

NEWTON COUNTY
BOARD OF COMMISSIONERS
EMPLOYEE HANDBOOK



Adopted March 6, 2018

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Chapter 1: Definitions

Effective Date: 03/06/2018

Revision Date:

1. Applicant – Any person who has filed an application in accordance with the provisions of this Handbook.
2. Appointment – The act of placing an employee in a position authorized by the Board of Commissioners, recognized in the Classification Plan, and included in the approved budget.
3. Classification Description – A written description based upon a categorical designation of positions that contain appropriate Classification Titles, essential functions, descriptions of duties and responsibilities, types of work performed, Minimum Qualifications, performance aptitudes, and ADA compliance factors for a certain category of positions. Numerous positions exist under each Classification Description.
4. Classification Plan –The official or approved system of grouping positions into Classification Descriptions that are further grouped into appropriate Pay Grades approximately equal in difficulty, responsibility, training, and experience requirements. The Classification Plan is based upon a categorical designation of Classification Descriptions that contain appropriate Classification Titles, essential functions, descriptions of duties and responsibilities, types of work performed, Minimum Qualifications, performance aptitudes, and ADA compliance factors for a certain category of positions.
5. Classification Title – The official designation of a position’s title as set forth in the Classification Plan and assigned to a respective Classification Description. The Classification Title is used to designate each position in all budget estimates, payrolls, and other official records, documents, vouchers, and communications in connection with all personnel processes.
6. Compensation Plan – The system of assigning jobs to Classification Descriptions and to an appropriate Pay Grade based on the similarities of positions.
7. Continuous Service – Continuous service is employment that is uninterrupted, except for authorized leaves of absence or Suspension.
8. County – Newton County, Georgia
9. County Manager – The chief administrative employee of the Newton County Board of Commissioners.
10. Demotion – Demotion means a change in the rank of an employee from a position in one Pay Grade to a position in another Pay Grade having a lower minimum starting salary.
11. Department – Department means a major administrative division of County government whose employees report to an Elected Official or Department Director.

12. Department Director – The top administrative official in each major administrative division, who is responsible for developing and managing a departmental budget.
13. Dismissal – The termination of an employee.
14. Elected Official – A County official duly elected by the citizens of Newton County and presently serving in office.
15. Examination – Methods used to determine eligibility of Applicants for employment. Examinations may include, but shall not be limited to, written, oral, physical, medical, or performance tests, rating of training, and/or experience.
16. Exempt– A position that is exempt from receiving overtime pay. Generally, these positions are classified as executive, administrative, or professional in capacity as defined by the Fair Labor Standards ACT and designated as such by the Human Resources Director.
17. Full-time Employee – A County employee who fills a position for which the established work period is forty (40) or more hours per week (depending upon the specific job classification) on a continuing basis as authorized under the Classification Plan and Compensation Plan.
18. Immediate Family – An employee’s spouse, children, mother, father, brothers, sisters, half-brothers, half-sisters, aunts, uncles, grandparents, grandchildren, mother-in-law, father-in-law, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, step-parents and step-children.
19. Incidental Expenses – Fees and tips given to porters, baggage carriers, bellhops, hotel maids and transportation between places of lodging or business and places where meals are taken, if suitable meals can be obtained at the temporary duty site (See IRS Publication 463).
20. Lateral Transfer – A lateral transfer is when an employee is moved from one position with a certain Classification Title to a different position within the same Pay Grade, but with a different Classification Title, either within or outside the employee’s Department.
21. Lay-Off – The separation of an employee or employees from County employment for specified reasons unrelated to the employee’s performance.
22. Local Travel – Any travel occurring within sixty (60) road miles of the traveler’s work site.
23. Minimum Qualifications – Those minimum requirements as to education and experience that qualify an Applicant to be considered for appointment as an employee with the County. Additional requirements may also be indicated where necessary such as licenses, certificates, and others.
24. Non-Exempt – A position subject to the overtime pay requirements as defined in the Fair Labor Standards Act.
25. Non-Local Travel – Any travel beyond sixty (60) road miles of the traveler’s work site.

26. Part-Time Employee – An employee who works in a position that is budgeted for twelve (12) months of the year, but who is scheduled to work a minimum of twenty (20) hours, but less than forty (40) hours per week.
27. Pay Grade – All positions in a group which are sufficiently similar as to authority, kind or subject matter of work, level of difficulty, and duties and responsibilities with the same minimum requirements of training, experience or skill, and such other characteristics that warrant the same range of compensation for each position in the group.
28. Position Classification Plan – The plan approved by the Board of Commissioners establishing the position Classifications and the salary ranges for each position.
29. Probationary Period – The twelve (12) month period following an initial Appointment. Completion of the Probationary Period provides no promise of continued employment.
30. Promotion – A change in rank of an employee from a position in one Pay Grade to a position of another Pay Grade having a higher minimum salary.
31. Reclassification – The assignment of an existing position to a different and more suitable Classification Description when it is determined that a position is incorrectly assigned. A Reclassification may produce a corresponding change from one Pay Grade to a different Pay Grade.
32. Regular Employee – A Full-time covered employee who has completed all employment requirements including the Probationary Period. A regular employee remains an at-will employee.
33. Reinstatement – The filling of a vacant position with a former Newton County employee.
34. Resignation – The termination of an employee at his or her request.
35. Seasonal Employee – An employee who works in a position that is temporary in nature in that it coincides with a particular season, or seasons, of the year or with heavy workload periods for a particular Department. The seasonal position period may recur regularly from year to year, but it is not budgeted for twelve (12) months of the year.
36. Seniority Date - The Seniority Date for a reinstated employee shall be established as follows: full-time employees shall receive full credit for all past employment; Part-Time Employees shall receive credit for one-half of his or her past employment; and no credit for past employment shall be given to temporary, seasonal, or contract employees.
37. Supervisor – An individual whose primary, though not necessarily only, responsibility is to direct the activities of other employees.
38. Suspension – An enforced leave of absence without pay.
39. Travel Advance – An advance of funds provided to a traveler to cover estimated travel

expenses.

40. Travel Authorization – Written approval to travel on official business. County travel is based on adequate budget and the estimated cost of travel.
41. Travel Authorization Form – Form used as pre-approval for the traveler to incur reimbursable and/or travel-related credit card expenses and to obtain a Travel Advance for those expenses that cannot be paid via credit card.
42. Travel Reimbursement Form – Form used to provide an itemized accounting of the actual expenses incurred by the traveler. Local and Non-Local Travel expenses are reported on the respective expense form.
43. Working Test Period – The six (6) month period following an employee's transfer, demotion, or promotion during which the employee is carefully evaluated on his or her ability to perform the essential functions of his or her position. Successful completion of the working test period does

Chapter 2: General Provisions

Effective Date: 03/06/2018

Revision Date:

200 Introduction

Newton County welcomes you as an employee. Employees covered by this Policy are employed to fulfill certain duties and expectations that support the mission and values of Newton County and are expected to conduct themselves in a manner deserving of public trust. The following list is not all-inclusive but is intended to illustrate the minimum expectations for acceptable workplace conduct and performance. Departments have the authority to supplement this list as needed in a manner consistent with the needs of the organization and intent of this Policy.

Employees who contribute to the success of the Organizational & Departmental mission do the following:

- Report to work as scheduled.
- Perform assigned duties and responsibilities with the highest degree of public trust.
- Devote full effort to job responsibilities during work hours.
- Maintain the qualifications, certification, licensure, and/or training requirements identified for their positions.
- Demonstrate respect for the department and toward coworkers, supervisors, managers, subordinates, residential clients, and customers.
- Use County equipment, time, and resources judiciously and as authorized.
- Support efforts that ensure a safe and healthy work environment.
- Utilize leave and related employee benefits in the manner for which they were intended.
- Resolve work-related issues and disputes in a professional manner and through established business processes.
- Meet or exceed established job performance expectations.
- Make work-related decisions with integrity and/or take actions that are in the best interest of the County.
- Comply with the letter and spirit of all County and departmental policies and procedures.
- Report circumstances or concerns that may affect satisfactory work performance to management, including any inappropriate (fraudulent, illegal, unethical) activities of other employees.

- Work cooperatively to achieve work unit and departmental goals and objectives.
- Conduct themselves at all times in a manner that supports the mission of their department and the performance of their duties.

201 Code of Ethics for Public Service

It is the policy of the Newton County Board of Commissioners to uphold, promote, and demand the highest standards of ethics from all County employees. County employees shall conduct themselves in accordance with the Code of Ethics for Government Service found in O.C.G.A. § 45-10-1:

There is established for and within the state and for and in all governments therein a code of ethics for government service which shall read as follows:

--CODE OF ETHICS FOR GOVERNMENT SERVICE--

Any person in government service should:

- I. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or government department.
- II. Uphold the Constitution, laws, and legal regulations of the United States and the State of Georgia and of all governments therein and never be a party to their evasion.
- III. Give a full day's labor for a full day's pay and give to the performance of his duties his earnest effort and best thought.
- IV. Seek to find and employ more efficient and economical ways of getting tasks accomplished.
- V. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not, and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.
- VI. Make no private promises of any kind binding upon the duties of office, since a government employee has no private word which can be binding on public duty.
- VII. Engage in no business with the government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.
- VIII. Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profit.
- IX. Expose corruption wherever discovered.
- X. Uphold these principles, ever conscious that public office is a public trust.

No reprisal against Complainant

No individual shall be retaliated against for reporting a violation of this section or for cooperating with an investigation of a complaint of abuse, fraud or waste in Newton County government. However, intentional or malicious false accusations of misconduct could have a serious effect on an individual who has been falsely accused. Individuals falsely accusing another of misconduct will be disciplined based on the extent of the false accusation, up to and including termination.

O.C.G.A. §45-1-4, the Georgia Whistleblower Act (“the Act”), was enacted in 1993 for the purpose of eliminating fraud, waste, and abuse in state programs and was designed to protect those persons making complaints or disclosures from reprisals. Georgia law protects public employees who disclose an alleged violation of or non-compliance with any federal, state, or local law, rule or regulation pertaining to the possible existence of any activity constituting fraud, waste, and abuse in or relating to any state programs or operations. Any public employee who reports a potential violation shall be free from discipline or reprisal from his employer, unless such disclosure was made with false and reckless disregard.

202 Purpose of Employee Handbook

These Policies, in conjunction with administrative policies and procedures authorized by the County Manager, shall serve as the primary source of information related to personnel policies and procedures for administrative operations under the direction of the Newton County Board of Commissioners. This edition of the Personnel Policies Manual shall supersede all previous editions of Personnel Policies Manuals and shall render previous editions void in their entirety. These Policies are enacted by the Newton County Board of Commissioners to further the following goals:

- To provide a uniform system of personnel administration throughout the County.
- To ensure that recruitment, selection, placement, promotion, retention, and separation of County employees comply with Federal and State laws.
- To assist managers in the development of sound management practices and procedures, and to make effective and consistent use of human resources throughout the County.
- To promote communication between Elected Officials, Department Directors, Supervisors, and employees.
- To ensure, protect, and clarify the rights and responsibilities of employees.

This Employee Handbook provides general information about Newton County policies, procedures, expectations, and benefits. The information in this Handbook, however, cannot anticipate every situation or answer every question regarding your employment. Therefore, the policies set forth in this Handbook will not apply in every situation. The Human Resources Director is responsible for the official interpretation of this policy and shall make interpretive decisions for those situations that are not specifically covered by the provisions of this Handbook.

Newton County reserves the right to change or revise the policies contained herein when such action is deemed necessary. Proposed changes may be recommended at any time by Elected Officials, Department Directors, the Human Resources Director, the County Administration, Commissioners, or any employee. Such recommendations for changes should be submitted to the Human Resources Director.

This Handbook is not intended to and does not create an employment contract between Newton County and its employees. Your employment is for no specific period of time, and this Handbook does not limit your right or Newton County's right to terminate your employment at any time for any reason or no reason. The employment at-will relationship exists for all employees, unless otherwise specified by state law.

203 Newton County Government Structure

(a) Role of the Chairman and the Board of Commissioners

The Board of Commissioners establishes levels of service and appropriates funds to meet the needs of the County. By adopting ordinances and resolutions, pay and benefit programs, and other actions, the Board of Commissioners provides the basic tools for management to guide, motivate, attract, and retain a productive work force.

(b) Role of County Manager

The County Manager is the chief administrative official of Newton County and is responsible for the day-to-day operations of the County. In addition to numerous other duties, the County Manager issues rules, regulations, policies, and procedures and provides direction and guidance regarding allocation of the County's resources to achieve the desired objectives of the County Government. Operational decisions are dispersed from the County Manager's Office for action.

(c) Constitutional Officers Enumerated

The Constitutional Officers of the County are:

- (1) Clerk of the Superior Court
- (2) Judge of the Probate Court
- (3) Sheriff
- (4) Tax Commissioner

Employees of the Constitutional Officers may be covered by the County's personnel policies at the election of the applicable Constitutional Officer, who shall serve as the appointing official for his or her respective offices. Constitutional Officers may promulgate additional policies and procedures applicable to their employees.

(d) Role of Department Director

The Department Director is responsible for ensuring the optimum performance of his/her Department by providing leadership, guidance and direction to achieve organizational goals and assuring the overall integrity of the Department.

(e) Role of Supervisors

The Supervisor ensures satisfactory performance, enforces rules and ensures compliance with applicable rules and regulations. A Supervisor, or other designated manager, is responsible for giving positive guidance and correcting or responding to improper action or misconduct witnessed even when the subject is not a direct subordinate.

(f) Role of County Employees

The Employee's role is to perform assigned duties efficiently, effectively and professionally and to be flexible in adjusting with the changing nature of the County Government's functions based on the expectations of both management and the public. The employee must be courteous and respectful of the public with whom the employee interacts.

204 **Applicability**

This Employee Handbook is intended to apply to all employees of Newton County under the administration of the Newton County Board of Commissioners and the participating Constitutional Officers. The broad application of this Handbook will ensure that all employees of Newton County are treated equally. Moreover, the provisions contained in this Handbook establish uniform procedures for handling employment situations that facilitate efficiency and productivity.

205 **Administration**

The Human Resources Director, under the general direction of the County Manager, shall administer this Employee Handbook. However, powers and duties designated to the Human Resources Director in this Handbook may be delegated by the Human Resources Director to other Department Directors, who may further delegate such authority to subordinates.

The Human Resources Director serves as a liaison between management and employees and provides guidance and direction to both management and employees on issues of compensation, employment law, discrimination, benefits and proper application of personnel policies. If, at any time during the operation of this Employee Handbook, the position of Human Resources Director is vacant, the County Manager or any employee designated by the County Manager will be responsible for performing the duties of the Human Resources Director until the Human Resources Director position is filled. The Human Resources Department has an open-door policy of communication. Any employee may discuss a personnel matter with an agent of the Human Resources Department without fear of reprisal from management, or any other employee of Newton County.

Departmental operating rules and regulations related to employment matters, not in conflict with this Handbook, may be used and/or established by Department Directors. All such Departmental operating rules and regulations, and subsequent amendments thereto, adopted pursuant to this Section shall be submitted to the Human Resources Director for review and approval prior to the adoption by the Department.

206 **Revisions to Employee Handbook**

This Employee Handbook may be amended in whole or in part from time to time in the sole discretion of Newton County. Revisions may be made to maintain legal compliance, operative effectiveness, and desired workplace conditions. Amendments will be provided to all employees upon adoption.

Chapter 3: Workplace Environment

Effective Date: 03/06/2018

Revision Date:

301 Equal Employment Opportunity

Newton County is an equal opportunity employer. It is the policy of Newton County to provide equal employment opportunity to qualified persons without regard to race, color, religion, sex, national origin, age, disability, or any other legally protected category. This policy relates to all phases of employment, including, but not limited to, recruitment, placement, Promotion, Transfer, Lay-off, return from Lay-off, training, education, compensation, and benefits.

In addition, Newton County will not discriminate against any qualified employee or Applicant based on a physical or mental disability. Newton County will strive to provide reasonable accommodations to assist disabled individuals to perform essential job functions, if the accommodation does not cause the County undue hardship.

If you have any concerns regarding Newton County's equal employment opportunity policies, report those concerns to the Human Resources Director.

302 Conditions of Employment

Newton County is committed to ensuring that all employees enjoy a work environment free from intimidation, discrimination, harassment and violence. If you have any concerns regarding your workplace environment, report those concerns to your Supervisor, Department Director, and/or the Human Resources Director.

303 Smoke Free Environment

Consistent with the public health concerns addressed by the adoption of the Georgia Smokefree Air Act of 2005, all Newton County enclosed buildings and vehicles are hereby declared to be smoke-free areas. Additionally, due to the maintenance and cleanliness issues presented by smoke-less tobacco use, which gives rise to increased facilities costs and public health concerns, all Newton County enclosed buildings and vehicles are hereby declared to be tobacco (including smoke-less tobacco) free areas. The County may provide designated outdoor smoking areas that may also be utilized for the purposes of smokeless tobacco use.

304 Administration of Records

The Human Resources Director, or his or her designee, is responsible for establishing and maintaining an official personnel file for each employee of the County. Department Directors are responsible for forwarding documents to the Human Resources Department for inclusion in the personnel files of those employees assigned to their Department.

Information should be retained in the personnel file throughout the association of an employee with the County, including, but not limited to the following: employee applications; job descriptions and specifications; performance evaluations; education and training information;

personnel action forms; letters of appreciation, commendations, discipline; and other appropriate information, documentation, and records for personnel administration purposes.

(1) Access to Personnel Records

All information in an employee's personnel records shall be considered confidential, except as provided by law. An employee's personnel file may be reviewed by an employee's superiors for purposes of performance evaluation, disciplinary review, and other business purposes. In addition, employee records may be reviewed by others provided that the employee provides written authorization for such review to the Human Resources Director, or to his or her designee.

(2) Record of Review

The Human Resources Director shall maintain a record of each individual who reviews an employee's personnel file.

(3) Records of Former Employees

The rules and procedures of this Section shall apply to the personnel files of former employees as they apply to current employees per applicable retention requirements.

(4) Objections to Contents

An employee who objects to material in his personnel file may place in his or her file a brief statement about that which he or she considers to be inaccurate.

(5) 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.

Chapter 4: Position Classification Plan

Effective Date: 03/06/2018

Revision Date:

401 The Position Classification Plan

The Position Classification Plan is the official system, as approved by the Board of Commissioners, for grouping positions into appropriate Classifications utilizing job descriptions, job classifications, and guidelines for administration. The Position Classification Plan consists of the following elements:

1. *Position.* A position is a group of currently assigned duties and responsibilities that require the full or part-time employment of one person. A position may be occupied or vacant.
2. *Classification Description.* A Classification is a group of positions, regardless of Department, that have similar duties and responsibilities, require substantially the same qualifications, and can be equitably compensated by the same salary range under similar conditions. A classification does not limit the authority of Elected Officials or Department Directors to add, withdraw, or eliminate duties, functions and responsibilities applicable to particular jobs or positions. A one-position classification may exist where the position is unique within the County.
3. *Classification Title.* A Classification Title is the official name given to the written description of a Classification that shall be used on all personnel records and actions.
4. *Job Analysis.* The process of carefully observing and analyzing a job, and then recording the details of the work so that it can be evaluated.
5. *Job Description.* A summary of the essential job functions, qualifications, and other duties. Job Descriptions are not intended to create protected, contractual or property interests or other legally enforceable rights, and may be changed by the County from time to time. Additionally, Job Descriptions are intended to be descriptive and not restrictive.
6. *Minimum Qualifications.* The Minimum Qualifications contained in each Classification are considered comprehensive statements of the minimum required education, experience, and other qualifications for all classes as evidence of an employee's ability to perform the work properly and shall be strictly followed. Other qualifications cannot be considered in lieu of, or in substitution of, the Minimum Qualifications established.

402 Administration

The Human Resources Director, or his or her designee, shall be responsible for administering the Classification Plan. A third-party administrator may provide assistance when approved by the County Manager.

403 Official Copy of the Classification Plan

The Human Resources Director shall maintain a master copy of the Classification Plan and is charged with maintaining the integrity of the Classification Plan. A copy of the official plan shall be available for inspection by the public under reasonable conditions during normal business hours.

404 Maintenance of the Classification Plan

Periodically, the Human Resources Director shall conduct a general review of the Classification Plan. The Plan shall be updated and maintained on an ongoing basis as necessary, including:

1. Review and appropriate updates of Job Descriptions each time a vacancy occurs;
2. Preparation of new Job Descriptions as appropriate;
3. Revision of Job Descriptions due to the change of actual duties and responsibilities of a position; and
4. Establishing or abolishing new Classifications according to the procedures described in this Chapter.

405 Adoption of New Classification

(a) Responsibilities of the Human Resources Director

The Human Resources Director shall be responsible for the creation of new Classifications consistent with the procedures contained in this Section. Upon establishment of a new position, the position will be allocated to one of the existing Classifications in the Classification Plan with approval of the County Manager.

(b) Request for New Classification Description

The Human Resources Director, County Manager, or the applicable Elected Official or Department Director may request the adoptions of a new Classification Description. Whenever an Elected Official or Department Director requests a new position that would require the adoption of a new Classification, a written request and a position description must be submitted to the Human Resources Director. The position description must describe in detail the intended duties of the requested position. A desk audit and/or interview of the requesting party and/or all other affected Elected Officials and Department Directors may be required by the Human Resources Director in order to verify the information submitted. The Human Resource Director will review the submitted information and assign the position

to the appropriate Classification to ensure consistency with the Classification Plan.

(c) Review of Request by Human Resources Director

Upon receipt and verification of the request and the position description, the Human Resources Director shall conduct an analysis of the request for the purposes of creating a new Classification within the Classification Plan, and determining whether the creation of a new Classification is warranted. The Human Resources Director shall recommend approval or disapproval of the request to the County Manager or his or her designee.

(d) Approval Process

The County Manager or his or her designee shall review and approve or disapprove recommendations of the Human Resources Director regarding all requests for new Classifications. If the County Manager or his or her designee approves a request, but funds are not available in the applicable departmental budget, the County Manager may submit a request to the Board of Commissioners for final approval or disapproval. The decision of the Board of Commissioners will be final.

(e) Budgetary Limitations

Requests pursuant to this Section shall be presented for consideration in conjunction with the annual budget process. Approvals of such requests are contingent on available funds.

406 Modification of Existing Classification

(a) Responsibilities of the Human Resources Director

The Human Resources Director shall be responsible for the modification of existing Classifications consistent with the procedures contained in this Section.

(b) Request for Modification of Existing Classification Description

Whenever an Elected Official or Department Director requests the modification of an existing Classification, a written request and a position description must be submitted to the Human Resources Director. In addition, the Human Resources Director, the County Manager, and the Board of Commissioners each have the authority to request the modification of an existing Classification or position with the input from the affected Department Director. The position description must describe in detail the changes in duties or other reasons for the requested modification. A desk audit and/or interview of the requesting party and/or all other affected Elected Officials and Department Directors may be required by the Human Resources Director in order to verify the information submitted.

(c) Review of Request by Human Resources Director

Upon receipt and verification of the request and the questionnaire, the Human Resources Director shall conduct an analysis of the request for the purposes of determining whether the requested modification is warranted. The Human Resources Director shall recommend approval or disapproval of the request to the County Manager or his or her designee.

(d) Approval Process

The County Manager or his or her designee shall review and approve or disapprove recommendations of the Human Resources Director regarding all requests for modifications of existing Classifications. If the County Manager or his or her designee approves a request, but funds are not available, the County Manager may submit a request to the Board of Commissioners for final approval or disapproval. The decision of the Board of Commissioners will be final.

(e) Budgetary Limitations

Requests pursuant to this Section should be presented for consideration in conjunction with the annual budget process. Such requests are contingent on available funds.

407 Abolishment of Existing Classification Descriptions and/or Positions

(a) Responsibilities of the Human Resources Director

The Human Resources Director shall be responsible for the abolishment of Classifications consistent with the procedures contained in this Section.

(b) Request for Abolishment of Existing Classification Description and/or Position

Whenever an Elected Official or Department Director requests the abolishment of an existing classification or a position within his or her Department, a written request must be submitted to the Human Resources Director. In addition, the Human Resources Director, the County Manager, and the Board of Commissioners each have the authority to request the abolishment of a Classification or position with the input from the affected Elected Official or Department Director. Any request for abolishment must describe in detail the reasons for the requested abolishment. Such reasons may include, but are not limited to, lack of work, reorganization, or lack of funds. A desk audit and/or interview of the requesting party and/or all other affected Elected Officials and Department Directors may be required by the Human Resources Director to verify the information submitted.

(c) Review of Request by Human Resources Director

Upon receipt and verification of the request, the Human Resources Director shall conduct an analysis of the request for the purposes of determining whether the requested abolishment is warranted. The Human Resources Director shall recommend approval or disapproval of the request to the County Manager or his or her designee.

(d) Approval Process

The County Manager or his or her designee shall review and approve or disapprove recommendations of the Human Resources Director regarding all requests for abolishment. If the County Manager or his or her designee approves a request, if an employee occupies the classification, the County Manager shall submit the request to the Board of Commissioners for final approval or disapproval. Board of Commissioner's approval is not required for vacant Classifications.

408 Procedures for the Reclassification of Positions

(a) Statement of Intent

Each position of employment in Newton County is categorically assigned to a Classification. This Section allows for changing the assignment of a particular position to a different and more suitable Classification when it is determined that the position is incorrectly assigned. This change may produce a corresponding change in the salary range for the position. This procedure shall be known as Reclassification of the position.

(b) Request for Reclassification

An Elected Official or Department Director may request a position Reclassification. A request for Reclassification shall be submitted in writing to the Human Resources Director, together with a position description questionnaire and a detailed statement of justification for the request. The Human Resources Director will assign the position to the appropriate salary range. Reclassifications are justified due to of the following:

- (1) The position was incorrectly assigned to an inappropriate classification; or
- (2) There has been a substantial change in the duties and responsibilities associated with a position since it was assigned to a Classification.

(c) Review of Request by Human Resources Director

Upon receipt and verification of the request, the Human Resources Director shall conduct an analysis of the request for the purposes of determining whether the requested Reclassification is warranted. The Human Resources Director shall recommend approval or disapproval of the request to the County Manager or his or her designee.

(d) Approval Process

The County Manager or his or her designee shall review and approve or disapprove recommendations of the Human Resources Director regarding all requests for Reclassification. If the County Manager or his or her designee approves a request, but funds are not available, the County Manager may submit a request to the Board of Commissioners for final approval or disapproval. The decision of the Board of Commissioners will be final.

(e) Budgetary Limitations

To the extent that a Reclassification will require a change in Grade that produces a corresponding increase in needed funds for the position, the request for Reclassification should be presented for consideration in conjunction with the annual budget process, whenever practicable. Approval of such requests is contingent on available funds.

(f) Treatment of Affected Employee Upon Reclassification of Position

- (1) If the position is occupied at the time of Reclassification, the employee shall be entitled to serve therein with the corresponding status after the Reclassification.
- (2) If the position is assigned to a higher salary range because of the Reclassification, such action is considered an upgrade of the position. If the position is occupied at the time of an upgrade the employee's salary shall be increased by the dollar difference between the minimum salary of the old salary range and the minimum salary of the new salary range.
- (3) If the position is assigned to a lower salary range because of the Reclassification, such action is considered a downgrade of the position. If the position is occupied at the time of a downgrade, the employee will continue at the same pay as prior to the Reclassification and may receive future salary increases applicable to the position. If the employee's current salary is above the maximum rate of pay for the new lower salary range, the employee shall be permitted to continue at the same pay as prior to the Reclassification and will not be eligible for future salary increase.
- (4) In all cases of Reclassification of a vacant position, the position shall be filled according to the Recruitment Policies contained in this Employee Handbook.

Chapter 5: Compensation Plan

Effective Date: 03/06/2018

Revision Date:

501 Statement of Policy

The Compensation Plan is a systematic way of establishing pay levels for each Classification in the Position Classification Plan. It is the objective of Newton County to provide a fair, equitable and consistent method of compensating all employees. The Compensation Plan is a schedule of pay rates and salary ranges showing the assignment of each position to a Pay Grade. Positions are assigned to Pay Grades based on the results of salary survey data and job evaluation information. There are minimum and maximum salary ranges for each Pay Grade included in the Compensation Plan. The salary ranges are based on comparative external salary survey data, which is gathered from other jurisdictions with similar demographic characteristics or geographical proximity, and internal job evaluation information. The compensation for each employee is comprised of the basic salary structure and the components for the salary adjustments described further in this Handbook. The Compensation Plan is approved by the Board of Commissioners and is subject to availability of funds.

502 Administration

The Compensation Plan is maintained and administered by the Human Resources Director. The Human Resources Director shall annually review the Compensation Plan for necessary revisions and will make recommendations to the Board of Commissioners for appropriate amendments. The Board of Commissioners must approve all revisions to the Compensation Plan. The Compensation Plan shall be available for review upon request during business hours in the Human Resources Department.

503 Starting Rates for General Employees

A new Full-time Employee shall be paid the minimum rate of pay for the applicable Grade. The minimum rate of pay is based upon the assumption that a new employee meets the Minimum Qualifications stated in the Job Description. If a new employee exceeds the Minimum Qualifications for a position based on extensive knowledge, skills, and abilities, he or she may be appointed at a higher salary within the Grade assigned to his or her position based on a request to the Human Resources Director by the Department Director, and based on consideration of the following:

- (a) Whether the candidate possesses objectively outstanding or unusual abilities, experience, and/or training above the minimum requirements for the position;
- (b) Whether the County is unable to find a desirable and qualified candidate to accept the position at the minimum rate of pay; and
- (c) Whether the Departmental funds are available for such Appointment.

Consideration should be given to a review of the salaries of current employees in the same or similar positions whose present salaries are below the requested higher salary for the new employee. Upon

consideration of the above, the Human Resources Director shall recommend approval or disapproval of the request to the County Manager or his or her designee. The County Manager shall determine the appropriateness of the Appointment above the minimum rate of pay not to exceed mid-point. The decision of the County Manager shall be final.

504 Starting Rates for the County Manager and Department Directors

For purposes of this Handbook, Department Directors are defined as employees who are the top administrative official in their respective divisions who are responsible for developing and managing a departmental budget, who also report directly to the County Manager. This policy also applies to the County Manager who reports directly to the Board of Commissioners.

It is expected that incoming Department Directors shall be paid the minimum rate of pay for the position. Every effort should be made to recruit a qualified candidate who will accept Appointment at the minimum rate of pay for the position. However, in recognition of the important role and increasing demands placed upon Department Directors, a Department Director may be appointed at a higher rate of pay, within or above the salary range, at the discretion of the County Manager when considering salaries for Department Directors, and at the discretion of the Board of Commissioners when considering the salary of the County Manager, in the event that desirable and qualified Applicants cannot be located for a given position at the minimum rate of pay.

To seek Appointment at a higher rate of pay, the County Manager or the Board of Commissioners, as applicable, must consider the following:

- (a) Whether the candidate possesses objectively outstanding or unusual abilities, experience, and/or training above the minimum requirements for the position;
- (b) Whether the County is unable to find a desirable and qualified candidate to accept the position at the minimum rate of pay; and
- (c) Whether the Departmental funds are available for such Appointment.

Upon consideration of the above, the County Manager or the Board of Commissioners, as applicable, shall determine the appropriateness of the Appointment above the minimum rate of pay. The decision of the County Manager or the Board of Commissioners, as applicable, shall be final.

505 Components for Salary Adjustment

An employee's salary may be adjusted based upon a maximum of four independent components as detailed in this Section: (a) Market Adjustment to the Compensation Plan; (b) Merit Increases; (c) Cost of Living Adjustment (COLA); and/or (d) Longevity Incentives. In any given year, an employee may receive an increase in salary due to either a Market Adjustment, an Annual Appraisal Adjustment, a COLA or any combination thereof. However, in any given year, an employee may not receive any additional increase in salary, except for the purpose of Reclassification or Promotion. All salary increases are discretionary and dependent on available funds.

(a) Market Adjustment

The market adjustment is the salary adjustment component that is used to ensure that the salary structure is adjusted equally across the County to reflect changes in the wage index. Two considerations dictate whether a market adjustment will be administered: changes in the wage index based upon references such as the Bureau of Labor Statistics and the budgetary constraints of the County. The Board of Commissioners may consider the applicability and the ability of Newton County to apply a market adjustment to the Compensation Plan. When applicable, when the Compensation Plan falls below the market for example, a percentage increase may be applied to the Compensation Plan.

(b) Merit Increases

Annually, the Board of Commissioners may consider whether the County will provide merit salary increases to County employees. If approved by the Board of Commissioners, then based upon information obtained during the appraisal process, the Human Resources Director will objectively appropriate pay raises consistent with the Compensation Plan and subject to the availability of designated funds. Pay raises reflected on appraisal forms are not guaranteed and remain subject to the availability of funds. Employees cannot and should not rely on the appraisal form or any verbal representations for purposes of determining future compensation adjustments until the Human Resources Director has completed the review and appropriated the compensation adjustments. The Human Resources Department will notify each employee of any changes to his or her compensation adjustment.

An employee at or above the maximum of his or her salary range is eligible for merit increases that result in base salary increases. Merit increases must have the approval of the appropriate Elected Official or Department Director, or his or her designee, and will become effective on the employee's anniversary date.

Exceptional performance may warrant special merit increases based upon a recommendation by the appropriate Elected Official or Department Director. The employee's level of performance must clearly indicate a consistently high quality and quantity of work to be considered for a special merit increase.

(c) Cost of Living (COLA)

The Board of Commissioners may consider the applicability and the ability of Newton County to apply a cost of living adjustment to employee's salaries collectively. Any approved COLA adjustments shall be applied to all employees' base salary after all other annual adjustments have been applied or as recommended by the Human Resources Director.

(d) Longevity Incentives

An employee that completes twenty (20) years of Continuous Service may be eligible for a one-time longevity incentive of 3% of his or her annual salary. This incentive is paid in the first pay period following the employee's completion of twenty (20) years of Continuous Service and is subject to the availability of funds. The Human Resources Director will

submit a budget request for this incentive along with the annual budget.

506 Annual Appraisal Process

(a) Policy

For purposes of determining the annual compensation adjustments and/or to monitor employee performance, a comprehensive annual performance appraisal will be conducted for all County employees at least annually and more frequently as needed to address employee performance. The Human Resource Director will implement and oversee the performance appraisal system. Performance appraisals shall be completed by an employee's immediate Supervisor and may be endorsed by any appropriate intermediate Supervisors, with final approval by the Elected Official or Department Director. Subsequent and interim appraisals may be completed to ensure performance standards.

(b) Annual Appraisal Forms

Annual appraisal forms prepared and required by the Human Resources Department must be utilized for each employee. Upon completion of the appraisal form, each Elected Official/Department Director shall submit the completed appraisal forms to the Human Resources Director. The appraisal forms will be maintained in each employee's personnel file in the Human Resources Department, and will serve as the documentation to authorize any performance based salary adjustment.

(c) Annual Appraisal for Employees on Extended Military Leave

Employees who are on approved military leave more than six (6) months of the appraisal period shall receive a compensation adjustment based upon calculating the average of the employee's past two (2) annual appraisal ratings. This average shall be the percentage of the employee's compensation adjustment. If a two (2) year history of annual appraisal ratings is unavailable, the employee shall receive a compensation adjustment based on the average rating within the employee's Department.

(d) Restructuring of Appraisal Forms

As the need arises, the Human Resources Director may periodically restructure appraisal forms for all or some Departments to adequately reflect the job responsibilities or expectations of employees within the respective Department.

(e) Frequency of Performance Appraisals

Notwithstanding the annual appraisals required by this Policy, additional performance appraisals may be utilized as a management tool as frequently as necessary to monitor and/or improve job performance of employees. Any such interim appraisals must be submitted to the Human Resources Department for maintenance in the employee's personnel file.

A performance appraisal should be completed upon the following occasions: every three (3)

months during the Probationary Period; when an employee is transferred, demoted, or promoted, at the end of three (3) and six (6) months in the new position; and for all employees annually.

(f) Re-Evaluation of Unsatisfactory Performance

Any Regular Employee who receives an unsatisfactory appraisal must be re-evaluated within three months for purposes of monitoring employee performance. If the employee receives a second unsatisfactory appraisal, the employee may be subject to termination. Any such re-evaluation must be submitted to the Human Resources Department for maintenance in the employee's personnel file.

(g) Appraisal Disputes

The appraisal rating is final upon approval of the rating by the applicable Elected Official/Department Director. If an employee disputes his or her appraisal rating, the employee must submit to his or her Supervisor a written statement advising of the dispute within five (5) days of the appraisal conference. Upon receiving such a written statement of dispute from an employee, the employee's Elected Official/ Department Director shall provide a written reply within five (5) days of receipt of the dispute. In any event, the decision of the Elected Official or Department Director is final.

507 Effective Date of Salary Adjustments

All salary adjustments shall become effective the date of the first full pay period following any salary change. A request for a salary change made in the middle of a pay period shall not be retroactively applied, and in no event, shall a salary change become effective in the middle of a pay period, or be retroactively applied for periods greater than thirty (30) days.

508 Limitations to the Compensation Plan

The Compensation Plan and all provisions in this Handbook related to salaries are contingent upon funds being available. Any deviation from paying employees in accordance with the Compensation Plan or the provisions of this Handbook because of budgetary limitations must be approved by the Board of Commissioners.

Chapter 6: Recruitment

Effective Date: 03/06/2018

Revision Date:

601 Statement of Policy

Recruitment of candidates for all positions with Newton County (excluding temporary positions as defined in Chapter 7), including but not limited to positions created and/or funded by State or Federal grants, will be based upon meeting or exceeding the Minimum Qualifications established in the applicable Classification Description in accordance with the non-discrimination policies enunciated in this Handbook and otherwise in accordance with state and federal laws.

602 Filling Vacancies

All vacancies will be filled according to the policies set forth in this Section, regardless of whether the vacant position exists because of a newly created position or whether an existing position has been vacated. Newly created positions must have approval by the Board of Commissioners prior to commencement of recruitment efforts when funding of said position was not approved in any previous or existing budget.

603 Advertisement of Vacancies

An Elected Official or Department Director shall complete a request for advertisement form (or any subsequently created form adopted by the Human Resources Department) and submit it to the Human Resources Director to initiate the recruitment process. The Elected Official or Department Director shall specify on the request whether the recruitment shall be limited to internal advertisements within the County workforce or whether the recruitment shall proceed with simultaneous internal and external advertisements. This decision shall be in the sole discretion of the Elected Official or Department Director. Public announcements of vacancies shall specify the position's title, salary, general duties to be performed, Minimum Qualifications, a final date on which applications shall be received as well as Newton County's Equal Opportunity statement.

Newton County Departments may use the following three posting methods when filling vacant positions:

- (a) Departmental Posting: This method should be used first when a Department is able to identify qualified candidates from current Departmental staff. The announcement of the vacant position should be posted for a minimum of five (5) days in a conspicuous place within the Department.
- (b) Internal Posting (For County Employees Only): This method provides all County employees the first opportunity to apply for vacant positions. Internal postings are accessed via the County intranet and are not available to the population at large. These postings will remain open for a minimum of five (5) days and may be updated on a weekly basis.
- (c) External Posting (All Candidates Interested in County Positions): This method

allows Departments to consider any qualified candidate who is interested in the vacant County positions. External postings will be posted for a minimum of ten (10) days. The Human Resources Director shall use various methods of publicity and areas of recruitment as may be needed to bring notice of vacancies to qualified persons and to assure obtaining a group of qualified Applicants.

604 Extended Vacancies

If a Department Director does not request or initiate recruitment activities for a vacant position, and the position remains vacant for ninety (90) or more days, such position shall be removed from the applicable Department's allocated funding and reallocated to the County's general fund. The funding for such position shall not be reallocated to the Department without a request from the applicable Department Director and approval from the Board of Commissioners.

605 Filing of Applications

- (a) The Human Resources Director shall prescribe a standard applicable form to be used for all employment applications. Applications must include detailed information regarding educational background, training, skills, employment experience, and other pertinent information sought on the application form as needed to assess the Applicant's ability to meet the minimum requirements for the position.
- (b) Applicants must apply for positions through the Human Resources Department, unless an alternative arrangement has been made between the Human Resources Director and the applicable Elected Official or Department Director that would result in the Applicant being notified of an alternative location to submit the application.
- (d) All applications shall be signed by the Applicant attesting to the truth of all statements contained in the application form. Untruths, misrepresentations, or material omissions made by an Applicant on his or her application shall be grounds for rejection of the application, or if the Applicant has been hired prior to the County learning of the discrepancy, it shall be grounds for discipline up to, and including, termination. Any Applicant found to have submitted an application containing untruths, misrepresentations, or material omissions shall be disqualified from consideration of employment with Newton County for a period of two (2) years.
- (e) To receive consideration, applications must be submitted no later than 12:00 p.m. on the published closing date noted on the recruitment announcement.
- (f) Applications will remain in an active status for a period of ninety (90) days from the date of receipt of the application by the Human Resources Department.
- (g) Incomplete applications may be returned to the Applicant with instructions to amend. The County shall have no obligation, however, to detect an incomplete application and notify an Applicant prior to the closing of the recruitment process. Incomplete applications may be completed or revised and re-submitted, provided

the revisions or corrections are received on or before the published closing date noted on the recruitment announcement. In any event, no application will be considered if it is not received by 12:00 p.m. on the published closing date noted on the recruitment announcement.

606 Conditions for Rejection of Applicants

The Human Resources Director may reject any application from consideration when the following determinations are made:

- (a) The application was not received on or before 12:00 p.m. on the published closing date noted on the recruitment announcement.
- (b) The Applicant does not possess one or more of the minimum requirements as specified in the Job Description for the position sought.
- (c) The Applicant falsified statements, practiced deception, or materially omitted information on the application.
- (d) The Applicant does not reply to, or return, a telephone inquiry within two (2) days.
- (e) The Applicant was previously employed by Newton County and was dismissed for cause or resigned not in good standing, and is not currently eligible for re-employment.
- (f) The application is not on the prescribed form or is incomplete in that the applicant has not completed the entire application by filling in all applicable spaces and providing all requested information.
- (g) The Applicant has received information regarding a qualification Examination that other applicants did not receive and to which the applicant was not entitled such that the Applicant had an unfair advantage over other Applicants taking the Examination.
- (h) The Applicant has used or attempted to use political influence or bribery to gain an advantage in securing employment.
- (i) The Applicant has, within two (2) years, tested positive to a drug or alcohol test administered by Newton County and/or been found to have submitted an application containing untruths, misrepresentations, or material omissions.
- (j) If the Applicant has been convicted of a crime, the following factors will be considered:
 - i. The nature and gravity of the offense;
 - ii. The time that has passed since the conviction and/or completion of the Applicant's sentence for such crime; and

- iii. The nature of the position sought or held.

If the Applicant's background check yields information of concern, the Applicant shall be given the opportunity to demonstrate that the conviction should not exclude him or her from consideration for the position he or she seeks with the County.

607 Interviews

Upon initial review and removal of Applicants from consideration that are rejected in accordance with the standards set forth above, the Human Resources Director shall forward the remaining applications to the applicable Elected Official or Department Director for further consideration, which may include conducting personal interviews with those remaining Applicants. The Human Resources Director will assist the applicable Elected Official or Department Director with the interview and selection process.

608 Qualification Examinations

(a) Statement of Policy

The Human Resources Director may initiate and install a suitable Examination program for any position, along with the procedures to implement such an Examination program. In addition, any Elected Official or Department Director may also initiate and install a suitable Examination program for any position, provided that the Examination program is reviewed and validated by the Human Resources Director prior to implementation. Any written or performance tests will be designed to test for job performance, and will not be discriminatory as to race, creed, color, sex, disability, religion, age, national origin, or political affiliation, or any other category protected by federal and/or state law. Any Examination program shall be administered in a fair and neutral manner and shall be applied consistently across all candidates who are seeking the position for which the Examination program was implemented.

(b) Conduct of Examination

The Human Resources Director or his or her designee may designate monitors to take charge of the Examination under prescribed instructions.

(c) Method of Rating Examinations

For all Examinations, the Human Resources Director, in coordination with the applicable Elected Official or Department Director, shall establish minimum standards of performance or requirements in order to achieve an eligibility standard. If there is more than one part to an Examination, such as a written test and a rating of experience and training, the Human Resources Director, in coordination with the applicable Elected Official or Department Director, shall assign the minimum acceptable scores and/or weighted score to the various parts of the Examination prior to conducting the Examination. If the Examination is comprised of successive components, candidates must obtain acceptable scores on each component for continued consideration for employment. The formula for assigning weights

will be administered in a uniform and equal manner for all Applicants for the same class of positions.

(d) Inspection and Confidentiality of Examination Material

The confidentiality of all applications, Examination results, and test materials is essential to the integrity of an Examination process. Accordingly, general access to, or disclosure of, Examination results and/or materials is prohibited. Limited access to promotional Examination results and/or test materials will be allowed in a manner carefully constructed to protect both confidentiality and the integrity of the Examination process. Specifically, participants in an Examination process will be able to review their own Examination materials. No participant will be able to review the Examination materials of other participants.

In all cases, testing materials will be reviewed in the presence of a representative of the Department of Human Resources or an individual authorized by the Human Resources Director. Unless otherwise specified by the Human Resources Director, the opportunity to review Examination materials will be limited to a period of thirty (30) days following the release of results for the Examination. Individuals may make general notes regarding their review of their own testing materials, but may not directly transcribe, or make copies of, any Examination materials.

Nothing contained in this sub-section shall be construed to limit the availability of Examination materials for use in administrative or judicial proceedings, related appeals, or as required by applicable law.

The Human Resources Director shall be responsible for the maintenance of all records related to the Examination process.

(e) Notification of Examination Results

Upon completion of the Examination process, each participant will be notified in writing of his or her rating on all phases of the Examination within a reasonable time period. Failure to notify candidates within a reasonable time period shall not be grounds for challenging the Examination process or any employment decisions related thereto.

(f) Adjustment of Errors on Examinations

If an objectively demonstrated error in the rating of an Examination is called to the attention of the Human Resources Director within thirty (30) days after the announcement of the results, the Human Resources Director shall correct such error.

(g) Eligibility Registers

To the extent that the Examination process adopted by the Human Resources Director, or in coordination with the applicable Elected Official or Department Director, for a particular position provides for the creation of a listing of participants who met certain minimum standards for performance to be eligible for employment, this listing shall be known as an

Eligibility Register. Any Examination process that results in the creation of an Eligibility Register shall specifically state in writing the method by which offers for employment will be extended to individuals appearing on the Eligibility Register and shall so notify all participants in the Examination process. In any event, and under any Examination process resulting in the creation of an Eligibility Register, an individual's existence on an Eligibility Register does not constitute an offer for employment or any guarantee of future employment. Therefore, an individual shall have no expectation of employment based upon appearance on an Eligibility Register. To the extent that the Examination process adopted by the Human Resources Director, or in coordination with the applicable Elected Official or Department Director, for a particular position utilizes an Eligibility Register and specifically provides for future hiring based upon the Eligibility Register, any individual who is extended an offer of employment based upon appearance on that Eligibility Register more than sixty (60) days after the completion of the Examination, shall be subject to submitting updated information, including re-submitting to the applicable background checks, drug tests, and medical exams. The subsequent submittal of updated information may result in an Applicant being denied employment if the results are unacceptable.

609 Promotional Examinations

Any Elected Official or Department Director may institute a suitable promotional Examination program for purposes of testing and promoting employees within the applicable Department to positions designated in higher Pay Grades within the particular Department, provided that the promotional Examination program is approved by the Human Resources Director and otherwise complies with the policies set forth in this Chapter.

610 Selection

The hiring Elected Official or Department Director will notify the Human Resource Department of the selected Applicant(s). The Human Resources Director or his or her designee will notify successful Applicants by mail or by telephone and provide the Applicant with instructions regarding the completion of additional required forms and pre-employment screening. The failure of an individual to accept employment, to timely report for any additional drug or medical screenings, to cooperate with a background check, or to report to duty within the time prescribed in the employment offer shall result in the employment offer being rescinded and the individual shall no longer be considered for the position.

All employment offers are contingent upon the candidate successfully passing a background check, including but not limited to a verification of prior employment and educational credentials, and if applicable, a drug screening and physical examination. No candidate shall be authorized to begin employment with Newton County until the Human Resources Director receives notification of candidate's successful completion of the drug test, background check, and physical Examination, if applicable. In Departments such as public safety or finance, where the public has a compelling interest in the security of property and life, Applicants for employment, Promotion, and transfer may be asked to supply personal information that would not be needed from individuals in other employment areas.

611 Nepotism

Newton County seeks to avoid any suggestions of favoritism, discrimination, or conflict of interest in making decisions to hire, promote, and/or transfer employees. Because of the actual or perceived problems inherent in employing individuals with close family or other relationships, it is the County's policy that employees who are related to each other, will not be employed in full-time or part-time positions where:

- a. An employee would have the authority to supervise, appoint, remove, discipline or evaluate the performance of a related Family member;
- b. An employee would be responsible for auditing the work of a related Family member;
or
- c. Other circumstances exist that would place the related employees in a situation of actual or reasonably foreseeable conflict between the County's interest and their own.

Where business necessity requires the limitation of employment opportunity for related Family members, the means chosen to meet the business necessity shall be those that have the least adverse impact on the employees, which may include re-assignment to another Department or separation of employment for one of the affected employees.

The County Manager may authorize an exception to this policy if the position requires specialized training or experience not generally available, there is a vital need to fill the position, substantial efforts have been made to recruit a person who is not a related Family member, and the relationship is unlikely to materially affect the individual's employment.

For purposes of this nepotism Policy, related Family members are defined as husbands, wives, parents, children, brothers, sisters, fathers-in-law, mothers-in-law, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, uncles, aunts, nephews, nieces, cousins, grandparents, stepparents, and stepchildren.

612 Affirmative Action

If affirmative action is deemed necessary in any Department in the County, the applicable Elected Official or Department Director and the Human Resources Director will develop an affirmative action plan with the approval of the County Manager.

Chapter 7: Position Placement

Effective Date: 03/06/2018

Revision Date:

701 Statement of Policy

The different mechanisms for placement of employees in positions are set forth in this Chapter. Placements shall be made only to positions that have been allocated under the Classification Plan and approved by the Board of Commissioners in the annual budget. The different types of placements include the following: original hire, Promotion, Demotion, Reinstatement, Lateral Transfer, reassignment, grant-funded placement, and emergency assignment.

702 Original Hire

An original hire occurs upon hiring an individual because of recruitment efforts, except as specifically indicated herein. Original hires may consist of employment in a full-time position, a part-time position, a seasonal position, or a temporary position.

(a) Full-Time Position

An employee who works in a position that is budgeted as a full-time position for twelve (12) months of the year, and who works a minimum of forty (40) hours per week. A Full-time Employee is entitled to all personal leave and benefits as described in this Handbook.

(b) Part-Time Position

A Part-Time Employee is an employee who works in a position that is budgeted as a part-time position for twelve (12) months of the year, but who works a minimum of twenty (20) hours per week, but less than forty (40) hours per week. Part-Time Employees are not eligible for benefits, unless required by applicable laws. All Part-time Employees must have approval from the County Manager to work more than the budgeted number of hours for the position.

(c) Seasonal Position

A Seasonal Employee is an employee who works in a position that is temporary in nature in that it coincides with a particular season or seasons of the year or with heavy workload periods for a particular Department. The seasonal position period may recur regularly from year to year, but it is not budgeted for twelve (12) months of the year. A Seasonal Employee is not entitled to any personal leave or benefits with Newton County.

(d) Temporary Position

A temporary employee is an employee who works in a position that is temporary for purposes of a special project or other work of a temporary nature. The temporary position period is established according to the special project or special circumstances requiring work of a temporary nature. The temporary position is not budgeted for twelve (12) months of the year and does not recur regularly from year to year. A temporary position shall not

exceed six (6) months without the approval of the Human Resources Director. A temporary employee is not entitled to any Leave or benefits with Newton County

(e) Shift Worker Position

A Shift Worker employee is an employee who occasionally works one (1) twelve hour or one (1) twenty-four hour shift on a seasonal or part-time basis. A Shift Worker is not eligible for benefits.

(f) Grant-Funded Position

A Grant-funded position is a full-time or part-time position established for a specific period not to exceed the scheduled termination date of the grant. This position will terminate by operation of law on the date of the grant termination, unless the Newton County Board of Commissioners provides appropriate funding to continue the program or position on or prior to the date of the grant termination. The recruitment procedures outlined in this Handbook will apply to all grant-funded placements.

703 Promotion

A Promotion occurs when an employee is promoted from a position in one Pay Grade to another position having a higher Pay Grade. Unless a promotional Examination program or a period of time in a classification is a specified promotional prerequisite instituted within a Department and approved by the Human Resources Director, all Promotions will occur as a result of the recruitment procedures outlined in this Handbook.

Closed competitive procedures may be held when there are a sufficient number of qualified Regular Employees within current County personnel. Generally, an employee is not eligible for Promotion until he or she has completed his or her Probationary Period. Exceptions to this rule may be made at the request of the Department Director and when determined to be in the best interests of the County by the Human Resources Director. The employee must have a satisfactory performance record and meet the Minimum Qualifications of the new position.

Upon Promotion to a position in a higher Pay Grade, an employee shall receive a 5% increase in salary or an increase to the minimum salary of the new Pay Grade, whichever is higher. All pay increases are subject to the availability of funds.

Upon Promotion, the date of the employee's annual performance evaluation shall change to the effective date of the new position. All Promotions shall be made effective the beginning of a payroll period.

704 Demotion

A Demotion occurs when an employee is moved from a position in one Pay Grade to a position having a lower Pay Grade. When an employee is demoted to a lower Pay Grade the employee's salary will decrease by 5% per Pay Grade or to the minimum salary of the new Pay Grade, whichever is less.

Upon Demotion, the employee's annual review date shall change to the effective date of the new position.

A Demotion Appointment will be one of the following types:

- (a) Disciplinary Demotion;
- (b) Administrative Demotion, which results from Lay-off, reduction in force, reorganization, or disability accommodation;
- (c) Voluntary Demotion, which results from the request of the employee or agreed to by an employee, provided the following requirements are met:
 - (1) The request or agreement is in writing;
 - (3) Approval is obtained from the Elected Official or Department Director and the Human Resources Director; and
 - (4) If the Demotion includes the transfer of the employee to another Department, the receiving Department must be willing to accept the employee.

An employee is eligible for Demotion within his or her Department at any time. To the extent an employee seeks a Demotion outside his or her Department, an employee must have successfully completed the full Probationary Period prior to being eligible for a Demotion in an external Department.

705 Reinstatement

A Reinstatement occurs when an employee who was laid off, subject to administrative Demotion, on an approved leave of absence, or on an approved military leave is eligible to return to the position such employee previously held with Newton County as described in this Section. Reinstatements do not include an employee's return to work following a disciplinary Suspension or administrative leave. Additionally, an employee's request to return to work after voluntarily or involuntarily leaving employment with Newton County is subject to the recruiting procedures described in this Handbook.

The Seniority Date for a reinstated employee shall be established as follows: Full-time Employees shall receive full credit for all past employment; Part-Time Employees shall receive credit for one-half of his or her past employment. No credit for past employment shall be given to temporary, seasonal, or contract employees.

(a) Employees Reinstated After Non-Military Leave

A reinstated employee shall be paid at the employee's salary rate prior to the separation, provided the employee assumes his or her prior position, or the minimum salary provided for by the Classification Description for that position, whichever is greater. In the event an employee is reinstated to a position other than that which he or she previously held, the employee's salary shall be the same as the employee's previous salary if the position is within the same Pay Grade. If the employee is reinstated to a position that is not within the same Pay Grade as the employee's previously held position, the pay provisions related to treatment of salary in the event of Demotion or Promotion shall apply to determine the rate of pay upon reassignment to the new position and the new Pay Grade.

(b) Employees Reinstated After Military Leave

A reinstated employee who has been on military leave shall be paid, provided the employee assumes his or her prior position, at the employee's salary rate prior to the separation considering average annual appraisal adjustments that were or would have been provided to the employee's position, or the minimum salary provided for by the Classification Description for that position, whichever is greater. In the event an employee is reinstated to a position other than the prior position he or she held, the employee's salary shall be the same as the employee's previous salary if the position is within the same Pay Grade considering average annual appraisal adjustments that were or would have been provided to the employee's position. If the employee is reinstated to a position that is not within the same Pay Grade as the position that the employee previously held, the pay provisions related to treatment of salary in the event of Demotion or Promotion shall apply to determine the rate of pay upon reassignment to the new position and the new Pay Grade.

706 Lateral Transfer

A Lateral Transfer shall be made at the request of the Human Resources Director or at the request of the applicable Elected Official or Department Director with the approval of the Human Resources Director under the following circumstances:

- (a) An employee's move from one position with a certain Classification Title to a different position with a different Classification Title, but at the same Pay Grade, either within or outside the employee's Department. The employee's rate of pay will remain the same.
- (b) A Lateral Transfer may be made without following the recruitment procedures as a Lateral Transfer is designed as an administrative mechanism for movement of an employee as needed at the discretion of the Human Resources Director or the applicable Elected Official or Department Director with approval of the Human Resources Director.
- (c) If an employee requests a Lateral Transfer, the employee must submit an application and proceed through the recruitment procedures outlined in this Handbook. An employee is

eligible to apply for a vacant position that would constitute a Lateral Transfer at any time if the Lateral Transfer sought is within the employee's Department. To the extent that the employee desires to apply for a vacant position that would constitute a Lateral Transfer outside the employee's Department, the employee must have successfully completed at least twelve (12) months in his or her present position before the employee is eligible to apply for a Lateral Transfer to an external Department. The employee must meet the Minimum Qualifications of the new position, and must have a satisfactory performance record.

- (d) When an employee accepts a Transfer, the date of the employee's annual performance evaluation shall change to the effective date of the new position.

707 Reassignment

A Reassignment shall be made at the request of the Human Resources Director or by an Elected Official or Department Director, with or without prior approval by the Human Resources Director. A Reassignment consists of the movement of an employee from one position with a certain Classification Title to another position within the same Department with the same Classification Title. For instance, an employee with the Classification Title of "Deputy Sheriff II" may be reassigned from a position in the Uniform Patrol Division to a position in Court Services within the Department of the Sheriff's Office. This movement constitutes a Reassignment. Any Elected Official or Department Director making a Reassignment shall provide written notification to the Human Resources Director for purposes of allocating cost centers and budgeting. The employee's rate of salary upon Reassignment will remain the same. Any Elected Official or Department Director wishing to make a Reassignment does not have to follow the recruitment procedures set forth in this Handbook as a Reassignment is designed as an administrative method for the movement of employees by the Elected Official or Department Director to accommodate workload within the Department.

708 Temporary Employee Placement

Temporary contract employees, including those from employment agencies, may be utilized from time to time by the County to facilitate business needs. The employment department is responsible for hiring, training, assigning, disciplining, and terminating its contract employees. The applicable Department Director, or his or her designee, shall supervise the performance of temporary contract employees. Temporary contract employees are not eligible to receive County benefits. Non-department contract employees must supply their own equipment, manage their own schedules, and are responsible for payment and filing of their own payroll taxes.

Requests for contract and temporary personnel must be placed through the Human Resources Department and will be reviewed by both the Human Resources and Finance Departments, and subject to the availability of funds. The Finance Director, Director of Human Resources, and County Manager, must approve temporary assignments prior to the engagement of contract employees or employment agencies. The Director of Human Resources will keep a list of approved employment agencies and will coordinate the assignment once approval has been issued.

709 Temporary Work at a Higher Pay Grade/Emergency Assignment

With the prior approval of the Human Resources Director, an employee may be required to work at a higher Pay Grade on a temporary, emergency basis for up to thirty (30) days or less with no increase in pay. If the employee is required to perform the duties for a period exceeding thirty (30) days, the employee will be given an Emergency Assignment for a specified term to the higher Pay Grade. Commencing upon the thirty-first day of the Emergency Assignment, the employee will be paid the appropriate rate for the higher Pay Grade, which shall be the dollar difference between the minimum salary of the old Pay Grade and the minimum salary of the new Pay Grade. When the Emergency Assignment is to a Classification appointed by the Board of Commissioners, the Board of Commissioners shall determine the appropriate salary rate and duration of the Emergency Assignment. After the assignment, however, the employee's pay shall revert to the authorized rate established for the employee's regular position. Any such temporary increase shall not affect the employee's eligibility for normal merit advancements. Temporary assignments pursuant to this Emergency Assignment position may not in any event exceed six (6) months without written approval for an extension by the Human Resources Director. Recruitment procedures need not be followed in the event of an employee being required to perform work at a higher Pay Grade on a temporary, emergency basis.

710 Rehire

If the Elected Official or Department Director recommends that that a former employee should not be considered for re-employment, the Elected Official or Department Director shall specify such recommendation on a personnel action form and submit it to the Human Resources Director. If the request is approved by the Human Resources Director, the former employee shall not be eligible for reemployment with Newton County in any capacity for two (2) years from the date of separation. If a former employee is rehired by Newton County, the Seniority Date for the rehired employee shall be established as follows: Full-time Employees shall receive full credit for all past employment; Part-Time Employee shall receive credit for one-half of his or her past employment. No credit for past employment shall be given to temporary, seasonal, or contract employees. All Rehires will occur as a result of the recruitment procedures outlined in this Handbook. Upon re-employment, the employee will be compensated at the regular rate of pay for the position. All individuals re-employed by the County must complete a new 12-month Probationary Period.

711 Probationary Period

The Probationary Period consists of the first twelve (12) months of an employee's initial Appointment and is an integral part of the selection process. Only time in active work status shall be counted towards completion of the Probationary Period. An employee who is on Leave for any reasons will not have such Leave period counted toward completion of the Probationary Period. The purpose of the Probationary Period is to thoroughly evaluate the abilities of the individual to perform the duties and responsibilities assigned to his or her position. An employee who satisfactorily completes the Probationary Period will become a Regular Employee entitled to certain benefits as described in this Handbook. Satisfactory completion of the Probationary Period does not change the employee's status as an at-will employee.

Performance evaluations will be performed for probationary employees every three (3) months until the end of the Probationary Period. Department Directors or their designees are encouraged to

counsel employees at any time to communicate expectations to the employees and to provide feedback on job performance. The applicable Elected Official or Department Director, or his or her designee, shall notify the Human Resources Director whether an employee has satisfactorily completed the Probationary Period at least ten (10) working days prior to the end of such Probationary Period.

712 Working Test Period

Employees who are transferred, demoted, or promoted to a new position are required to complete a Working Test Period, which shall be the employee's first six (6) months in the new position. Only time in active work status shall be counted towards completion of the Working Test Period. An employee who is on Leave for any reasons will not have such Leave period counted toward completion of the Working Test Period. The Working Test Period does not affect an individual's status as a Regular Employee if they have already completed a Probationary Period.

If it is determined that the employee is unsuitable for the new position, the appropriate Elected Official or Department Director, or his or her designee, may return the employee to the position he or she previously occupied if that position is vacant. If the employee's previous position is unavailable, the Elected Official/Department shall confer with the Human Resources Director regarding the placement of the Employee in a comparable position for which the employee is qualified. If no such placement is available or practicable, the employee may be placed in a Lay-off status to be considered for placement if suitable positions become available, or the employee may be discharged from employment. When practicable, determination of the employee's suitability for the new position shall be made by the appropriate Elected Official or Department Director before the completion of the working testing period. The applicable Elected Official or Department Director, or his or her designee, shall notify the Human Resources Director whether an employee has satisfactorily completed the Probationary Period at least ten (10) working days prior to the end of such Working Test Period.

The annual review date of the employee shall be changed to the effective date of the employee's transfer or Promotion to the new position.

Chapter 8: Separation

Effective Date: 03/06/2018

Revision Date:

801 Statement of Policy

Employees shall be separated in accordance with the provisions of this Chapter and in accordance with the non-discrimination policies and non-harassment policies contained in this Handbook. A separated employee shall be paid accumulated salary and for any accrued personal leave and/or compensatory pay, except that Exempt employees are not eligible for monetary compensation for any accrued compensatory time upon separation.

802 Resignation

An employee may be separated from employment with Newton County upon the submission of the employee's Resignation. Resignation should be submitted in writing to the employee's immediate Supervisor, the applicable Elected Official or Department Director, or the Human Resources Director. Whether the employee resigns in writing or by making an oral statement of Resignation, the Resignation is effective immediately. If the Resignation is provided to someone other than the Human Resources Director, the Human Resources Director must be notified immediately. Once a Resignation is tendered, oral or written, the Resignation is final and there is no opportunity for the employee to seek to withdraw or rescind the Resignation.

To resign in good standing, an employee must, at a minimum, give written notice at least two (2) weeks prior to the effective date of the Resignation and otherwise have demonstrated satisfactory performance. Failure to comply with this provision shall be entered on the service record of the employee and will result in a denial of re-employment rights for two (2) years from the date of Resignation.

After submitting a Resignation, the employee is not eligible to utilize compensatory time or annual leave unless such leave is required for the employee's own serious health condition. Employees are required to provide supporting documentation from a treating physician to justify the use of accrued compensatory time or sick leave time after the employee has submitted his or her Resignation. Employees will be monetarily compensated for any accrued compensatory time and/or annual leave at the conclusion of the employment relationship, except that Exempt employees are not eligible for monetary compensation for any accrued compensatory time upon separation. If an employee voluntarily resigns prior to the end of the Probationary Period, repayment for costs of required medical Examinations, drug screening, and County uniforms may be deducted from the employee's final paycheck.

803 Abandonment of Position

An employee shall be considered to have abandoned his or her position when any of the following occur:

1. Absence from work without notice to the applicable Elected Official or Department Director or his or her designee for three (3) or more consecutive working days;

2. Absence for three (3) or more consecutive working days after providing notice, but without having any compensatory or personal leave time available for the absences and is not eligible for FMLA leave; or
3. Absence for three (3) or more consecutive working days without receiving approval for the absences. In this instance, a “working day” is defined as eight (8) hours worked for County employees; twelve (12) hours worked for Law Enforcement sworn officers who work a 12-hour shift; twenty-four (24) hours for Fire Department employees who work a 24-hour shift.

In any of the situations as set forth above, the employee shall be deemed to have abandoned his or her position and to have resigned as of the end of the third day. The Human Resources Director should be notified immediately of any employee abandons his or her position as described by this Section. The Human Resources Director shall send notification by regular mail to any employee deemed to have abandoned his or her position.

804 Failure to Return from Leave of Absence

Any employee who fails to return to duty at the expiration of a duly approved leave of absence for three (3) consecutive working days following the expiration of the leave of absence shall be deemed to have abandoned his or her position and to have resigned as of the end of the third day.

805 Lay-off

Lay-off is defined as a reduction in force that may result in the separation of employee(s) due to abolishment of a position, a shortage of funds or work, a need to increase efficiency, or a material change in the duties or organizational unit of the Department. Lay-offs shall not be to dismiss an employee for incompetence, misconduct, or for other reasons, except as included in this Policy. The Lay-off does not reflect discredit upon the service of the employee.

The Board of Commissioners, County Manager, and/or the Human Resources Director may recommend a lay-off. The Human Resources Director must approve any lay-off before it may become effective.

Prior to the Lay-off, the affected Elected Official or Department Director shall make recommendations to the Human Resources Director who shall consider work records, employee evaluation ratings, and length of service in determining which employees shall be laid-off. If it is found that two or more persons in the Department in which the Lay-off is to be made have equal ratings as determined by review of employee records and evaluation ratings, the order of Lay-off shall be based upon seniority. No Full-time Employee shall be laid-off while another person is employed on a temporary or part-time basis in a position within the same Classification Description if the employee is willing to accept the temporary or part-time work. In evaluating employees for purposes of a Lay-off, care should be taken to accurately evaluate all employees. An employee shall not be Laid-off based on race, color, creed, religion, sex, national origin, age, political affiliation, disability, or any other category protected by federal and/or State law.

Prior to Lay-off and in an effort to avoid separation of employment, the Human Resources Director may direct Lateral Transfers or Demotions as necessary to place employees into positions for which

they are qualified rather than lay them off. Lateral Transfers or Demotions in accordance with this Section will be effective unless the employee elects in writing to be laid off. An employee must provide written notice of his or her election to be laid-off to the Human Resources Director within three (3) working days after the employee received notice of Lateral Transfer or Demotion.

The Human Resources Director shall prepare a register of employees who have been laid-off to be utilized as provided in this Section. The order of names appearing on this register will be based upon the order of the Lay-off and when there is a tie, then seniority will be the determining factor. The names of the employees shall remain on the Lay-off register for a period of one (1) year, unless the life of the register is extended an additional year by the Human Resources Director in his or her sole discretion. During the life of the Lay-off register, an employee may submit a written request to have his or her name removed from the list. Employees whose names appear on the Lay-off shall be given primary consideration when conditions warrant rehiring. "Primary consideration" shall mean that the employee does not have to go through the recruiting process, but that Newton County will notify the employees who appear on the Lay-off register when there is an opportunity to fill a position that the laid-off employee previously held or a comparable position, either full-time or part-time; provided the employee meets the Minimum Qualifications for the position. In any event, employees whose names appear on the Lay-off register are welcome to apply for other positions with Newton County at any time. If an employee is hired for another position in Newton County during the life of the Lay-off register, the employee's name shall be removed from the Lay-off register and no other special consideration shall be given to the employee.

806 Death

An employee who dies while in Newton County's employment shall be separated effective as of the date of death. Accumulated annual, sick leave and salary due the employee shall be paid to the designated beneficiary, or estate of the deceased.

807 Retirement

An employee may be separated from employment with Newton County upon his or her retirement consistent with retirement eligibility contained in federal and state law, as well as in the Newton County Retirement Plan. Any employee who wishes to retire shall provide a minimum of four (4) weeks' notice to the affected Elected Official or Department Director whenever reasonably possible. After providing notice of retirement, the employee is not eligible to utilize compensatory or annual leave. Instead, the employee will be monetarily compensated for any accrued compensatory time and/or personal leave time at the conclusion of the employment relationship, except that Exempt employees are not eligible for monetary compensation for any accrued compensatory time. Employees who are at least 66 years old, and have served a minimum of ten years of consecutive service to the County, are eligible to be monetarily compensated for a maximum of 160 hours of their available sick leave accrual upon retirement, subject to the availability of funds within the budget. Any employee eligible for the Newton County Retirement Plan who retires from employment with Newton County shall not be eligible to seek re-employment with Newton County on any full-time, part-time, temporary, seasonal, or independent contractor basis.

808 Dismissals

A Dismissal is the involuntary separation of an employee from employment with Newton County. An emergency Dismissal for disciplinary reasons may be instituted without prior notice when deemed necessary to protect the immediate safety and security of employees. In the event of such a Dismissal, the applicable Department Director shall notify Human Resources Director immediately.

However, in all other cases, the following shall apply:

1. The applicable Department Director shall consult with the Human Resources Director regarding his or her intent to dismiss an employee and the reasons therefore prior to Dismissal.
2. After such consultation, the applicable Department Director or his or her designee and/or applicable Supervisor, and the employee shall arrange to meet with the employee in a Pre-Dismissal conference.
3. The employee is to be told the purpose of the conference. Specifically, the employee should be advised that the County intends to dismiss him or her.
4. If the employee refuses to attend the Pre-Dismissal conference, the Dismissal will become automatic and enforced, and the employee shall waive all rights to a dismissal conference.
5. The Pre-Dismissal conference shall consist of a representative from the Human Resources Department, the applicable Department Director or his or her designee and/or applicable Supervisor, and the employee.
6. The employee should be advised of the specific reasons for the Dismissal and be further advised that he or she has an opportunity to respond to the reasons for Dismissal prior to being discharged.
7. The employee's verbal response at the conference should be considered. If deemed appropriate, the County shall proceed with Dismissal. If deemed inappropriate, the County shall proceed with another disciplinary action.
8. This Dismissal conference should occur no later than three business (3) days after notification to the Human Resources Director of the intent to dismiss

The employee shall be furnished a written notice of Dismissal containing the nature of the proposed action, the reasons therefore, the effective date of Dismissal and the appeal rights available, if any.

A dismissed employee shall be paid accumulated salary and for any accrued annual leave and/or compensatory pay, except that Exempt employees are not eligible for monetary compensation for any accrued compensatory time upon separation.

809 Recommendation of Re-Employment

In every instance other than death or retirement, upon the separation of an employee from a position, the applicable Elected Official or Department Director shall specify on the personnel action form, or an attachment thereto, whether the employee can be considered for re-employment. An answer of “no” disqualifies the employee for further Appointments with Newton County for at least two (2) years from the date of separation provided it is supported by just cause and approved by the Human Resources Director.

810 Documentation

The Human Resources Department will prepare all separation documents. If practicable, these documents will be completed and signed by the Human Resources Director, or his or her designee, and the applicable Elected Official or Department Director, or his or her designee, no later than the employee’s last working day.

The employee’s final paycheck may not be released until all documents have been signed and all County property in the employee’s custody has been returned to the County. Any funds owed to the County by the employee may be withheld from the employee’s final compensation as allowed by applicable laws, or collected through other appropriate action.

Chapter 9: Disciplinary Actions

Effective Date: 03/06/2018

Revision Date:

901 Statement of Policy

Employees of Newton County are terminable at will and at the sole discretion of the appointing official and/or Newton County. Nonetheless, Newton County seeks to resolve performance and conduct problems in the most positive and constructive manner possible. When situations arise that warrant disciplinary action, Newton County will work to treat all employees fairly and consistently.

902 Prohibited Conduct Generally

In general, conduct that interferes with the operations of Newton County, brings discredit to Newton County, or is offensive to Supervisors, co-workers, or the public is not tolerated. Examples of conduct that is not permitted, and will subject the individual involved to disciplinary action, up to and including immediate termination, includes, but are not limited to:

- (a) Insubordination or uncooperative attitude, including, but not limited to, disrespect to a Supervisor, co-worker, or the public, and failure to follow the lawful orders of the Supervisor;
- (b) Failure to do work at an acceptable level of competence as determined by the Elected Official or Department Director;
- (c) Excessive tardiness, excessive absenteeism, unexcused absences, and absences when the employee does not have accrued personal leave or compensatory leave to accommodate the absence;
- (d) Conviction of a felony or a crime involving moral turpitude;
- (e) Theft, abuse or misuse of County property or vehicles, violation of traffic laws while driving a County vehicle, failure to report damage or destruction of County property to a Supervisor, loaning property or equipment of the County without permission or proper authority;
- (f) Willfully giving false statements to Supervisors, officials, or the public;
- (g) Violation of County ordinances, administrative regulations, provisions of this Handbook, or Departmental rules;
- (h) Consumption or distribution of alcoholic beverages or illegal drugs or abuse of prescription drugs or over-the-counter medication;
- (i) Acts during duty hours which are incompatible with public service;
- (j) Use of profane or abusive language or discourteous treatment of the public or other employees;

- (k) Drinking alcoholic beverages or use of illegal, prescription, or over-the-counter drugs outside work hours in such a manner as to adversely affect attendance or job performance;
- (l) Falsification or destruction of official records or documents, or use of official position for personal benefit, profit, or advantage;
- (m) When duly and properly called as a witness before any County board, appeals board, state or federal judicial or administrative tribunal, and when before such tribunal, failing to answer truthfully any question concerning performance of official duties with the County;
- (n) Failure to report an occupational injury or accident during the shift on which it occurred;
- (o) Absence due to incarceration;
- (p) Use of any form of physical abuse of the public, Supervisors, or other employees, or making threats to the public, Supervisors, or other employees;
- (q) Violating any lawful official regulation or order or failing to obey any proper directive made and given by a superior officer;
- (r) Guilty of disgraceful conduct;
- (s) Careless or negligent with the monies or other property of the County;
- (t) Failure to pay or make reasonable provisions for future payment of debt to such an extent that such failure is detrimental to the work relationship;
- (u) Use or threatening of use, or attempt at use of personal or political influence to secure employment benefits, including but not limited to, Promotion, leave of absence, Transfer, change of pay rate, or character of work;
- (v) Taking for personal use from any person any fee, gift, or other valuable thing during work or in connection with it, when such gift or other such valuable thing is given in the hope or expectation of receiving a favor or better treatment than that afforded other persons based upon Newton County Code, Article III, Ethical Standards;
- (w) Violating the established security procedures during the Examination process or obtaining information, through unauthorized or illegal means, which provides and unfair advantage on the Examination;
- (x) Failure to acquire a valid license, registration, or certification when such license, registration, or certification is required and specified in the specifications for the class to which the position occupied by the employee is classified;

- (y) Wasted time, inefficiency, and/or loitering during working hours; and/or
- (z) Violation of any provisions of the Newton County Ethics Code, this Handbook, or the applicable Department's standard operating procedures ("SOP").

903 Conduct Prohibited by Departmental SOP and Rules

Notwithstanding the conduct prohibited generally in Section 902 above, or any other conduct prohibited by the Ethics Code or this Handbook, an employee will be subject to disciplinary action for violation of departmental SOPs or rules. Additionally, the departmental SOPs or rules may contain schedules of penalties for violations. If the applicable Department imposes a higher standard of conduct and/or the schedule of penalties results in a harsher penalty than the conduct guidelines and penalties contained in this Handbook or the Ethics Code, the departmental SOP or rules shall control.

904 Progressive Discipline

Whenever possible, Elected Officials and Department Directors should provide employees with an opportunity to correct problematic behavior or poor performance. However, Elected Officials, Department Directors, and/or the Human Resources Director are not required to follow specific steps of progressive discipline depending upon the nature of the employee's misconduct, poor performance, probationary status and/or length of employment. The use of progressive discipline shall be discretionary. Thus, while this Policy sets forth available mechanisms for discipline, certain steps may be skipped in a disciplinary process depending upon the nature of the employee's misconduct, poor performance, probationary status and/or length of employment. To the extent that progressive discipline is being utilized, when an employee engages in different types of misconduct or poor performance, each incident can provoke increased discipline, even if the incidents of misconduct or poor performance are in different areas or unrelated to other previous incidents. The mechanisms for progressive discipline may include verbal reprimand, written reprimand, Suspension without pay, Demotion, and Dismissal. While there are six steps available in a progressive discipline scheme, this Policy should not be construed to require six incidents of misconduct or poor performance prior to Dismissal being an appropriate disciplinary sanction. Moreover, other forms of discipline not detailed in this Policy may be utilized at the discretion of the Elected Official or Department Director.

905 Verbal Reprimand

A verbal reprimand is an oral notice of a policy violation, mistake, inefficiency, misconduct, poor performance, or other factors that may adversely influence an employee's ability to carry out duties and responsibilities. Any Supervisor may verbally reprimand his or her subordinate at any time. Verbal reprimands may affect the employee's employment status, particularly if the employee does not take corrective action. Supervisors must document verbal reprimands in the employee's personnel file.

906 Written Reprimand

A written reprimand is a written notice of a policy violation, mistake, inefficiency, misconduct, poor performance, or other factors that may adversely influence an employee's ability to carry out duties and responsibilities. Any Supervisor may reprimand in writing his or her subordinate at any time. Written reprimands should specify the following: (1) the employee's problematic conduct or performance; (2) what actions should be taken by the employee to correct the problem; and (3) the probable consequences for failure to correct the problem.

Written reprimands are required to be shown to the employee who will acknowledge receipt by his or her signature. If the employee feels the written reprimand to be unjust, he or she must so state in writing giving the reasons. An original copy of the reprimand, with the employee's response, if any, must be forwarded to the Human Resources Director within one (1) business day, to be placed in the employee's personnel file. All written reprimands will remain in the employee's personnel file and will not be purged at any time. A written reprimand may be presented on a form adopted by the applicable Department or available from the Human Resources Department, or the written reprimand may be in letter or memo form.

907 Suspension Without Pay

An Elected Official or Department Director, Human Resources Director, or his or her respective designee may, by written notice to the employee, suspend an employee without pay. The Human Resources Director shall be consulted before such action is taken. An employee who is suspended for any reason may not utilize personal leave or compensatory time to be compensated during the Suspension without pay period.

An employee may be suspended in the following manner:

(a) Disciplinary Suspension

To correct unacceptable behavior and/or work performance issues, an employee may be suspended for a specified period of time without pay. All such disciplinary Suspensions for a specified period of time shall be stated in hours, rather than days or shifts. The total period of any Suspension without pay for disciplinary purposes shall not exceed 120 hours.

An Exempt status employee may be suspended without pay for one or more full days when imposed in good faith for infractions of workplace conduct rules. Non-Exempt employees may be suspended without pay in consecutive full or partial day increments.

(b) Suspension Pending a Court Decision

An employee shall be suspended indefinitely without pay at the discretion of the Elected Official or Department Director when awaiting trial on criminal charges, the nature of which would impede or undermine the employee's ability to satisfactorily perform his or her job. In the alternative, if the employee's actions and/or the criminal charges are such that it is not in the best interest of the County for the

employee to remain in the County workforce, the Elected Official or Department Director may elect to terminate the employee upon notice of the criminal charges or at any time thereafter. If an employee is terminated but later cleared or the criminal charges are dismissed, the employee may reapply for his or her former position or another available position for which he or she is qualified.

If the County does not elect to terminate the employee during the pendency of criminal charges, upon receipt of notice from the employee that the criminal matter has been resolved by dismissal, plea, or trial, the Elected Official or Department Director shall determine whether the employee shall be Reinstated and whether any such Reinstatement shall be with or without loss of pay. If an employee is fully exonerated of all criminal charges, the employee shall be reinstated without loss of pay, privileges, benefits, or status retroactive to the date of Suspension.

(c) Suspension Pending Drug/Alcohol Testing

An employee shall be suspended without pay immediately upon being required to submit to a reasonable suspicion drug or alcohol test. The total period of any Suspension without pay shall be for an indefinite period of time, which shall conclude upon completion and receipt of the drug or alcohol test and any applicable confirmation tests.

An employee who tests positive for drugs or alcohol pursuant to any other type of drug or alcohol testing (such as return to duty testing, post-accident testing, and/or random testing) shall be immediately suspended without pay pending any applicable confirmation of the positive test results. The period of Suspensions shall be for an indefinite period of time, which period shall end upon completion and receipt of the confirmation results.

908 Disciplinary Salary Reduction

An employee's salary may be reduced up to 5% for disciplinary purposes. This does not constitute a Demotion.

909 Disciplinary Demotion

An Elected Official or Department Director may, by written notice to the employee, demote an employee for disciplinary purposes. The Human Resources Director shall be consulted before such action is taken. When an employee is demoted to a lower Pay Grade, the employee's salary will decrease by the dollar difference between the minimum salary of the old and the minimum salary of the new Pay Grade.

910 Dismissals

An employee may be dismissed from employment with Newton County's for disciplinary purposes. Please see Section 808 concerning Separations for details relating to Dismissal. The Human Resources Director shall be consulted before such action is taken.

Chapter 10: Employee Appeals and Grievances

Effective Date: 03/06/2018

Revision Date:

1001 Employee Grievance

This grievance process provides an orderly process for hearing an employee's grievable claim and reaching a firm and equitable decision in a timely manner. The employee and the employee's Department Director or Supervisor, as appropriate, should make every effort to resolve problems informally before initiating a formal grievance. The employee may file a formal grievance in the circumstances and timeframes set forth below. The employee, Supervisor, or Department Director may also call upon the Human Resources Director to assist in the mediation of a grievance dispute at any point in the process.

1003 Coverage and applicability

The employee grievance process is available to all employees who are subject to the provisions of this Handbook. However, this grievance process does not apply to and should not be used for complaints alleging unlawful discrimination or harassment, including sexual harassment. Newton County prohibits discrimination and harassment on the basis of race, color, religion, sex, age, national origin, physical or mental disability, sexual orientation, marital status, parental status, or veteran status. Any employee who believes that he or she has been subjected to unlawful discrimination or harassment should refer to Chapters 1013 and 1201 in this handbook.

The availability of the grievance procedure in this chapter does not alter an employee's at will status or create a property interest in employment. Employment with Newton County is at-will and at the pleasure of the Board of Commissioners unless employed by a constitutional officer or a separate entity (e.g., Board of Tax Assessors). In the offices of Constitutional Officers that have adopted the County's personnel policies, a different grievance procedure than is described in this Chapter may be applied at the discretion of such Constitutional Officers.

1005 Overview of Grievable Actions

An employee may file a written grievance with the applicable Elected Official, Department Director, Human Resources Director, or County Manager in accordance with the procedures and policies in this Chapter. A grievance is a claim by an employee declaring any of the following grievable actions:

- (a) Unsafe or unhealthy working conditions;
- (b) Misapplication of County policies in violation of this Handbook; or
- (c) Misapplication of Departmental policies;

1007 Non- Grievable Actions

Actions that are NOT grievable include, but are not limited to, the following:

- (a) Issues which are pending or which have been conducted by other administrative or judicial procedures;
- (b) Management's assignment of work and/or establishment of work processes;
- (c) Disciplinary action that does not result in Dismissal, Demotion, or disciplinary related salary reduction;
- (d) Budget allocations and expenditures and decisions relating to organizational structure, including the persons or number of persons assigned to particular units;
- (e) The content or rating of a performance evaluation except when the employee can clearly show that he or she has been adversely affected by the appraisal;
- (f) The selection of an individual to fill a position through Appointment, Promotion or transfer, except when the employee can show adverse effect because of unlawful discrimination;
- (g) Any matter which is not within the jurisdiction or control of the County;
- (h) Internal security practices established by the County; and
- (i) Decisions, practices, resolutions, or policies made or passed by the Board of Commissioners.

1009 Processing of Grievances

The County Manager or applicable Elected Official is responsible for ensuring that grievances relating to grievable actions are fully processed. Decisions made by the County Manager or applicable Elected Official are final. No employee shall be retaliated against for using the County's grievance procedures. Any employee filing a grievance shall follow the procedure outlined below. All grievances shall be submitted in writing and signed by the employee.

1011 Grievance Procedures

(a) Level 1- Informal Dispute Resolution

An employee who wishes to pursue a grievance under this Chapter should first seek to resolve the issue informally through discussions with his or her immediate Supervisor, unless the employee claims to have been aggrieved by his or her immediate Supervisor, in which case the employee may instead discuss the grievance with the Supervisor next in line. If the grievance remains unresolved, the employee should discuss the grievance with his or her Department Director.

The person or persons with whom the employee raises the grievance must make a full verbal response to the Employee within five (5) working days from the date the matter is raised. In public safety Departments, it is expected that grievances follow the chain of command. Under no circumstances should a grievance be allowed to extend beyond thirty (30) days.

(b) Level 2- Review by the Human Resources Department

If the Department Director is unable to resolve a grievance at the department level, or the response is unsatisfactory to the employee, the employee must within five (5) working days of receiving the Department Director's response, submit a written grievance to the Human Resources Director. The Grievance shall specify the following:

1. Provisions of County policy that were misapplied and describe the manner in which the same were misapplied;
2. Unsafe or unhealthy working conditions and state how the same materially affect the employee in the workplace;
3. Provisions of Departmental policy that were misapplied and describe the manner in which the same were misapplied;
4. Any other relevant facts, circumstances, and evidence pertaining to the grievance.

Within ten (10) days of receipt of the grievance, the Human Resources Director or his or her designee will arrange a mediation conference with the employee, Department Director, and other persons involved in the grievable action. The Human Resources Director will facilitate the mediation conference in an attempt to reach an agreement among the parties. If an agreement cannot be reached, the Human Resources Director will issue a written decision within five (5) days.

(c) Level 3- Review by County Manager or Designee

If the result of the mediation conference or HR Review is unsatisfactory to the employee, the employee must within five (5) working days of receiving the decision, present the written grievance to the County Manager. Within ten (10) days of receipt of the grievance, the County Manager will make a determination and notify the employee. If the grievance is brought by a Department Director, then the appeal shall be submitted to the Chairman of the Board of Commissioners. The decision of the County Manager or Chairman shall be final in matters not related to an adverse action. Matters related to an adverse action that are not satisfactorily addressed by this policy may be addressed through the formal appeal process outlined in the chapter 1013.

1013 Employee Appeals Policy

It is the policy of Newton County to provide an orderly process for hearing an employee's appealable claim regarding an adverse action or other appealable issues identified in this policy, and reaching a firm and equitable decision in a timely manner. Employees who have a claim under this chapter will have the right to an administrative review in the form of an appeal hearing before the appointed Personnel Hearing Officer (PHO). The PHO is interested in the fair treatment of employees, with proper recognition and concern for the efficient and effective operation the local government services provides to the citizens of Newton County. The PHO will exhibit mature reasoning, prudent stewardship of public funds, evidence of good judgment, and impartial and non-political performance of these duties.

1015 Overview of Appealable Issues

Employees who are subject to: 1) loss of employment status; 2) loss of income through disciplinary suspension; 3) demotion; or, 4) who claim illegal discrimination in violation of federal law will have the right to due process through an administrative review in the form of an appeal hearing before the appointed PHO. The application of the employee appeals policy should not be construed as creating a property interest in your employment. Your employment with the County is at-will and at the Board's pleasure unless employed by a constitutional officer or a separate entity (e.g., Board of Tax Assessors). In the offices of Constitutional Officers that have adopted the County's personnel policies, a different appeals procedure than is described in this Chapter may be applied at the discretion of such Constitutional Officers.

1017 Coverage and applicability

The right of petition to the PHO is expressly granted to each regular full-time and regular part-time employee, as defined by Newton County Personnel Policies and Procedures, in the Newton County Personnel System after completely exhausting the grievance option with the Newton County Management. Upon receipt of the requested petition of appeal the PHO reserves the right to determine if the subject of the request is an appealable matter as stated under these guidelines. Working test employees, probationary, seasonal or contract workers are not eligible for appeal rights.

1019 How to File

The request for an appeal must be submitted in writing to the Human Resources Director by the employee within five (5) working days of the effective date of the adverse action or decision/event being appealed. The written appeal shall contain exactly what is being appealed and the specific relief desired.

1021 Duties of the Personnel Hearing Officer

The PHO will make such investigation and conduct such public hearings as deemed necessary, and will, within fifteen (15) working days after receipt of the employee's request for review, inform the employee and the Human Resources Director in writing, of the findings and decision. The decision of the PHO will be limited to the issue presented by the employee and will in all cases be final.

The PHO has final authority within Newton County Government to hear cases brought by employees who exercise their right to appeal adverse actions and other appealable issues which are described in the previous paragraph. The PHO will determine if management's decision is supported by the evidence, lies within the lawful discretion of management, and is consistent with Newton County past practice and recognized general management procedure, based on facts, circumstances, and the employee's previous record.

Criteria for review

In reviewing appeals cases, the PHO will be guided by the following criteria. It will be the burden of the appellant to establish by a preponderance of the evidence that the adverse action or practice in question:

- (a) does not substantially comply with sound management principles and is not consistent with the policies and procedures of Newton County;
- (b) that the factual basis upon which the adverse action was taken is not true and correct or was substantially inaccurate in all relevant and material aspects;
- (c) that the adverse action is not reasonable, given the severity of the offense;
- (d) that an illegal discrimination practice exists in the work place which affects the appellant and which has not been properly addressed or terminated by the management.

In reviewing the action taken by management, the PHO will confirm or rescind the adverse action in question. He or she is not authorized to substitute an alternative form of discipline. The PHO may reverse decisions made by management if he or she finds the appellant has met his or her burden of proving any of the criteria for review set out in the previous subsection. The PHO may provide management with supplementary observations, comments, and recommendations regarding alternative levels of discipline for consideration by management. The PHO will adopt procedures for the conduct of appeal hearings. All hearings will be public hearings, with notice of the hearing available to all members of the general public. Meetings, admissibility of information, and rules of evidence may be informal as compared to formal judicial proceedings. The PHO will have the ability to compel attendance of witnesses. The PHO's decision will be the final decision of Newton County Government.

1023 Appointment of the PHO

The County Manager and the Chairman of the Board of Commissioners will make a nomination to the Commission for appointment of one attorney as the primary PHO and one or more alternate hearing officers will be similarly appointed in case the primary PHO is not available when needed to conduct a hearing.

The PHO will be appointed by a majority vote of the entire Commission and may be removed by a majority vote of the entire commission. The initial appointment will be for a one (1) year term and will be subject to replacement or reappointment at the end of the term.

Chapter 11: Attendance and Leave

Effective Date: 03/06/2018

Revision Date:

1101 Hours of Work

(a) Statement of Policy

The standardization of working hours is necessary to provide:

- a. Continuity in service to the citizenry
- b. Facilitation of teamwork
- c. Facilitation of supervisory assistance
- d. Reasonable assurance of compliance with the Fair Labor Standards Act

(b) Normal Work Hours

The normal working hours for County administrative offices shall consist of a continuous eight (8) hour period (excluding breaks as described below), between the hours of 8:00 a.m. and 5:00 p.m. Varying employee schedules may be established to enable Departments to deliver services to the citizens as needed. Such schedules shall be approved by the County Manager.

Hours for Part-time and certain other employees may vary from the normal working hours noted above due to the nature of their duties. The normal hours for such employees will be determined by the appropriate Elected Official or Department Director.

Employees are expected to be at their work location and ready to begin work at the beginning of their work scheduled shift. The employee is responsible for his or her attendance and is required to work their assigned scheduled.

The exact time for beginning and ending each workday may vary among other non-administrative Departments, and shall be established by the applicable Department Director or Elected Official. Unless the applicable Elected Official or Department Director provides otherwise, the normal workday will be 24 hours for fire protection employees and 8.55 or 12 hours for law enforcement employees in designated work cycles under section 207(k) of the Fair Labor Standards Act.

(c) Breaks

Each Full-time Employee is permitted a one (1) hour unpaid meal period per shift. Employee meal periods and breaks should be scheduled to allow for continuous staffing of County offices with at least one person on duty, except where more personnel may be required.

Whether combined with lunch or taken separately, an employee may take the two fifteen (15) minute paid breaks each day, at the discretion of the Elected Official or Department Director. However, if an employee elects to work through the one (1) hour unpaid meal

period, the employee must receive prior approval from his or her Supervisor because such action will raise hours worked and potentially implicate overtime compensation. If the Supervisor approves the employee's request to work through unpaid meal period, the Supervisor should notify the timekeeper in writing that he or she should be credited with one (1) hour of time worked.

(d) Alternative Work Schedules

Occasions may arise when County services may be improved through the adjustment of an employee's work hours. Therefore, County Departments, with the approval of the County Manager, have the option of approving alternative work hours or schedules for employees within their respective Departments consistent with this Policy. Prior to implementing an alternative work schedule, the Department Director must establish administrative standards and procedures to ensure such alternative schedules do not disrupt the provision of Department services to the public or other County Departments. These procedures must be approved by the County Manager prior to implementation.

Alternative work schedules are not appropriate for all positions, or in all settings, or for all employees. Employees who have problems with punctuality, attendance, and/or performance, or who require close supervision, are not good candidates for alternative work schedules. Alternative work schedules should not negatively affect the workload or productivity of an employee's coworkers by shifting burdens or creating delays and additional steps in the workflow.

All alternative work schedules are subject to operational requirements of the applicable Department and must be approved by the County Manager and applicable Department Director in advance. An employee's request for an alternative work schedule will be evaluated in light of the employee's past work performance. Alternative work schedules may not be used to correct tardiness or other attendance problems. Alternative work schedules may be discontinued at any time at the request of either the employee or the applicable Supervisor/Department Director. The County reserve the right to immediately suspend alternative work schedules based on employee performance or operational needs.

The recognized alternative work schedules are limited to the following:

- (1) *Flextime*. Full-time Employees may work a flextime schedule that permits employees to work outside the normal work hours of 8 a.m. to 5 p.m. A flextime schedule affords employees a choice in their normal work-start time and work-end time. An employee's flextime schedule may not deviate from the County's normal workday by more than two (2) hours or reduce the total number of hours worked by the employee in each workweek. Flextime schedules must be approved by the County Manager and applicable Department Director in advance and may not be used to correct tardiness or other attendance problems.
- (2) *Compressed Work Week*. A compressed workweek allows regular Full-time Employees to work longer days for part of the week or pay period, in exchange shorter days or a day off each week or within the same pay period. The typical compressed workweek consists of four (4) working days with ten (10) hour shifts

each day. When an observed holiday occurs on an employee's regularly scheduled day off, the employee will be given another day off during that pay period.

- (3) *Split Shift.* A split shift allows an employee to work a combination of two continuous work periods separated by a period when no work is performed of two or more hours, which may include a meal period.

(e) Work Period and Annual Period

The work period for all regular Full-time and Part-Time Employees shall begin on Monday at 12:01 a.m. and continue until Sunday at 12:00 Midnight. The work period for law enforcement and fire Department employees shall begin at 12:01 a.m. on the 1st day and continue until 12:00 Midnight on the 28th consecutive day or until end of active shift occurring on the 28th day.

(f) Maximum Work Hours

The following table sets forth the maximum work hours for purposes of computing overtime. In accordance with the table, employees are not entitled to overtime compensation until the maximum work hours in the applicable Work Period have been exceeded.

<u>Classification of Employees</u>	<u>Work Period</u>	<u>Maximum Hours</u>
Law Enforcement	28 days	171 per period
Fire Department	28 days	212 per period
Other County Employees	7 days	40 per period

(g) On-Call Policy

Operational divisions in the County that have after-hours service needs may designate non-exempt employees to be on-call to meet such needs. Any On-Call policy shall be determined by the applicable Department Director with approval of the County Manager depending upon the needs of the individual Department and appropriations in the fiscal budget.

1. *Restricted On-Call.* Time spent on-call on or away from County premises under conditions that prevent the employee from using the time for personal activities. An employee in Restricted On-Call status is required to report for any on-call assignment that arises during the applicable on-call period. This category of on-call is compensatory. Employees in a restricted On-Call status may receive overtime for actual hours worked in excess of eight (8) hours per work day. This is contingent upon available funding annually.
2. *Unrestricted On-Call.* Time spent on-call on or away from County premises under conditions that do not prevent the employee from using the time for personal activities. The employee in unrestricted on-call status may choose to

report for an on-call assignment but is not required to do so. Unrestricted on-call status is not compensatory, except for such time actually worked should the employee report for an on-call assignment.

(h) Call-back Pay

A call-back occurs when there is an emergency or after-hours service need for which an employee must return to work after completing a scheduled shift, or as determined by the Department Director or Elected Official. A call-back does not include additional hours of work scheduled in advance. For example, employees who voluntarily elect to work additional shifts on their scheduled off days are not eligible for call back pay. Non-exempt Employees will be paid for call-back assignments as follows:

1. An employee responding to a call-back will be paid the greater of two (2) hours or the actual time worked on the call-back assignment. Such compensation shall be paid at the employee's overtime rate.
2. Travel time is included in the calculation of call-back hours worked.
3. Leave hours utilized during the same pay period will not off-set overtime payment for call-back assignments.
4. Exempt employees are not eligible for call-back compensation.

(i) Time Clock Procedures for Recording Hours Worked

Every employee's time card or attendance sheet should clearly and accurately reflect the employee's actual hours worked and the amount and type of any Leave taken for the applicable reporting period. Altering or falsifying the employee's own or another County employee's time card or attendance sheet is grounds for disciplinary action up to and including termination. In areas where time clocks are utilized, employees must clock in and out themselves. No employee can clock in or out for any other person. Such an action is grounds for disciplinary action up to and including termination. Each Elected Official or Department Director or designee shall be responsible for assuring that the time card or attendance sheet certifying that the hours reported is accurate.

1102 Compensation for Overtime Hours Worked

(a) Classification as Exempt or Non-Exempt

All employees will be classified as either "Exempt" or "Non-Exempt" according to the Fair Labor Standards Act ("FLSA") and its governing regulations. Positions will be classified as Exempt or Non-exempt based upon the prevailing law and the actual duties and compensation of each employee as determined by the Human Resources Director. The County is not required to compensate employees who are Exempt under the FLSA for overtime work. In contrast, the County is obligated to compensate employees who are deemed Non-Exempt under the FLSA for overtime work and does so according to the FLSA and the policies set forth herein. It is the expressed intent of Newton County to strictly comply with the FLSA with regard to overtime payment.

(b) Approval and Recording of Overtime Hours Worked

All overtime work performed must have prior approval of the Department Director or Elected Official. In addition, the employee must record all overtime hours worked during the pay period in which the employee performed the work. No employee should be subject to requests by a Supervisor to work overtime without allowing the employee to record and receive compensation for overtime hours worked. If any employee has concerns about the overtime compensation practices occurring in his or her Department, the employee should immediately advise the Human Resources Director.

(c) Rate of Overtime Compensation

Non-Exempt employees who perform overtime work shall be paid either in wages or compensatory time at the rate of one and one-half times their regular rate of pay. Exempt employees will receive their regular compensation for any work period regardless of the number of hours worked.

(d) Computation of Hours Worked for Overtime Compensation Purposes

The computation of hours worked for purposes of reaching the maximum hour threshold (as specified in Section 1101, Paragraph c above) to trigger the entitlement to overtime compensation shall include all hours worked and shall exclude all hours paid but not actually worked. Paid annual leave, other paid Leave, holiday leave, and compensatory time shall not be included.

(e) Use of Compensatory Time

The applicable Elected Official or Department Director, or his or her designee, is responsible for managing the use of compensatory time and for administering the provisions of this Section. An employee desiring to utilize compensatory time off must receive prior approval from his or her Supervisor. A Non-Exempt employee who has accrued compensatory time and requests use of the time must be permitted to use the time off within a reasonable period after making the request if it does not unduly disrupt the operations of the Department.

(f) Accrual of Compensatory Time

Accrued compensatory time shall not exceed forty (40) hours without authorization from the Elected Official or Department Director. All unused compensatory time accrued by Non-Exempt employees may be paid out in wages at the end of each fiscal year

(g) Payment of Compensatory Time Upon Separation

All unused compensatory time accrued by Non-Exempt employees will be paid to the employee immediately upon separation from employment with Newton County, whether the employee is terminating his or her employment voluntarily or involuntarily. At the time of separation, an employee shall not be entitled to remain on the County payroll to extend County benefits by using compensatory time.

1103 Compensation Deductions and Corrections

(a) Deductions for Leave

Deductions shall be applied to an Exempt employee's compensation under the following certain circumstances.

- Partial day absences may only be deducted from an Exempt employee's sick or vacation accrual "bank". If there is no applicable sick or vacation time available in the employee's respective accrual "bank, partial day absences cannot be deducted from an exempt employee's salary.
- Full day absences for personal reasons including illness, may be deducted from an Exempt employee's salary if there is no applicable sick or vacation time available in the employee's respective accrual "bank".
- Partial or full day deductions may be made to an Exempt employee's compensation for FMLA unpaid leave purposes. Such deductions may be made from a Non-Exempt employee's pay.

(b) Pro-Rated Salaries

The County shall pay pro-rated salary for partial initial or final weeks of employment where applicable.

(d) Disciplinary Suspensions

Deductions from pay for Exempt employees may be made for an unpaid disciplinary Suspension of one or more full days imposed in good faith for infractions of workplace conduct rules. Such deductions may also be made in full or partial day increments for Non-Exempt employees. See Chapter 9 for more details on Disciplinary Suspensions.

(e) Corrections

If an employee believes that an improper compensation deduction or addition has been made to his or her salary, the employee is to report this information to their direct Supervisor. The Supervisor is then to contact the Payroll Department for immediate investigation. All reports of improper deductions or additions will be promptly investigated by the Payroll Department. Appropriate adjustments will be made for improper deductions or additions in the next full pay period.

1104 Holiday Leave

(a) Holidays Observed

It is the policy of Newton County that all Full-time and Part-Time Employees shall be eligible for paid holidays each year. The Board of Commissioners will approve the annual

Holiday schedule each year. If an observed holiday occurs on a Saturday, it will generally be observed on the preceding Friday. If an observed holiday occurs on a Sunday, it will generally be observed on the following Monday.

(b) Holiday Pay

Full-time Employees shall be paid for each holiday according to hours worked in their regularly scheduled shifts, provided they are scheduled to work on the holiday. Part-Time Employees shall be paid four (4) hours of holiday pay. Employees on Military, FMLA and/or Worker's Compensation leave shall receive holiday pay. Temporary and Seasonal Employees or employees on approved Leave Without Pay or Suspension Without Pay are not entitled to holiday pay. Holidays that occur during an employee's annual leave or sick leave shall not be charged against annual or sick leave. A doctor's excuse will be required if an employee calls in sick the day before or after a holiday.

(c) Work on Holidays

Non-exempt firefighters and uniformed sworn law enforcement personnel (207(k) employees), and other Non-exempt Employees authorized to work during any observed holiday, may be paid at the rate of one and one-half times their normal rate of pay for time worked on the observed holiday. Such pay shall be in addition to holiday pay of twelve (12) hours for firefighters, ten (10) hours for law enforcement personnel, and eight (8) hours for all other employees. Holiday pay is subject to the approval of the Board of Commissioners and the availability of funds.

1105 Annual Leave

(a) Statement of Policy

Annual Leave is paid Leave to be used for vacation, personal business, and other personal activities.

(b) Eligibility

All regular and probationary Full-time and Part-Time Employees shall accrue annual leave from the date of employment in a covered position Temporary, Seasonal and Grant Funded employees are not eligible for leave accrual.

Although probationary employees may earn annual leave from their date of employment, they may not take annual leave during the first six (6) months of employment for Regular Employees, and twelve (12) months for sworn law enforcement officers and applicable Fire and Emergency Services personnel unless authorized by the applicable Elected Official or Department Director.

Part-time Employees who are scheduled to work at least twenty (20) hours per week shall accrue annual leave at one-half the accrual rate of Full-time Employees. Part-time Employees who work less than twenty (20) hours per week are not eligible to accrue annual leave.

(c) Accrual of Annual Leave

All Full-time Employees are eligible to accrue annual leave based upon their Seniority Date as described in Section 705. Accrual of leave shall be as follows:

Years of Service	CLASSIFICATION		
	Fire Protection	Law Enforcement	General
0-5 years	108 hours per year	86 hours per year	80 hours per year
6-10 years	162 hours per year	129 hours per year	120 hours per year
11-15 years	194 hours per year	155 hours per year	144 hours per year
16-20 years	216 hours per year	172 hours per year	160 hours per year
21-24 years	238 hours per year	189 hours per year	176 hours per year
25+	270 hours per year	215 hours per year	200 hours per year

The accrual amounts described above may be adjusted if an employee does not work the normal number of scheduled hours for his or her position.

(d) Approval of Annual Leave

All requests for personal leave must be pre-approved by the Department Director or Elected Official or the appropriate Supervisors as designated by the Department Director or Elected Official. Where possible, an employee must request approval to take annual leave at least two (2) weeks prior to commencing leave.

(e) Unused Annual Leave

Unused accumulated annual leave may not exceed 680 hours for fire protection employees, 507.50 hours for law enforcement employees; and 480 hours for all other County employees. Upon separation from County employment, whether voluntarily or involuntarily, employees shall be compensated for unused annual leave up to the maximum accrual amounts listed above. At the time of separation, an employee shall not be entitled to remain on the County payroll to extend County benefits by using annual leave time. All annual leave time paid upon separation shall be treated as regular pensionable earnings.

(f) Annual Leave Buy-Back

If an employee has not exhausted accrued annual leave by the end of the calendar year, he or she may elect to be paid for unused accrued annual leave up to forty (40) hours per year, subject to the availability of funds. To be eligible for this benefit, employees must retain an annual leave balance of two hundred (200) hours after a buy-back request. The rate of compensation for annual leave under this Policy shall be the employee's current regular rate of pay. All applicable taxes and withholding shall apply.

(g) Management Benefit Option

Department Directors may accrue an additional one hundred and twenty (120) hours of annual leave, in addition to the established accrual maximums stated in Section (e) above.

1106 Sick Leave

(a) Statement of Policy

Sick leave is to be used for an employee's own bona fide illness, injury, and other medical related necessities such as physician and dental appointments. Sick leave is also available for the care of an employee's Immediate Family members.

(b) Eligibility

All regular and probationary Full and Part-time Employees shall accrue sick leave from the date of employment in a covered position. Temporary and Seasonal Employees are not eligible for sick leave. Employees must complete six (6) months of employment before using accrued sick leave.

(c) Accrual of Sick Leave

All Full-Time Regular Employees are eligible to accumulate sick leave as follows:

Classification	Hours Earned per Month	Hours Earned per Year
Fire Protection	10.00 hours	120.00 hours
Law Enforcement	7.13 hours	85.50 hours
General	6.67 hours	80.00 hours

Full-time Regular Employees who work less than the normal hours for their position shall accrue sick leave in accordance with their hours worked.

Part-time Employees who work at least twenty (20) hours per week shall accrue sick leave at one-half the accrual rate of Full-time Employees. Temporary Employees are not eligible for leave accrual.

(d) Unused Sick Leave

Unused accumulated sick leave may not exceed 1,080 hours for fire protection employees, 769.50 hours for law enforcement employees, and 720 hours for all other County employees.

Unused sick leave shall not be paid to an employee upon separation from employment.

(e) Perfect attendance

In December of each year, the applicable Elected Official or Department Directors shall provide to the Human Resources Director a list of Full-time Employees who have not called out of work for any reason during the previous twelve (12) months, excluding sick leave

donated to the Catastrophic leave bank. Upon certification, the employee may be granted twenty-four (24) hours compensation as discretionary pay for perfect attendance, subject to the availability of funds within the approved budget. Fire Department personnel covered by section 207(k) of the Fair Labor Standards Act may be granted thirty-six (36) hours compensation as discretionary pay for perfect attendance,

For purposes of perfect attendance, employees may choose to use accrued compensatory time (excludes accrued vacation or holiday time) in lieu of accrued sick leave, for bona fide accidents, doctor or dental appointments, maternity leave, and request for the employee's presence by immediate family, doctor or clergy due to family illness or emergency.

(f) Approval and Reporting of Sick Leave

If possible, an employee must report to his or her Supervisor any sick leave absence prior to his or her scheduled work time. An employee who is absent from work without prior approval is responsible for personally contacting the appropriate Elected Official, Department Director, or Supervisor within thirty (30) minutes after the employee's scheduled start time on the day of absence. In a Department that must provide twenty-four hours sustained service, employees must report an absence two (2) hours before their designated starting time.

Failure to follow the proper reporting requirements may result in the employee being charged with leave without pay and additional disciplinary action if warranted. The method of notification of absences pursuant to this Section may be varied at the discretion of the applicable Elected Official or Department Director, which method or modification should be clearly communicated to the employees of the Department.

Sick leave requires the approval of the applicable Elected Official or Department Director or his or her designee. A medical statement signed by a licensed medical care provider shall be required to substantiate sick leave for the following:

1. Absences on the day prior to or the day following a holiday;
2. Absences for three or more consecutive work days;
3. Sick leave during annual leave;
4. Sick leave after the submission of a Resignation notice; or
5. Any time absences occur frequently or habitually.

(g) Catastrophic Leave Bank Program

Sick leave is non-transferable, except in cases of extreme life-threatening (catastrophic) illness or injury, such as cancer, heart attack, stroke and/or other major illness or accident. An employee who chooses to donate a portion of his or her sick leave, may donate to the catastrophic leave bank in accordance with this Policy. All requests will be reviewed and approved by the Human Resources Director on a case by case basis.

An employee may donate a maximum of forty (40) hours of his or her sick leave to the catastrophic leave bank per calendar year.

Catastrophic illness or injury means an illness or injury that is expected to incapacitate the employee for an extended period of time, or that incapacitates an employee's Immediate Family member and requires the employee to take time off work for an extended period of time to care for such Immediate Family member, and the employee's extended time off work creates a financial hardship for the employee because he or she has exhausted all of his or her accrued sick leave and other paid time off.

An eligible employee who is experiencing a qualifying catastrophic illness or injury may apply for and receive catastrophic leave provided:

1. The recipient is enrolled in the catastrophic leave bank program;
2. The recipient has been employed full-time for at least twelve (12) months;
3. The recipient meets the eligibility definitions of the Family Medical Leave Act (FMLA);
4. The recipient has exhausted all of his or her accrued sick and annual leave and compensatory time; and
5. There is available catastrophic leave in the catastrophic leave bank.

After confirmation of eligibility, the recipient shall begin to receive catastrophic leave following the exhaustion of his or her own accrued leave. If the employee requests more time than actually required, only the needed amount of catastrophic leave shall be used and the excess shall be returned to the catastrophic leave bank. Employees may receive a maximum of eighty (80) leave hours from the catastrophic leave bank during a rolling twelve (12) month period.

Implementation and administration of the catastrophic leave bank program are set out by administrative procedures maintained by the Human Resources Director. Denial of an employee's request for leave hours from the catastrophic leave bank is not grievable or appealable.

1107 Worker's Compensation Leave for On-the-Job Injury

An employee who sustains an injury on-the-job must, at the time of the injury, notify his or her Supervisor and the Human Resources Department on the forms prepared and provided by the Human Resources Department. The employee's Supervisor must ensure that the appropriate procedures are followed for reporting on the job injuries, including drug testing.

The employee must, upon request, submit a physician's statement, from a physician who is listed on the worker's compensation approved panel of physicians, to the effect that the injury will prevent the employee from working. The County shall reserve the right to refuse payment of medical services for any employee examined by a physician not listed on the workers' compensation approved panel of physicians. If the injury is after hours or of an emergency nature, the employee may go to the nearest hospital or emergency room. Once the emergency has abated, the employee

must resume treatment with a physician from the approved panel of physicians.

If the injury necessitates the employee's absence from work, the employee shall receive his or her regular rate of pay for a maximum of seven (7) calendar days. Thereafter, the County's workers' compensation carrier shall determine if further compensation is required. It is the responsibility of the employee to ensure that his or her Supervisor is advised on a weekly basis of the status of the injury and a projected date of the employee's return to work. An employee must tell his or her Supervisor the full extent of any limitations regarding his or her ability to perform job duties, and must fully explain any request for reasonable accommodation. An employee on worker's compensation, while on light duty and working, shall be paid time-off for physician visits. A medical note from the employee's physician must be presented to the Department Director or Elected Official and forwarded to Human Resources.

An employee on worker's compensation shall continue to accrue personal leave and holiday compensation while on worker's compensation leave until such time the worker's compensation carrier determines the employee no longer qualifies for disability benefits. Worker's compensation leave must run concurrently with Family Medical Leave.

1108 Bereavement Leave

Leave with pay for a maximum of up to three (3) working days, or six continuous 12-hour shifts for Fire suppression personnel, shall be granted to any employee in the event of a death in the employee's Immediate Family. An employee is not automatically entitled to the maximum three-day funeral leave period, but rather, the period of leave is at the discretion of the employee's Elected Official or Department Director and must be applied fairly. Bereavement Leave shall not be charged to annual leave or compensatory time, even if the employee's absence from work to care for the deceased family member pursuant to the Family Medical Leave Act. Request for additional bereavement leave other than specified herein shall be deducted from annual leave or compensatory time.

The employee is charged with the responsibility of verbally requesting funeral leave directly from his or her Supervisor or Department Director, and providing supportive information if requesting more than one (1) day. The Supervisor may also request that supporting documentation, such as a funeral announcement, be submitted by the employee when the employee returns from funeral leave.

Immediate family for purposes of this Section shall include the employee's spouse, child, step-child, parent, step-parent, parent-in-law, brother, sister, brother-in-law, sister-in-law, grandchild, grandparent, spouse's grandparent, son-in-law, daughter-in-law, and any other person who is recognized by law as a dependent of the employee. Such leave shall not be charged to personal leave, even if the employee's absence from work to care for the deceased family member pursuant to the Family Medical Leave Act.

1109 Military Leave

Newton County shall comply with the applicable State of Georgia law and federal law for public employees. An employee who is a member of the National Guard, an organized military reserve of the United States, or any employee who is otherwise engaged in the performance of military duty,

and while any of the above described employees are going to and/or returning from such duty, shall be paid his or her salary or other compensation and will be allowed leaves of absence with pay for periods not to exceed eighteen (18) working days (one working day equals one twelve (12) hour shift for public safety employees and two continuous twelve (12) hour shifts for fire suppression employees) during any federal fiscal year (beginning on October 1st and ending on September 30th) and not exceeding eighteen (18) days in any one continuous period of absence. This shall include the attendance at training camps upon presentation of orders to attend such training. Such leaves shall not be charged to personal leave and may be intermittent in nature. An employee shall also receive his or her salary or other compensation for a period not exceeding thirty (30) days in any federal fiscal year and not exceeding thirty (30) days in any one continuous period if ordered to active duty service.

In addition, any employee who is called up to active duty in any branch of the military service of the United States will be allowed leaves of absence and maintenance of rights and benefits consistent with State and federal law upon presentation of orders to such active duty.

All military leave time shall be counted towards all seniority rights and towards eligibility of FMLA leave. All military leave shall be eligible to receive holiday compensation for the holidays recognized by the County.

1110 Civil Leave

An employee shall be given necessary time off without loss of pay when performing jury duty or when required by subpoena to be a witness in a legal proceeding, provided such call to duty is reported in advance to the individual's Elected Official or Department Director or his or her designee. Civil leave pursuant to this Section shall not be charged to personal leave.

An employee who is required to perform jury duty or who is required to be a witness in a legal proceeding pursuant to subpoena must make his or her best effort to minimize the time spent away from work and to request an on-call arrangement for appearance in response to a subpoena.

Notwithstanding the foregoing, an employee shall not be granted civil leave for any case or proceeding in which the employee is a litigant, defendant, or other principle party, or if the employee has any other personal or familiar interest in the proceeding. In addition, an employee shall not be granted civil leave for any case in which the employee is charged with a crime.

The employee seeking civil leave must submit to the applicable Elected Official or Department Director, or his or her designee a copy of the subpoena, summons for jury duty, or other court order or process as a pre-requisite for approval of civil leave. Appropriate certification and service is also required.

An employee shall not be discharged, disciplined, threatened, or otherwise penalized because the employee's absence is for a judicial proceeding in response to a subpoena, summons for jury duty, or other court order or process that requires the employee's attendance at the judicial proceeding.

1111 Parental Leave

(a) Paid Parental Leave

Upon the birth or adoption of an employee's child/children, full-time regular employees will receive one (1) week of paid parental leave. All additional time off will be paid or unpaid according to an employee's FMLA eligibility and his or her accrued annual and sick leave. Where practicable, an employee should provide his or her Supervisor at least thirty (30) days' notice of the proposed dates for paid parental leave. Paid parental leave benefits will be at an employee's regular rate of pay.

Paid parental leave will not be paid upon separation of employment from the County. Paid parental leave is subject to the availability of funds in the County budget as approved by the Board of Commissioners.

(b) Maternity Leave

Maternity leave is afforded to employees pursuant to, and governed by, the provisions of the Family and Medical Leave Act ("FMLA") and those provisions set forth in Section 1112. Maternity leave shall be granted to employees upon written request filed by the employee at least two weeks prior to the effective date (unless emergency conditions prohibit the filing of such prior notice, in which case, it shall be filed as soon as possible). Time for beginning maternity leave shall be when the employee, with the approval of her doctor, deems she is no longer able to carry out the duties and responsibilities of her position. Time for termination of maternity leave shall be governed by the FMLA when applicable time provided thereunder has elapsed. An employee working in a position judged by the Elected Official or Department Director to be dangerous to the health of the employee or the unborn child shall be required to sign a statement of personal responsibility and furnish a doctor's certificate if the employee elects to continue working.

An employee on maternity leave must utilize any available paid leave and/or compensatory time during any period of maternity leave. Upon expiration of any paid leave, the remainder of FMLA leave shall be unpaid.

1112 Family and Medical Leave

(a) Statement of Policy

Pursuant to the Family and Medical Leave Act ("FMLA"), 29 U.S.C. § 2601, *et seq.*, employees may be eligible to take up to twelve weeks (or up to twenty-six weeks of Military Caregiver Leave to care for a covered service member with a serious injury or illness) of unpaid Leave during any twelve-month period for one or more of the following:

- (i) The birth, adoption or placement of a child;
- (ii) The serious medical condition of a parent, spouse, or child;
- (iii) A serious health condition that makes the employee unable to perform the

essential functions of his or her job to include qualified injuries or illnesses that existed prior to military active duty and were aggravated by service while on active duty in the Armed Forces;

- (iv) Qualifying Exigency Leave is available to eligible employees who are family members of a covered military member to take FMLA Leave to address the most common issues that arise when a covered military member is on covered active duty or called to covered active duty; or
- (v) Military Caregiver Leave is available to eligible employees (defined as the spouse, son, daughter, parent, or next of kin of an injured or ill service member or veteran) to care for the covered service member. Eligible employees are entitled to twenty-six work weeks of Leave during a single twelve-month period to care for a covered service member with a serious injury or illness.

For purposes of this Section, a “12-month period” means a rolling twelve (12) months measured backward from the date the employee uses any FMLA leave. If the policies set forth in this Handbook conflict or come into conflict with the FMLA as it presently exists or is amended from time to time, the provisions contained in the FMLA shall control.

(b) Eligibility

An employee is eligible for FMLA leave if he or she has at least 12-months service with the County, and has worked at least 1,250 hours in the 12-month period preceding his or her request for FMLA leave, provided such leave is within the conditions and limitations provided in the FMLA.

(c) Request for Leave

It shall be the responsibility of the employee to ensure that the appropriate forms required by the Human Resources Director are timely submitted to the Human Resources Director or designee in order to request leave pursuant to the FMLA. Failure to submit an application for leave pursuant to the FMLA within a reasonable period of time prior to the requested effective date of the leave, when the reason for the leave is foreseeable, may constitute grounds for denial of the request. Upon receipt of a request for leave and a completed medical certificate pursuant to the FMLA, the Human Resources Director shall respond in writing with approval or denial of the leave within three (3) working days. An approval should specify the terms and conditions of the leave. If a request is denied in whole or in part, the response of the Human Resources Director will specify the reasons for the denial and shall include a notice of the right to appeal consistent with this Section.

(d) Concurrent Utilization of Paid Leave and/or Compensatory Time

An employee requesting leave pursuant to the FMLA is required to utilize all accrued annual leave and/or compensatory time available as part of the 12-week leave period. If the available paid leave for the employee is less than twelve working weeks, the additional

weeks of leave necessary to obtain the twelve work weeks of leave available under the FMLA shall be provided without compensation. In any event, any combination of personal leave, compensatory time, and/or unpaid family and medical leave shall not exceed twelve (12) weeks. Use of personal and/or compensatory leave, or any combination thereof, must be used concurrently with FMLA leave. FMLA requests will be retroactively dated to the beginning of the current personal and/or compensatory leave, or any combination thereof if paid leave is commenced prior to the request for FMLA leave.

Regardless of paid or unpaid FMLA leave, the employee will receive holiday compensation for the holidays recognized by the County.

(e) Concurrent Worker's Compensation and FMLA Leave

An employee qualifying for Worker's Compensation Leave must run FMLA leave concurrently with Worker's Compensation Leave, including intermittent leave.

(f) Intermittent Leave or Reduced Schedule Leave

Leave for childbirth, adoption, or foster care may not be taken intermittently or on a reduced schedule. Leave for a serious health condition of a qualifying family member or of the employee may not be taken on an intermittent basis or on a reduced leave schedule unless medically necessary. The taking of any leave intermittently or on a reduced schedule basis shall reduce the total amount of FMLA leave that has been approved for the eligible employee according to the actual hours of leave taken. For example, if an eligible employee takes ten (10) hours of leave intermittently over twenty (20) business days, the employee's bank of available FMLA leave will be reduced only by ten (10) hours and not by twenty (20) days.

For requests of intermittent or reduced schedule leave that is foreseeable based on planned medical treatment, the Human Resources Director may require the employee to transfer temporarily to an available equivalent position for which the employee is qualified that better accommodates recurring periods of absence.

(g) Spouses Employed by Same Employer

In any occasion in which a husband and wife are eligible for leave under the FMLA and are both employed by Newton County, the aggregate number of work weeks of leave to which both may be entitled may be limited to twelve (12) work weeks during any 12-month rolling period, in the case where leave is taken for childbirth, adoption, foster care, or to care for a sick parent.

(h) Foreseeable Leave

In any case in which the necessity for leave under the FMLA is foreseeable, based on an expected birth or placement of a child or based on planned medical treatment or supervision, the employee shall provide the Human Resources Director with written application for the requested leave and certification no less than thirty (30) days before the date the leave is to begin. The written application shall state the reason for the leave request, the anticipated

duration of the leave, and the anticipated starting and ending dates of the leave.

In a case where the necessity for leave is based on planned medical treatment, the employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider and shall provide the Human Resources Director with at least thirty (30) days' notice before the date the leave is to begin, except that if the date of the treatment requires leave to begin in less than thirty (30) days, the employee shall provide such notice as is practicable.

(i) Certification of Serious Health Conditions

An eligible employee who requests leave for a serious health condition of the employee or a qualifying family member, shall submit a Medical Certification Statement from an appropriate health care provider to the Human Resources Director when requesting leave.

Certification shall be sufficient if it states:

- (1) The date on which the serious health condition commenced;
- (2) The probable duration of the treatment or condition;
- (3) Appropriate medical facts within the health care provider's knowledge; and
- (4) An estimated amount of time the employee needs to care for the qualifying family member or a statement of the extent to which the employee is unable to perform the essential functions of the employee's position.

In any case in which the Human Resources Director has reasonable doubt as to the validity of the certification, the Human Resources Director may require the employee to obtain the opinion of a second health care provider at the expense of Newton County. In any case in which the second opinion differs from the original certification, the Human Resources Director may require the employee to obtain the opinion of a third health care provider designated or approved jointly by the Human Resources Director and the employee at the expense of Newton County. The opinion of the third health care provider shall be final and binding on the County and the employee. The Human Resources Director may also require that the employee obtain subsequent re-certification on a reasonable basis.

(j) Accruals and Benefits during FMLA Leave

An employee on unpaid FMLA leave shall not be entitled to the accrual of any seniority or employment benefits during the period of unpaid FMLA leave, including but not limited to, the accrual of annual leave. The employee, while on paid FMLA leave, is entitled to accrue annual leave during the periods of paid FMLA leave. For the purposes of pension or retirement plans, any period of FMLA leave will be treated as Continuous Service for the purposes of vesting and eligibility to participate.

FMLA time will not be counted as part of an employee's Probationary Period, but will be added to the remaining Probationary Period or Working Test Period, extending the ending

date of the Probationary Period.

During any period of leave, Newton County will maintain any health insurance provided by Newton County to the employee for the duration of the leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such leave. If, however, the employee fails to return from leave after the period of leave to which the employee is entitled has expired and the employee fails to return for a reason other than the continuation, recurrence, or on-set of a serious health condition or other conditions beyond the control of the employee, Newton County may recover the premium(s) that the County may have paid for maintaining coverage for the employee during the period of leave. If the employee is unable to return to work because of the continuation, recurrence, or on-set of a serious health condition, the Human Resources Director may require that the employee provide a certification of such circumstance.

(k) Appeals of Denials

If the Human Resources Director denies in whole or in part a request for leave pursuant to the FMLA, an employee has the right to appeal that decision consistent with the following procedures.

Any such appeal from an employee must be filed within three (3) working days following receipt of the denial decision from the Human Resources Director. The written notice of appeal shall include the request for the leave and all supporting documentation provided to the Human Resources Director. The appeal shall be filed with the Elected Official or County Manager who has the authority to amend or reverse the decision of the Human Resources Director. Failure of the employee to appeal within three (3) working days shall result in forfeiture of any further right of appeal of a denial.

The Elected Official or County Manager shall review the record of the appeal and shall, within five (5) working days, issue a final determination. The decision of the Elected Official or County Manager shall be final.

(l) Return to Duty from FMLA Leave

The employee must notify his or her Department Director or Supervisor at least one week prior to returning to work from FMLA leave. As a condition for return to duty, the employee may be required to provide certification from the employee's health care provider that the employee is able to resume work. Upon expiration of the period of leave pursuant to the FMLA, the employee shall be returned to his or her former position or a position of equal grade and pay, provided that the employee has complied with the terms of the leave and reported for return of duty at the appropriate time. While the employee shall be restored to a position of employment without loss of employment benefits accrued prior to the date on which the leave commenced, the employee shall have no greater rights than those in effect prior to the commencement of the leave.

(m) FMLA Rights

The County prohibits discrimination or retaliation against any employee for either exercising his or her rights under the FMLA or participating in any proceeding related to the FMLA.

1113 Unpaid Leave of Absence

(a) Statement of Policy

Unpaid leave of absence is designed to accommodate eligible employees who have exhausted all other annual leave, sick leave, FMLA leave, or compensatory time, but need additional time to attend to personal or family matters.

(b) Eligibility

All regular Full-time Employees who have been employed for at least twelve (12) consecutive months are eligible to request an unpaid leave of absence. Temporary and Part-Time Employees are not for an unpaid leave of absence.

(c) Length of Unpaid Leave of Absence

An employee may be granted an unpaid leave of absence for a period not to exceed three (3) months. Total leave time for both paid and unpaid leave should not exceed six (6) months in a rolling 12-month period. An unpaid leave of absence of more than thirty (30) days will result in a corresponding adjustment to the employee's anniversary date.

(d) Request for Unpaid Leave of Absence

Requests for leave pursuant to this Section shall be submitted by the employee in writing to the applicable Elected Official or Department Director using forms prescribed by the Human Resources Director. The request must include the employee's reason for requesting an unpaid leave of absence, the proposed start and end dates for the leave, and a statement that the employee intends to return to Newton County employment upon expiration of such leave.

(e) Approval of Unpaid Leave of Absence

An unpaid leave may be granted upon written recommendation of both the Department Director and the approval of the applicable Elected Official or County Manager.

In evaluating an employee's request for an unpaid leave of absence, the Department Director will consider such factors as the purpose and length of the proposed leave, the impact of the leave upon the Department and County services, and the inconvenience or expense to the County in ensuring that the employee's work can be satisfactorily performed by others during the leave period. After reviewing the above factors, the Department Director will

make a recommendation to the Elected Official or County Manager that the requested unpaid leave of absence be either granted or denied.

The Elected Official or County Manager shall weigh all factors and decide within a reasonable time after being presented with the recommendation. The Elected Official or County Manager's decision shall be made in writing, and shall include the specific terms of any leave granted. The respective Department Director will ensure that a written report is completed and promptly submitted to the Human Resource Director for processing and maintenance.

A notice of approval or denial of the request for unpaid leave of absence shall be provided to the employee by the Human Resources Director and shall contain the terms and conditions of the approval or reasons for denial.

An employee on an unpaid leave of absence is subject to disciplinary action in the same manner as any other employee for violation of County policies. Upon approval of an employee's leave of absence, the employee will be required to turn in all County equipment, including, but not limited to, all County vehicles, identification badges, keys, telephones, punch cards, and any other County documentation or property.

(f) Return from Unpaid Leave of Absence

During the employee's approved leave of absence, the position may be filled. Prior to return from an unpaid leave of absence, the employee must notify the applicable Elected Official or Department Director and the Human Resources Director in writing at least two weeks prior to returning to work. At the expiration of the leave, the employee shall be reinstated to the former position or to a position of equal grade and pay without loss of any rights, provided the employee returns within the terms of the leave granted and provided that such a position is available. Once a leave of absence is approved the employee may not request Reinstatement earlier than the time for which the leave of absence was approved.

(g) Effect of Unpaid Leave of Absence on Benefits

An employee will not accrue any employment benefits during the period of the unpaid leave of absence. Specifically, an employee shall not be entitled to accrue personal leave during the period of any leave of absence. The County is under no obligation to pay for insurance benefits for an employee on unpaid leave. However, the employee may continue under the County's group insurance plans if the employee arranges for and makes payments of all related premiums during the leave. Should an employee elect not to receive insurance benefits while on unpaid leave, his or her coverage will be restored upon return to work (subject to the policies and procedures of the insurance administrators).

Time taken during an unpaid leave of absence will not be credited towards service time under the County retirement plan.

1114 Voting Leave

The County encourages all employees to vote in all local, state, and national primary and general

elections for which the employee is qualified and registered to vote. Federal regulations now provide for advance voting during the week prior to each election during the hours of 8:30 a.m. and 4:30 p.m. and employees are encouraged to take advantage of advance voting so that the County is not overburdened with absences on election day. Employees may contact the Voters Registration Department regarding the location of polls for purposes of advance voting.

Each employee may, upon at least twenty-four (24) hours prior notice to his or her Supervisor, take necessary time off from employment without loss of pay to vote in any municipal, county, state, or federal primary or election for which the employee is qualified and registered to vote. Such time off to vote shall not exceed two (2) hours. However, if the hours of work of the employee commences at least two hours after the opening of the polls or ends at least two hours prior to the closing of the polls, an employee is not entitled to any time off pursuant to this Section. For example, voting polls are open from 7:00 a.m. until 7:00 p.m., and thus an employee who works from 8:30 a.m. until 5:00 p.m. should require no time off to vote. Any time off taken to vote pursuant to this Section must be approved by the employee's immediate Supervisor and will not be charged against the employee's annual leave.

1115 Request for Leave to Observe Religious Holidays

An employee, upon request to the applicable Elected Official or Department Director at least seven (7) days in advance shall be given priority consideration for leave from work for observance of religious holidays not already provided for as a County observed holiday. Any paid leave for such religious holiday observance shall be charged to compensatory time or accrued annual leave as available to the employee at the time of the holiday observance. A request by an employee for time away from work to observe religious holidays shall not be denied, unless the duties performed by the employee are urgently required and the employee, in the judgment of the applicable Elected Official or Department Director, is the only person available who can perform the duties. However, a request by an employee for time away from work to observe a religious holiday shall be denied if the employee does not have enough compensatory time or accrued personal leave to accommodate the leave request.

1116 Administrative Leave

An Elected Official or Department Director, the Human Resources Director, or their respective designee, with notification to the Human Resources Department, may place an employee on administrative leave when an employee is being investigated by Newton County for possible misconduct or by a law enforcement department for possible violation of a criminal law or in any instance where it is considered to be in the interest of Newton County and/or the employee. In addition, written notification must be provided by the official who placed the employee on administrative leave to the Human Resources Department with instructions that the leave shall be with pay.

Administrative leave shall be with pay for the initial ten (10) working days (or ten, 12-hour shifts for Fire suppression personnel) of the administrative leave period. Every effort shall be made to complete the investigation within the initial ten-day period.

At the expiration of the initial ten-day period, if the investigation has not been completed, the

employee may be placed on administrative leave without pay for an additional twenty (20) working days upon written notification to the Human Resources Department by the official who placed the employee on administrative leave.

After the twenty-day unpaid administrative leave period, if the investigation has not been concluded, an extension may be considered or the employee may be terminated.

The purposes of administrative leave are to provide an investigatory opportunity or to relieve the employee of his or her duties when it is deemed in the best interest of the County and the employee. Designation of the leave as “administrative leave” is to prevent any possible stigma against an employee during a period of administrative leave. Notice of the conclusion of the administrative leave period shall be provided in writing to the employee by the applicable Elected Official or Department Director with copies of the written notice provided to the Human Resources Director. Upon conclusion of the administrative leave period, and provided that no disciplinary action is taken as a result of the administrative leave period, all records related to the administrative leave period shall be expunged from the employee’s personnel file.

1117 Leave Due to County Office Closure

In the event of hazardous weather, or other occurrence resulting in the closure of the County offices, all employees who are scheduled to work during such closure period shall be paid. Full-time Employees shall be paid closure pay according to hours worked in their regularly scheduled shifts. Part-time Employees shall be paid for four (4) hours of pay. Temporary and Seasonal Employees shall not be paid.

If questionable weather exists, but the County is open for business, employees should make their own independent safety determinations concerning travel to work. If the employee elects not to attend work due to safety concerns when the County is open for business, the employee’s absence will be charged against any accrued leave or compensatory time. If no such accrued leave exists, the employee will not be compensated. Public Safety employees are expected to monitor weather conditions and report to work as scheduled. Televised closure announcements will be made on WSB TV or Fox.

1118 Essential Personnel Compensation During Emergency Closures

Essential personnel are defined as employees who work in Public Safety or where 24-hour personnel are essential to the Department’s operation. The designation of essential employees within these departments is at the Department Director’s discretion. Employees who are classified as essential personnel are required to report to work while the County is operating during inclement weather conditions. Essential personnel required to work on an official emergency closing day, whether normally scheduled or at the request of the applicable Supervisor, will receive full pay for their regularly scheduled work hours, plus closure pay for the actual number of hours worked at the employee’s regular rate of pay. Department managers and/or Supervisors will be responsible for maintaining record of an employee’s time worked during an emergency closure.

If an essential employee does not report when requested or required the employee will not be compensated according to this Policy, and will be required to use accrued annual leave for such

time. In addition, the Supervisor will review each case of non-report, and if deemed necessary, may issue disciplinary action.

If questionable weather exists, but the County is open for business, employees should make their own independent safety determinations concerning travel to work. If the employee elects not to attend work due to safety concerns when the County is open for business, the employee's absence will be charged against any accrued personal leave or compensatory time. If no such accrued leave exists, the employee will not be compensated. Public safety and Fire Suppression employees are expected to monitor weather conditions and report to work as scheduled.

Chapter 12: Workplace Harassment

Effective Date: 03/06/2018

Revision Date:

1201 Prohibited Discrimination & Harassment

(a) Discriminatory Harassment

Newton County prohibits discrimination and harassment on the basis of race, color, creed, religion, ethnic origin, age, sex, disability, sexual orientation, gender identity, or other protected status. The County will not tolerate any form of harassment or unlawful discrimination by or against its employees, Supervisors, and Elected Officials or Department Directors.

All employees, Supervisors, and Elected Officials or Department Directors are expected to avoid any behavior or conduct that could reasonably be interpreted as harassment. Any form of harassment related to an individual's race, color, creed, religion, ethnic origin, age, sex, disability, sexual orientation, gender identity, or other protected group status, is a violation of this Handbook and will be treated as a disciplinary matter. For purposes of this Chapter, the term "discriminatory harassment" shall be construed consistent with applicable law and may include, but is not limited to, any of the following:

- (1) Offensive remarks, comments, jokes or slurs pertaining to an individual's race, color, national origin, religion, sex, gender, disability, age, veteran status, citizenship, sexual orientation, or other protected group status;
- (2) Offensive pictures, drawings, posters, photographs, reading materials, computer monitors, or other tangible items, or communications including e-mail, that are reasonably offensive or that reasonably exploit an individual's race, color, national origin, religion, sex, gender, disability, age, veteran status, citizenship, sexual orientation, or other protected group status;
- (3) Threatening reprisals based on an employee's race, color, national origin, religion, sex, gender, disability, age, veteran status, citizenship, sexual orientation, or other protected group status; or
- (4) Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance and/or conduct that creates an intimidating, hostile or offensive working environment.

(b) Sexual Harassment

Sexual harassment is a form of harassment and will be treated in accordance with the express terms of this Section. Sexual harassment is unwelcome conduct of a sexual nature when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of employment;

- Submission to or rejection of such conduct is used, either in part or in full, as the basis for employment decisions; or
- The conduct has the purpose or the effect of unreasonably interfering with the individual's job performance or when such conduct creates an intimidating, hostile, or offensive working environment.

For purposes of this Section, the term "sexual harassment" shall be construed consistent with applicable law and may include, but is not limited to, any of the following:

- Sexual assaults, including rape and molestation, or attempts or threats to commit such acts;
- Unwanted intentional physical contact of a sexual or suggestive nature, such as touching, pinching, patting, grabbing, kissing, brushing, or poking of another person's body regardless of the gender of the individuals involved;
- Offensive sexual remarks, sexual advances or requests for sexual favors regardless of the gender of the individuals involved;
- Threatening reprisals for an employee's refusal to respond to requests for sexual favors;
- Disciplining or retaliating against any individual in any way because he or she has resisted, reported or complained about sexual harassment;
- Preferential treatment, or the promise of preferential treatment, for engaging in sexual conduct;
- Offensive pictures, drawings, posters, reading materials, calendars, photographs or other physical objects, or communications, including e-mail, that are sexually suggestive, sexually demeaning or pornographic;
- Any conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an individual's work performance and/or conduct that creates an intimidating, hostile or offensive working environment; or
- Suggesting or inferring to any employee, Supervisor, Elected Official or Department Director (or Applicant for any such position) that his or her employment, advancement, or treatment will be affected in any way by entering (or refusing to enter into) any form of personal or sexual relationship.

1202 Application

All employees, Supervisors, Elected Officials or Department Directors are subject to the terms and provisions of this Chapter, and are to avoid any behavior or conduct that could be interpreted as discriminatory or sexual harassment as set forth above. All employees, Supervisors, and Elected Officials or Department Directors have a responsibility to inform an individual whenever his or her behavior is unwelcome, offensive, in poor taste, or inappropriate and to report harassment as set forth herein.

1203 Reporting Harassment

(a) Officials to Whom Complaints Shall Be Made

Incidents interpreted by any individual to be in violation of this Chapter should be brought to the attention of the individual's Supervisor, Elected Official or Department Director, or to the Human Resources Director, depending on whomever the employee feels most comfortable reporting. Any individual who has not personally experienced conduct prohibited by this Chapter, but who believes that such conduct has occurred, shall report that information to the applicable Elected Official or Department Director or to the Human Resources Director.

(b) Investigation of Harassment Complaints

(1) *Investigation will be as timely and as confidential as possible.*

Incidents reported by anyone pursuant to this Chapter will be handled in a timely manner, and as confidentially as possible. Due to the nature of the investigation process, however, Newton County cannot guarantee confidentiality. Information reported by any individual pursuant to this Chapter will not be unnecessarily released to third parties or to any person not involved in the investigation or involved in the conduct forming the basis of the complaint. Upon conclusion of the investigation, any such information will only be released to the extent required by law. No person involved in the investigation shall discuss the complaint or investigation with any person outside of the investigation process. This provision is intended to protect the confidentiality of anyone who files a complaint, to encourage the reporting of all incidents of harassment, and to ensure the fair treatment of all parties involved.

(2) *Investigation by duly appointed agent.*

Upon receiving a complaint of harassment pursuant to this Chapter, Newton County will investigate the allegations. The Human Resources Director will conduct the investigation, unless an alternate arrangement has been made with the applicable Elected Official or Department Director. If the complaint involves an individual in the Human Resources Department, the County Manager or his or her designee shall conduct the investigation.

(3) *Intent and purpose of the investigation.*

The intent of the investigation is to obtain further information about the events or conduct complained of, to enable the person(s) named in the complaint to tell his or her side of the story, to determine whether harassment has in fact occurred, and to develop an appropriate resolution. Anyone making a complaint pursuant to this Chapter may be asked to put his or her complaint in writing. The person to whom the complaint is made, or the person or persons investigating the complaint, may take notes and may request the complainant to sign those notes. All employees, Supervisors, and Elected Officials or Department Directors are expected to fully cooperate with any investigation of a complaint of harassment.

(4) *No reprisal against Complainant.*

No individual will be retaliated against for reporting a violation of this Chapter or for cooperating with an investigation of a complaint of harassment. However, intentional or malicious false accusations of misconduct could have a serious effect on an individual who has been falsely accused. Individuals falsely accusing another of misconduct will be disciplined based on the extent of the false accusation, up to and including termination.

(5) *Notification of belief that investigation is not being handled properly.*

If, at any time, anyone feels that his or her complaint is not being handled properly, he or she should immediately contact the Human Resources Director, the County Manager, or the applicable Elected Official or Department Director.

1204 Disciplinary Action

Violation of any provision of this Chapter will subject the offender to disciplinary action, up to and including immediate termination. If anyone has any questions about what constitutes harassing behavior or what conduct is prohibited by this Chapter, he or she should contact the Human Resources Director.

1205 Importance of Policy

Newton County is very serious about enforcing its policy against discrimination and harassment. However, Newton County cannot respond to complaints of harassment unless it is aware of those complaints. Therefore, it is the responsibility of each employee, Supervisor, Elected Official or Department Director to report any incident of harassment so that Newton County can take corrective action as needed. Anyone who experiences or observes any violation of this Chapter is required to report the same under the terms of this Chapter prior to the end of the workday or the following workday on which the violation was believed to occur.

Chapter 13: Drug and Alcohol-Free Workplace

Effective Date: 03/06/2018

Revision Date:

1301 Statement of Policy

Newton County is committed to maintaining a work environment free from the adverse impact of employee drug and alcohol abuse. Employee drug and alcohol abuse constitutes a direct threat to the lives and property of the employees and citizens of the County and to the public health, safety, and welfare of all persons in the County.

Newton County does not and will not tolerate any employee's possession, sale, distribution, consumption or presence in the body of alcoholic beverages or illegal drugs while on County property and/or on County business at any time.

This Chapter is intended to comply with federal regulations and state laws that mandate pre-employment, reasonable suspicion, random, and post-accident testing of certain positions of employment, and to further the objective of protecting the persons and property of the County's employees, citizens and the public. This Chapter will be strictly enforced against all employees. To the extent this Chapter and a fitness for duty requirement conflict, the most strenuous provision favoring a drug and alcohol-free workplace shall govern.

1302 Prohibited Activity

(a) Drug and Alcohol Use Prohibited for all Employees

This Chapter applies to all employees. This Chapter applies to off-site lunch periods or breaks when an employee is scheduled to return to work, as well as to County Premises as discussed in Section 3 below. Visitors, vendors, and contractors are governed by this Chapter to the extent they are on County Premises or in County vehicles and will not be permitted to conduct business if found to be in violation of this Chapter.

(b) Drug and Alcohol Use Prohibited on County Premises

Substance and alcohol use by Newton County employees while on County premises or County business, whether during assigned working hours or otherwise, is prohibited. This includes the use of illegal substances, the abuse of prescription medications or over-the-counter medications, and the use or abuse of alcohol. As used herein, "County Premises" includes all property, facilities, land, platforms, buildings, structures, fixtures, installations, parking lots, and vehicles, whether leased or used by Newton County government or its officials, managers, Supervisors, employees, or other agents. This definition also includes locations other than County headquarters and offices, including all other locations of County-sponsored recreational, social, or educational events, and any place where a Newton County employee is located while traveling to or from such location in the course and scope of his duties on behalf of the County, including an employee's own vehicle when the employee is using it on County business, or when the vehicle is parked on County property. This definition shall not be interpreted to imply that the County assumes or accepts responsibility for any wrongful, tortuous, negligent or criminal acts of any person whom it

employs when such person is not acting pursuant to a County Supervisor's instruction in furtherance of the County's business, nor shall it constitute a waiver of any immunity which Newton County or its officials or employees might have under federal, state or local laws or ordinances.

(c) Impairment

Drug and alcohol abuse on or off County Premises is entirely inconsistent with fitness for duty and as such shall constitute an impairment. Newton County prohibits employees from being at work, on County Premises, operating County equipment, or operating any other equipment or vehicles on County business while impaired due to any illegal drug(s), legally obtained drug(s), or alcohol.

1303 Prohibited Substances

(a) Illegal Drugs

- (1) "Illegal drug(s) or controlled substance(s)" means any drug or substances the law prohibits individuals from manufacturing, dispensing, using, consuming, possessing, distributing, purchasing, selling, or otherwise transferring, including, without limitation, all drugs listed as controlled substances under Title 16 of the Official Code of Georgia. This definition encompasses any measurable amount of any drugs or controlled substances such as amphetamines, cannabinoids, cocaine, phencyclidine (PCP), methadone, methaqualone, opiates, barbiturates, benzodiazepines, propoxyphene or other drugs made unlawful under federal or state laws, or a metabolite of any such substances, "look-alikes," "designer drugs" having the same or similar psychotropic effects, unauthorized alcoholic beverages, marijuana, hallucinogens (whether natural or synthetic), inhalants, unauthorized prescription drugs, or authorized drugs which are not prescribed for a verifiable medical condition and/or are not used in strict accordance with this Chapter and with the prescribing physician's instructions, or any other substances that are mood-altering, mind or consciousness-affecting, or which are likely to have an effect upon a person's perceptions, sensations, thought processes, self-awareness, emotions, or other mental or physiological or psychological reactions or behavior. It also includes Urinaid or other substances, natural or synthetic, of a similar nature or purpose designated or used to alter a urine specimen or to conceal illicit chemical substances or their metabolites in an initial screening test.
- (2) Newton County prohibits employees from manufacturing, dispensing, using, consuming, possessing, distributing, purchasing, selling or otherwise transferring any illegal drug(s) or controlled substance(s) while on the job, on call, on County Premises, while operating County equipment or vehicles, or while operating any other equipment or vehicle while on County business.
- (3) An employee is impaired due to the influence of illegal drug(s) or controlled substance(s) if such employee's drug test results indicate the presence of an illegal drug or controlled substance in an amount that constitutes a positive test under accepted scientific standards.

(b) Legally Obtained Drugs

- (1) Legally obtained drugs include prescription drugs and over-the-counter drugs. A “prescription drug” means any substance that is attainable only by lawful prescription from a physician. “Over-the-counter” medication includes any substance that does not require a prescription, but which has the capacity to affect a person physically, mentally, or emotionally or which could otherwise affect a person’s ability to perform.
- (2) Employees must not be on the job, on call, on County Premises, operating County equipment or vehicles, or operating any other equipment or vehicle while on County business while impaired due to any drug, legal or illegal, that renders the employee unfit for duty. An employee is “unfit for duty” if, in the County’s opinion, the employee’s use of legally obtained drugs jeopardizes his or her ability to work safely and efficiently. An employee who is using legally obtained drugs must notify his or her immediate Supervisor of any and all symptoms and probable adverse side effects that may render him or her unfit for duty. An employee’s failure to so notify the County constitutes grounds for disciplinary action, up to and including, termination. If any employee’s medically required use of legally obtained drugs renders the employee unfit for duty and, in the opinion of the County, a temporary alternative job assignment is not available, the employee will be considered unfit for duty.
- (3) Employees using legally obtained drugs while on the job shall do so in strict accordance with physician and/or manufacturer’s directions. It is the employee’s responsibility to notify the prescribing physician of the duties required by the employee’s position and to ensure that the physician approves the use of the prescription medication while the employee is performing his or her duties.
- (4) The abuse and/or inappropriate use of legally obtained drugs while on the job, on call, on County Premises, while operating County equipment or vehicles, or while operating any other equipment or vehicle while on County business shall be prohibited and is a disciplinary matter. Job performance or attendance deficiencies resulting from abuse and/or inappropriate use shall be cause for disciplinary action.

(c) Alcohol

- (1) “Alcohol” includes any beverage or substance containing alcohol manufactured for the primary purpose of personal consumption. Newton County prohibits employees from using, consuming, possessing, distributing, purchasing, selling, or otherwise transferring alcoholic beverages on the job, on call, while operating County equipment or vehicles, or while operating any other equipment or vehicles while on County business. In addition, no employee shall use alcohol within four (4) hours of reporting for duty. Violation of these provisions is prohibited and subjects the employee to discipline, up to and including, termination.
- (2) Newton County also prohibits employees from being on the job, on call, on County Premises or operating County equipment or vehicles, or operating any other

equipment or vehicles on County business while under the influence of alcohol. An employee is “under the influence of alcohol” if, based upon the employees’ speech statements, behavior, conduct, appearance, or odor, the County reasonably believes the employee is under the influence of alcohol in a manner that is adversely affecting the employee’s behavior. An employee is also under the influence if an evidential breath test indicates a result of 0.02 percent or higher. An employee is further considered under the influence of alcohol if he has been arrested for operating under the influence of alcohol any County equipment or vehicles, or any other equipment or vehicles while on County business.

1304 Persons Subject to Testing

(a) CDL Employees

Employees who are required to possess a CDL license as a job requirement are subject to all testing provisions of this Chapter, including, but not limited to, pre-employment, post-accident, reasonable suspicion, random testing, position testing, return to duty and follow-up testing. CDL employees will be tested based on Federal Motor Carrier Safety Administration guidelines.

(b) Safety Sensitive Employees

Safety sensitive employees occupy positions where a lapse of judgment or impaired physical/mental ability in performing any essential job function could reasonably result in a significant threat of harm to the employee, fellow employees, citizens, inmates, or others. Safety sensitive positions include, but are not limited to, those which, as a part of the essential job functions, require the performance of law enforcement duties as a POST-certified law enforcement officer; possession of a firearm; providing emergency medical, rescue, or fire suppression services; interacting with incarcerated persons; performing duties essential to drug interdiction; performing duties related to the operation of heavy machinery; or performing duties which directly affect public health or safety. Safety sensitive employees are subject to all testing provisions of this Chapter, including, but not limited to, pre-employment, post-accident, reasonable suspicion, random, position testing, return to duty and follow-up testing.

(c) All Employees

Employees are subject to all testing provisions of this Chapter up to and including pre-employment, post-accident, reasonable suspicion, position testing, return to duty, follow-up testing or anyone operating a County vehicle at any time. Employees not holding a CDL or safety sensitive position shall be drug tested via non-DOT drug testing guidelines.

(d) Job Applicants

All Applicants for safety sensitive positions of employment are subject to pre-employment testing after a conditional offer of employment has been extended.

(e) