law, regulation, or order;
- j. Violating the terms of any user agreement, license agreement, or other type of contractual agreement of any software program, application, website, or other product or service;
- k. Illegally downloading, copying, transmitting, viewing, or accessing any material protected under copyright law or making such material available to others;
- l. Intentionally propagating any virus, worm, Trojan horse, trap-door program code, or other code or file designed to disrupt, disable, impair, or otherwise harm the City's computer and electronic communication system or that of any other individual or entity;
- m. Defeating or attempting to defeat security restrictions on any of the City's computer and electronic communication systems;
- n. Viewing or transmitting any material, or engaging in any conduct, that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, violative of the City's EEO Policy or other personnel policies, or that is otherwise unlawful or inappropriate;
- o. Using abusive, profane, threatening, discriminatory, harassing, offensive, otherwise objectionable language in either public or private messages;
- p. Sending, receiving, downloading, uploading, or otherwise accessing or viewing any pornographic materials;
- q. Causing congestion, disruption, disablement, alteration, or impairment of the City's computer and electronic communication system;
- r. Installing any software without authorization; and
- s. Using any of the City's computer and electronic communication systems for personal financial gain unrelated to one's employment with the City.

This list is not intended to be an exhaustive description of all conduct that may be inappropriate or violate this policy, but is illustrative of the type of prohibited conduct for which employees may have their privileges of use and access to the City's computer and electronic communication system revoked and be subjected to disciplinary action. The City has sole discretion to determine what constitutes inappropriate use or material under this policy. If you unsure whether any use or material would be considered inappropriate, you should seek clarification from your supervisor before accessing or distributing such material. If you are in any doubt, do not access or distribute the material.

6. Misuse of Software

Without prior written authorization from the IT Director, users may not do any of the following:

- a. copy software for use on their home computers or to other computers;
- b. provide copies of software to any independent contractors of the City or to any third person;
- c. install software on any of the City's workstations or servers;
- d. download any software from the Internet or other online service to any of the City's workstations or servers;
- e. modify, revise, transform, recast, or adapt any software; or
- f. reverse-engineer, disassemble, or decompile any software.

Users who become aware of any misuse of software or violation of copyright law should immediately report the incident to the Chief Informational Officer.

7. Password

Authorized users will be given a login name that allows access to the network. The user will then provide a personalized password. Passwords should be obscure and a minimum of four (4) characters in length. (For example: Do not use proper names or any words found in a dictionary; do not use dates or numbers that may be associated with you.) No user shall divulge the employee's network password. Any user with knowledge of any password not the employee's own shall report it to the employee's supervisor immediately. No employee shall attempt any unauthorized access to the system.

Employees are specifically advised that passwords are designed to give employees access to all or part of the City's computer and electronic communication system; they are not designed to guarantee employee privacy or security in any data or file created, stored, sent, or received on any of the City's computer and electronic communication systems. Employees may not change passwords without prior express permission. Upon separation from employment for any reason, employees must return all passwords to the City.

8. Virus Detection

Files obtained from sources outside the City may contain dangerous computer viruses that can damage the City's computer network. Files from outside sources include, but are not limited to, disks brought from home, files downloaded from the Internet, newsgroups, bulletin boards, or other on line services; files attached to e-mail; and files provided by citizens or vendors. Users should never download files from the Internet, accept e-mail attachments from outside sources, or use disks from non-City sources without first scanning the material with City-approved virus checking software. If a user suspects that a virus has been introduced into the City's network, the user must notify the IT Department immediately.

9. Social Media

In today's rapidly evolving communications environment, employees have access to many forms of communication both within and outside of the work environment. The City recognizes the value of online social media sites and blogs as vital resources to communicate with the citizenry to positively promote the City's mission and values, operational initiatives, marketing and recruitment activities, as well as a forum for exchange of information with its employees. The City also understands that employees may maintain or contribute to personal blogs, message boards, conversation pages and other forms of social media outside of their job functions and may periodically post information about their jobs or the City's activities on these outlets. The purpose of this policy is to establish guidelines regarding social media and social networking.

Social networking is defined as all open communications utilizing electronic media including, but not limited to texting, Facebook, LinkedIn, Myspace, Twitter, Wikipedia, and YouTube. When communicating in an electronic social network, an employee's online presence and activities reflect the City and its service to the community. This extends to non-work times in non-work locations and using non-work computer equipment.

Employees are expected to follow these guidelines when using any social media website:

1. If an employee identifies him/herself as an employee of the City, the employee must place a disclaimer in his/her profile, post, or publication that clearly states that any and all opinions or views expressed are those of the employee and not the City.
2. Employees are expected to comply with the City's EEO and other policies, as allowed by law, and refrain from making comments that are malicious, abusive, unlawful, slanderous, or detrimental to the City, its employees, its citizens, or third parties in violation of the City's EEO Policy or other provisions of this Manual.
3. Confidential information of the City is not to be discussed or referred to by employees on any social media website, even in private messages between site members who have authorized access to the information.
4. Employees are responsible for reading, knowing, and complying with the Terms of Service of the social media websites they use.
5. Employees are expected at all times to comply with the law in regard to copyright, trademark, and plagiarism. Posting of someone else's work without permission is not allowed.

