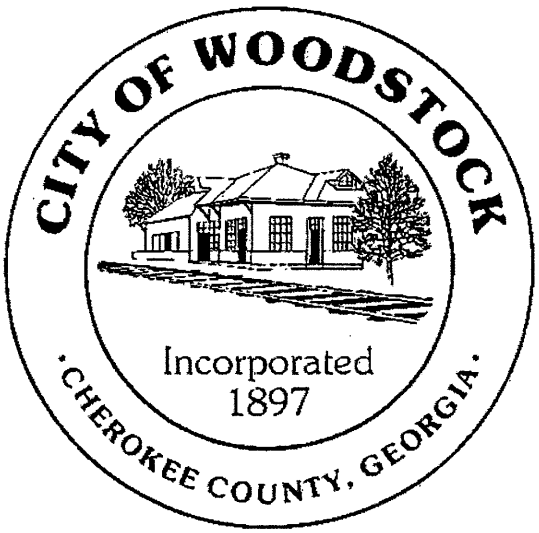

CITY OF WOODSTOCK
PERSONNEL POLICIES

Chapter 70

PERSONNEL*

Article I. In General

Sec. 70-1. Definitions.
Sec. 70-2. Purpose.
Sec. 70-3. Discrimination.
Sec. 70-4. Administration of employee personnel records.
Sec. 70-5. Drug and alcohol use prohibited.
Secs. 70-6—70-40. Reserved.

Article II. Conditions of Employment

Sec. 70-41. Equal employment opportunity.
Sec. 70-42. Hours of work.
Sec. 70-43. Work periods.
Sec. 70-44. Nepotism.
Sec. 70-45. Probation period.
Sec. 70-46. Reemployment.
Sec. 70-47. Eligibility for benefits.
Sec. 70-48. Hiring process.
Sec. 70-49. Testing.
Sec. 70-50. At-will employment.
Secs. 70-51—70-80. Reserved.

Article III. Compensation

Sec. 70-81. Generally.
Sec. 70-82. Overtime.
Sec. 70-83. Date of hire/anniversary date.
Sec. 70-84. Demotions.
Sec. 70-85. Transfers.
Sec. 70-86. Position descriptions.
Sec. 70-87. Reclassification.
Sec. 70-88. Annual evaluation increases.
Secs. 70-89—70-120. Reserved.

Article IV. Benefits

Sec. 70-121. Group health plan.
Sec. 70-122. Life insurance.
Sec. 70-123. Group dental plan.
Sec. 70-124. Credit union.
Sec. 70-125. Deferred compensation.
Sec. 70-126. Retirement system.
Sec. 70-127. Social security.
Sec. 70-128. Unemployment compensation.
Sec. 70-129. Worker's compensation.
Sec. 70-130. Continuance of medical coverage (COBRA).
Sec. 70-131. Education.
Sec. 70-132. Employee recognition.
Sec. 70-133. Vehicles.

***Charter reference**—Personnel policies, § 3.50.

Cross references—Any ordinance providing for salaries or other employee benefits not codified in this Code saved from repeal, § 1-11(5); administration, ch. 2; fire prevention and protection, ch. 42; law enforcement, ch. 54.

Sec. 70-134. Employee assistance program.
Sec. 70-135. Other benefits.
Secs. 70-136—70-170. Reserved.

Article V. Leave

Sec. 70-171. Family medical leave.
Sec. 70-172. Bereavement leave.
Sec. 70-173. Holidays.
Sec. 70-174. Jury/court leave.
Sec. 70-175. Leave of absence without pay.
Sec. 70-176. Military leave.
Sec. 70-177. Personal leave.
Sec. 70-178. Safety day.
Sec. 70-179. Educational leave.
Secs. 70-180—70-210. Reserved.

Article VI. Conduct

Sec. 70-211. Prohibited activities.
Sec. 70-212. Reporting sexual harassment.
Secs. 70-213—70-240. Reserved.

Article VII. Discipline

Sec. 70-241. Progressive discipline.
Sec. 70-242. Causes for action.
Sec. 70-243. Types of action.
Sec. 70-244. Grievance.
Sec. 70-245. Appeals.

ARTICLE I. IN GENERAL

Sec. 70-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

207(k) employee means an employee engaged in fire protection or law enforcement activities with 28-consecutive-day work periods.

Accrual means the process of earning a benefit such as vacation or sick leave.

Adverse action means an action taken by the city manager, or his designee, that results in a suspension without pay, salary reduction, demotion or dismissal.

Anniversary date means the date the employee began his employment in the most recent position.

Date of hire means the effective date of the individual's employment with the city.

Discharge means termination of an employee by the city.

Doctor means a doctor of medicine, osteopathy, dentist or dental surgeon currently holding an active state license.

Employee-initiated resignation means voluntary termination for any reason other than formal retirement.

Exempt means employees exempted from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA).

Flex-schedule/flex time means a variable work schedule deviating from the standard eight hours per day/five days per week work schedule that is traditionally expected to be worked by nonexempt employees who are not engage in fire suppression or law enforcement activities. These schedules allow employees to vary their hours to accommodate external constraints or other factors. A flex-schedule may take the form of four ten-hour workdays which yield a three-day weekend and reduced trips to and from work.

Grievance means a condition thought to be unjust and grounds for a formal complaint.

His. Use of this pronoun shall apply equally to both males and females.

Immediate family includes spouse, child, parent, brother, sister, grandparents, parent-in-law, daughter-in-law, son-in-law or grandchildren. The definition also includes any other person living in the employee's household who is recognized by state law as the employee's dependent.

In-law means a relative by marriage such as mother-in-law, father-in-law, daughter-in-law and son-in-law.

Layoff means termination of an employee by the city for lack of work, lack of funds, reorganization or other changes that have taken place.

May. The term "may" is conditional and implies there is discretion concerning whether a condition exists or an action will take place.

Nonexempt means employees covered by the Fair Labor Standards Act.

Outside employment means employment in a work outside of the duties as a city employee. This shall include self-employment and other business activity as well as working for a second employer.

Overtime means all work performed in excess of the hours permitted under the Fair Labor Standards Act work period.

Personnel records includes personnel and medical files. An employee's medical file shall be kept separate from his personnel file.

Probation means a period during which a new employee or an employee who has been transferred, promoted or demoted is being tested on job capability and performance.

Probationary employee means an employee on a trial status during a period of employment. Probationary periods may be extended under special circumstances.

Probationary termination means discharge of an employee during the established probationary period, usually for the inability to meet position/department requirements.

Regular employee means an employee who has successfully completed the probationary period and is assigned to a position which is regular full-time or regular part-time.

Regular full-time employee means an employee who has successfully completed the probationary period, is assigned to a position which is expected to continue for an indefinite duration, and works a shift schedule which will total no less than 2,080 hours per year.

Regular part-time employee means an employee who has successfully completed the probationary period, is assigned to a position which is expected to continue for an indefinite duration, and works a shift schedule of less than 40 hours per week.

Service retirement means voluntary termination after having satisfied the age and length of employment requirements.

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

Supervisor-initiated resignation means termination requested by the supervisor which permits the employee to resign in lieu of being discharged.

Temporary part-time employee means an employee who is assigned to a position which is not expected to continue for an indefinite duration, and works a shift schedule of less than 40 hours per week.

Two-week notice means 14 days.

(Code 1989, § 2-5-11; Ord. No. 99-09-28, 9-28-1999; Ord. No. 2008-0016, Exh. B, 7-28-2008)

Cross reference—Definitions generally, § 1-2.

Sec. 70-2. Purpose.

(a) The policies of this chapter are enacted by the city in order to further the following goals:

(1) To provide a uniform system of personnel administration throughout the city service.

(2) To ensure that recruitment, selection, placement, promotion, retention and separation of city employees are in compliance with federal and state laws.

(3) To assist managers in the development of sound management practices and procedures, and to make effective consistent use of human resources throughout the city.

(4) To promote communication between department heads, supervisors and employees.

(5) To ensure, protect and clarify the rights and responsibilities of employees.

(b) In the event of conflict between the policies of this chapter, or state or federal law, the terms and conditions of that law shall prevail. In all other cases, the policies of this chapter shall apply.

(c) Department heads shall be nominated by the city manager and confirmed by the city council. These appointments shall be made at the first regularly scheduled council meeting each year or as necessary to fill vacancies.

(d) In the event of the amendment of any ordinance, rule or law incorporated in this chapter or upon which the provisions of this chapter rely, these rules shall be deemed amended in conformance with those changes.

(e) The city specifically reserves the right to repeal, modify or amend the policies of this chapter at any time, with or without notice. None of these provisions shall be deemed to create a vested contractual right in any employee to employment nor to limit the power of the city manager or council to repeal or modify these rules. The policies are not to be interpreted as promises of specific treatment. All employees are employees at will and may be terminated with or without cause.

(Code 1989, § 2-5-1; Ord. No. 04-04-13, 4-13-2004)

State law reference—Term of employment, O.C.G.A. § 34-7-1.

Sec. 70-3. Discrimination.

(a) The city does not discriminate on the basis of race, color, national origin, sex, religion, age, marital status or disability in employment or the provision of services. It is the intent of the city to guarantee disabled persons equal opportunity to participate in or enjoy the benefits of city services,

programs or activities, and to allow disabled employees a bias free work environment. The city, upon request, may provide reasonable accommodation in compliance with the Americans With Disabilities Act (ADA).

(b) The city has a commitment to ensure equal opportunities for disabled city employees. Every reasonable effort will be made to provide an accessible work environment and additional accommodations, including auxiliary aids and services. Employment practices (e.g., hiring, train-

ing, testing, transfer, promotion, compensation, benefits, termination, etc.) will be administered in such manner as to not promote discrimination of disabled employees.

