

# Chatham County Employee Handbook



Effective January 1, 2021

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## FOREWORD

This handbook has been written to serve as a guide for your employment with Chatham County Government. Unless otherwise indicated in a specific policy, this handbook applies to all employees of Chatham County who are subject to the Personnel Ordinance. It supersedes all office policies, employee handbooks, or administrative decisions made by prior administrations concerning the subjects in this handbook. The handbook contains only general information and guidelines, and is not intended to be exhaustive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning the applicability of a policy or practice to you, please address your specific questions to appropriate management staff in your department or to the Human Resources Department.

Neither this handbook nor any other document confers any contractual right, either express or implied to continued employment, nor does it guarantee any fixed terms and conditions of your employment. County employees who are covered by the Personnel Ordinance are afforded due process rights related to discipline and termination. However, your employment is considered “at will” and may be terminated by Chatham County at any time. Likewise, you may resign your employment for any reason at any time. However, it is the intention of Chatham County to practice principles of due process with regard to performance issues by following a progressive discipline process that will provide employees with notice and a fair opportunity to improve their performance prior to a termination decision.

The County Manager is responsible for administering the provisions in the Handbook, and may delegate this authority to appropriate persons.

The procedures, practices, and policies described herein may be modified or discontinued, at the discretion of the County Manager. The County Manager or designee may, from time to time, issue memoranda of guidance and/or interpretation of provisions contained in this handbook. The policies and practices contained in this handbook may not be changed by any employee, including management staff, except the County Manager. Any statements, representations, or promises made to any employee that conflict with any provision in this handbook are without effect.

## **I. County Government Organization**

### **A. Statutory Authority**

This Employee Handbook is promulgated under the authority of the Chatham County Personnel Ordinance, as authorized by the Georgia Constitution, Article 9, Section I, paragraph IV, Sections 36-1-21 and the County's Enabling Act, Georgia Laws of 1984, Vol. II, pp. 5050-5076, as amended.

### **B. Governing Authority**

The County Board of Commissioners retains overall responsibility for approving the Personnel Ordinance. The County Manager is responsible to the Board of Commissioners for the general administration of the personnel program. The County Manager has the authority to amend the provisions contained within this Employee Handbook. However, changes to the Employee Handbook that would materially affect the adopted budget or that would result in recurring expenses for future budgets must be approved by the Board of Commissioners.

Constitutional Officers are empowered by the provisions of the State Constitution or Official Code of Georgia to administer a County department, office, agency or other administrative unit of County government. The powers and duties of these positions are determined by general law and not on a county-by-county basis. Many of the provisions of this Employee Handbook do not apply to Constitutional Officers. Constitutional Officers and County Officials may not be subject to the provision of the Employee Handbook related to Separations, Disciplinary Action, Grievance Procedures or Appeals.

The Constitutional Officers are:

Clerk of Superior Court  
Probate Court Judge  
Sheriff  
Tax Commissioner

The elected County Officials are:

Coroner  
District Attorney  
Chief Magistrate Court Judge  
State Court Judges  
Superior Court Clerk  
Superior Court Judges

County Officials appointed to their position by a governing board or elected official are:

Chief Appraiser  
Clerk of Commission  
County Attorney  
County Manager  
Elections Supervisor  
Juvenile Court Judges  
Voter Registration Director

For purposes of this Handbook, Constitutional Officers are included in the term "County Official."

## II. EMPLOYMENT

### A. Recruitment and Selection

#### 1. New Hire Procedure

It is the policy of the County to hire qualified candidates for available positions based on the candidate's qualifications for the position. Decisions regarding the recruitment, selection and placement of employees are made on the basis of job-related criteria.

When positions become available, qualified current employees are encouraged and welcome to apply. As openings occur, Human Resources will advertise vacant positions and manage the recruitment process. Human Resources will be responsible for receiving job applications, screening job applicants and referring qualified candidates to the department manager for consideration and interviews. To be advertised, positions must be funded or pending funding approval by the Board of Commissioners.

Positions may be posted within a department or County government before being advertised to external candidates if the department believes that internal candidates are available to fill the position.

Department Heads and County Officials, or their selected designees are responsible for managing the interview process and selecting job candidates. Department managers are expected to adhere to the selection and hiring process outlined in the New Hire Handbook.

#### 2. Probationary Period

All new hires are subject to a probationary period of six (6) months. A probationary period of more than six (6) months may be established for job classes requiring a longer period of time to assess satisfactory performance. Law enforcement job classes require a probationary period of twelve months. The length of the probationary period depends on the job classification, and the new employee will be notified of the length of the probationary period upon hire.

The probationary period may be extended prior to its expiration by notifying the employee in writing that the probationary period will be extended. The notice must include the reasons for the extension and the duration. The probationary period may not be extended for more than 90 days.



During the probationary period, the employee's job performance and conduct will be assessed to determine if continued employment is recommended. A probationary employee who is terminated during the probationary period is not entitled to appeal the termination decision or file a grievance.

Employees who are promoted, demoted, or transferred to a new job classification will serve a new probationary period. Employees who fail to successfully complete the new probationary period may be placed in another position or may be terminated, at the discretion of the Department Head or County Official.

### **3. Internal Transfers, Demotions and Promotions**

A current employee who is selected to fill a vacant position by promotion, demotion, or lateral transfer will serve a probationary period in the new position. The salary of the employee upon promotion will be the minimum salary of the new paygrade or 10% above the employee's current salary, whichever is greater. An increase greater than 10% may be authorized by the Human Resources Director based on the employee's qualifications. An employee who transfers laterally to a position on the same paygrade may not receive an increase in pay. The salary of an employee who accepts a demotion to a position on a lower paygrade may be subjected to a pay decrease of up to 10% of the current salary or hourly rate.

## **B. Official Personnel Files**

The Human Resources Department maintains the only official personnel record on each employee. Personnel files are subject to inspection and may be disclosed only as provided by applicable law in accordance with County procedure. Current employees are permitted to review their personnel file during normal business hours by contacting the Human Resources Department. The Human Resources Department is responsible for developing guidelines regarding documents that are contained in the official personnel file.

## **C. Employee Status Categories**

Employees may be classified into one of the following employment categories:

1. *Appointed* – Employees who are hired by direct appointment of an elected official or governing board and who serve at the pleasure of the hiring official.

2. *Full-time Regular* – Employees who are regularly scheduled to work 30 or more hours per week for indefinite duration and who are not in a temporary status. Full-time regular employees are eligible for the full benefits package, subject to the terms, conditions and limitations of each benefits program.
3. *Part-time Regular* – Employees who are regularly scheduled to work less than 30 hours per week and who are not in a temporary status. Regular, part-time employees are eligible for some benefits subject to the terms, conditions and limitations of each benefits program.
4. *Seasonal* – Employees who are hired to perform work during a peak workload period, generally occurring at the same time each year, not exceeding 1300 hours per year. Seasonal employees are not entitled to leave accrual or benefits unless specifically stated otherwise in policy or are deemed eligible according to plan documents.
5. *Temporary* – Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project. Temporary employees are not eligible for leave accrual or benefits unless specifically stated otherwise in policy or are deemed eligible according to plan documents.
6. *Acting* - An employee may be appointed to an acting or interim position during periods when the job incumbent is unavailable to fulfill his or her duties or pending selection of a replacement for the previous incumbent. An employee in an acting or interim position must meet the qualifications for the position and perform the full range of job duties. The salary paid to the employee selected to serve in an acting or interim position shall be adjusted to the minimum salary of the new pay grade or 10% above the employee's current salary, whichever is greater.

## **D. Nepotism, Employment of Relatives, and Personal Relationships**

Chatham County wants to ensure that its employment practices do not create conflicts of interest or favoritism. Close relatives, partners, those in a dating relationship or members of the same household are not permitted to be in positions that have a reporting relationship, either direct or indirect, to each other. Close relatives are defined as spouse, domestic partner, parents, siblings, children, grandchildren, grandparents or spouse of any of these; or any other relative whom it can be demonstrated is a member of the individual's household. This policy applies to promotions, demotions, and transfers into another department or into another line of supervision where a relative would have influence over the employee's terms and conditions

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of employment.

If employees begin a dating relationship or become relatives, partners or members of the same household and if one party is in a supervisory position, that person is required to inform management or Human Resources of the relationship. Resolution of such conflicts will be addressed on a case-by-case basis in an effort to resolve the conflict, which may include, but not limited to, reassignment, transfer, or separation.

Chatham County reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct-reporting relationship or authority involved.

## **E. Progressive Discipline**

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform their duties according to established standards and expectations. Employees are also responsible for ensuring that their workplace conduct and behavior are appropriate for the workplace.

Employees may be disciplined for the following reasons:

- (1) Negligence or inadequate performance of assigned duties;
- (2) Inability or unfitness to perform assigned duties;
- (3) Insubordination;
- (4) Misconduct;
- (5) Conduct reflecting discredit on the County or the department;
- (6) Conviction of a felony or other crime involving moral turpitude;
- (7) Frequent unexcused tardiness or absenteeism; or
- (8) Failure to report for or remain at work without justifiable cause.

Chatham County supports the use of progressive discipline to address issues such as poor work performance or misconduct. The progressive discipline policy is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. The progressive discipline policy has been designed consistent with our organizational values, HR best practices and employment laws.

Outlined below are the steps of the progressive discipline policy and procedure. Chatham County reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling and/or training; the employee's work record; and the impact the conduct and performance issues have on the organization.