The City encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page or social networking site can be relayed and often misunderstood by the reader. Once something is posted online, one can never completely retrieve it from the media or control its circulation. If such media publications come to the attention of the City, all policies and procedures will apply. It is not the intent of the City to be the "internet police"; however, the City cannot ignore what comes to its attention via

routine investigative processes or what is otherwise brought forth for its review. Employees must use their best judgment and also comply with the policies set forth in this Manual.

Social media activities must not interfere with work commitments.

10. Other City Policies

All of the City's policies, including, but not limited to, its policies on Equal Employment Opportunity, apply to the use of the City's computer and electronic communication system. If any employee feels that he or she has witnessed or been the subject of any conduct in violation of this policy, the employee must utilize the City's Complaint Procedure, which is set forth in this Manual.

11. Discipline

Employees will be subject to discipline, up to and including termination from employment, for violating this policy. Therefore, before using any of the City's computer and electronic communication system, employees should consider whether their actions meet the expectations set forth herein. In doing so, employees should be mindful that electronically stored information can often be saved or retrieved even after an employee believes he or she has taken steps to "delete" it.

CHAPTER 16 – DRUG AND ALCOHOL POLICY

1. Purpose

The City is committed to providing a safe workplace for its employees, and to establishing programs that promote high standards of employee health, performance, and productivity. The City will not tolerate drugs and alcohol in the workplace. In keeping with the spirit and intent of this commitment, the City has established a drug and alcohol policy (the “Drug and Alcohol Policy”) consistent with the provisions of Title 34, Chapter 9, Article 11 of the Official Code of Georgia Annotated (O.C.G.A. § 34-9-414(a)(2)).

The related procedures included with the Drug and Alcohol Policy explain in detail the steps necessary for pre-employment, post-accident, reasonable suspicion, and random drug testing. All employees of the City are required to review this Drug and Alcohol Policy and to sign the Employee Acknowledgement form which is included in the Appendix of this Personnel Manual pursuant to which the employee acknowledges receipt and reading of the Drug and Alcohol Policy and that the employee understands, accepts and agrees to comply with the provisions of the Drug and Alcohol Policy.

This Policy will be applied consistent with all applicable laws.

2. Scope

The Drug and Alcohol Policy applies to all City employees while on City property or property that the City operates, or while operating City-owned or leased vehicles, whether on or off City property, or while operating a personal vehicle while conducting City-related business. The Chief of Police may grant a waiver to this Drug and Alcohol Policy when warranted (i.e. special investigations).

3. Policy

The unlawful manufacture, distribution, dispensation, use, possession, sale, or purchase of alcohol, illegal drugs, or other controlled substances is strictly prohibited at all times. Reporting for work, being present on City premises or in City vehicles, or engaging in City activities under the influence of alcohol, illegal drugs, or other controlled substances also is strictly prohibited at all times. Any violation of this Policy may result in disciplinary action up to and including discharge. The City retains complete discretion to take whatever appropriate and lawful actions are necessary to protect the health and safety of all its employees and to enforce this Policy.

All job applicants being considered for employment will be tested, except when it may be prohibited by law, for the use of illegal drugs or controlled substances prior to their first day of employment. Pre-employment drug testing shall take place only after a conditional offer of employment has been made but before employment actually commences.

All City employees are subject to testing for the use of alcohol, illegal drugs or controlled substances if they are involved in a work-related accident or there is reasonable suspicion to believe that such employee is under the influence of drugs and/or alcohol during assigned work hours, while otherwise on duty or in control of City property, whether on or off City property, while operating City-owned or leased vehicles, or while operating a personal vehicle while conducting City-related business. Furthermore, the City reserves the right to require employees in safety-sensitive job positions to submit to an unannounced drug and alcohol test at random to ensure compliance with this Policy, and your continued employment reflects your consent to such tests.

An employee's refusal to submit to a test at the time requested may result in disciplinary action up to and including termination. If, due to injuries, an employee cannot submit to testing within the prescribed time following a work-related accident, the employee will be required to provide the City with necessary authorization required to obtain hospital reports and other documents that would indicate the presence or non-presence of any drugs and/or alcohol in the employee's system at the time of the accident.

Safety-Sensitive Positions are those positions of employment with the City where a lapse of judgment or impaired physical/mental ability in performing any essential job function could reasonably result in a significant threat of harm to the employee, fellow employees, citizens, inmates, or others. Safety-Sensitive Positions include, but are not limited to, those which, as a part of the essential job functions, (1) require the performance of law enforcement duties as a POST-certified law enforcement officer; (2) require or involve possession of a firearm; (3) require or involve providing emergency medical, rescue, or fire suppression services; (4) require or involve interacting with incarcerated persons; (5) require or involve interacting with persons who are on probation for drug charges; (6) directly involve the enforcement of drug laws; (7) directly involve access to, the handling of or the testing of illegal drugs that have been seized by, confiscated by or taken into custody by law enforcement; (8) require or involve performing duties essential to drug interdiction; (9) primarily require or involve maintenance or operation of a motor vehicle, motorized equipment, heavy machinery or heavy equipment; (10) require the holding of a commercial driver's license; and (11) require or involve performing duties which directly affect public health, safety or security.

All specimen collection and testing will be conducted in accordance with the provisions of O.C.G.A. § 34-9-415. Testing for the presence of alcohol will be conducted by analysis of breath, blood, or urine. Testing for the presence of illegal drugs or controlled substances will be conducted by analysis of blood or urine.

In the event that an applicant or employee produces a positive test result, the City will take action as it deems appropriate. This may include, but is not limited to, one or more of the following:

- a. Disqualification from consideration for employment with the City;
- b. Mandatory referral to an employee assistance or substance abuse program approved by the City;

- c. Suspension; or
- d. Termination.

Public safety employees producing positive results on drug tests for which there is no valid prescription and/or alcohol will be referred to the Chief of the appropriate public safety department with a recommendation for termination.

An employee will be subject to the same consequences of a positive test if the employee refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms, or refuses to cooperate in the testing process in such a way that interferes with the testing procedure in any significant way.

Any prospective employee for any City position who produces a positive drug test result for which there is no valid prescription will be immediately disqualified from consideration for employment.

4. Prohibited Conduct

The following are examples of conduct that is prohibited. This list is not exhaustive, but rather is intended to be illustrative of the types of behaviors that are forbidden:

- a. Reporting for work under the influence of drugs, alcohol, or controlled substances for which the employee has no valid prescription;
- b. Selling, purchasing, possessing, or transporting of any illegal substance outside the performance of duty;
- c. Tampering with or altering an alcohol or drug test result, or otherwise attempting to create a false negative result;
- d. Failing to promptly and fully disclose all felony convictions, plea bargains, and parole/probation terms that involve buying, selling, transporting, manufacturing, cultivating, possessing, or consuming any controlled substance. Disclosures must be made directly to a manager or supervisor and the disclosure requirement will apply to all convictions and plea bargains that occur after the effective date of this Drug and Alcohol Policy and all parole/introductory terms that are finalized after the effective date of this Drug and Alcohol Policy; and/or
- e. Being convicted of driving under the influence (“DUI”) or driving while intoxicated (“DWI”) while operating a City-owned, leased, or rented vehicle or while driving a personal vehicle while on City-related business.

Prescription Drug Use - An employee using any legally prescribed medication or controlled substance as part of a medical treatment program must immediately report this treatment to the employee’s supervisor if the medication may impair job performance or otherwise create a danger to the safety of the employee or others in the workplace. Failure to report the use of such medication will subject employees to disciplinary action, including

potential termination. If there is a question regarding an employee's ability to safely perform assigned duties, clearance from a physician may be required. Abuse of prescription medications/drugs will not be tolerated.

The City reserves the right to inspect and search employees' personal property in certain circumstances; property, vehicles, or equipment owned or leased by the City; and City-issued lockers, desks, cabinets, or other suspected areas of concealment at any time to enforce this Policy. Refusal to submit to or cooperate with such a search may result in immediate discipline up to and including discharge.

5. Responsibility

Every employee of the City is responsible for complying with this Drug and Alcohol Policy and the related procedures.

6. Pre-Employment Drug Testing

All applicants being considered for employment will be tested for use of illegal drugs and controlled substances as part of the employment selection process, except where it may be prohibited by law. Pre-employment drug testing shall take place only after a conditional offer of employment has been made but before employment actually commences. Offers of employment may be made contingent upon the applicant producing a negative drug test result.

The City will pay for the drug test and select the qualified professional conducting this test, and employees will be tested for illegal drugs, including, but not limited to:

Amphetamines (AMP);
Marijuana (THC);
Cocaine (COC);
Opiates (OPI);
Phencyclidine (PCP);
Methadone (MTD);
Methamphetamine (MET);
Benzodiazepine (BZD);
Barbiturate (BAR);
Ecstasy (MDMA);

Any candidate who has successfully completed a pre-employment drug test and is otherwise determined by the City to qualify for employment must be hired and begin work within thirty (30) days of the testing date. In the event a candidate is unable to begin work and thirty (30) days has lapsed since successfully completing a pre-employment drug test, the candidate must be re-tested prior to beginning work with the City. In such occurrences, the City reserves the right to rescind any offers of employment made to the applicant.

Testing for the presence of alcohol will be conducted by analysis of breath, blood, and urine. Testing for the presence of drugs will be conducted by analysis of blood or urine.

If a drug test is non-negative, the medical review officer (MRO) will contact the candidate directly to determine if the candidate is taking any legally prescribed medication that could have contributed to the non-negative result. If the candidate claims they have a valid medical explanation, the MRO will give the candidate seventy-two (72) hours to submit the necessary documentation before releasing the results of the test to the City's Human Resources Department. If the candidate is able to provide the needed documentation and it is determined by the MRO to be valid, the result will be reported to the Human Resources Department as a negative result. If the candidate is unable to provide the MRO with the needed documentation within seventy-two (72) hours or the information produced is determined not to be valid or truthful, the result will be released to the Human Resources Department as a positive result, and the candidate will be eliminated from consideration for current employment.

The applicant also will be eliminated from consideration for current employment for tampering with or altering test results or attempting to create a false negative result.

If an individual produces a negative dilute, they will be allowed one (1) re-test, upon which they must produce a negative result. Individuals re-testing due to a negative dilute must re-test the next day possible, first thing in the morning, and avoid excess fluids before testing.

Applicants who do not successfully pass pre-employment drug testing are eligible to reapply for employment two (2) years after their initial testing date, providing they provide written proof of successful completion of a state certified substance abuse rehabilitation program.

7. Post-Accident or Reasonable Suspicion Testing

All employees are subject to immediate alcohol and/or drug testing following a work-related accident as well as whenever there is a reasonable cause to believe that the employee has been using drugs or alcohol or otherwise is in violation of this policy.

The following are examples of circumstances in which the City may have grounds to require testing. This list is not exclusive:

- a. An employee has caused or contributed to an on-the-job accident resulting in property damage;
- b. The occurrence of an on-the-job personal injury that may, in the opinion of City management, require medical attention or loss of work time;
- c. An employee has been involved in an accident in a City vehicle of any kind in which any involved driver is eligible to be cited for a violation of law, and/or either vehicle is damaged such that towing is required;
- d. Observable symptoms of drug or alcohol use by a reliable individual, such as direct observation of drug use, the smell of drugs or alcohol emanating

from an employee's personal belongings, or the physical symptoms of impairment, including, but not limited to slurred speech, the smell of alcohol on a person's breath, loss of balance, disorientation, bloodshot eyes, and dilated pupils;

- e. One or more reports that an employee has been using drugs or alcohol in the workplace;
- f. Evidence that an employee tampered with a previous drug test or has submitted a specimen and the temperature measurement indicated possible adulteration or substitution.
- g. Any accident involving an employee where there is injury or complaint of injury to a third party.

Testing for the presence of alcohol will be conducted by analysis of breath, blood, or urine. Testing for the presence of illegal drugs or controlled substances will be conducted by analysis of blood or urine.

Employees who are required to submit to reasonable cause testing are prohibited from transporting themselves to the alcohol/drug testing site. A supervisor or administrative employee will provide transportation.

When testing is ordered as a result of an accident or reasonable suspicion, the employee will be removed from duty and placed on leave with pay pending the receipt of results.

A refusal to submit to testing will result in immediate discharge.

The process for post-accident and reasonable suspicion drug testing will be the same as that followed during pre-employment drug testing.

8. Random Drug Testing of Employees in Safety-Sensitive Positions

Employees of the City in all positions designated as safety or security sensitive or involve holding a position that involves drug interdiction, collectively referred to as Safety Sensitive Positions, will be subject to unannounced random testing for the presence of drugs.

Safety-Sensitive Positions are those positions of employment with the City where a lapse of judgment or impaired physical/mental ability in performing any essential job function could reasonably result in a significant threat of harm to the employee, fellow employees, citizens, inmates, or others. Safety-Sensitive Positions include, but are not limited to, those which, as a part of the essential job functions, (1) require the performance of law enforcement duties as a POST-certified law enforcement officer; (2) require or involve possession of a firearm; (3) require or involve providing emergency medical, rescue, or fire suppression services; (4) require or involve interacting with incarcerated persons; (5) require or involve interacting with persons who are on probation for drug charges; (6) directly involve the enforcement of drug laws; (7) directly involve access to, the handling of or the testing of illegal drugs that have been seized by, confiscated by or taken into custody by law enforcement; (8) require or

involve performing duties essential to drug interdiction; (9) primarily require or involve maintenance or operation of a motor vehicle, motorized equipment, heavy machinery or heavy equipment; (10) require the holding of a commercial driver's license; and (11) require or involve performing duties which directly affect public health, safety or security.

Employees who are absent from their jobs for any reason when randomly selected to be tested will be advised, upon their return to duty, to report for testing immediately.

To facilitate such testing, a safety-sensitive employee's identifying data is placed in a testing pool from which a random selection is made. The selection is computer generated to ensure the most random distribution possible.

The process for random drug testing will be the same as that followed during pre-employment drug testing.

The dates of testing will be unannounced and will be reasonably spread throughout the calendar year. The Human Resources Department will notify the appropriate Department Head when one (1) or more of its employees have been selected through the random process. The Department Head is to inform the employee(s) individually that they have been selected for testing, and require them to test within three (3) hours of the time they are notified.

If a Department Head is selected to test, the Human Resources Department will contact the City Manager who will then notify the Department Head that they have been selected. Once a Department Head has been notified that they have been selected, they are required to test within three (3) hours of the time of notification.

Any City employee who fails to report for testing within three (3) hours of notification without reasonable and satisfactory explanation as deemed by the Department Head may be terminated.

If the testing agent or facility notifies the City that an employee has produced a non-negative sample, the employee will be removed from duty and placed on leave with pay pending the receipt of confirmed results. The Human Resources Department will contact the appropriate Department Head and/or City Manager with the results.

All information received by the City as a result of any testing procedure is considered confidential, but may be entered into evidence or disclosed in any civil or administrative proceedings when the information is relevant to any issue raised in the proceedings.

9. **Assistance**

While any employee is subject to discipline or discharge for violations of the City's Drug and Alcohol Policy, no employee is subject to discipline or discharge due to alcoholism or drug addiction. The City recognizes that alcoholism and drug addiction are treatable illnesses. The City also realizes that early intervention and support improve the success of rehabilitation. To support its employees, the City's Drug and Alcohol Policy:

- a. Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- b. Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- c. Ensures the availability of a current list of qualified community professionals.

Treatment for alcoholism or other drug use disorders may be covered by employee benefit plans; however, the ultimate financial responsibility for recommended treatment belongs to the employee.

CHAPTER 17 - TRAVEL AND SUBSISTENCE ALLOWANCE POLICY

This section provides guidance on authorized expenditures for all departments under the authority of the Mayor and City Council. This section shall cover those costs incurred for travel and meal expenses by any Elected Official, City Manager, City employee, or Board Member who travels on City-related business. These expenditures typically will be charged against the General Ledger accounts (523500), Travel (523700), Education and Training (531300), or Food Supplies/Special Events. The policy further requires that only the expenditures herein specified can be charged to the previously identified accounts absent specific justification otherwise. Operating guidelines and procedures for procuring travel and meal expenses shall be issued under separate cover(s) as they do not constitute or necessitate City Council approval.

1. Appropriation

In conjunction with the annual budget process, the City Council shall authorize department appropriations for travel and meal expenses consistent with the annual adopted operating budgets. Departments shall not incur travel expenditures unless an appropriation is available, or budget amendment has been completed and approved.

2. Expenditure Approval

All expenditures relating to travel and meals shall be processed consistently with procurement/purchasing guidelines. The Finance Department will reimburse expenses only upon submission of proper documentation of the expenses (received either electronically or in writing) from the incurring departments.

3. Settlement of Disputed Reimbursement Claims

The Finance Department shall review expenditure documents for compliance and appropriateness with all City policies and procedures. Expenditure reimbursement requests that are not in compliance with these policies and procedures shall be returned to the originating department with Finance Department recommendations for changes (e.g., travel issues, cellular phone use). In the event the originating department does not agree with the Finance Department's recommendations, the City Manager shall make the final decision regarding whether to authorize the reimbursement.

4. Travel Expenses

The City shall reimburse/pay expenses incurred by elected officials, City Manager, and City employees for travel relating to official business of the City. Expenditures that are authorized under this policy include those for attending education and/or training sessions, conferences, conventions, events, and business meetings with third parties (including other governmental

entities and vendors soliciting current or future business from the City). Travel by employees must be pre-approved by management.

- A. Lodging: Hotel/motel charges shall qualify for reimbursement when they exceed a fifty (50) mile radius of the employee's place of work. All traveling personnel shall minimize the expense associated with hotel/motel costs by procuring a government rate for qualified stays. Lodging expense shall be benchmarked against the U.S. General Services Administration (GSA) approved per-diem rate of reimbursement. When the GSA rate is exceeded by twenty percent (20%) or more, additional justification may be required from the traveler. When traveling in the State of Georgia, all travelers must use the hotel/motel tax-exempt status form. Sales and occupancy taxes charged for lodging within the State of Georgia may not qualify as eligible reimbursable travel expenses subject to the approval of management.

Hotel accommodations for travel less than a fifty (50) mile radius from the City must be approved by the employee's Department Head. Elected officials, the City Manager, Department Heads, and management of the City shall be allowed hotel accommodations for travel less than a fifty (50) mile radius from the City, based upon meeting schedules and attendance needs.

- B. Transportation: Approved modes of transportation include vehicle, air, rail, or taxi and public transportation. The method selected by the traveler shall be subject to the most economically feasible, taking into consideration the value of time. If a City vehicle is available, it should be used in lieu of a personal vehicle. Generally, the City will not reimburse for the use of a personal vehicle within ten (10) miles of an employee's official headquarters and/or residence.

Mileage: Miles traveled in personal vehicles shall be reimbursed at the then-current reimbursement rate designated by the Internal Revenue Service. Mileage shall be calculated using the employee's place of work as the origination point, so long as the employee reported to work prior to departing to the destination. In the event the employee does not report to work prior to traveling to the destination, mileage shall be reimbursed from the employee's origin, less the employee's normal commute to the workplace. Expenses associated with employee's vehicles such as fuel, oil, tires, etc. (deemed normal wear and tear) shall not be subject to reimbursement and will be the responsibility of the traveler. Miles traveled in City-owned vehicles shall not be subject to reimbursement to the traveler. However, expenses associated with the travel in City vehicles such as fuel, oil, tires, etc. shall be the responsibility of the City, and necessary purchases should follow normal purchasing guidelines and processes.

Rental Cars: Expenses associated with rental cars, i.e. rental expense and fuel, will be paid at cost, as long as receipts are provided. Employees shall rent mid-size or smaller vehicles, or an appropriate vehicle size based upon the number of employees needing transportation.

Expenses associated with exceeding this car class will be the responsibility of the traveler. Employees should decline additional insurance coverage offered by rental car companies since the City's insurance coverage is applicable to car rentals.

Air/Rail: Transportation provided by major airlines or railroads shall be paid at cost to the traveler. Travel will be limited to coach/economy classes of service. In the event the traveler chooses a class higher than coach/economy (business or first class) or to extend the trip and change departure or arrival dates, the difference of the expense shall be the responsibility of the traveler. Any reduction in the expense associated with transportation costs as a result of extended or modified travel dates for personal benefit shall not be provided back to the traveler.

Taxi/Shuttle: Expenses associated with local transportation will be deemed eligible expenses as long as receipts are provided with point to point explanations for this mode of transportation. Such documentation should accompany receipts.

Meals/incidentals: Expenses associated with meals (breakfast, lunch and dinner) and incidentals (snacks, tips, miscellaneous) shall be administered on a per diem basis by the City. All travelers except the City Manager and the Elected Officials can request an advance for meal expenditures. All advances so given will be reconciled when the trip expense report is submitted along with detailed receipts. Overages of meal expenses may be the responsibility of the employee, while any employee not utilizing the total advanced amount per day will refund all unused amounts to the City.

Alcoholic beverages are not reimbursable expenses. Expenses incurred for meals, when travel has not included overnight stay, shall be reimbursed under Section 5 (Non Travel Meals) of this policy.

Program/Seminar/Conference Fees: Charges relating to the traveler's attendance at the particular event (training, conference, seminar, etc.) shall be paid by the corresponding department, subject to the provisions identified for expenditures in the City's expenditure and purchasing policies.

Telephone/Long Distance: Telephone, fax, long-distance, Internet, and communication expenses (including postage) shall be reimbursed when relating to the traveler's employment. Expenses for business communication shall be limited to ten dollars (\$10.00) per day.

Laundry/Dry Cleaning: When travel is scheduled for more than five (5) consecutive days, reimbursement for laundry and dry cleaning expenses will be allowed. Expenses shall be paid at the cost of the services provided.

Each traveler may pay for expenses associated with travel on a personal credit card. Travel advances for meal/incidental expenses may be provided to the employee prior to travel by the Finance Department.

Dependents/spouses accompanying employees on official business shall not be eligible for reimbursed expenses by the City. If a dependent or spouse accompanies an employee on an authorized business trip, only those expenses that can be directly attributed to the employee will be reimbursed. Per diem used for expenses other than those directly attributable to the employee will not be allowed; however, the per diem amount will not be increased because of dependent/spouse travel.

The Elected Officials, City Manager, Department Heads and management of the City shall be allowed to conduct official City business while on travel. The submission of expenses related to such official business will be required in order to receive reimbursement. Such items may include expenses associated with meetings or business meals outside of the scope of the purpose of travel.

Employees on official business shall follow the City's workers' compensation policies in the event of any on-the-job injury.

5. Non Travel Meals

Expenses related to the furnishing of meals, snacks, or food should be limited to one of the following circumstances:

- a. A meeting during regularly scheduled business hours required by law or authorized by a Department Head which is anticipated to last more than four (4) hours and which, is scheduled through normal meal times;
- b. A business meal with someone other than another City official or employee in order to discuss a specific item of City business;
- c. A meal that is an integral part of a scheduled meeting at which the individual is required to attend.
- d. Emergency situations as determined by City Manager and Department Heads.

Receipts provided for meals within this category should detail the nature of the meeting and the people who were present.

6. Submission of Expenses

All expenses relating to travel shall be submitted to the Finance Department no later than ten (10) days after return from the trip. Non-travel meals shall be submitted no later than ten (10) days from the date of occurrence.

APPENDIX

This Appendix contains various forms currently in use by the City and referred to in this Manual. This is not meant to be a complete collection of all forms, and any forms included may be superseded by revisions.

CITY OF CANTON
PERSONNEL MANUAL
EMPLOYEE DISCLAIMER AND ACKNOWLEDGEMENT

I have received a copy of the City's Personnel Manual, and I accept responsibility for reading this Manual and becoming familiar with its contents. I understand that this Manual consists of general guidelines that may or may not be applied or followed in specific cases. This copy may not be the most current version. I acknowledge that a copy of the most current version of the Personnel Manual is available from the City's Director of Human Resources. The current version maintained by the Director of Human Resources is the official Personnel Manual.

Purpose

The information contained in this Manual is designed as an advisory guide to assist the City and our supervisors with the effective management of personnel and is not meant to address every conceivable situation or issue that arises in the workplace. The provisions and guidelines contained in this Manual are not binding on the City and may be changed, interpreted, modified, revoked, suspended, terminated, or added to by the City, in whole or in part, at any time, at the City's sole option, and without prior notice to employees. This Manual is not intended to cover every situation which may arise or to create specific policy to be applied in every instance. Instead, this Manual is intended only to provide general guidelines concerning personnel decisions. This Manual and any practice or policy of the City will be applied consistent with all applicable laws and regulations.

Interpretation

Interpretation of the policies and procedures contained in this Manual is governed by, and is the responsibility of, the City Manager. Whenever clarification or assistance in interpretation is required, please contact the City Manager.

Employment-At-Will

Nothing contained in this Manual is intended to create, comprise, or define, nor should it be construed to constitute, any type of oral or written employment contract, promise, or guarantee, express or implied, between the City and any one or all of its employees. Nothing in the Manual is intended to provide any assurance of continued employment. In the absence of a specific agreement to the contrary, authorized in writing by the City Manager, employment with and compensation from the City are for no definite period of time and may be terminated by the City or the employee at any time, for any reason, with or without cause, and with or without notice. Any written or oral statements or promises to the contrary are hereby expressly disavowed and should not be relied upon by prospective or existing employees. I further understand that the City's policies and procedures, including those described in any publication, letter, poster, handout, or other communication, are subject to suspension, modification, or elimination at any time, without notice.

Employee's Signature: _____ Date: _____

Printed Name: _____

CITY OF CANTON
Employee Complaint Form

Name:

Job Title:

Department:

Phone
Number:

Email
Address:

1. What is the subject of your report?

2. Who engaged in the conduct that you are complaining about?

3. What did he or she do to you? Please be specific and describe what exactly occurred or was said, how often it occurred, and if it is still ongoing.

4. When and where did it happen? Please give precise dates and location.

5. Please describe your reaction and what response, if any, you made when each event occurred.

6. How did the conduct you are complaining about affect you? Please describe if your job has been affected and, if so, how your job has been affected.

7. Were there any witnesses? If so, state their names and what they know.

8. Have you previously told any supervisor or member of management about the subject of your report? If so, state their name, what you told them, and the date(s) you told them.

9. Have you discussed with anyone else the conduct you are reporting? If so, please identify the person and the date you spoke with him or her, and describe what was discussed.

10. Are there any notes, physical items, or other documentation regarding the events? If yes, please identify them and, if possible, attach them to your report form.

11. Do you know of anyone else who has been subject to the same conduct that you are reporting? If so, state their name(s) and how their situation is similar to yours.

12. Do you know of any other information relevant to your report?

13. Is there any law or Company policy you claim was violated by the conduct you described?

14. What would you like done in response to your report?

(Please attach additional page(s) if necessary.)

Employee Signature

Date

If you have any questions about how to complete this form, please contact the Director of Human Resources at 770-704-1524.

CITY OF CANTON
EMPLOYEE ACKNOWLEDGEMENT OF RECEIPT OF
DRUG AND ALCOHOL POLICY
AND EMPLOYEE RESPONSIBILITIES UNDER THAT POLICY

The City of Canton is committed to providing a safe workplace for its employees, and to establishing programs that promote high standards of employee health, performance, and productivity. The City will not tolerate drugs and alcohol in the workplace. In keeping with the spirit and intent of this commitment, the City has established a drug and alcohol policy

Please review the attached Policy and complete the acknowledgement below.

I acknowledge that I have received a copy of the City's Drug and Alcohol Policy and have had the Drug-Free Workplace Program explained to me. I understand that it is my responsibility to become thoroughly familiar with, and comply with, the terms and conditions of this Policy and understand that my failure to comply with any provision of this Policy may result in my being subject to disciplinary action, up to and including discharge, and denial of benefits, including denial of workers' compensation benefits.

I also understand that, if I am convicted of any criminal drug offense involving the use, possession, transportation, sale, or other activities related in any way to drugs or other controlled substances during working hours, I will notify the Director of Human Resources, in writing, within five (5) days after any such conviction occurs.

I also acknowledge that this copy of the City's Drug and Alcohol Policy may not be the most current version. A copy of the most current version is available in the Human Resources Department, where it is available for review at any time by any employee. The current version maintained in the Human Resources Department is the official Drug and Alcohol Policy.

Name (please print)

Signature

Date

**CONSENT AND AUTHORIZATION
FOR
ALCOHOL/DRUG TESTING**

I hereby acknowledge that I have been informed of the City's Drug and Alcohol Policy and have agreed to be bound by this Policy thereby for purposes of applying for, accepting, or continuing employment with the City. I also hereby state that I am not a user of controlled substances (or alcohol) except as I reveal in connection with this test.

I understand and consent freely and voluntarily to the City's request for a urine or other specimen or sample. I hereby release and hold harmless the City, the laboratory, and their employees, agents, and contractors from any and all liability arising from this request to furnish this or any specimen or sample, the testing of the specimen or sample, and any decision made concerning my application for employment or my continued employment, based upon the results of the test.

I consent to allow City employees, designated physicians, and laboratory, hospital, or medical professionals to collect a urine or other specimen or sample to perform appropriate tests for the presence of controlled substances (or alcohol). I give my permission to City employees, designated physicians, and laboratory, hospital, or medical professionals to release and review the results of the test for purposes of my applying for, accepting, or continuing employment with the City. I release and hold harmless any such designated entity, institution, or persons from any liability whatsoever arising from the release or review of this information. I give this consent for the duration of my application for and/or employment with the City.

Name (Please Print)

Signature

Date

CITY OF CANTON

CONSENT FOR RELEASE OF ALCOHOL AND DRUG MISUSE AND TESTING INFORMATION

The information requested below is required by the Department of Transportation ("DOT") to be released in accordance with this consent. If the Company in the RELEASED TO section below does not receive the requested information within fourteen (14) days, this will be documented and placed in the individual's DOT file to be made available to DOT officials on request.

Name (print)

Social Security Number

I authorize release of:

Information related to my participation in DOT and other alcohol and drug testing programs, including records of dates and results, and refusals to be tested, and any records related to violations of DOT alcohol or drug prohibitions.

Purpose of release:

To determine if I have previously violated DOT alcohol or drug prohibitions.

Records to be RELEASED FROM:

Company Name: _____

Address: _____

Telephone/Other: _____

Records to be RELEASED TO:

City of Canton
151 Elizabeth Street
Canton, GA 30350

(770) 704-1524 Tel / (770) 720-3975 Fax
Human Resources Director, CONFIDENTIAL

Signature

Date

☐ Requested information enclosed

☐ I certify, to the best of my knowledge, the Company named in the RELEASED FROM section has a DOT alcohol and drug testing program conforming to DOT requirements and that the above named individual participated in such program from _____(date) to _____(date) and had no alcohol tests greater than 0.04, positive drug tests, refusals to be tested, or other violations of DOT alcohol and drug rules within the preceding two (2) years.

City of Canton - Time Adjustment Sheet

Employee Name: _____ Employee clock #: _____

Department: _____ Department Head: _____

Type of Absence Requested:

- ☐ Personal Leave ☐ Floating Holiday ☐ Funeral ☐ Time Off Without Pay
☐ Jury Duty ☐ Military ☐ Other

Absence: **Date** **Time** **Date** **Time** **Days** **Hours**
From: _____ To: _____ Total: _____

Reason for Absence:

Adjustments to Time Card

Date	In	Out	In	Out	Total

Out of Office or Training classes Dates **To:** _____ | **From:** _____ | **Total Hours:** _____

Requests for absences, other than illness or funeral leave, needs to be approved by the appropriate Department Head prior to the first day you will be absent. Department Heads may grant leave at their discretion and if the workload permits. Please note the pay period and if your request falls within two different pay periods please submit separate requests for appropriate dates. By my signature, I am certifying that the information above is complete and accurate. I acknowledge that any inaccurate information on my report may subject me to disciplinary action, up to and including my termination from employment.

Employee Signature _____ Date _____

Supervisor Signature _____ Date _____

Department Head Approval

- ☐ Approved
☐ Rejected

Comments: _____

Department Head Signature/City Manager (if applicable) _____ Date _____

CITY OF CANTON
Verification of Military Duty

Section I: Employee

I, _____, hereby request military leave for the date(s) listed below. I request to us the following leave plan, in the order listed below: (Please check all that apply):

☐ Personal Leave ☐ Approved Leave Without Pay (ALWOP)

Employee's Social Security Number

Employee's ID #

My signature below certifies that I understand it is my responsibility to provide to the Director of Human Resources this completed form. Failure to do so may result in payroll processing delays.

Employee's Signature

Date

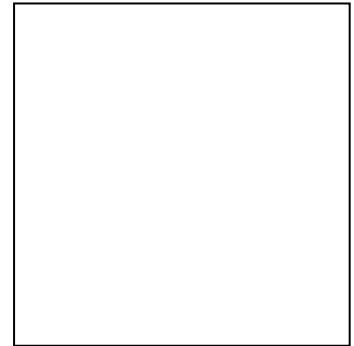
Section II: Duly Authorized Military Official

Assignment Dates:

Beginning ____/____/____ Ending ____/____/____

Official's Name/Title (Printed)

Affix Stamp or Seal



City of Canton

City Employee Position Requisition Form

This form must be completed and approved:
A: Prior to initial recruitment for this position.
B: Prior to any offer of employment being made.

Prepared By: _____

Requisition Number: _____

Department/Unit: _____

Position: _____

Employment Type:

☐ Full-time

☐ Part-time

☐ Contract

☐ Temporary

How long: _____

Job Description:

Budgeted Salary Range: \$ _____

Need for the position:

Date position needed by: _____

Comments:

Approvals:

Department Head: _____

Date: _____

Finance Director: _____

Date: _____

City Manager: _____

Date: _____

Completed by Human Resources:

Date returned: _____

Employee Tuition Reimbursement Program Application

Section I – Employee Eligibility

Name: _____ Employee ID: _____

Department: _____ Work Phone: _____

Work E-mail: _____

Enrollment Information

Name of Institution: _____

Certificate Program: _____

Type of Degree: Undergraduate: ☐ Assoc ☐ BA/BBA/BS ☐ Other _____

Graduate: ☐ MBA/MPA/MS ☐ JD/PhD ☐ Other _____

Are these courses for your: ☐ Current job ☐ Future career development ☐ Both

Course(s) Information

Course Title	Course Number	Start Date Of Course	Last Date Of Course	Academic Credit (Y/N)	Estimated Amount Of Reimbursement

Section II – Department Head's Approval

I certify the above course is directly related to the employee's current work assignment or future career development at the City of Canton and is documented in the employee's professional development plan. To the best of my knowledge, there have been no disciplinary actions in relation to this employee during the preceding 12-month period. (Note-please exclude any disciplinary actions related to performance that this course is intended to address and if the course is during work time, I have given my approval for the employee to attend course.) By approving this application, I also agree to notify Human Resources immediately when this employee gives notice of termination.

Department Head's Signature

Date

Section III – Employee

- Certificate Program is provided by a local, state, or federal agency or affiliated professional association
- Degree Program is provided by an educational institution accredited by the Southern Association of Colleges and Schools and has a physical presence in the eastern portion of the Southern United States
- I certify in connection with this application that I am required to comply with all of the provisions of the City's Tuition Reimbursement Policy, which is contained in the City's Personnel Policy and Procedure Manual.

Employee's Signature: _____ Date: _____

ACCOMMODATION REQUEST FORM

Name: _____

Phone Number: _____

Department: _____

Office location: _____

Job title: _____

Supervisor: _____

Date of request: _____

1. List the physical and/or mental impairment(s) for which you are requesting an accommodation and the expected duration of the impairment(s).

2. Explain how the impairment(s) affect(s) your ability to perform the essential functions of your position. If you are a new employee, explain the anticipated difficulties you foresee in completing your job duties.

3. Describe any type of accommodation that you believe will enable you to perform the essential functions of your position.

4. Do you have any documentation supporting your disability? __ Yes __ No
If yes, please attach.

5. Has a physician or other health professional recommended a specific accommodation?
__ Yes __ No If yes, please provide documentation.

[illegible]