(c) Recruitment and selection processes will grant equal opportunity for employment to qualified applicants and will not discriminate on the basis of disability. Reasonable accommodation may be provided upon request during an application/interview process.
(Code 1989, § 2-5-2)

State law reference—Fair employment practices, O.C.G.A. § 45-19-20 et seq.

Sec. 70-4. Administration of employee personnel records.

(a) *Establishment and maintenance.* The city manager, or his designee, is responsible for establishing and maintaining an official personnel file for each employee of the city.

(b) *Contents.* Department heads are responsible for the forwarding of documents for inclusion in the personnel files of those employees assigned to their department. The following information shall be retained in a personnel records file throughout the association of an employee with the city:

(1) Employee application.

(2) Job description and specification information.

(3) Job performance information.

(4) Education/training information.

(5) Personnel action forms.

(6) Administrative correspondence relating to leave/vacation requests.

(7) Letters of appreciation, commendation or discipline.

(8) Other appropriate information for personnel administration purposes.

(c) *Access to personnel records.* All information in an employee's personnel records shall be considered a public record in accordance with Georgia § 50-18-70 except those which by order of a court of this state or by law are prohibited or specifically exempt from being open for a personal inspection by the general public, and shall be open for inspection by any citizen of the state at a reasonable time and place.

(1) The employee, the city manager, or his designee may examine all materials in an employee's personnel record.

(2) Any person authorized by court order may examine specified materials in an employee's personnel record.

(3) An official agent of the state or federal government may inspect personnel records to accomplish a proper governmental function.

(d) *Redaction of employee information.* Home addresses and telephone numbers, Social Security numbers, insurance information and medical information of all city employees shall be redacted from documents contained in their personnel record prior to release under a public records request. Police officer's home address or telephone number, social security number, insurance information, medical information and names of immediate family members or dependents shall be redacted from documents in the employee's personal record prior to release under a public records request. No records will be removed or expunged from an employee's personnel record except as allowed by state law.

(e) *Records of former employees.* Regulations for personnel records and access to the records shall apply to former employees as they apply to present employees.

(f) *Objections to contents.* An employee who objects to materials in his file may place in his file a brief statement about that which he considers to be inaccurate or misleading.

(g) *Penalty for unauthorized access.* Any employee who willfully allows unauthorized access to personnel records shall be subject to disciplinary action. Any employee who examines a personnel record without proper authorization shall be subject to disciplinary action.
(Code 1989, § 2-5-3; Ord. No. 04-04-13, 4-13-2004; Ord. No. 05-05-24, 5-24-2005)

Sec. 70-5. Drug and alcohol use prohibited.

Controlled substance and/or alcohol use by city employees during assigned working hours, in government buildings or on government grounds, or otherwise while on city business is prohibited. (Code 1989, § 2-5-4)

Cross reference—Alcoholic beverages, ch. 6.

Secs. 70-6—70-40. Reserved.

ARTICLE II. CONDITIONS OF EMPLOYMENT*

Sec. 70-41. Equal employment opportunity.

(a) The city will ensure equal employment opportunity for all employees and appointed representatives. This commitment includes a mandate to afford equal treatment and services to all citizens, employees and city representatives, and to assure equal employment opportunity based on ability and fitness to all persons regardless of race, religion, color, creed, national origin, sex, marital status, age or the presence of any sensory, mental or physical disability unless such disability effectively prevents the performance of the essential duties required of the position and which are bona fide occupational qualifications which cannot be accommodated without undue hardship.

(b) All activities relating to employment including recruitment, testing, selection, promotion training and termination shall be conducted in a nondiscriminatory manner.
(Code 1989, § 2-5-12)

Sec. 70-42. Hours of work.

(a) The normal working hours for employees shall be as scheduled by the various department heads, with such schedule to be established so that the needs of the department to deliver services to the citizens are met. Such schedule shall be approved by the city manager. Employees are expected to be at their work location and ready to begin work at the beginning of their work schedule. The meal periods should be scheduled to allow for continuous staffing of offices with at least one person, except where more personnel are required to be on duty.

(b) The standardization of working hours is necessary to provide:

(1) Continuity in access by and service to the citizenry.

(2) Facilitation of teamwork.

(3) Facilitation of supervisory assistance.

(c) Occasions may arise when the service to the citizen can be improved through the adjustment of an employee's work hours. The department head shall obtain approval of the city manager for the adjustment in work hours.

(d) Individual requests for adjustment of working hours for personal reasons must be evaluated in light of the effect on the criteria enumerated in subsections (a)—(c) of this section.

(e) Advance notice of anticipated tardiness is expected; notice of unavoidable tardiness is expected when possible. Failure to do so will be construed as an unexcused absence, and the day missed will not be paid. Tardiness must be made up during the pay period in which it occurs.

(f) Notification by another employee, friend or relative is not considered proper except in an emergency situation where the employee is physically unable to make the notification.

(g) Daily attendance records will be maintained by each department, including the date and time of each absence and the reason for each absence. Attendance shall be a consideration in determining promotions, transfers, satisfactory completion of probationary periods, and continued employment with the city. Frequent tardiness

*State law reference—Unlawful practices in employment, O.C.G.A. § 45-19-29.

or other attendance irregularities shall be cause for disciplinary action. This may take the form of progressive discipline.

(h) Hours for part-time and certain other employees may vary from the normal office hours noted above due to the nature of their duties and will be determined by the appropriate department head, with concurrence of the city manager.

(i) The city may provide compensatory time off in lieu of cash overtime compensation for nonexempt and 207(k) employees. The compensatory time received may be preserved, used or cashed out consistent with the provisions of section 7(o) of the Fair Labor Standards Act.
(Code 1989, § 2-5-13)

Sec. 70-43. Work periods.

This section shall not apply to executive, professional, administrative and all other employees who are exempt from the Fair Labor Standards Act. The following work periods may be changed to accommodate special work schedules, such as summer maintenance schedules:

(1) The work period for any 24-hour shift firefighter shall be 28 days. All firefighters shall work a schedule of 24 hours on and 48 hours off for an average of 212 hours per 28-day period.

(2) The work period for any sworn police officer shall be 14 days. All sworn officers will be scheduled for an average of 86 hours per 14-day period.

(3) The work period for all other city employees shall be a seven-day period beginning on Thursday at 12:01 a.m. and continuing to Wednesday at 12:00 a.m. (midnight). The minimum work week for full-time employees shall be 40 hours.

(4) With respect to 207(k) employees, where hours worked are not in excess of the applicable maximum hours standard, the city may give the employee time off for the hours worked in excess of those normally scheduled.

(Code 1989, § 2-5-14; Ord. No. 011-2007, 7-9-2007)

Sec. 70-44. Nepotism.

(a) It is the city's policy that immediate relatives will not be employed in regular full-time or part-time positions where:

(1) One relative would have the authority to supervise, appoint, remove, discipline or evaluate the performance of the other.

(2) One relative would be responsible for auditing the work of the other.

(3) Other circumstances exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the city's interest and their own.

(b) Where business necessity requires the limitation of employment opportunity of spouses, the means chosen to meet the business necessity shall be those which have the least adverse impact on spouses or members of either sex. For example, the exclusion should be limited to the job, work crew, shop or unit where the reason for exclusion exists, and should not bar the person from the whole work force, unless the reason applies to the whole work force. When it is necessary to exclude a person because of what his spouse does, then the city shall determine which employee it shall keep on the job. The city may require one spouse to quit 60 days after marriage if they become in violation of this policy and a mutually-agreeable solution cannot be reached between the city and the employees.
(Code 1989, § 2-5-15)

Sec. 70-45. Probation period.

(a) All employees placed in new full-time and part-time positions must serve a six-month period of probation, except sworn police officers and firefighters who serve a 12-month period of probation. This applies to new hires, promotions and transfers.

(b) The probation period is designed to give the employee time to learn the position and to give the supervisor time to evaluate the employee's potential and performance. During the established probationary period, the city reserves the right to terminate the probationary employee's

service on the basis of unsatisfactory performance or on the basis of other reasons deemed sufficient by the city.

(c) If an employee is unable to perform the work, the person must be terminated as early as possible. Early termination saves the city a time and dollar investment and saves the employee possible embarrassment and frustration. Rejected probationers shall be notified of such action in writing by the department head at any time during the probationary period and a copy of such notification shall be retained in the personnel files.

(d) Recurring, periodic performance evaluations are required for all probationary employees in full and part-time positions as well as for sworn police officers and fire fighters. An evaluation is required at the 90-day interval of probationary employment for regular full and part time positions that must complete six months of probation. For sworn police officers and fire fighters who serve one-year probationary periods, an evaluation at the six-month interval is required. These periodic evaluations are designed to assess performance and advise the new employee of work expectations as well as any deficiencies in work quality and quantity. At the close of the probationary period, an employee is required to be evaluated for a second time, demonstrating their competency in fulfilling the requirements of their position and being released from probationary status.

(e) Under unusual circumstances, the probationary period may be extended. This is only after an evaluation of the situation, the employee's abilities and demonstrated potential. Probation extension is done only upon recommendation of the supervisor, department head and approved by the city manager.

(f) If the employee successfully completes the probation period, he shall be informed that he is now a regular employee. This will be accomplished by the city manager's office with the approval of the appropriate department head via the personnel action form.

(g) When an employee first becomes a regular full-time employee, he becomes eligible for vacation and other appropriate leaves retroactive to the person's beginning date of employment. This is defined as six months for general employees and 12 months for sworn police officers and firefighters.

(h) If an individual has been transferred or promoted, he remains eligible for all fringe benefits included with the previous position during the probation period for the transfer or promotion. If the position to which an employee has been transferred or promoted carries benefits different from those of the previous position, the person becomes eligible for the benefits of the new position upon the satisfactory completion of the probation period retroactive to the date of the transfer or promotion.

(i) If an emergency arises during an employee's probationary period which requires a leave of absence, such time off, if granted, will not be considered as time worked.
(Code 1989, § 2-5-16; Ord. No. 04-04-13, 4-13-2004; Ord. No. 2008-0016, Exh. A, 7-28-2008)

Sec. 70-46. Reemployment.

Any former regular employee who resigned from the city in good standing is eligible for reemployment. Persons interested in reemployment should file a completed city application form with the city manager's office. The individual will then proceed through the regular hiring procedures with other applicants. The date of hire will take the person's previous service with the city into account, however, future increases will coincide with the reemployment date. The individual's previous personnel file will be reactivated once reemployed by the city provided reemployment is within seven years after the original resignation. All individuals reemployed by the city must complete a new probationary period.
(Code 1989, § 2-5-17)

Sec. 70-47. Eligibility for benefits.

Nonexempt employee compensation will be stated in terms of hourly wage. Exempt and 207(k) employees are considered salaried. Employees classified as regular full-time employees shall

receive all employee benefits provided by the city. Probationary employees shall be classified as regular full-time employees upon successful completion of their probationary periods, and shall be entitled to the same benefits as regular full-time employees subject to applicable eligibility provisions and time periods.
(Code 1989, § 2-5-18)

Sec. 70-48. Hiring process.

The city manager's office will administer and coordinate the hiring process for all position vacancies to ensure compliance with contractual, legal and equal opportunity requirements. All hiring efforts are conducted in the spirit of equal opportunity.
(Code 1989, § 2-5-19)

Sec. 70-49. Testing.

(a) Examinations may be developed for certain positions based on the position's responsibilities, the qualifications required, and resources available. The examination may consist of oral interview/application review, a structured questionnaire, practical tests, written tests, in-basket exercise or assessment center, etc. In all cases, the testing will be job related and designed to determine the candidate's knowledge, skills and abilities (KSA's) for the position. The examination contents are developed by the affected department. Examination contents are confidential and unauthorized disclosure to any candidate is grounds for discipline. In certain situations, outside consultants may be contracted to assist with test development.

(b) The department head shall ensure that all testing is based on bona fide occupational qualifications. The department head shall ensure that reasonable accommodations are made in test procedures to assure that persons with disabilities can be tested in an appropriate manner. The following are ways in which the city may accommodate an applicant with a disability:

(1) Replace written tests with on-the-job tests or verbal testing;

(2) Enlarge print in exams, magnification, amplification devices and interpreters.

(c) All job applicants being considered for employment shall be required to pass a drug and alcohol screening test prior to being hired. All job applicants shall be informed in advance that such testing shall be required. Employees in safety sensitive positions or employees whose primary job duties require maintenance or operation of a motor vehicle or motorized equipment shall be required to submit to a drug and alcohol screening test at random or on a periodic basis from time to time as determined by the department head and the city manager or his designee. A drug and/or alcohol screening test based on reasonable suspicion can be undertaken in accordance with local regulations. All employees involved in a work-related incident causing personal injury or property damage may be tested promptly for drug and/or alcohol use in accordance with department policies. Any employee involved in a motor vehicle accident while driving a city vehicle on a public roadway and who is determined to have been at fault in the accident by the investigating police officer shall be tested for drugs and alcohol. Voluntary participation in an employee assistance program prior to an employee being requested to submit to a test is encouraged and such participation shall be kept confidential.
(Code 1989, § 2-5-20)

Sec. 70-50. At-will employment.

Employment by the city creates an at-will employment relationship between the city and its employees. Nothing contained in this section shall be construed to establish or to confer a contractual right of employment. The city council may establish a contract for the position of city manager.
(Code 1989, § 2-5-21)

State law reference—Manner of at-will termination in Georgia, O.C.G.A. § 34-7-1.

Secs. 70-51—70-80. Reserved.

ARTICLE III. COMPENSATION

Sec. 70-81. Generally.

(a) *Policy and purpose.* It is the policy of the city and the purpose of this article to establish a compensation system that will allow the city to

effectively compete for qualified personnel and to ensure that salaries are equitable and commensurate with the duties performed by each employee.

(b) *Pay range schedule.* The city's pay range schedules include minimum and maximum pay allowed by grade. The pay range schedules for employees shall be adopted by the city council. An employee's salary may not exceed the maximum step of their position's assigned pay grade.

(c) *Cost-of-living.* Cost-of-living adjustments may be granted by the city council upon recommendation by the city manager. If granted, they are generally effective on July 1. If a cost-of-living adjustment is made, the salary range allowed by grade will change by the amount approved by the city council. The employee's pay shall be adjusted in the range to reflect the cost-of-living increase.

(d) *Reevaluation.* If the salary of any position is reevaluated by the city manager and results in an increased salary range for the position, the employee shall retain his current salary within the range or assume the entry level step of the new range, whichever is greater.

(e) *Classification plan.* Jobs with similar duties and responsibilities are assigned to the same salary level. The city manager conducts periodic studies of various jobs when there is an indication the employee is working above or below the established responsibilities for that position.

(f) *Maintenance of the salary plan.* The city manager, or his designee, shall be responsible for the continuous maintenance and administration of the city's compensation plan. The review will include an analysis of prevailing rates of pay for similar positions in comparable labor markets, organizations, cost-of-living factors, budgetary considerations, and other related factors. On the basis of this information, the city manager shall recommend to the city council changes to keep the plan current, uniform and equitable. Such changes shall be approved by the city manager and shall then be submitted in the annual budget to the city council for approval.

(g) *New employees.* New employees will ordinarily be paid the minimum rate in the appropriate salary range.
(Code 1989, § 2-5-28; Ord. No. 05-04-26, 4-26-2005)

Sec. 70-82. Overtime.

(a) *Fair Labor Standards Act.* This section shall not contravene the provisions of the Federal Fair Labor Standards Act (FLSA) pertaining to the minimum rate of compensation for employment in excess of an established workweek/period, excluding exempted positions.

(b) *Qualification.* To be eligible for overtime pay, the employee must have actually been present at work for the specified number of hours except on council designated holidays. However, employees working a flex-schedule are not eligible for overtime pay on a council designated holiday unless they work on the day coinciding with the council designated holiday. Personal leave will not count as hours worked for calculating overtime pay.

(c) *Payment.* The city's responsibility for payment of overtime is as follows: The city will generally compensate overtime at the rate of 1½ for hours worked in excess of the number of hours allowed per work week/period defined below:

(1) Nonexempt employees will be paid at the rate of 1½ for hours worked in excess of 40 hours per week.

(2) Sworn police officers (207(k) employees) will be paid at the rate of 1½ for hours worked in excess of 86 hours in a 14-day work period.

(3) Firefighters (207(k) employees) will be paid at the rate of 1½ for hours worked in excess of 212 hours in a 28-day work period.

(d) *Roll call / training.* All time spent by 207(k) employees in roll call and in training sessions is counted as hours of work but employees are not compensated at the overtime rate for roll call or training hours unless the total hours worked exceeds the maximum hours standard (police-171, fire-212).

(e) *Compensatory time.* Compensatory time shall be earned at a rate not less than 1½ hours for each hour of employment in excess of the maximum hours worked as defined in section 70-42. Accrued compensatory time shall not exceed 40 hours.

(f) *Call-back pay.* If an employee is called back to work outside of normal working hours, he will be guaranteed a minimum of two hours pay.
(Code 1989, § 2-5-29; Ord. No. 04-04-13, 4-13-2004; Ord. of 7-11-2006; Ord. No. 018-2007, 12-17-2007; Ord. No. 2008-0016, Exhs. A, B, 7-28-2008)

State law reference—Overtime compensation, O.C.G.A. § 45-19-46.

Sec. 70-83. Date of hire/anniversary date.

The term "date of hire" shall mean the effective date of the individual's employment with the city. The term "anniversary date" shall mean the date the employee began his employment in the most recent position. A regular employee who is promoted, demoted or transferred will have his an-

niversary date changed to the effective date of the promotion, demotion or transfer. A regular employee returning from a leave of absence without pay will have his anniversary date extended by the same length of time the employee was on leave without pay. There will be no change in an employee's anniversary date in the following instances: Reallocation of an employee's position to a new classification title when there have been no recent, abrupt and/or significant changes in assigned tasks and responsibilities. An employee reinstated to the same position or a position in the same class following layoff from the city will have his anniversary period extended by the same length of time as the duration of the layoff.
(Code 1989, § 2-5-30)

Sec. 70-84. Demotions.

The following rules shall apply to demotions:

(1) An employee reassigned to a position in a lower classification regardless of the reason (disciplinary, in lieu of layoff, for reasons of disability or incapacity, department reorganization, etc.) will receive a cut in pay commensurate with the nature of the demotion as determined by the department head and human resource director in consultation with the city manager.

(2) Demotions do not change the person's date of hire. However, the anniversary date for future salary increases changes.

(3) No employee shall be demoted to a position for which he does not possess the minimum qualifications.

(4) An employee being demoted shall be notified two weeks prior to demotion except in emergency situations.

(5) Any demotion to prevent layoffs may be revised when the employee's previous position is reopened.

(6) Persons demoted to new positions will be subject to the standard probationary period for the new position.

(7) Employees in position classifications which are downgraded (or upgraded) in salary to reflect changes in market conditions will retain their existing anniversary date for future increases.

(8) The city shall attempt to fill all vacant positions with qualified city employees before advertising to the general public, following a policy of upward mobility whenever possible.

(9) Generally, employees are expected to serve in their current position for at least a year before being considered for a promotion or transfer.

(10) The selection of an employee for a promotion (or lateral transfer) is based on the employee's past work record, education, knowledge of the job duties, as well as time in service.

(11) When considering the promotion (or lateral transfer) of city employees having the same or similar qualifications, the position will be filled after considering the factors listed in subsection (10) of this section.

(12) In cases where only one employee applies for a position and the person's abilities and qualifications are known to the hiring department, the formal selection process may be dispensed with upon concurrence of the city manager.

(13) No offer of promotion may be made to any employee prior to completion of the recruitment and selection process. Temporary assignments may be made by the department head for a specified time or assignment as necessary. Such appointments are made on an acting bases and the employee returns to his regular position upon completion of the assignment. The actual salary for acting appointments shall be at the entry level of the assigned position or at the level which provides a salary increase of five percent or an amount determined by the city manager. Temporary assignments must be for a period of not less than five consecutive working

days for general and police personnel or two consecutive shifts for certified fire personnel.

(14) Whenever an employee is promoted to a higher position, such employee will enter the new grade/position at the entry level of the new position. If the entry level of the new position does not provide a salary increase of five percent or more, the employee shall enter at the level which provides a salary increase of five percent or more. The new pay rate, upon promotion, shall not exceed the maximum of the new pay range.

(15) Promotions do not change the person's date of hire. However, the anniversary date for future pay increases will be revised to coincide with the promotion date.

(16) Persons so promoted will be subject to the standard probationary period for the new position, unless specifically waived by the city manager.

(17) Employees in position classifications which are upgraded or downgraded in salary to reflect changes in market conditions will retain their existing anniversary date for future step increases.

(Code 1989, § 2-5-31; Ord. No. 05-04-26, 4-26-2005)

Sec. 70-85. Transfers.

(a) Any current employee interested in applying for a transfer must file a completed city application form with the city managers office. If the employee meets the stated requirements for the position he will proceed through the regular hiring procedures with all other applicants. Transfers are made only when the city's service will benefit. All else being equal, current city employees will be given priority for open positions.

(b) Transfer employees will serve a probationary period in the new position. Transfer employees remain eligible for all fringe benefits included with the previous position. If the position to which an employee transfers carries benefits different from those of the previous position, the benefits of the new position apply.

(c) Transfers do not change a person's date of hire. However, the anniversary date for future step increases will be revised to coincide with the transfer date.

(d) Transfers may also be initiated by the city in instances where the city's best interests may be served.

(e) The salary offered to the employee must be consistent with the salary and requirements of the new position. Thus, an employee who meets only the minimum requirements for the position will be started at the bottom of the salary range regardless of the employee's current salary. Employees who exceed the minimum requirements for the position may be offered a salary consistent with the employee's level of skills, experience and knowledge, but in no case shall the salary be more than ten percent above the entry level pay for the position unless prior approval is obtained from the city manager.

(Code 1989, § 2-5-33; Ord. No. 05-04-26, 4-26-2005)

Sec. 70-86. Position descriptions.

(a) Position descriptions and job specifications shall be maintained by the city manager's office for all full-time positions.

(b) The position descriptions shall include:

(1) Class title;

(2) Grade number;

(3) Class code;

(4) Department;

(5) General purpose;

(6) Supervision received;

(7) Supervision exercised;

(8) Examples of duties;

(9) Minimum qualifications;

(10) Special requirements; and

(11) Selection guidelines.

(c) The position description does not constitute an employment agreement between the city and the employee and is subject to change as the needs of the city and the requirements of the job change.

(d) Examples of duties listed in the position description are intended only as illustrations of the various types of work performed. The omissions of specific statements of duties does not exclude them from the position if the work is similarly related or a logical assignment to the position.

(e) Each employee's position description is maintained as part of his personnel file. Additional copies of position descriptions may be requested through the department head.
(Code 1989, § 2-5-34)

Sec. 70-87. Reclassification.

Revision of position descriptions and reallocations within the classification plan shall be made as often as is necessary to provide current information on positions and classes.
(Code 1989, § 2-5-35)

Sec. 70-88. Annual evaluation increases.

An employee's job performance shall be evaluated annually on their anniversary date for their current position. If the city council has approved an annual evaluation increase in that year's budget, and the employee receives a rating of satisfactory or above on their annual evaluation, the employee will be eligible for a one step pay increase of approximately two and one-half percent the pay period immediately following their anniversary date.

(1) Employees who have served a minimum of nine months since their last annual evaluation increase and who are selected for promotion, will be given an efficiency evaluation; and if rated satisfactory or above, if not at the maximum of their salary range; shall receive an increase of one step (approximately two and one-half percent) in addition to their promotional increase.

(2) Employees who have reached the maximum step of their pay grade, may not exceed the pay grade maximum, and will receive any annual evaluation increase as a one-time lump sum payment.

(Ord. No. 05-04-26, 4-26-2005)

Secs. 70-89—70-120. Reserved.

ARTICLE IV. BENEFITS

Sec. 70-121. Group health plan.

The city offers to the mayor, council, and all its regular full-time employees who meet the eligibility requirements as set forth by the city's insurance coverage and their eligible dependents group health coverage. Premiums for the mayor, council, and all its regular full-time employees who meet the eligibility requirements as set forth by the city's insurance coverage who have single coverage may be paid in full by the city. The city pays a percentage, approved by the city council, of premiums for those with family coverage.
(Code 1989, § 2-5-41; Ord. No. 02-06-27, 6-27-2002; Ord. of 7-11-2006)

Sec. 70-122. Life insurance.

The city provides life insurance to the mayor, council, and all its regular full-time employees who meet the eligibility requirements as set forth by the city's insurance coverage. Premiums for the mayor, council, all its regular full-time employees who meet the eligibility requirements as set forth by the city's insurance coverage may be paid in full by the city.
(Code 1989, § 2-5-42; Ord. No. 02-06-27, 6-27-2002; Ord. of 7-11-2006)

Sec. 70-123. Group dental plan.

The city offers to the mayor, council, and all its regular full-time employees who meet the eligibility requirements as set forth by the city's insurance coverage and their eligible dependents group dental coverage. Premiums for the mayor, council, and all its regular full-time employees who meet the eligibility requirements as set forth by the city's insurance coverage with single health cov-

erage may be paid in full by the city. The city pays a percentage, approved by the city council, of the premiums for those with family coverage.
(Code 1989, § 2-5-43; Ord. No. 02-06-27, 6-27-2002; Ord. of 7-11-2006)

Sec. 70-124. Credit union.

City employees and their family members are eligible to participate in the LGE Community Credit Union and C-MAR Credit Union (merging with IBM Southeast Employee's Federal Credit Union) and the Credit Union of Georgia which both offer a number of services to members, including savings programs, share draft checking, money market accounts, certificates of deposit, individual retirement accounts (IRA's), loans, check cashing, loan protection insurance and member account insurance. All contributions are financed 100 percent by the employee.
(Code 1989, § 2-5-44; Ord. No. 2009-0003, 4-13-2009; Ord. No. 1742, 10-10-2011)

Sec. 70-125. Deferred compensation.

(a) The city provides an option to any eligible employee to invest a portion of his present earnings in a deferred compensation plan with Nationwide Retirement Solutions. This is an arrangement where a certain dollar amount can be designated by the employee to be withheld from his paycheck and invested for payment at a later date, usually at retirement, when most people are in a lower income bracket. Under this arrangement, neither the deferred amount nor earnings on the investments are subject to current federal income taxes until such time as the employee receives payment from the plan.

(b) The city-approved program includes various investment options and is currently administered by Nationwide Retirement Solutions. Enrollment can be arranged through Nationwide Retirement Solutions, and is open to any individual who has achieved regular employee status with the city. Contributions to the program are financed either through direct deposit or payroll deduction. The city may contribute an amount not to exceed five percent of an employee's annual pay if the employee contributes three percent or more of his annual pay.

(c) Benefits received through this program are in addition to any social security or public employees' retirement system benefits for which the participating employee would be eligible.
(Code 1989, § 2-5-49; Ord. No. 99-09-28, 9-28-1999; Ord. No. 04-04-13, 4-13-2004)

Sec. 70-126. Retirement system.

(a) The city provides all regular full-time city employees a retirement program. Employees receive a defined benefit plan which is fully funded by the city.

(b) A regular full-time employee will be enrolled in the city's retirement program following one year of employment.

(c) A participant who meets the requirements of the city's retirement program, upon retirement on his normal retirement date, shall receive a monthly retirement benefit under which payments shall commence on the first day of the month coinciding with his normal retirement date and shall be payable on the first day of each month thereafter during his lifetime. The amount of the monthly retirement benefit of service shall be in accordance with the city's retirement program.
(Code 1989, § 2-5-46)

State law reference—Power to establish retirement plan, O.C.G.A. § 47-5-40.

Sec. 70-127. Social security.

(a) All employees are automatically included as participants in the social security system (FICA) which provides workers with the following benefits: retirement insurance, survivor's insurance, disability insurance, medicare for the disabled and the aged, and supplemental security income. These benefits are in addition to public employees' retirement system benefits for which the employee may be eligible to receive.

(b) Financing of the program is accomplished by employee payroll deduction contributions and through a match paid by the city. Employee contributions stop each year once they have paid the required percentage as designated by the

federal government. The salary limit and percentage are subject to change at the beginning of each year according to federal guidelines.
(Code 1989, § 2-5-47)

Sec. 70-128. Unemployment compensation.

The city is a covered employer under the unemployment compensation law. The basic objective of the program is to provide a partial replacement of wages for its employees during short periods of involuntary unemployment. The program is financed completely by the city.
(Code 1989, § 2-5-48)

Sec. 70-129. Worker's compensation.

(a) All employees are covered by worker's compensation, a program of industrial insurance to protect workers, their families and dependents from loss due to an injury caused by an accident arising out of and in the course of employment. The program provides for payment of medical and hospital bills, physical and vocational rehabilitation, and financial compensation while the worker is disabled, either temporarily or permanently, and is unable to work. It also provides for compensation for permanent partial disability such as the loss of a finger, eye, foot, etc., and assures death benefits and compensation to the worker's family or dependents in the event the injury is fatal.

(b) No compensation shall be allowed for the first seven calendar days of incapacity resulting from an injury, including the day of the injury, except the benefits provided for in O.C.G.A. § 34-9-200; however, if an employee is incapacitated for 21 consecutive days following an injury, compensation shall be paid for such first seven calendar days of incapacity.

(c) Generally, the average weekly wage over a 13-week period immediately preceding the injury shall be taken as the basis upon which to compute compensation. The city shall pay or cause to be

paid a weekly benefit equal to two-thirds of the employee's average weekly wage but not more than $250.00 per week.

(d) Time spent on worker's compensation leave shall not be considered hours worked for purposes of leave accrual.

(e) An employee may be paid for earned sick leave while on worker's compensation leave.

(f) The mayor, members of the city council, certified volunteer police officers, and volunteer firefighters are covered by worker's compensation.

(Code 1989, § 2-5-49; Ord. No. 04-04-13, 4-13-2004)

Sec. 70-130. Continuance of medical coverage (COBRA).

(a) Employee and/or dependent medical coverage under the current plan may cease as a result of one of the following events:

(1) Termination of employment.

(2) Change to nonparticipating employment status.

(3) Divorce or legal separation.

(4) Dependent child became ineligible.

(b) Employees or dependents may elect to continue medical coverage beyond the date that it would otherwise terminate by doing one of the following:

(1) Convert the group medical coverage to an individual policy provided directly by the insurance carrier. Employees will be sent benefit information and rates regarding conversion options directly from the insurance company.

(2) Continue to participate in the group medical coverage plan under the criteria outlined below:

a. *Rights of employee*. Employees presently covered by the insurance plan or health maintenance organization (HMO) may continue this coverage for up to 18 months from the date that employment terminates or status changed to a nonparticipating (noninsured) employment status provided that the employee pays the full cost of premium and any administrative fee (up to two percent) that may be imposed.

b. *Rights of a spouse of employee.* The spouse of an employee covered by the medical plan or a sponsored HMO has the right to continue coverage if the employee was terminated or changed to nonparticipating employment status, or if a divorce or legal court-decreed separation from the employee took place. Coverage under these circumstances may continue for a period up to 36 months provided that the spouse pay the premium in full and any administrative fee (up to two percent) that may be imposed.

c. *Rights of children.* Dependent children of an employee covered by the medical plan or a sponsored HMO have the right to continue coverage if group health coverage under the medical plan is lost because of termination of a parent's employment or change to nonparticipating employment status; parents' divorce or legal court-decreed separation; or the dependent ceases to be a dependent child under the medical plan. Coverage under these circumstances may continue for a period up to 36 months provided that the spouse pay the premium in full and any administrative fee (up to two percent) that may be imposed.

(3) A child born to or placed for adoption with the member who is on COBRA is defined as a qualified person. As a qualified person, the child:

a. May be eligible for independent election rights.

b. May be eligible for an additional 18 months of COBRA continuation if a

second qualifying event occurs during the member's original 18-month continuation period.

c. May qualify for an 11-month extension due to disability.

If a dependent is added, the premium will be adjusted accordingly. Dependent coverage must be elected within the plan's normal enrollment period.

(c) If an employee or eligible spouse or dependent does not elect to continue coverage, group health insurance will end as scheduled under the plan.

(d) If an employee elects to continue group medical coverage, the employee or eligible spouse or dependent is responsible for paying the entire cost (both employer and employee share). This cost will be subject to periodic rate changes. Employees are not required to show that they are insurable (by taking a medical exam) to continue the coverage.

(e) Continued coverage may be terminated earlier than the 18-month or 36-month period if group medical plans for all other employees are terminated, or if the employee or eligible spouse or dependent:

(1) Fails to remit the required monthly payments within 31 days of the due date;

(2) Becomes eligible under any other group medical plan and has satisfied the pre-existing exclusion provision under the new plan;

(3) A covered spouse remarries and becomes eligible to be covered under a group medical plan and has satisfied the pre-existing exclusion provision under the new plan;

(4) Becomes eligible for medicare.

Under the Health Insurance Portability and Accountability Act of 1996, if you have a break in coverage of more than 63 days, you may have to satisfy a pre-existing exclusion under a new group health plan.

(f) A member or dependent may extend COBRA continuation if determined by the Social Security Administration (SSA) to be disabled before a qualifying event or within 60 days after a qualifying event.

(g) To request an 11-month extension due to disability, a member must submit a copy of the social security disability determination notice to the city within 60 days after the date the notice is received. The request must be made within the 18-month COBRA continuation period.
(Code 1989, § 2-5-50)

Sec. 70-131. Education.

(a) Tuition and expenses (required text, books, lab fees, etc.) for formal specialized training or college level courses in pursuit of a degree where training will be a direct benefit to the city may be paid by the city, contingent on budgeted funds, as follows:

(1) The cost may be paid for courses taken that are related to the employee's current job or to a position for which there is a reasonable expectation of promotion. For the purpose of this section, a related course is:

a. A required course in a curriculum leading to a degree directly applicable to city services and the employee's career path.

b. One or more courses that will improve the abilities and knowledge of the employee in his current job.

c. Any course or training assigned by management to improve city operations.

(2) Prior to course enrollment, the employee's request for city participation must be submitted and approved by the department head and an educational agreement properly executed by the city manager. All educational agreements are made part of the employee's personnel file. An employee must have completed his probationary period and be a regular full-time employee in order to be eligible for reimbursement of college level courses.

(3) Payment of tuition and expenses shall be contingent upon satisfactory completion of the course as defined by the educational agreement.

(b) Conferences, schools or short courses of instruction designed to advance specific technical or professional skill(s) shall be subject to approval by the department head and city manager.

(c) An employee shall remain employed with the city three months for each hour (i.e., semester hour) paid by the city for the cost of education. If the employee does not remain employed with the city for the required period, the employee must pay for all education cost paid by the city in full prior to termination.
(Code 1989, § 2-5-51)

Sec. 70-132. Employee recognition.

(a) *Service awards.* Employee tenure may be recognized at five-year increments by a certificate and service pin. These may be awarded to full-time and part-time employees by the mayor and city council at a council meeting. Gift certificates/ gift cards may be granted as follows:

Years of Service	*Gift Value Full-Time*	*Part-Time*
5	$ 50.00	$25.00
10	75.00	40.00
15	100.00	50.00
20+	125.00	65.00

(b) *Retirement.* Upon retirement, an employee may be honored by the mayor and council with a plaque and gift. The value of gifts may be determined by the tenure of the employee:

Years of Service	*Gift Value*
20+	$250.00

(c) *Longevity pay.* A full-time employee who has been employed by the city for ten consecutive years as of June 30, 2005, will be eligible to receive flat rate longevity incentive pay based on their original date of hire. Employees who do not have ten years on consecutive service as of June 30, 2005, will not be eligible for the flat-rate longevity incentive. Flat rate longevity incentives will be paid as follows:

Years of Service	*Longevity Pay*
10	4 percent flat rate incentive
15	8 percent flat rate incentive
20	12 percent flat rate incentive

(d) *Hospitalization.* An employee who is hospitalized may receive flowers or a gift up to $50.00 in value.

(e) *Death.* A spray of flowers, gift or a gift card may be bought on the death of an employee, retired employee or current or former elected official, $100.00 limit. In case of the death of an immediate family member of a current employee or a current elected official, a gift certificate may be sent to the family with a limit of $50.00.
(Code 1989, § 2-5-52; Ord. No. 04-04-13, 4-13-2004; Ord. No. 05-05-24, 5-24-2005)

Sec. 70-133. Vehicles.

(a) *City vehicles.* The city may provide employees with vehicles to help them in carrying out their job efficiently and effectively.

(1) *Personal use.* Employees shall not use a city vehicle for personal or private business. The only exception to this is commuting to and from work in a city vehicle. Employees who commute in a city vehicle shall be governed by the guidelines in subsection (a)(2) of this section.

(2) *Authorization.* Use of a city vehicle for commuting must be authorized by the city manager for one of the following reasons:

a. The employee responds to emergency or after hours calls; and

b. The cost of providing the vehicle is less than the expense of mileage reimbursements for using a personal vehicle on city business; or

c. The vehicle carries special equipment or personnel to respond to an emergency. Delays in getting this equipment or personnel to the scene of the emergency would result in increased danger to the public.

(b) *Additional benefits.* The city may provide a vehicle or an allowance for the use of a personal vehicle as an additional fringe benefit for selected personnel. The criteria for providing such a benefit shall be:

(1) The city receives intangible benefits from giving the employee the vehicle benefit such as the speed of response to emergencies or after hours services which justify the benefit.

(2) Provision of the vehicle benefit is considered to be a part of the total pay package for the position.

(3) An employee who is provided an allowance for the use of a personal vehicle during official business shall be covered by the city's vehicle insurance upon approval by the city manager and notification and approval is provided to the city by the city's insurer. The employee must have a minimum $50,000.00 liability coverage.

(c) *Taxation.* The value of the use of the city's vehicle will be reported as income to the employee for tax purposes. The city will withhold appropriate taxes from the employee for the value of the vehicle's use and will pay any taxes incurred as an employer.

(d) *Penalty for abuse.* Employees may not use a city vehicle for any personal use other than authorized commuting to and from work. Any further personal use of the vehicle will result in disciplinary action against the employee.
(Code 1989, § 2-5-53)

Sec. 70-134. Employee assistance program.

(a) The city may maintain for its employees and their immediate family members a counseling and treatment program, referred to as the employee assistance program or EAP. This program, provided by an outside professional medical organization, assists city employees and their immediate family members with a wide range of personal problems that may have a negative affect on their well-being and/or job performance. The provider will furnish an assessment for the employee or family member and make recommendations for further counseling or treatment as needed either at their facility or by making a referral to an appropriate agency.

(b) Some typical problems for which employees may seek professional counseling through the employee assistance program are:

(1) Financial;

(2) Marital;

(3) Alcohol abuse;

(4) Drug abuse;

(5) Dealing with problem children;

(6) Coping with stress;

(7) Death of a family member;

(8) Divorce; and

(9) Children with attention deficit disorder.
(Code 1989, § 2-5-54)

Sec. 70-135. Other benefits.

(a) *Christmas bonus.* The mayor and city council may authorize a Christmas bonus to both full-time and part-time employees.

(b) *Uniforms.* The city provides uniforms or an allowance for the purchase of uniforms to regular full-time employees in public works and public safety positions, as well as full-time building inspectors.

(c) *Personal safety equipment.* Employees may be eligible to purchase safety equipment such as safety shoes through a city contract. Employees may use payroll deductions to pay for these items. The city may pay for personal safety equipment at the discretion of the city manager.
(Code 1989, § 2-5-55)

Secs. 70-136—70-170. Reserved.

ARTICLE V. LEAVE

Sec. 70-171. Family medical leave.

(a) The city will provide employees with up to 12 weeks of unpaid family and medical leave during any 12-month period for the following:

(1) Birth, adoption or placement of a child for foster care.

(2) To care for a spouse, child or parent with a serious health condition or due to the disabling illness of the employee.

(b) To be eligible for leave, an employee must have worked for at least 12 months for the city and for a minimum of 1,250 hours during the previous year.

(c) Employees who take leave will be entitled to return to their positions, or positions with equivalent benefits, pay and other terms and conditions of employment.

(d) The city can deny a position to employees who are among the highest paid ten percent of the employees where the denial is necessary to prevent substantial and grievous economic injury to the operations of the city.

(e) Employees will not accrue any seniority or employment benefits during any period of leave.

(f) The city will provide coverage under a group health insurance plan for employees who are on leave under the same conditions as coverage would have been provided if no leave had been taken.

(g) Employees are required to provide at least 30 days' notice before beginning to take leave. Leave resulting from the birth of a child or the placement of a child for adoption or foster care can not be taken intermittently or on a reduced leave schedule unless the employee and city agree.

(h) Leave resulting from the serious illness of a child, spouse, parent or the employee can be taken intermittently or on a reduced leave schedule when medically necessary.

(i) The city may require that any accrued personal leave of the employee be substituted for the 12 weeks of leave provided by the Federal Family and Medical Leave Act.

(j) Where leave is requested as a result of a serious health condition, the city can require the employee to provide a certification issued by a health care provider. The city can require an opinion from a second health care provider, which will be paid for by the city, where there is doubt as to the validity of the certification provided by the employee. If there is a conflict between the two opinions, the city may pay for an opinion by a third health care provider. The opinion of the third health care provider will be binding upon both the city and employee.
(Code 1989, § 2-5-61; Ord. No. 05-06-14, 6-14-2005)

Sec. 70-172. Bereavement leave.

A regular full time employee who has a member of his immediate family taken by death shall receive up to three days off with pay as bereavement leave to arrange and/or attend funeral activities. If additional time is necessary, it shall be taken as personal leave or unpaid leave if personal leave has been exhausted with authorization of the appropriate department head and city manager. Time for attendance at the funeral of others may be granted using personal leave, leave without pay or made up within the same pay period. The employee must notify his immediate supervisor upon making determination to take time off from work. Employees who fail to return to work on the date specified to the department head without receiving an extension are subject to disciplinary action up to and including termination.
(Code 1989, § 2-5-62; Ord. No. 04-04-13, 4-13-2004; Ord. No. 05-06-14, 6-14-2005)

Sec. 70-173. Holidays.

(a) The city shall celebrate the following holidays off with pay for full-time employees:

New Year's Day	January 1
Martin Luther King's Day	Third Monday in January
Memorial Day	Last Monday of May
Independence Day	July 4
Labor Day	First Monday of September
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday of November
Day after Thanksgiving	
Christmas Eve	December 24
Christmas Day	December 25
Personal Day	

(b) If a holiday falls upon a Sunday, the following Monday shall be deemed to be the legal holiday. If the legal holiday falls on a Saturday, the preceding Friday shall be deemed to be the legal holiday.

(c) To receive pay for an official holiday, the employee must either:

(1) Work the days immediately before and after the holiday; or

(2) Be on approved paid leave on those days.

(d) Employees working flexible hours who are not scheduled to work on the day of a holiday will not have their holiday hours included in any calculations of overtime. Rather, they will be paid holiday hours in the amount proportionate to their daily flex time work hours. For example, if an employee is scheduled to work four ten hour days and the following day off coincides with a council designated holiday, then the flex time employee will receive ten hours of holiday pay. For the non-exempt flex time employee who is scheduled to work on a holiday, the individual will be paid for the hours worked in addition to the holiday hours granted in a proportional manner to the normal daily flex hours. Only the hours actually worked will be eligible for inclusion in the calculation of overtime.

(e) Firefighters and uniform sworn police officers (207(k) employees), and nonexempt employees that are not on flex schedules and authorized to work during any holiday as defined in subsection (a) of this section, shall be paid at the [the rate of two times the normal hourly rate (if the employee is not paid hourly, then by their pay for a pay period divided by the number of hours in their pay period) for hours worked on the holiday. A holiday is considered to be a 12-hour day for firefighters and an eight-hour day for all other workers.]

(f) Any employee who has accrued holiday hours [shall use such holiday hours earned prior to using vacation hours.]
(Code 1989, § 2-5-63; Ord. No. 98-11-24, 11-24-1998; Ord. No. 01-02-27, 2-27-2001; Ord. No. 2008-0016, Exhs. A, B, 7-28-2008)

Sec. 70-174. Jury/court leave.

(a) Any regular full-time employee who is required to serve on a jury, or as a result of official city duties is required to appear before a court, legislative committee or quasijudicial body as a witness in response to a subpoena or other directive, shall be allowed authorized leave with pay. A probationary employee called will have his probationary period extended to by the same amount of time as required for serving on jury duty. An employee who receives notice of jury duty or witness service must notify his supervisor immediately in order that arrangements may be made to cover the position. The city reserves the right to request that an employee who is called for jury be excused if their absence would create a hardship on the operational effectiveness of the department to which they are assigned.

(b) Time away will not affect personal leave accruals.

(c) Employees who appear in court as the plaintive or defendant in any action not related to their official duties shall not be paid for time away from work unless that time is accrued personal leave.

(d) The employee may keep any court payment for services performed on the days of his regularly scheduled workday or performed while on personal leave.

(e) Employees are to return to work after jury duty although no more than the regularly scheduled number of hours for both jury duty and work shall be required. If excused as a juror on any given day, the employee is expected to contact his supervisor and to report to work as instructed.
(Code 1989, § 2-5-64; Ord. No. 05-06-14, 6-14-2005)

Sec. 70-175. Leave of absence without pay.

Requests for leave of absence without pay shall be in writing and shall state specifically the reasons for the request, the date desired to begin the leave, and the date of return. The request shall normally be submitted by the employee to the affected department head. The department head shall grant, modify or deny the request based upon the best interest of the city, giving due consideration to the reasons given by the employee, and the requirements of any applicable state and federal laws.
(Code 1989, § 2-5-65)

Sec. 70-176. Military leave.

(a) The authority for this section is derived from the provisions of O.C.G.A. § 38-2-279 and applies to all city employees who are affiliated with the United States Armed Forces, National Guard or Coast Guard.

(b) Employer's responsibilities:

(1) The city is obligated to release employees for service with the armed forces when the employee participates in:

a. Annual training.

b. Inactive duty training assemblies (weekend drills).

c. Involuntary call-up.

(2) Ordered military duty shall result in no loss of seniority status or benefits which would have normally accrued if the employee had not been absent for such purposes.

(3) The city is obligated to grant military leave with pay to the employees for absences not exceeding 18 calendar days per year in accordance with state law. The city shall not require the employee to use personal leave for such purposes. The employee may, however, request use of personal leave, or leave without pay, to supplement absences exceeding those covered by the 18-day military leave allowance.

(c) Employee's responsibilities:

(1) The employee is responsible to provide to his department head copies of all military orders which will result in a leave of absence for military duty. Orders must specify the duties of absence, promulgation authority, letter order number and signature of issuing authority. Employees are required to notify their supervisors at the earliest possible date upon learning of scheduled military duty.

(2) Employees who fail to return to work on the date specified in the leave request without receiving an extension in advance are subject to disciplinary action up to and including termination.

(3) Inactive duty training dates (weekend drills) should be provided to the department head as soon as available if the dates conflict with scheduled employment with the city.

(4) Extended leave of absence (exceeding 18 calendar day allowance) will be pursuant to the policy on leave of absence without pay.

(Code 1989, § 2-5-66; Ord. No. 05-06-14, 6-14-2005)

State law reference—Rights of public officers and employees absent on military duty, O.C.G.A. § 38-2-279.

Sec. 70-177. Personal leave.

(a) Effective July 1, 2005, all full-time employees, whether paid on an exempt or non-exempt basis, shall accrue personal leave. Personal leave accruals may be used to receive pay if an employee is on an approved absence from work. A full-time employee shall accrue personal leave from their date of employment. Personal leave shall accrue to the credit of each employee up to a maximum total accumulation of 680 hours for general employees, 728 hours for 207(k) police department employees and 836 hours for 207(k) fire department employees as of June 30 of each fiscal year.

(b) Personal leave must be approved in advance by the employee's supervisor or department director. Timely requests for personal leave will be honored except when the supervisor or department director determines it would adversely affect the efficient operation of the department. In order to ensure effective operational scheduling, personal leave shall be requested as far in advance as possible but in no event less than one work day before the leave is to commence unless the failure to make a timely request is determined as beyond the employee's control by the department director. Department directors may require an acceptable notification period of up to ten working days for advanced notice to use personal leave for reasons other than sickness or emergency absences as long as that notification period is applied in the same manner for all department employees.

(c) In the case of unforeseen sickness or injury of the employee or an immediate family member, the employee must advised their supervisor or department director as soon as possible that they are going to be absent but not later than the employee's scheduled reporting time unless prohibited from doing so for reasons determined by

the supervisor or department director to be beyond the employee's control. The employee should also let the supervisor know when they anticipate returning to work. This procedure shall be followed every day the employee is unable to work, unless the absence has been scheduled in advance. A physician's certification may be required as validation of an unforeseen sickness or injury to the employee or their family member.

(d) Upon termination from city employment, employees shall be entitled to compensation at their current hourly rate for up to 50 percent of their accrued personal leave provided they give at least two weeks' working notice or are not terminated for cause as defined in section 70-242. In the event of an employee's death, 50 percent of their accrued personal leave balance may be paid to the employee's dependent spouse or child or the employee's estate.

(e) A full-time employee using approved personal leave for personal illness or injury for a period of three days or longer shall, prior to returning to work, furnish without delay a report from a doctor verifying that the employee is able to return to work at either full or light duty.

(f) Accrual of leave for city employees is as follows:

General Personnel

Years of Service	*Hours Earned Each Month*	*Hours Earned Each Year*
<5	13.34	160
5	18.00	216
10	20.00	240
15	20.67	248
20+	21.33	256

Sworn Police Personnel

Years of Service	*Hours Earned Each Month*	*Hours Earned Each Year*
<5	13.75	165
5	18.75	225
10	20.92	251
15	21.67	260
20+	22.33	268

Certified Fire Personnel

Years of Service	*Hours Earned Each Month*	*Hours Earned Each Year*
<5	15.50	186
5	21.67	260
10	24.33	292
15	25.42	305
20+	26.08	313

(g) Personal leave shall not accrue during leaves of absence without pay. Employees with less than six months of city service are not allowed to use personal leave during that six-month period for any reason except illness or injury.

(h) Personal leave shall be rounded off to the nearest half hour. Personal leave may only be used by an employee once it has been accrued.

(i) Accrued personal leave must be exhausted prior to taking an unpaid leave of absence.

(j) To accrue personal leave, an employee must work more than 50 percent of their normal work schedule in the month. Hours on approved personal leave shall count as hours worked for purposes of accruing personal leave.

(k) In all cases, employees must use a minimum number of personal leave hours each fiscal year based on years of service as follows:

General Employees

Upon completion of one year through five years of service	*- 40 hours annually*
Upon completion of six years through 15 years of service	- 80 hours annually
Upon completion of 16 years of service and over	- 120 hours annually

Sworn Police Department Employees

Upon completion of one year through five years of service	*- 44 hours annually*
Upon completion of six years through 15 years of service	- 88 hours annually
Upon completion of 16 years of service and over	- 132 hours annually

Certified Fire Department Employees

Upon completion of one year through five years of service	*- 53 hours annually*
Upon completion of six years through 15 years of service	- 106 hours annually
Upon completion of 16 years of service and over	- 159 hours annually

To the extent that the employee did not take the required number of accrued hours of personal leave as shown above, up to the required number of hours will be automatically deducted from the employee's personal leave accruals on June 30 of each fiscal year.

(l) Employees who have used or had deducted the required annual minimum personal leave hours and exceed their maximum personal leave accruals on June 30 of each fiscal year, are eligible to receive a personal leave incentive of up to 80 hours for general employees, up to 88 hours for sworn police department employees, and up to 106 hours for certified fire department employees based on their actual accruals. The personal leave incentive will be paid during the pay period that includes November 1 each fiscal year. As of June 30 each fiscal year, no employee may exceed their assigned personal leave maximums of 680 hours for general employees, 728 hours for 207(k) police department employees and 836 hours for 207(k) fire department employees.

(m) Employees may contribute personal leave to other city employees providing the receiving employee has exhausted all of their personal leave accruals. Personal leave donations may be donated to another employee for that employee to deal with a personal illness or injury. Personal leave donations will not be made to an employee for care for a family member or to provide a paid vacation. Employees terminating their employment with the city for any reason may not donate personal leave to other employees. Employees may receive a maximum of two work weeks personal leave donations for any specific incident.

(n) Personal leave accruals will be adjusted for police and fire employees on a 207(k) schedule promoting to general employee status using factors of 1.1 for police department personnel and 1.325 for fire department personnel on the effective date of their promotion or reclassification.

(o) *Holidays.* Paid holidays occurring during personal leave are not charged to personal leave.

(p) *Compensatory time.* Compensatory time off must be exhausted before personal leave is taken, even if this will result in accrued personal leave being forfeited.

(q) *Cash out personal leave time.* An employee may cash out personal leave with approval of the department director and the city manager. Employees will only be allowed to cash out 40 hours in a 12-month period. Requests must be for reasons of financial hardship like medical expenses, loss of family income, or legal matters resulting from something that was unforeseen and not budgeted.

(Code 1989, § 2-5-67; Ord. No. 04-04-13, 4-13-2004; Ord. No. 05-06-14, 6-14-2005; Ord. No. 2008-0016, Exh. A, 7-28-2008)

Sec. 70-178. Safety day.

The city has established a safety program with emphasis on training and prevention to avoid on-the-job injuries in the workplace. Employees are strongly encouraged to practice safety while working and report or correct any situation that may result in possible injury to other employees or the public in their work areas. On-the-job injuries are costly to the public and should be avoided. Effective July 1, 2005, city employees will be eligible to earn safety day leave. Safety leave will be awarded to any full-time city employee who has not had an on-the-job injury during the prior fiscal year. Forty-hour workweek employees who have not had an on-the-job injury during the preceding fiscal year will be awarded eight hours of safety leave. Police department 207(k) employees who have not had an on-the-job injury during the preceding fiscal year will be awarded 8.5 hours of safety leave. Fire department 207(k) employees who have not had an on-the-job injury during the preceding fiscal year will be awarded 12 hours of safety leave. Employ-

ees who have had an on-the-job injury during the preceding fiscal year are ineligible for safety leave regardless of the circumstances.
(Code 1989, § 2-5-68; Ord. No. 04-04-13, 4-13-2004; Ord. No. 05-06-14, 6-14-2005)

Sec. 70-179. Educational leave.

(a) Time off during regular working hours by an employee who is voluntarily pursuing a course of study, whether related or nonrelated, shall be subject to the approval of the department head. An employee will not be compensated for classroom time required during regular work hours. Continued time off for class time is contingent upon the employee meeting all job responsibilities.

(b) Employees may from time to time be required to attend training when it is to the benefit of the city. Employees assigned to attend courses at the direction of the department head will be compensated for classroom time in the same manner as if on the job.

(c) A special leave of absence at full or part pay may, in extraordinary situations, be granted by the city manager, upon recommendation of the department head, to permit a city employee to take courses of study which will better equip the employee to perform his duties for the city (i.e., F.B.I. Academy). This special educational leave may not exceed six months.

(d) An employee granted educational leave in excess of 60 days with full or part pay shall agree in writing to return to the employment of the city upon completion of his training and remain in the employ of the city for a period equal to six times the educational leave which he received, or reimburse the city for all compensation received while on educational leave.
(Code 1989, § 2-5-69)

Secs. 70-180—70-210. Reserved.

ARTICLE VI. CONDUCT

Sec. 70-211. Prohibited activities.

Employees of the city are expected to follow the laws of the state and the ordinances of the city. Additionally, since city employment is a position of public trust, certain activities are specifically prohibited. These activities include, but are not limited to:

(1) *Political activities.* Neither the position or city time should be used for political activity. Employees may express their political opinions privately. Employees are encouraged to vote for the candidate of their choice. Further political activity should be avoided. No employee may use any supplies or equipment of the city for political or partisan purposes.

(2) *Outside employment.* City employees should avoid outside employment which might lead to a conflict of interest or have a negative impact on performance of his city functions. Any employee engaged in outside employment shall submit a written report of such employment to their department director or the city manager. Such reports shall be required on a semi-annual basis.

(3) *Gifts and favors.* No city employee shall accept significant gifts or services from anyone who might expect to receive anything in return from the city. Gifts or services valued at more than $25.00 will be considered significant for purposes of this policy. No employee shall grant any improper favor, service or object of value in the discharge of his duties.

(4) *Use of intoxicants.* Employees should not have or consume any alcohol or other intoxicating drug during working hours. No employee shall be under the influence of alcohol or other intoxicating drug during working hours. Employees shall not possess, consume, manufacture or distribute illegal controlled substances at any time. This shall not apply to police officers in the lawful performance of their duty as an officer.

(5) *Abuse/misuse of equipment.* No employee shall abuse city equipment or supplies or use city resources for personal gain.

(6) *Garnishments.* Employee indebtedness is a personal concern, but multiple garnishments of an employee's salary may lead to disciplinary action. No employee shall allow his personal finances to hamper the performance of his job or create undue administrative problems for the city. A history of garnishments may be viewed adversely.

(7) *Sexual harassment.* Sexual harassment will not be permitted in any department of the city. Any employee who feels they are a victim of sexual harassment should report incidents to their department director, the human resources director or to the city manager immediately. Additionally, employees or supervisors who view sexual harassment in the workplace should report those actions immediately to their department director, the human resources director or the city manager. Sexual harassment includes unwelcome sexual advances or language that interferes with an employee's productivity or comfort at the work place, or dependence of any terms or conditions of employment on sexual favors.

(Code 1989, § 2-5-76(a)—(g); Ord. No. 010-2007, 4-23-2007)

Sec. 70-212. Reporting sexual harassment.

A claim of sexual harassment bypasses the normal grievance procedure; the claims may be expressed to a department director, the human resources director or the city manager. If the employee feels that reporting to a department director, the human resources director or the city manager may adversely affect his employment, a written claim may be made to the city attorney. The city attorney shall convey the claim to city council for action.
(Code 1989, § 2-5-76(g)(1); Ord. No. 010-2007, 4-23-2007)

Secs. 70-213—70-240. Reserved.

ARTICLE VII. DISCIPLINE

Sec. 70-241. Progressive discipline.

Progressive discipline is a process in which disciplinary action is taken in degrees of increasing severity. The city shall use a policy of progressive discipline when applicable. An employee who fails to perform assigned duties adequately or who violates city policies will be disciplined. Disciplinary actions taken will depend on the degree and circumstances of the violation. Notwithstanding anything contained herein to the contrary, all employees with the exception of the city manager, if the city manager has a contract with the city, are employees at will and may be terminated without cause.
(Code 1989, § 2-5-81; Ord. No. 010-2007, 4-23-2007)

Sec. 70-242. Causes for action.

Causes of disciplinary actions are:

(1) Chronic, excessive or unexcused tardiness or absenteeism;

(2) Absence without permission or leave (A.W.O.L.);

(3) Falsification of personnel or city records, including employment applications, accident records, work records, purchase orders, time sheets, or any other report, record or document;

(4) Negligence, incompetency or inefficiency in performing assigned duties;

(5) Inability or unfitness to perform assigned duties;

(6) Discourteous, insulting, abusive or inflammatory language or conduct toward the public or co-workers;

(7) Improper racial or sexual comments, harassment or acts directed to any employee or the general public;

(8) Failure to complete employee performance evaluations in a timely manner;

(9) Deliberately or negligently misusing, destroying, or damaging any city property or property of an employee;

(10) Removal of city property or any employee's property from city facilities without proper authorization; theft of city property or any employee's property;

(11) Insubordination or the refusal to perform work assigned, or to comply with any legal written or verbal instructions of a supervisor;

(12) Refusal to fully and truthfully cooperate in an investigation conducted by or at the direction of the city;

(13) Threatening, intimidating, coercing, or interfering with city employees or supervision at any time, including abusive language;

(14) Failure to work overtime, additional assignments, standby duty, or special details after being scheduled according to overtime and standby duty policies without legitimate reason;

(15) Possession, use, sale, attempt to sell or procure illegal controlled substances at any time whether on or off city property or whether on or off duty; and possession, use, sale or attempt to sell or procure alcoholic beverages while on duty, on city property or while operating or riding in or on city equipment;

(16) Consumption of alcoholic beverages before and/or during regular working hours (including meal breaks) or while on call or called out;

(17) Unauthorized use or possession of a firearm, explosives or weapons in city property or when conducting city business;

(18) On or off the job conduct which adversely affects the ability of the employee to perform their duties and/or adversely affects the efficient operation of the city government or any department, division, or area of city government;

(19) Failure to report an accident or personal injury in which the employee was involved while on the job or in a city vehicle;

(20) Violating a safety rule or safety procedure;

(21) Personal use of the City of Woodstock tax exempt number for any reason;

(22) Failure to report loss of a city identification card;

(23) Improper use of city email or computer systems;

(24) Use of official position for personal advantage, including acceptance of a gift, service, or anything of value over $25.00 in the performance of duty or under circumstances where the employee knew or should have known it was given with an expectancy of obtaining a service or favored treatment by a city employee, department or agency;

(25) Violation of published city or departmental policies, rules, standard operating procedures or regulations;

(26) Commission of a felony or a crime of moral turpitude;

(27) Conduct reflecting discredit on the city or any of its departments;

(28) Political activity that is prohibited by the policies of this chapter, state law or federal law; or

(29) Any other action or inaction not in the city's best interest.

(Code 1989, § 2-5-82; Ord. No. 010-2007, 4-23-2007)

Sec. 70-243. Types of action.

(a) *Disciplinary action.* Disciplinary actions fall into two general classes as follows:

(1) *Reprimands.* A reprimand is a formal means of advising the employee that a problem exists and must be corrected.

a. *Oral reprimand.* A verbal explanation of a problem with an employee and what must be done to correct the problem. This discussion should be between the department head or city manager and the employee in a private setting.

b. *Written reprimand.* A written statement of a problem with an employee and what must be done to correct the problem. The reprimand should also reflect the likely result of not correcting the problem. The employee should be given a copy of this reprimand in a private interview with the department head or city manager.

(2) *Adverse action.* An action taken by the city manager or department head that results in a suspension without pay, salary reduction, demotion or dismissal.

a. *Suspension without pay.* An employee may be suspended without pay, not to exceed 30 days, for a violation of policies governing performance and conduct.

b. *Salary reduction.* An employee's salary may be reduced for disciplinary purposes. A salary reduction is not a demotion in pay grade.

c. *Demotion.* An employee may be demoted for disciplinary or other involuntary reasons if a lower position is open, and the employee is qualified to perform the work at the lower position. A disciplinary demotion must include a decrease in salary.

d. *Dismissal.* An employee may be dismissed for disciplinary or other involuntary reasons when other actions did not solve the problem. A dismissal may also take place if the employee must be removed from the work place immediately and/or permanently.

(b) *Emergency action.* The city manager, department director and/or their designee may take immediate action against an employee under emergency situations. Immediate action shall be to suspend the employee with pay until an investigation can be conducted. For the purpose of this policy, an emergency situation may include, but is not limited to, the following:

(1) An employee commits a felony or crime of moral turpitude;

(2) When an employee may harm himself, fellow workers or the general public; or

(3) When an employee may damage public property.

(Code 1989, § 2-5-83; Ord. No. 010-2007, 4-23-2007)

Sec. 70-244. Grievance/appeals process.

(a) The grievance procedure is established to provide opportunity to non-probationary employees to bring to the attention of management, situations that directly affect the employee's working conditions. It is the intent and desire of the city to adjust complaints or grievances informally, and both supervisors and employees are expected to make reasonable efforts to resolve problems as they arise. However, it is recognized that there will be grievances, which will be resolved only after an appeal and review. The submission of a grievance by an employee shall in no way adversely affect the employee or their employment with the city.

(b) Only full-time and part-time employees who have completed the initial probationary period are eligible to file appeals or grievances under this procedure. Employees who are currently assigned to probationary periods based on promotion, demotion, or transfer who have completed the initial probationary period are considered eligible to file appeals or grievances under this section.

(c) In order to assure non-probationary employees', a method by which the employee can get a particular grievance considered rapidly, fairly and without reprisal, the following steps are provided:

Step 1 — Supervisor

The aggrieved employee shall, within three working days of the incident, explain and discuss the complaint or grievance orally with the supervisor involved. Higher level supervision may be called into the discussion in an effort to achieve a prompt adjustment.

The supervisor will make a decision and notify the employee in writing within a reasonable time after discussion with the employee. Normally a reasonable time as used herein would be considered to be three working days. Circumstances may warrant a longer time frame. Ultimately, the city manager will determine whether the response was within a reasonable time.

The supervisor must provide the department director with a copy of the written decision.

Step 2 — Department Director

If the aggrieved employee feels that the matter has not been settled or adjusted to his/her satisfaction by the supervisor, they may submit the matter in writing to the department director within three working days from receipt of the answer in Step 1.

The department director or his/her designee, shall meet with the employee within a reasonable time. The department director or his/her designee will provide a written answer to the employee within a reasonable time.

The department director must provide the human resources director copies of all relating documents and the written decision in Step 2.

The department director at Step 2, is the final appeal level for all grievance and appeals other than adverse actions as defined in section 70-243(2), grievances involving sexual harassment;

or grievances regarding actions under section 70-3, Discrimination which are herein referred to as "Appealable Grievances."

Step 3 — City Manager

If the aggrieved employee feels that an appealable grievance has not been settled or adjusted to their satisfaction by the department director, they may submit the matter in writing for review by the city manager. Requests to submit grievances or appeals to the city manager must be submitted to the human resources director within five working days from receipt of the answer in Step 2.

The city manager or his/her designee shall meet with the employee within a reasonable time after receipt of the grievance. The city manager or their designee will provide a written answer to the employee and the human resources director within a reasonable time.

Step 4 — City Council

If the aggrieved employee feels that the matter has not been settled or adjusted to their satisfaction by the city manager, they may submit the matter in writing for review by the city council. Requests to submit grievances or appeals to the city council must be submitted to the city clerk within five working days from receipt of the answer in Step 3.

The city council has the option to hear or decline to hear any appeal

(d) Any grievance shall be considered settled on the basis of management's response at the completion of any step, unless it is appealed within the time limits set forth.
(Code 1989, § 2-5-84; Ord. No. 010-2007, 5-14-2007)

Sec. 70-245. Reserved.

Editor's note—Ord. No. 010-2007, adopted May 14, 2007, deleted § 70-245 in its entirety. Former § 70-245 pertained to appeals and derived from Code 1989, § 2-5-85; and Res. No. 97-02-25, adopted Feb. 27, 1997.

Chapters 71—73

RESERVED