The following outlines Chatham County's progressive discipline process:

- **Counseling:** A supervisor orally counsels an employee about an issue of concern, and a written record of the discussion is maintained by the supervisor.
- **Written warning:** Written warnings are used for behavior or violations that a supervisor considers serious or in situations when a counseling has not helped change unacceptable performance or behavior. Written warnings are placed in an employee's personnel file. Employees should recognize the serious nature of the written warning, including the warning that failure to correct the performance or conduct deficiency may result in further disciplinary action, up to and including dismissal from employment.
- **Performance improvement plan:** Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, the employee may be placed on a performance improvement plan (PIP). PIP status will last for a predetermined amount of time not to exceed 90 days. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the supervisor and the organization. At the end of the performance improvement period, the performance improvement plan may be closed, or if established goals are not met, dismissal may occur.
- **Disciplinary suspension without pay:** An employee may be suspended without pay when he or she commits a serious violation of an employment policy or practice, or when prior discipline for the same or similar offense has not corrected the performance or conduct deficiency. The duration of the suspension without pay should be

commensurate with the level of offense and consistent with discipline given other employees in the same or similar situation.

- **Demotion:** A demotion to a job at a lower classification level is appropriate when it is demonstrated that an employee lacks the knowledge, skills, abilities, judgment, or other relevant factors to perform the duties of his or her current job.
- **Termination:** Employees may be terminated for poor job performance or inappropriate workplace conduct.

Chatham County reserves the right to determine the appropriate level of discipline for any performance issues or inappropriate conduct, including oral and written warnings, suspension without pay, demotion and termination. These steps are usually taken in sequence when an employee exhibits behavior or performance issues. However, depending on the situation, any step may be repeated, omitted, or taken out of sequence. The County reserves the right to effect immediate termination when warranted by the circumstances of the case.

## **1. Authority to Issue Discipline**

An employee's immediate supervisor has the authority to issue oral and written warnings and to place employees on a Performance Improvement Plan. Any discipline involving a loss in pay, including suspensions without pay, demotions, or termination, require the approval of the Department Head or County Official and approval of the Human Resources Director.

## **2. Appeal of Disciplinary Action**

Non-probationary full-time and part-time regular employees may appeal a disciplinary demotion, suspension or termination of employment. The employee must submit a written appeal to the Human Resources Director within ten (10) working days of receipt of the disciplinary notice.

The appeal will be heard by a neutral panel of impartial parties. The Human Resources Director will be responsible for developing a roster of qualified individuals to serve as hearing officers. When an appeal is filed, the parties will be provided with a roster of qualified hearing officers, and each party may select an individual to serve on the panel for their hearing. The Human Resources Director will select a third hearing officer for the panel. After conducting the hearing, the panel will submit their findings and recommendation to the County Manager or appropriate County Official, who will make the final decision regarding whether to uphold or overturn the panel's recommendation.

### 3. Investigatory Suspensions

An investigatory suspension is not a disciplinary action, but is an appropriate measure to remove an employee from the workplace in order to properly conduct an investigation involving allegations of an employee's misconduct where it is deemed necessary to avoid disruptions of work or to protect the safety of persons or property. An investigatory suspension should be with pay. However, in unusual circumstances, at the discretion of the Department Head or County Official, an investigatory suspension may be without pay, which may not exceed 30 calendar days.

An investigatory suspension requires approval of the Department Head or County Official in consultation with the Human Resources Director. An employee must be notified in writing of the investigatory suspension, including any conditions of the suspension, how the employee will be notified of the status of the investigation, and return to work provisions.

## F. Separation of Employment

### 1. Reasons for Separation

Separation of employment from Chatham County can occur in the following ways:

- **Resignation:** Although we hope your employment with us will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged to provide at least two weeks' notice, preferably in writing, to facilitate a smooth transition out of the organization. The Department Head or County Official reserves the right to provide an employee with pay in lieu of notice in situations where job or business needs warrant such action. If an employee provides less notice than requested, the Department Head or County Official may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.
- **Job abandonment:** Employees who fail to report to work or contact their supervisor for three (3) consecutive workdays shall be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day. The supervisor should notify the Human Resources Department at the expiration of the third workday and initiate the process to terminate the employee.
- **Retirement:** Employees who wish to retire are requested to notify their Department Head or County Official and the Human Resources Department in writing at least one (1)

month before the planned retirement date. Employees should consult the County's Pension Plan for details concerning the County's retirement program.

- **Reduction-in-Force:** In the event that business or economic necessity requires Chatham County to reduce its workforce in one or more classifications or one or more departments, consideration will be given to the needs of the organization and each employee's job performance in determining those employees to be laid off. Reductions-in-force will be conducted fairly, equitably, and without unlawful discrimination. While years of service may be considered in determining layoffs, seniority will not be the prevailing factor in making layoff determinations.
- **Termination:** Employees may be terminated for poor job performance or inappropriate workplace conduct. Chatham County is committed to the use of progressive discipline to address performance and conduct issues. However, employees are employed on an at-will basis, and Chatham County retains the right to terminate an employee with or without notice for any reason consistent with federal, state, and local laws.
- **Death:** In the event of an employee's death, all compensation due will be paid to the estate or designated beneficiary of the deceased employee. Final pay to the employee's estate or designated beneficiary will include one full month's salary at the employee's final rate of pay. The date of death should be recorded as the separation date for computing compensation due.

## 2. Return and Recoupment of County Property and Assets

Separating employees must return all County property at the time of separation, including uniforms, keys, electronic devices, and identification cards. The County reserves the right to recover the value of all assigned property from the employee's final paycheck, terminal leave payout, or pension benefit. The County reserves the right to recoup any County funds or assets from an employee resulting from the employee's fraud, embezzlement or other unlawful act.

## 3. Final Pay

Employees separating from County employment will be paid all remaining compensation due. Employees will be paid for accrued vacation leave up to a maximum of 480 hours. Employees with at least three years of service will be paid for one-half of accrued sick leave up to a maximum of 240 hours.

Employees who leave employment with the County giving less than two (2) weeks' notice or who have been dismissed for failure of performance or personal conduct may be paid upon separation for accrued vacation leave or sick leave at the discretion of the County Manager or appropriate County Official. Each employee's case will be considered based upon the related circumstances.

Non-Exempt employees will be paid for all accrued compensatory leave. Separating employees who are not vested in the Pension Plan will receive a refund of their contributions made into the Pension Plan. Employees who are vested in the Pension Plan and who have not attained retirement age may choose to leave their pension contributions and draw their retirement at a later date (i.e., Deferred Vested Retirement).

#### **4. Rehire after Separation**

Employees who separate from employment with the County may be considered for reinstatement or reemployment. Former employees who are eligible for rehire are encouraged to apply for job vacancies that suit their qualifications and interests. Employees who are discharged from the County may be considered for rehire based on a careful consideration of the reasons for their separation.

*Reinstatement* – a regular employee who is rehired within one year of separation from the County may be reinstated. An employee who is reinstated will be required to serve a new probationary period. A reinstated employee will be credited with prior years of service for purposes of service award recognition, leave accrual rates and longevity payment.

An employee who was separated from County employment through a reduction-in-force will be automatically reinstated to a position in the same job class when it becomes available within twelve (12) months of the reduction-in-force.

*Re-employment* – a regular employee who is rehired after one year of separation from the County may be re-employed. An individual who is re-employed will not be credited with prior years of service for the purpose of calculating leave accrual rates and longevity payments. However, if an individual remains re-employed for a period of at least five consecutive years, the employee may receive credit for the prior years of service, upon request to the Human Resources Department. The prior years of service may then be used to calculate the employee's service award date, leave accrual rate, and longevity payment. These benefits become effective upon request of the employee and approval by the Human Resources Director and are not retroactive.



### **III. Equal Employment Opportunity Statement**

Chatham County provides equal employment opportunities to all employees and applicants for employment without regard to race, color, national origin, sex, sexual orientation, gender identity, religion, age, physical or mental disability, genetic information, marital status, or military/veteran status in accordance with applicable federal, state and local laws. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, performance evaluation, termination, layoff, leaves of absence, compensation and training, and all other terms and conditions of employment.

Chatham County expressly prohibits any form of unlawful harassment based on race, color, religion, sex, sexual orientation, gender identity, national origin, age, genetic information, disability or military/veteran status.

### **IV. Harassment Policy and Complaint Procedure**

Chatham County is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, Chatham County expects that all working relationships among team members will be business-like and free of bias, prejudice and harassment.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Chatham County prohibits all forms of harassment of employees by managers, co-workers, employees of outside vendors, customers, or visitors. Chatham County will not tolerate harassment of its employees. Any form of harassment related to an employee's race, color, sex, sexual orientation, religion, national origin, age, physical or mental disability, or military/veteran status is a violation of this policy and will be treated as a disciplinary matter.

The term "harassment" includes, but is not necessarily limited to, slurs, jokes, or other verbal, graphic, or physical conduct related to an individual's race, color, sex, religion, national origin, sexual orientation, age, physical or mental disability, or military/veteran status.

Harassment also includes unwelcome sexual advances, requests for sexual favors, and other verbal, graphic, or physical conduct of a sexual nature.

Violation of this policy by an employee will subject him or her to disciplinary action, up to and including termination of employment.

Chatham County encourages reporting of all perceived incidents of discrimination or harassment. It is our policy to promptly and thoroughly investigate such reports. This policy also prohibits retaliation against any employee who rejects, protests, or complains about harassment or participates in a harassment investigation.

### **Complaint Procedure**

Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with their immediate supervisor, Human Resources or any member of management.

When possible, individuals who believe they are being subjected to such conduct should promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. If the employee finds it difficult to do so or the first objections do not produce results, the employee should report the problem to his or her supervisor, or if appropriate, the Human Resources Department. If the target for reporting is the person who is harassing the employee, the employee may report the harassment to any management employee or to the Human Resources Department.

Chatham County encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved, and where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy, and like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action.

## **V. GRIEVANCE PROCEDURE**

### **A. Purpose**

It is the purpose of the Grievance Procedure to:

- Facilitate the airing and resolving of employee grievances fairly and swiftly;
- Promote a better understanding of policies, practices, and procedures affecting employees; and
- Improve employee/supervisor communications and relations.

### **B. Issues That May Be Grieved**

An employee may file a grievance related to:

- 1) Erroneous, arbitrary or capricious interpretation or application of policies, procedures, rules, regulations, ordinances or statutes that affect the employee,
- 2) Discipline issued to the employee that does not affect the employee's pay, including verbal warnings and written reprimands,
- 3) Unsafe or unhealthy working conditions.

The Grievance procedure may not be used to address:

- 1) Disciplinary actions that result in loss of pay, including suspension, demotion, or termination,
- 2) Allegations of unlawful discrimination or harassment,
- 3) Performance evaluations and merit increases,

- 4) Selection of an individual to fill a position, unless an allegation is made that the selection violates the Personnel Ordinance, or an applicable policy, law, or regulation.
- 5) Permanent changes in work hours or duties and responsibilities, unless a change is alleged to be unsafe or unlawful,
- 6) Budget and organizational structure, including the number or assignment of positions in any organizational unit.
- 7) Actions implementing a Reduction in Force or furlough plan.
- 8) Settlements of disputes with coworkers.

**C. Grievance Filing and Resolution**

**1. Step 1**

An employee desiring to file a grievance regarding a policy, procedure, or practice affecting his or her employment should first present the grievance in writing to the immediate supervisor within fifteen (15) working days after the cause for the grievance occurred or became known to the employee. The employee's immediate supervisor must respond in writing to the employee within five (5) complete working days after the receipt of the grievance. The employee will sign a copy of the determination to acknowledge receipt and date of the response. The supervisor should and is encouraged to consult with any employee or supervisor deemed necessary to reach a correct, impartial, and equitable determination concerning the grievance.

**2. Step 2**

If the grievance is not settled with the immediate supervisor, the employee may contact the next level manager within five (5) complete working days after receipt of the determination. Within five (5) complete working days, the manager will advise the employee in writing of the determination. The employee will sign a copy of the determination indicating receipt. If the employee refuses to sign, a witness will sign to acknowledge that the employee received the determination.

**3. Step 3**

If the grievance is not settled with the department manager, the employee may present the grievance to the Department Head or County Official. The employee may give written notice to the Department Head or County Official within five (5) complete working days after receipt of

the manager's determination. Within five (5) complete working days, the Department Head or appropriate County Official will advise the employee in writing of the determination. The determination by the Department Head or County Official is final. The employee will sign a copy of the determination indicating receipt. If the employee refuses to sign, a witness will sign to acknowledge that the employee received the determination.

If the manager at Step 2 of the grievance process is the Department Head or County Official, the Step 2 determination will be the final step.

Employees who are within the County Manager's chain of command may appeal a grievance decision by a Department Head to the County Manager within five (5) complete working days after receipt of the Department Head's determination. Within five (5) complete working days of receiving the grievance, the County Manager will issue a determination in writing to the employee. The determination of the County Manager is final.

## **VI. WORKPLACE SAFETY AND CONDUCT**

### **A. Drug-Free Workplace**

Chatham County has a longstanding commitment to provide a safe and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of employees and to the security of our equipment and facilities. For these reasons, Chatham County is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment. The Human Resources department is responsible for policy administration.

## **1. Employee Assistance**

Illegal drug use and alcohol misuse have a number of adverse health and safety consequences. Chatham County will assist and support employees who voluntarily seek help for problems before becoming subject to discipline and/or termination under this or other policies. Such employees may be allowed to use accrued leave, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety sensitive or that require driving or if they have violated this policy previously. The Human Resources Department can assist in referring employees to appropriate sources of assistance.

## **2. Fitness for Duty**

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must consult with their medical provider about the medications' effect on their fitness for duty and ability to work safely. Any work restrictions should be promptly disclosed to their supervisor. Employees should not disclose underlying medical conditions unless directed to do so.

## **3. Drug-Free Awareness**

As a condition of employment, new employees will be required to sign a certification that they will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the Chatham County workplace. All employees will be advised and educated about the requirements of the Drug Free Workplace Act of 1988, the Georgia Controlled Substances Act, and the responsibilities of each employee.

## **4. Drug and Alcohol Use**

Chatham County prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug or being under the influence of alcohol in or on County premises or while conducting County business. Employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel shall be notified, as appropriate, when criminal activity is suspected.

## 5. Work Rules

The following work rules apply to all employees:

- Whenever employees are working, are operating any County vehicle, are present on County premises, or are conducting related work off-site, they are prohibited from:
  - Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia).
  - Being under the influence of alcohol or an illegal drug as defined in this policy.
- The presence of any detectable amount of alcohol or any illegal drug or illegal controlled substance in an employee's body while performing County business or while in a County facility is prohibited.
- Chatham County will not permit any employee to perform his or her duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.
- Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

## 6. Required Testing

The County retains the right to require the following tests:

- **Pre-employment:** All applicants must pass a drug test after receiving a conditional offer of employment and before beginning work. Refusal to submit to testing will result in disqualification of further employment consideration.
- **Reasonable suspicion:** Employees are subject to testing based on observations by a supervisor of apparent workplace use, possession or impairment. Human Resources must be consulted before sending an employee for reasonable suspicion testing.
- **Post-accident:** Employees are subject to testing when they are involved in an accident involving a County vehicle, machinery, equipment or property and/or result in an injury to themselves or another employee requiring off-site medical attention. In any of these instances, the investigation and subsequent testing must take place within two (2) hours following the accident, if not sooner.

- **Random:** Employees who possess a Commercial Driver's License (CDL) or who work in jobs that are deemed high risk or safety sensitive are subject to random drug testing. The Human Resources Department is responsible for administering the random drug testing program.
- **Follow-up:** Employees who have tested positive, or otherwise violated this policy, are subject to discipline up to and including discharge. Depending on the circumstances and the employee's work history/record, Chatham County may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies for a minimum of one (1) year but not more than two (2) years. If the employee either does not complete his/her rehabilitation program or tests positive after completing the rehabilitation program, he/she will be subject to immediate discharge from employment.

## **7. Consequences**

Applicants who refuse to cooperate in a drug test or who test positive for illegal substances will not be hired. Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug or who test positive for alcohol or illegal drug use under this policy will be disciplined up to and including termination of employment.

## **8. Confidentiality**

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the Medical Review Officer (MRO) shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files.

## **9. Inspections**

Chatham County reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including discharge.

## **10. Crimes Involving Drugs**

Each employee shall notify the County Manager, County Official, or Human Resources Director within five days of any criminal drug statute conviction for a violation in the workplace.



## **B. Safety**

Chatham County is responsible for providing a safe workplace for its employees. The County's Occupational Safety & Risk Management Department is responsible for establishing, implementing, and issuing guidelines, procedures, programs and practices related to creating and maintaining a safe work environment for employees. All employees are required to adhere to the Safety Policy. The Safety Policy applies to the operation of County vehicles.

It is the responsibility of each employee to conduct all tasks in a safe and efficient manner, complying with all federal, state and local safety and health regulations and program standards. Employees who identify safety or health hazards or concerns in their work area, or believe that any aspect of their working conditions is unsafe or unhealthy, should notify their department management and/or the Director of Occupational Safety & Risk Management.

## **C. Violence in the Workplace**

All employees, customers, vendors and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates or coerces another employee, customer, vendor or business associate will not be tolerated. Chatham County resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor, security personnel, Human Resources, or any member of management. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees must promptly inform the Human Resources Department of any protective or restraining order that they have obtained that lists the workplace as a protected area.

Employees are encouraged to report safety concerns with regard to domestic situations that may impact the workplace.

Chatham County encourages employees to bring their disputes to the attention of their supervisors or Human Resources before the situation escalates. Chatham County will promptly

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and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities in the workplace. The identity of the individual making a report will be protected as much as possible. Chatham County will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, Chatham County may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action, up to and including termination of employment.

## **D. Weapons in the Workplace**

To ensure that Chatham County maintains a workplace safe and free of violence for all employees, the County prohibits the possession or use of dangerous weapons on County property.

All County employees are subject to this provision, including contract workers and temporary employees, as well as visitors and customers on County property. A license to carry the weapon on County property does not supersede County policy. Any employee in violation of this policy will be subject to disciplinary action, up to and including termination.

“County property” is defined as all County-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways and parking lots under the County’s ownership or control. This policy applies to all County-owned or leased vehicles and all vehicles that come onto County property. This policy does not apply to licensed firearms in an employee’s personal vehicle while parked on County property.

“Dangerous weapons” include firearms, explosives, knives and other weapons that might be considered dangerous or that could cause harm. Employees are responsible for making sure that any item possessed by the employee is not prohibited by this policy.

This policy does not apply to employees or other individuals who are authorized and required to possess and carry firearms or other weapons as part of their job responsibilities. This includes POST certified Peace Officers, Police, Sheriff’s Deputies, Criminal Investigators, security guards employed by the County, Probation Officers, and specially deputized citizens or employees of the County.

Chatham County reserves the right at any time and at its discretion to search all County-owned or leased vehicles and all vehicles, plus packages, containers, briefcases, purses, lockers, desks, enclosures and persons entering its property, for the purpose of determining whether any weapon is being, or has been, brought onto its property or premises in violation of this policy.

## **E. Smoke-Free Workplace**

Smoking is not allowed at any time in Chatham County buildings and facilities, including owned and leased facilities, except in designated outside smoking areas. Designated smoking areas must not be within 25 feet of a building entrance. Persons using these designated smoking areas are expected to dispose of any smoking debris safely and properly. Smoking is also prohibited in Chatham County owned or leased vehicles and equipment.

“Smoking” includes the use of any tobacco products, electronic smoking devices, e-cigarettes, and any other similar devices or product.

This policy applies to all employees, volunteers, contractors and visitors who use office areas, meeting rooms and other public locations in Chatham County buildings, facilities and County-owned and leased vehicles.

Employees found in violation of this policy will be disciplined, up to and including termination of employment.

# **VII. WORKPLACE EXPECTATIONS**

## **A. Attendance and Punctuality**

Regular attendance at work is essential to the effectiveness and efficiency of County operations. Employees are expected to come to work as scheduled and to be on time, and adhere to departmental procedures regarding attendance.

If an employee must be absent or late for work, the employee is responsible for notifying the supervisor prior to the absence or tardiness. Unauthorized and unreported absences may result in appropriate disciplinary action.

An employee who is absent without notification and authorization for three consecutive days may be considered to have resigned from employment. In such cases, the employee may be terminated.

## **B. Workplace Attire/Uniforms**

Each Department Head and County Official is responsible for setting standards and guidelines about appropriate workplace attire or uniforms for employees in consideration of the type of work performed, working conditions, interaction with the public, and other appropriate factors. It is important for all employees to project a professional image while at work by being appropriately attired. All employees are expected to be neat, clean and well-groomed while on the job. Clothing should be clean and free from holes, tears, and stains. Clothing must be consistent with the standards for a business environment and must be appropriate to the type of work being performed.

Any employee who is improperly dressed may be counseled and/or required to change into appropriate workplace attire. Continued disregard of this policy may be cause for disciplinary action, up to and including termination.

## **C. Outside/Dual Employment**

Employees are permitted to engage in outside work or to hold other jobs, subject to certain restrictions as outlined below.

All outside employment for salaries, wages, or commission and all self-employment must be reported to the employee's supervisor. The appropriate Department Head or County Official will review such employment to determine the County's liability for conflict of interest. Secondary employment by another County department is prohibited. This policy does not apply to County employees receiving training for and serving as Poll Workers on an election day.

Activities and conduct away from the job must not compete with, conflict with or compromise the County's interests or adversely affect job performance and the ability to fulfill all job responsibilities. Employees are prohibited from performing any services for citizens on nonworking time that are normally performed for citizens by the County. This policy also extends to the unauthorized use of any County tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.

Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or

refusal to work overtime or different hours. If the employee's manager determines that an employee's outside work interferes with performance, the employee may be asked to terminate the outside employment.

Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of sick leave will result in disciplinary action up to and including termination.

Sworn personnel in the Police Department, Sheriff's Office, CNT, the District Attorney's Office and Marine Patrol are governed by the Secondary Employment Policy contained in their respective Standard Operating Procedures (SOP).

## **D. Confidentiality**

Our constituents and other parties with whom we do business entrust the County with important information relating to their issues and concerns. It is our policy that all information considered confidential will not be disclosed to external parties or to employees without a "need to know." If an employee questions whether certain information is considered confidential, he or she should first check with his or her immediate supervisor.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications. Most County business records are subject to the Georgia Open Records Act, and requests for records subject to the Act should be submitted to the appropriate official in accordance with the provisions of the Act.

## **E. Conflicts of Interest**

Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs. At times, an employee may be faced with situations in which business actions taken on behalf of the County may conflict with the employee's own personal interests. County property, information or business opportunities may not be used for personal gain.

Employees with a conflict-of-interest question should seek advice from their appropriate management staff. Before engaging in any activity, transaction or relationship that might give rise to a conflict of interest, employees must seek review from their Department Head or County Official.

## **F. Gifts and Gratuities**

An employee or County Official is expressly prohibited from accepting any gift, favor, or thing of more than nominal value that may tend to influence the discharge of duties. Nominal value means less than \$100.

An official or employee of the County shall not grant to anyone any improper favor, service, or thing of value in the discharge of official duties.

These limitations are not intended to prohibit the acceptance of articles of negligible value which are distributed generally, nor to prohibit employees from accepting social courtesies which promote good public relations, nor to prohibit employees from obtaining loans from regular lending institutions.

## **G. Political Activity**

All employees are free to engage in political activity to the widest extent consistent with the restrictions imposed by law. An employee may participate in all political activity not specifically restricted by law, including candidacy for office in nonpartisan elections and candidacy for political party office. However, no employee shall:

1. use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
2. use official authority or influence in the conduct of their employment responsibilities with the County;
3. directly or indirectly coerce, attempt to command or advise any other employee of the governmental unit to pay, lend or contribute anything of value to a political party, committee, organization, agency or person for political purposes;
4. be a candidate for elective public office in a partisan election while on active pay status (except an incumbent candidate for the office of Tax Commissioner, Clerk of Superior Court, Judge, Coroner, Sheriff or District Attorney).
5. be required as a duty of office or as a condition of County employment, promotion, or tenure of office, to contribute funds for political or partisan purposes or participate in political activities;

6. post, or cause to be posted, signs, notices, or other materials related to any national, state or local political party or candidate, in or on property owned, leased, or used by the County in the conduct of its official business;
7. wear or display badges, buttons, or other emblems related to a national, state, or local political party or candidate while on duty or during the performance of services for the county; or
8. use any resources, assets, time, supplies or equipment of the County for political purposes.

An employee, regardless of employment status, shall give written notice of candidacy for partisan elective office, or appointment to a vacancy in a partisan elective office on or before the filing deadline or acceptance of partisan appointment.

Except for incumbent candidates for the office of Tax Commissioner, Clerk of Superior Court, Coroner, Judge, Sheriff, or District Attorney, an employee who files for an elective partisan office shall be placed on leave without pay effective the following workday. If elected or appointed to partisan office, the employee shall resign from employment with the County before the start of the term of office.

In the event that placing an employee on leave without pay conflicts with federal law, such leave shall not be granted. In order to seek office, the employee would need to resign. The County shall make the determination at the time the employee requests the leave.

Any violation of this section shall be deemed improper conduct and the employee shall be subject to disciplinary action or dismissal by the appointing authority.

## H. Electronic Communication and Internet Use

The Information and Communication Services (ICS) Department has adopted an Acceptable Use Policy that governs the use of computer equipment at Chatham County. The Acceptable Use Policy is incorporated into this Employee Handbook by reference, and all employees are expected to adhere to the provisions in that Policy. A complete copy of the Acceptable Use Policy may be found on the ICS Home Page on the Intranet, by requesting a copy from your supervisor, or by contacting the ICS Help Desk at 652-7343 or HelpDesk@chathamcounty.org.

## I. Social Media Acceptable Use

Chatham County encourages employees to share information with co-workers and with those outside County Government for the purposes of gathering information, generating new ideas, and learning from the work of others. Social media provide inexpensive, informal, and timely ways to participate in an exchange of ideas and information. However, because information posted on a website is available to the public, the County has established the following guidelines for employee participation in social media.

**Note:** As used in this policy, “social media” refers to websites and applications that enable users to create and share content or to participate in social networking, including blogs, forums, and social networking sites, such as Twitter, Facebook, LinkedIn, YouTube, Snapchat, Instagram, among others.

**1. Off-duty use of social media.** Employees may maintain personal websites or web logs on their own time using their own facilities. Employees must ensure that social media activity does not interfere with their work. In general, the County considers social media activities to be personal endeavors, and employees may use them to express their thoughts or promote their ideas.

Employees may not post confidential or sensitive information about the County. Employees may not post obscenities, slurs or personal attacks that can damage the reputation of the County or County employees.

If an employee identifies himself or herself as a Chatham County employee or discusses matters related to the County on a social media site, the site must include a disclaimer on the front page stating that it does not express the views of Chatham County and that the employee is expressing only his or her personal views. For example: “The views expressed on this website/Web log are mine alone and do not necessarily reflect the views of Chatham County



Government.” Place the disclaimer in a prominent position and repeat it for each posting expressing an opinion related to Chatham County or Chatham County’s business.

Employees must keep in mind that if they post information on a social media site that is in violation of County policy and/or federal, state, or local law, the disclaimer will not shield them from disciplinary action.

**2. On-duty use of social media.** Employees may engage in social media activity during work time provided it is directly related to their work, approved by their manager, and does not identify or reference citizens, customers, or vendors without express permission. The County monitors employee use of County computers and the Internet, including employee blogging and social networking activity.

## VIII. WORK HOURS AND COMPENSATION

### A. Work Week and Work Period

The County’s standard work week is from 12:01 a.m. Saturday until 12:00 midnight the following Friday, a time span of seven (7) consecutive twenty-four (24) hour periods (168 hours). The County Manager or appropriate County official may designate a different work week for a department, division, or unit. Such designation must be communicated in advance in writing to affected employees. The work week is used to calculate overtime or compensatory time eligibility for non-exempt employees.

In accordance with Fair Labor Standards Act regulations, designated sworn law enforcement personnel may work a standard work period of 14 consecutive days. This work period is used to calculate overtime or compensatory time eligibility for non-exempt law enforcement employees.

The core work hours for County administrative offices are 8:00 a.m. until 5:00 p.m., Monday through Friday, and all County offices are expected to be open to the public during those hours. However, core work hours and work schedules for law enforcement, emergency management, public works, animal services, parks and recreation services and other services with non-standard hours of operation will be established by the respective Department Head and approved by the County Manager or appropriate County Official.

When the activities of a particular department require a different schedule to meet work needs, the Department Head or appropriate County Official may authorize a deviation from the normal

work schedule.

## **B. Meal and Break Periods**

Employee meal periods are important to productivity and employee health. Departments have discretion to schedule the time and length of meal periods; however, a meal period must be at least 30 minutes. The meal period will not be included in the total hours of work per day and is not compensable. Non-exempt employees must be completely relieved of all job duties while on meal breaks.

When the workload permits, non-exempt employees may be allowed two fifteen (15) minute break periods during a regular eight-hour work schedule: the first at mid-morning and the second at mid-afternoon. The employee's supervisor will schedule break periods according to the needs of the department. An employee cannot elect to use a break period to extend a lunch hour or to shorten the workday. Break periods cannot be used as "leave" or to offset absences during scheduled work time. Break periods are considered as "hours worked" when completing the employee time reports. Break periods are discretionary and require the supervisor's approval.

## **C. Attendance Records**

Each employee is responsible for keeping an accurate record of hours worked and for submitting accurate time records to their supervisor or manager on a biweekly basis.

Departments are responsible for maintaining time records on each employee and for properly recording and submitting any required time and attendance reports to Payroll for processing. The Fair Labor Standard Act requires employers to maintain records on the work hours of employees for a period of three years.

## **D. Payment of Wages**

Employees are paid on a bi-weekly basis, except that certain County Officials are paid on a monthly basis as provided by law. If the normal payday falls on a County holiday, the payday will be the day before the holiday. No salary advances will be made.

## E. Classification and Pay Plan and Compensation Administration

### 1. The Classification and Pay Plan

Under the direction of the County Manager, the Human Resources Director will be responsible for maintaining the County's Classification and Pay Plan. The Classification and Pay Plan consists of a series of pay grades with each pay grade having a minimum and maximum salary range. Each job classification is assigned to a pay grade on the Plan. The Classification and Pay Plan also includes separate Modular Pay Plans that establish the salary ranges for certain job classifications that are not included on the general Pay Plan. All employees covered by the Pay Plan shall be paid at a rate within the established salary range. An employee's salary may not exceed the maximum of the pay range.

Revisions to the Classification and Pay Plan, including any Modular Pay Plan, may be made by the County Manager. Increases in salary ranges on any pay plan must be approved by the Board of Commissioners. Creation of new positions and the abolishment of existing positions require approval by the Board of Commissioners.

Human Resources is also responsible for salary administration of jobs in the unclassified service. These positions are appointed by the Board of Commissioners, the County Manager, an elected official, or others duly authorized to appoint positions. The salaries of employees in the unclassified service are not on the Classification and Pay Plan and are set by the appointing authority.

### 2. Compensation Administration

- a. **Salary upon Hire:** Newly hired employees will be appointed at the minimum salary or hourly rate of the pay range established for the job classification. Job candidates who possess exceptional educational or experience qualifications may be appointed at a salary up to 10% above the range minimum at the discretion of the Department Head or County Official. Starting salaries above 10% of the range minimum require the approval of the Human Resources Director. A higher initial salary may also be authorized by the Human Resources Director to recruit and hire candidates in hard-to-fill positions or when market considerations and competition warrant a higher salary.
- b. **Salary upon Promotion:** An employee promoted to a position in a job class having a higher pay grade and pay range may receive an increase of 10% above the current salary or an increase to the minimum of the new salary range, whichever is greater. In exceptional cases, upon approval of the Human Resources Director, a greater increase may be awarded. In no case may the salary exceed the maximum of the pay range.

- c. Salary upon Demotion: An employee who voluntarily chooses to accept a position on a lower pay grade and lower salary range may receive a salary reduction. The amount of the reduction will be determined by the Department Head or appropriate County Official, in consultation with the Human Resources Director, and will take into consideration the employee's salary history. The salary reduction must not exceed 10% of the employee's salary or the maximum of the range of the lower paygrade.

An employee who receives a disciplinary demotion will receive a salary reduction of 10%. If a 10% reduction would place the employee's salary above the maximum of the range of the new pay grade, the employee's salary will be reduced to the maximum of the new pay range. In no case will the salary be reduced below the pay range minimum.

- d. Salary of Reclassified Employees: An employee whose position is reclassified to a job class on a higher pay grade and pay range will receive an increase of 5% or an increase to the minimum of the new salary range, whichever is greater. If the Human Resources Director determines that a filled position should be reclassified to a job class on a lower pay grade, the position will not be reclassified until the incumbent vacates the position. The misclassified position will be "red flagged" and cannot be filled with another incumbent until the position is reclassified to the appropriate pay grade. The incumbent employee will be grandfathered to the job classification's current minimum and maximum salary range until the employee vacates the position. Once the position is vacated, it will be reclassified to the appropriate pay grade before it can be filled with a new incumbent.
- e. Salary upon Lateral Transfer: An employee who transfers to a position in the same job class or to a position in a different job class on the same pay grade or with a comparable pay range will not be entitled to a salary increase.
- f. Salary of an Employee in an Acting Position: The salary paid to an employee selected to serve in an acting or interim position will be adjusted to the minimum salary of the new pay grade and pay range or a 10% increase above the current salary, whichever is greater. The salary increase will become effective on the first day of the appointment. If the employee is subsequently selected for regular appointment to the position, the employee will not receive an additional salary adjustment. If the employee is not selected for regular appointment to the position and returns to the previous position, the employee's salary will be reduced to the rate held prior to the acting appointment, plus any merit pay or pay range adjustments that may have occurred during the acting status.
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- g. Salary of an Employee Temporarily Performing Duties of a Higher Classification: The salary of an employee who has been assigned to perform the primary job duties of a position in a higher paygrade will be adjusted by 5% above the employee's salary or hourly rate. This provision does not apply to the occasional assignment to perform isolated job duties of other employees or to assist with the work of employees on higher pay grades. At the end of the temporary assignment, the employee's pay will be adjusted back to the prior level.

## F. Overtime and Compensatory Time

Under the direction of the County Manager, the Human Resources Director will be responsible for determining the proper exempt status of employees under the Fair Labor Standards Act (FLSA), and for reporting the exempt status to the appropriate Department Head or County Official.

Non-exempt employees will be entitled to overtime or compensatory time at a rate of one and one-half times their regular rate of pay for all hours worked over 40 in a workweek. Non-exempt law enforcement personnel will be entitled to overtime or compensatory time for all hours worked over 86 in a 14-day work period. Employees may accumulate a maximum of 240 hours of compensatory time; however, non-exempt law enforcement personnel may accumulate a maximum of 480 hours of compensatory time.

It is within the Department Head's or County Official's discretion to grant compensatory time in lieu of paid overtime.

Exempt employees are not to be paid overtime or accrue compensatory time as a matter of course. However, the Department Head or County Official may grant exempt employees straight time compensatory time for hours worked over 40 in a workweek (or over 86 hours in a 14-day work period for law enforcement personnel) for extraordinary assignments or events causing unusual work hours in excess of four hours worked over the regular 80 or 86 hours in a pay period. Exempt employees may not carry an accrual balance of more than 80 hours of compensatory time.

Employees must use accrued compensatory time before using accrued vacation leave. Non-exempt employees will be paid for any accrued, unused compensatory time upon separation from employment. Exempt employees will not be paid for unused compensatory time.

## G. Deductions from Pay/Safe Harbor

Chatham County will not make improper deductions from the salaries of exempt employees and complies with the salary basis requirements of the Fair Labor Standards Act (FLSA). Employees classified as exempt from the overtime pay requirements of the FLSA will be notified of this classification at the time of hire or change in position.

**Permitted deductions.** The FLSA limits the types of deductions that may be made from the pay of an exempt employee. Deductions that are permitted include:

- Deductions that are required or permitted by law, e.g., income taxes;
- Deductions for employee benefits when authorized by the employee;
- Absence from work for one or more full days for personal reasons other than sickness or disability;
- Absence from work for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness;
- Unpaid leave under the Family and Medical Leave Act (FMLA);
- Pay during the initial and terminal weeks of employment;
- Offset for amounts received as witness or jury fees, or for military pay; or
- Unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.

During the week an exempt employee begins employment with the County or during the last week of employment, the employee may be paid for actual hours worked.

**Improper deductions.** If an employee classified as exempt believes that an improper deduction has been taken from his or her pay, the employee should immediately report the deduction to the Human Resources Department. The report will be promptly investigated and if it is found that an improper deduction has been made, the County will reimburse the employee for the improper deduction.

## H. Disaster Compensation Policy

Chatham County has adopted a policy regarding compensation for exempt and non-exempt employees during periods of locally declared emergencies. A copy of the Disaster Compensation Policy may be found on the Human Resources Intranet, or by contacting Human Resources at (912) 652-7964.

## I. Performance Appraisals and Merit Pay Increases

### 1. Performance Appraisal Process

- a. The purpose of the Employee Performance Appraisal Program is to create a formal mechanism for dialog between managers and employees regarding performance and work issues; to provide a consistent, fair, and uniform approach to reviewing and rating the work performed by employees; and to recognize and reward high achievement.
- b. The employee performance appraisal program is one aspect of a comprehensive performance management system. Performance management is an annual cycle that begins with setting performance goals and expectations, continues with monitoring and documenting performance, and culminates with planning and conducting the performance appraisal.
- c. Performance appraisals must be conducted at least annually and may be conducted on a more frequent basis. Annual performance appraisals will be conducted using a common anniversary date established by the County Manager. Managers are encouraged to conduct performance appraisals during and at the end of an employee's probationary period, when employees are placed on a performance improvement plan, or at any time that an evaluation is needed to assist the employee with achieving goals and improving performance.

### 2. Merit Pay Increases

Funds to grant merit pay increases are subject to the budgetary authority of the Board of Commissioners.

- a. Eligibility for a Merit Increase  
Regular full-time and regular part-time employees will be eligible to receive a merit increase. Employees who have completed their initial six month probationary period by

the end of the established evaluation period will be eligible for a merit increase. Employees who serve an initial 12-month probationary period are eligible for a merit increase if they have been employed six months at the end of the established evaluation period. Employees serving a probationary period following promotion, transfer, or demotion to a position in the same or different department will be eligible to be considered for a merit increase. Employees must receive an overall rating on their performance evaluation of Meets Job Requirements or above to be eligible for a merit increase.

b. Merit Increase Awards

The amount or percentage of a pay increase awarded to an individual employee shall be based on the employee's performance as reflected in the overall rating on the Performance Appraisal instrument.

c. Salary Range Maximum

When an employee reaches the maximum rate of the salary range for his or her position, no further adjustments may be made to the employee's base salary unless (1) the position is reclassified to a higher pay range; (2) the employee is promoted to a position with a higher pay grade and range, or (3) the pay grade and range for the position is increased. If a merit increase would result in the employee's base salary exceeding the pay range maximum, the amount of the merit pay increase above the range maximum will be paid as a one-time lump sum payment. The lump-sum payment will not be used to increase the employee's base pay but will be used in any calculation under the County's retirement plan.

## J. Longevity Pay

Full-time and part-time regular employees and non-elected County Officials (except Juvenile Court Judges and the County Attorney), who regularly work at least 20 hours per week and who have completed at least five years of continuous County service are eligible to receive longevity pay. Longevity pay is awarded annually as a one-time lump sum payment. Longevity pay is not considered part of an employee's base pay for purposes of retirement calculations or leave payout.



Longevity pay is awarded based on the following years of service:

5 to 9 years	\$500
10 to 14 years	\$600
15 to 19 years	\$700
20 years and over	\$800

Employees must be in active employment status on the date that longevity pay is issued. An employee who is entitled to longevity pay and is on approved leave without pay when longevity pay is issued will receive their longevity pay upon return to active pay status.

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## IX. TIME OFF AND LEAVES OF ABSENCE

### A. Holiday Pay

The Board of Commissioners approves a holiday schedule annually. The approved holiday schedule will be published annually to departments and made available to the public.

If a holiday falls on a weekend, the holiday will be observed on the preceding Friday or following Monday.

Full-time regular, part-time regular, seasonal employees, and non-elected County Officials will receive regular compensation for a holiday. Part-time regular employees are eligible for holiday pay if the holiday falls on a regularly scheduled work day. Seasonal employees are eligible for holiday pay only for holidays that are observed during their seasonal period of employment. Temporary employees are not eligible for holiday pay.

Employees who are required to work on a holiday will receive compensation at their regular rate of pay for the time worked on the holiday in addition to receiving the holiday pay. Holiday time may not be accrued.

An employee's absence for approved annual or sick leave that occurs on a holiday will not be charged as annual or sick leave for such days off.

### B. Vacation

All full-time regular and part-time regular employees and non-elected County Officials (except Juvenile Court judges and the County Attorney) are eligible to accrue vacation leave. Vacation leave accrual rates for employees working a standard 80-hour bi-weekly pay period are as follows:

Under 2 Years of Service	8 hours per month = 12 days per year
2 – 4 Years of Service	10 hours per month = 15 days per year
5 – 9 Years of Service	12 hours per month = 18 days per year
10 – 14 Years of Service	13 hours per month = 19.5 days per year
15 – 19 Years of Service	14 hours per month = 21 days per year
20+ Years of Service	16 hours per month = 24 days per year

Regular employees who work less than an 80-hour pay period earn vacation leave on a

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prorated basis based on the number of scheduled hours. Vacation leave is earned during any pay period in which the employee is in active pay status at least 50% of their scheduled bi-weekly work hours. Employees may accumulate a maximum of sixty (60) days or 480 hours of vacation leave.

Use of vacation leave is a privilege, and must be requested and approved in advance by the appropriate department manager or supervisor. Vacation leave may be used for any purpose, and may be used by an employee in lieu of sick leave. Employees may not take vacation leave in excess of the amount earned. Leave without pay should not be routinely used as a substitute for paid vacation leave. Any absence that is not approved is considered unauthorized and will subject the employee to disciplinary action.

Vacation leave will not be advanced before it is earned. Employees who separate from service with the County will be paid for unused, accrued vacation leave up to a maximum of sixty (60) days or 480 hours.

### **C. Sick Leave**

All regular full-time and regular part-time employees are eligible to accrue sick leave, except for elected County Officials, Juvenile Court Judges, and the County Attorney.

Eligible full-time employees who work a standard 80-hour bi-weekly pay period accrue sick leave at a rate of 10 hours per month (15 days per year). Eligible employees who work less than an 80-hour pay period earn sick leave on a prorated basis based on the number of scheduled hours. Sick leave is earned during any pay period in which the employee is on active pay status at least 50% of their scheduled bi-weekly work hours.

Whenever possible, sick leave usage should be requested in advance and approved by the appropriate department manager or supervisor. For unforeseen absences due to illness or injury, employees must inform their supervisor or manager at the beginning of the workday on the day of the illness or injury.

Sick leave may be used for an employee's personal illness, well-care, and medical and dental appointments. Sick leave may also be used for illness of the employee's spouse, child, grandchild, grandparent, parent, or other member of the employee's immediate family living in the same household, or any dependent that the employee claimed on their most recent tax return. Employees may use up to five days of sick leave in a calendar year for the illness of an immediate family member. Employees may be required to provide appropriate documentation

to justify the usage of five days of sick leave for this purpose. Managers may approve or deny sick leave usage, subject to compliance with provisions of the Family and Medical Leave Act (FMLA) and the Americans with Disabilities Act (ADA).

The County may require a doctor's note concerning the nature of the illness and the employee's fitness for duty each time an employee uses more than three consecutive days of sick leave. The employee's department management will be responsible for the application of this provision so that there will be no abuse of sick leave privileges. If department management determines sick leave misuse or abuse is occurring, a doctor's note may be required for each instance of sick leave used.

Sick leave may not be advanced before it is earned. Employees who are absent after exhausting their sick leave balance will be placed on leave without pay until additional sick leave is earned. Leave without pay should not be routinely used as a substitute for paid sick leave. Any absence that is not approved is considered unauthorized and will subject the employee to disciplinary action.

There is no maximum hours of accumulation of sick leave. However, upon separation from County service, employees with at least three years of service may be paid for one-half of their accrued sick leave up to a maximum of 30 days (240 hours).

## **D. Family and Medical Leave (FMLA)**

The Family and Medical Leave Act (FMLA) policy provides employees with a general description of their FMLA rights and responsibilities. In the event of any conflict between this policy and applicable law, employees will be afforded all rights required by law.

### **General Provisions**

Chatham County will grant up to 12 weeks of unpaid, job-protected leave during a 12-month period to eligible employees for types of leave covered by the FMLA, or up to 26 weeks of unpaid leave during a 12-month period to care for a covered service member with a serious injury or illness.

**1. Eligibility**

An employee is entitled to family or medical leave under this policy if the employee meets all of the following conditions:

- a) The employee must have been employed by Chatham County for a total of 12 months. Twelve non-consecutive months of employment may be counted as long as the employee's break in service did not exceed seven years.
- b) The employee must have worked at least 1,250 hours during the 12-month period immediately preceding the start date of the leave. Time spent on paid or unpaid leave is not counted toward the 1,250 hours worked.

**2. Types of Leave Covered**

- a) An eligible employee may take a total of up to 12 weeks of unpaid leave:
  - i. For the birth of a child and to care for that child, up to one year after the child's birth;
  - ii. For the placement of a child with the employee for adoption or foster care and to care for the newly placed child;
  - iii. To care for a spouse, minor child, adult disabled child, or parent with a serious health condition. Certification from the medical provider of the employee's family member with a serious health condition is required for leave under this provision.
  - iv. For the serious health condition of the employee that makes the employee unable to perform the functions of the employee's position. Certification from the employee's medical provider is required to determine if the employee's health condition qualifies for leave under this provision.
  - v. For a "qualifying exigency" related to the call-up or active-duty deployment to a foreign country of the employee's spouse, son, daughter, or parent who is a military serviceperson (National Guard, Reserves, or regular component of the Armed Forces). A qualifying exigency may be:
    1. A short-notice deployment
    2. Military events and activities
    3. Child care and school activities
    4. Financial and legal arrangements
    5. Counseling
    6. Rest and recuperation
    7. Post-deployment activities
    8. Additional activities that arise out of active duty provided that the employer and employee agree, including agreement on timing and duration of the leave.

- b) An eligible employee may take up to 26 weeks of unpaid military caregiver leave in a single 12-month period to care for a son, daughter, parent, or next of kin who is:
  - i) a member of the Armed Forces 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
  - ii) A veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

**3. Definitions**

- a) Son or daughter is defined as the employee’s biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stood *in loco parentis*.
- b) Next of kin is defined as the closest blood relative of the injured or recovering service member.
- c) The term “serious injury or illness” means:
  - i. In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank or rating; and
  - ii. In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service member, a qualifying injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

**4. Use of Paid Leave**

Generally, family or medical leave under the FMLA is unpaid leave. An employee on FMLA leave will be required to use appropriate paid leave, including donated leave,

prior to being eligible for unpaid leave. All leave that qualifies for FMLA leave will be designated as such and will count toward the employee's 12-week or 26-week entitlement. Disability leave for the birth of a child and workers' compensation leave will be designated as FMLA leave and will run concurrently with FMLA.

**5. Intermittent Leave or Reduced Work Schedule**

An employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take leave in separate blocks of time for a single illness or injury) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks for military caregiver leave) over a 12-month period.

An employee may be temporarily transferred to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth or placement for adoption or foster care.

**6. Calculation of Leave**

- a) An eligible employee may take up to 12 weeks for the FMLA circumstances described above during a 12-month period. The 12-month period is calculated as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the amount of leave the employee has taken under this policy in the last 12 months is computed and subtracted from the 12 weeks of available leave and the balance remaining is the amount the employee is entitled to take at that time.
- b) An eligible employee may take up to 26 weeks of military caregiver leave during a single 12-month period. The single 12-month period is calculated from the first date the employee begins the leave and ends 12 months after that date. Any unused military caregiver leave not used during the single 12-month period is forfeited. FMLA leave taken for other FMLA circumstances will be deducted from the total of 26 weeks of leave.
- c) If both of the child's parents work for Chatham County and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a child with a serious health condition, each parent may only take a combined total of 12 weeks leave. If spouses both work for Chatham County and each wishes to take leave to care for a covered injured or ill service

member, the spouses may only take a combined total of 26 weeks of leave.

#### **7. Employee Status and Benefits During Leave**

Employees' health insurance benefits continue during periods of FMLA leave. Employees who are on paid leave will continue to have their premium(s) deducted from their paycheck. Employees on unpaid leave are responsible for making timely premium payments to avoid an interruption in health insurance coverage. Contact the Human Resources Department for information and instructions regarding premium payments during periods of unpaid leave.

#### **8. Employee Status After Leave**

An employee who takes leave for his or her own serious health condition may be asked to provide certification from a health care provider stating that the employee is fit to perform his or her job duties before returning to work.

An employee who takes FMLA leave will be reinstated to the same position or a position with equivalent status, pay, benefits and other employment terms upon return to work.

Employees who fail to return to work at the conclusion of the 12-week or 26-week entitlement, whichever applies, may be terminated from employment, subject to the provisions of the Americans with Disabilities Act or other applicable laws, rules, and regulations.

### **E. Funeral Leave**

All non-elected full-time regular and part-time regular employees may use up to three consecutive scheduled work days of Funeral Leave for the death of an immediate family member. For purposes of this policy, immediate family member is defined as the employee's spouse, parents, siblings, children (including step children), mother-in-law, father-in-law, son-in-law, daughter-in-law, and grandparents, and any other relative who is a member of the employee's household. An employee who wishes to take time off due to the death of an immediate family member should notify his or her supervisor immediately.

Funeral Leave in excess of the allowed three days may be taken from vacation leave. Employees may use vacation leave for absences related to the death of family members not included in this policy.



## **F. Jury Duty Leave**

All employees, including temporary and seasonal employees and County Officials, are eligible for jury duty leave with pay during regularly scheduled work hours.

Upon receipt of notification from a court of an obligation to serve on a jury, employees must notify their supervisor and provide the supervisor with a copy of the jury summons. An employee called for jury duty will be paid for regularly scheduled work time, and any fees received from the court for this duty shall be remitted to the County. If an employee is released from jury service during the work day, the employee will report to work for the remainder of the work day.

## **G. Voting Leave**

Employees are encouraged to exercise their right to vote. To the extent possible, employees should take advantage of opportunities to vote during the early voting period of elections. Employees who choose to vote on Election Day should be able to vote either before or after regular work hours. However, when this is not possible due to work schedules, managers and supervisors may allow employees up to two hours during the work day to vote. Managers and supervisors may exercise discretion in determining the best time of day to grant voting leave to accommodate staffing, scheduling, and workloads. Voting time should be charged to annual leave or be taken as unpaid leave.

## **H. Blood Donation Leave**

All employees who earn leave accruals will be awarded two hours of annual leave each time the employee makes a donation of whole blood. A maximum of 14 hours of annual leave may be awarded in a 12-month period. The leave accruals will be reported by the Department to Human Resources and added to the employee's official annual leave balance.

## **I. Military Leave**

Chatham County supports the military obligations of all employees and grants leaves for uniformed service in accordance with applicable federal and state laws.

An employee who receives orders for active military duty shall be entitled to a leave of absence with pay for the period of such ordered military duty, and while going to and returning from such duty, not to exceed 30 calendar days in a federal fiscal year.

In the event the Governor declares an emergency and orders any public officer or employee to ordered military duty as a member of the National Guard, employees will be paid their salary for a period not exceeding 30 calendar days in a federal fiscal year.

Upon receiving military orders, an employee must immediately advise the employer. Unless precluded by military necessity, advance notice must be provided. Employees are encouraged to provide documentation of military duty prior to activation.

Upon re-employment, an employee will be required to present the County with a copy of the completion of military assignment orders that specify the dates/duration of ordered military service.

After an employee has exhausted paid military leave, the employee may use accumulated annual leave or be placed on military leave without pay.

Employees are also entitled to a leave of absence as a member of the organized militia, any reserve force, or reserve component of the armed forces of the United States while in attendance as a member of such force or reserve component at any service school(s) for a period up to and including six months.

Time away during such leaves of absence will not constitute an interruption in the employee's longevity or service with Chatham County. Employees' participation in any benefits in which they are enrolled, and participation in the County's Pension Plan will continue during periods of military leaves of absence. If the military leave is without pay, employees will be required to make appropriate contributions to the benefits and Pension Plan in accordance with Federal and/or State law.

Employees on a military leave of absence will be reinstated to the same or equivalent position consistent with the provisions of the Uniformed Services Employment and Reemployment Rights Act (USERRA).

## **J. Donated Leave**

Non-probationary regular employees may receive donations into their sick leave bank from other employees in the event of the employee's illness, injury, or temporary disability, or to care for a seriously ill member of the employee's immediate family or household. The leave donation program does not cover time off due to an illness or injury covered by Workers' Compensation.

### **1. Eligibility to Receive Donated Leave**

Any employee requesting participation in the leave donation program must have:

- a) Completed twelve consecutive months of employment.
- b) Absences due to an illness, injury, or temporary disability or to care for a seriously ill member of the employee's immediate family or household.
- c) Exhausted all sick, vacation, compensatory leave.
- d) Medical documentation that includes the diagnosis, prognosis, and expected return to work date (medical documentation must be provided at the time donations are requested and at any time thereafter as required).
- e) No counseling statements, disciplinary action, or unsatisfactory performance evaluations related to attendance in the twelve months prior to requesting the donation of leave.

### **2. Procedures for Requesting Donated Leave**

An employee who meets the above requirements may request donated leave by submitting the request in writing to the appropriate department official. The request must be made prior to the exhaustion of paid leave. The employee should sign a release of information form authorizing the release of medical documentation from the attending physician to the Department Head or County Official.

The Department Head or County Official approves the request for donated leave, and submits a written request to the Human Resources Director. A copy of the employee's request and medical documentation must be included. This request must indicate whether donations will be solicited from within the department only or County-wide. The Human Resources Director will

approve or disapprove the request based on the information submitted, or may request additional information.

The employee may continue to receive a paycheck as long as sufficient donated leave is received from fellow county employees. If an employee has exhausted all donations and is still unable to return to work, the employee will be placed in a leave without pay status. Once an employee is placed in a leave without pay status, no further donations will be considered.

Employees receiving donated leave may reduce the number of hours being used in each pay period to no less than 64. This enables the employee to extend the number of donated hours received over a longer period of time and also be able to continue benefits such as insurance, pension, etc. However, the hours reported to Payroll shall be consistent each pay period. While on donated leave, employees continue to earn sick and vacation leave. With each submittal of the payroll, any vacation balances will be used first, sick leave next, and donated leave last.

Employees may not request less than 80 hours of leave and no more than 480 hours of leave. Employees may not be granted more than 480 hours of donated leave.

### **3. Procedures for Donating Leave**

Employees may donate, in full hour increments, a portion of their accrued balance of vacation leave.

An employee may elect to donate some portion of his or her accrued vacation leave to another employee under the following conditions:

- a) Requests to donate vacation leave should be made in writing to the Human Resources Director.
- b) Employees may not donate vacation leave in an amount that would cause their vacation leave balance to fall below 100 hours.
- c) Vacation leave must be transferred at the same or at a lesser cost (e.g., at the same or lower pay rate as the donor).
- d) Vacation leave, once donated, may not be given back to the donor.
- e) Leave may not be sold or traded.

## **K. Administrative Leave**

Administrative leave may be granted when County offices are officially closed due to inclement weather or other situations that make it hazardous for employees to travel to work or remain in the workplace, at the discretion of the County Manager. Administrative leave may also be granted to individual employees under certain conditions that do not warrant the use of other types of leave, at the determination of the Department Head or County Official, in consultation with the Human Resources Director.

## **L. Leave of Absence Without Pay**

Regular, non-probationary full-time and part-time employees may be granted a leave of absence without pay for up to six months at the discretion of the Department Head or County Official. Any leave of absence without pay that qualifies for coverage under the Family and Medical Leave Act (FMLA) will be governed by that provision. Employees may request a leave of absence without pay when FMLA leave is not available because the employee has exhausted FMLA leave or is not yet eligible. Employees may also request a leave of absence without pay for any personal reason. An employee desiring a leave of absence for a non-FMLA qualifying reason must submit a request in writing to the appropriate Department Head or County Official stating the reason and the requested duration of the leave.

In approving or denying the leave request, Department Heads and County Officials will consider the overall impact of the employee's absence on the work unit and the availability of other resources to perform the absent employee's job duties.

Employees will not earn vacation or sick leave while on leave without pay. An employee on leave without pay may continue health insurance coverage by paying the applicable premium.

The employee must return to duty within or at the end of the approved leave without pay. Failure to report at the expiration of the approved leave, unless an extension has been requested and approved, will be considered a resignation.

Employees who return to work at the end of the approved leave without pay will be returned to the previous position or to a position of like classification and pay within the same department, unless such a position does not exist or is no longer available due to budgetary reductions.

## **X. EMPLOYEE BENEFITS**

Chatham County offers a full range of benefits to eligible employees. Complete details regarding specific benefits are available from the Human Resources Department. The Board of Commissioners may use its authority to change the County's benefits at any time, including during the budget process.

### **A. Open Enrollment**

Chatham County offers an Open Enrollment period each year to allow employees to add or change their benefits coverage. Changes, additions and other elections made during Open Enrollment will take effect on January 1 of the following year. Once employees have made a change, they generally cannot change that selection until the next Open Enrollment period, unless they have a Qualifying Event (e.g., marriage, divorce, birth of a child) that allows them to make a change during the enrollment year.

### **B. Retirement Plan**

Membership in the Chatham County Retirement Plan is mandatory for full-time regular employees and part-time regular employees who are regularly scheduled to work at least 30 hours per week.

The Chatham County Employees' Retirement Plan governs the administration of the Plan. More information about the Retirement Plan is available on the Human Resources Intranet Page or from the Human Resources Department.

### **C. Workers' Compensation Leave**

Employees and County Officials who are injured in the course of performing job-related duties or suffers a work-related illness are entitled to benefits under the Georgia Workers' Compensation Act. Information about the Workers' Compensation program may be obtained from the Occupational Safety and Risk Management Department.

### **D. Employee Assistance Program (EAP)**

Chatham County provides a free, confidential service for employees and individuals residing in their household to address problems that can compromise their personal satisfaction, such as

marital problems, death of a family member, and career or work difficulties. The EAP is staffed with licensed professionals with clinical training to address and resolve various issues.

## **E. Wellness Program**

Chatham County offers a comprehensive wellness program to assist employees and their families in maintaining a healthy lifestyle. Because specific wellness initiatives change over time, each specific wellness activity will not be included in this Handbook. However, wellness initiatives include access to an employee health center and reimbursements for participating in various health, fitness and wellness activities. Full details on current wellness offerings are published by the Human Resources Department, or may be obtained by contacting the County's Employee Wellness Coordinator in the Human Resources Department.

## **F. Recognition and Service Awards**

Chatham County values its team members and strives to recognize its employees for their services. The County provides service awards to employees who reach service milestones at each 5-year service increment (i.e., 5, 10, 15, 20, etc.).

It is the practice of Chatham County to give special recognition to employees at the time of their retirement. The specific retirement award given depends on the employee's length of service at retirement.

# Chatham County Personnel Ordinance



Effective January 1, 2021



STATE OF GEORGIA     )  
                                  )  
COUNTY OF CHATHAM   )

PERSONNEL ORDINANCE

AN ORDINANCE PROVIDING FOR A COMPREHENSIVE COUNTY-WIDE PERSONNEL ADMINISTRATION SYSTEM; SETTING FORTH THE POWERS AND DUTIES OF THE COUNTY MANAGER, COUNTY OFFICIALS, AND HUMAN RESOURCES DIRECTOR; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Board of Commissioners of Chatham County, and it is hereby ordained by the authority of same as follows to wit;

**Section I**  
**STATUTORY AUTHORIZATION**

This Personnel Ordinance is established under the authority of the Georgia Constitution, Article 9, Section I, paragraph IV, Sections 36-1-21 and the County's enabling act, Georgia Laws of 1984, Vol. II, pp. 5050-5076, as amended.

**Section II**  
**LEGAL RESPONSIBILITIES AND OBLIGATIONS**

In addition to the provisions set forth in this Ordinance, all persons subject to this Ordinance are further subject to federal, state, and local laws that govern the employment relationship.

**Section III**  
**PURPOSE AND SCOPE**

The purpose of this Ordinance is to provide for the promulgation of policies that establish and maintain a system of personnel administration for County employees and maintain an effective and responsible workforce for Chatham County.

**Section IV**  
**THE PERSONNEL ORGANIZATION**

**IV-1.0 COUNTY BOARD OF COMMISSIONERS**

The County Board of Commissioners shall be responsible for adopting and amending the Personnel Ordinance and for making and confirming appointments when so specified by law.

The Board of Commissioners shall be responsible for approving personnel policies that increase the County's budget, including allocation of new positions and material changes to the County's benefits program.

#### **IV-2.0 COUNTY MANAGER**

The County Manager is responsible to the Board of Commissioners for the effective direction and supervision of County government functions under his or her authority. Accordingly, the County Manager shall appoint a Human Resources Director to guide the administration of all human resource functions and activities, including the promulgation of comprehensive personnel policies, procedures and guidelines for the County's personnel system.

#### **IV.3.0 HUMAN RESOURCES DIRECTOR**

The Human Resources Director is employed as a County department head and is responsible for overall administration of the County's personnel program. This responsibility includes the ability to apply, interpret, and administer the provisions of this Ordinance. In coordination with the County Manager, the Human Resources Director will develop comprehensive personnel policies, procedures and guidelines for the County's personnel system. Such policies, procedures, and guidelines may include any and all areas of personnel administration necessary to comply with federal, state, and local laws and ordinances; to facilitate the selection and hiring of employees; to implement a job classification and pay plan for compensation of employees; to develop a fair and equitable system related to workplace conflicts, discipline, and termination of employees; to provide employee benefits; to establish rules and guidelines related to workplace expectations, safety and conduct; and all other personnel matters deemed appropriate for the effective operation of County government. The Human Resources Director is the custodian of Personnel Records maintained on County employees, and is responsible for the proper administration and maintenance of the record-keeping system in accordance with applicable laws and County policies and procedures.

#### **IV-4.0 PERSONNEL RECORDS**

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

#### **IV-5.0 COUNTY OFFICIALS**

- a. County Officials appointed to their positions by the Board of County Commissioners, other governing bodies, or elected officials and empowered by state law are:

Chief Appraiser  
Elections Supervisor  
Voter Registrar  
Juvenile Court Judge

- b. County Officials elected by the citizens of Chatham County and empowered by state law are:

Sheriff  
Tax Commissioner  
Superior Court Clerk  
Superior Court Judges  
Probate Court Judge  
Chief Magistrate Court Judge  
State Court Judges  
District Attorney

- c. County Officials appointed by the Board of County Commissioners:

County Attorney  
Clerk of Commission  
County Manager (the powers and responsibility of the County Manager are further defined in Section IV.2.0 of this Ordinance.)

The County Manager, Clerk of Commission, and County Attorney shall be subject to the provisions of the Enabling Act.

#### **IV-6.0 EMPLOYEES AFFECTED**

The provisions of this Ordinance shall be applicable to all employees except as provided below:

- a. The following personnel are not deemed "employees" under this Ordinance or under the provisions of the personnel policies promulgated by the County Manager.
- (1) Members of the Board of Commissioners
  - (2) County Manager
  - (3) County Attorney

- (4) Clerk of Commission
  - (5) Elected Officials
  - (6) Constitutional Officers
  - (7) County Officials appointed by the Board of County Commissioners, County Manager, and/or other governing boards.
- b. The personnel exempted from this Ordinance may be included on the same basis as employees in designated benefits programs as specified in applicable benefits plan documents or the personnel policies promulgated by the County Manager.
- c. The County Officials that made an irrevocable election to include their employees in the Personnel Ordinance that was adopted by the Board of Commissioners on January 12, 1990 are subject to this Personnel Ordinance as amended. The employees of such County Officials are subject to the provisions of this Ordinance and the personnel policies, procedures, and guidelines promulgated by the County Manager.

## **Section V**

### **EQUAL EMPLOYMENT OPPORTUNITY**

#### **V-1.0 EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION**

It shall be the policy of Chatham County to select, develop and promote employees based on the individual's ability and job performance. It has been, and shall continue to be, the policy of Chatham County to provide Equal Employment Opportunity to all people in all aspects of employer/employee relations without discrimination because of race, color, religion, creed, sex, sexual orientation, gender identity, national origin, age, or physical or mental disability.

## **Section VI**

### **DISCIPLINE AND DUE PROCESS**

#### **VI-1.0 PROGRESSIVE DISCIPLINE AND DISMISSAL**

- a. It shall be the intent of Chatham County Government to provide County employees a fair process for correcting and improving performance and conduct problems, and to provide employees with reasonable due process in the administration of discipline and discharge decisions.

- b. Personnel policies and procedures promulgated by the County Manager, as authorized by this Ordinance, shall provide fair, consistent, and appropriate rules for administering progressive discipline and for making disciplinary and discharge decisions affecting County employees.
- c. The personnel policy shall afford employees due process by providing a mechanism for employees to appeal disciplinary and discharge decisions to a neutral party or parties, who are appointed and authorized to conduct hearings and render a decision or recommendation based on their findings.

**Section VII**  
**POLITICAL ACTIVITY**

**VII-1.0 POLITICAL ACTIVITY**

All employees are free to engage in political activity to the widest extent consistent with the restrictions imposed by law. An employee may participate in all political activity not specifically restricted by law, including candidacy for office in nonpartisan elections and candidacy for political party office. However, no employee shall:

- a. use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
- b. directly or indirectly coerce, attempt to command or advise any other employee of the governmental unit to pay, lend or contribute anything of value to a political party, committee, organization, agency or person for political purposes;
- c. be a candidate for elective public office in a partisan election while on active pay status (except an incumbent candidate for the office of Tax Commissioner, Clerk of Superior Court, Judge, Coroner, Sheriff or District Attorney).
- d. be required as a duty of office or as condition of employment, promotion, or tenure of office, to contribute funds for political or partisan purposes;
- e. post, or cause to be posted, signs, notices, or other materials related to any national, state or local political party or candidate, in or on property owned, leased, or used by the County in the conduct of its official business;
- f. wear or display badges, buttons, or other emblems related to a national, state, or local

political party or candidate while on duty or during the performance of services for the county; or

g. use any supplies or equipment of the governmental unit for political purposes.

**Section VIII**  
**GIFTS AND GRATUITIES**

**VIII-1.0 GIFTS AND GRATUITIES**

Employees and County Officials are expressly prohibited from accepting gifts, favors, gratuities, loans, or anything of more than nominal value from organizations, business concerns, or individuals while in the performance of the employee's or County Official's official duties. Nominal value means less than one hundred dollars.

**Section IX**  
**AMENDMENT OF CONFLICTING ORDINANCES OR RESOLUTIONS**

This Ordinance hereby amends prior Civil Service Ordinances, Rules and Regulations. All related policies, resolutions, regulations, attachments or amendments in conflict with the provisions of this Ordinance are also hereby amended.

**Section X**  
**CONFLICT WITH OTHER LAWS**

Whenever the requirements of this Ordinance are more restrictive than the standards required in, or under any other statute, covenant, or ordinance, the requirements of this Ordinance shall govern. Whenever the provisions of any other statute, covenant, or ordinance are more restrictive standards than those of this Ordinance, the provisions of said statute, etc., shall govern.

**Section XI**  
**SEVERABILITY**

Should any section, paragraph, subdivision, clause, phrase, or provision of this Ordinance be adjudged invalid or held unconstitutional by a court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part or provisions thereof, other than the part so decided to be invalid or unconstitutional.

**Section XII**  
**EFFECTIVE DATE**

This Ordinance shall become effective on January 1, 2021. Amendments thereto shall remain effective until amended by the Board. Provisions of this Ordinance are not retroactive.

ADOPTED THIS 6<sup>th</sup> DAY OF November, 2020.



*Janice E. Bocook*  
Janice E. Bocook, Clerk

*Albert J. Scott*  
Albert J. Scott, Chairman  
Chatham County Commission

APPROVED AS TO FORM AND LEGALITY:

*R. Jonathan Hart*  
R. Jonathan Hart, County Attorney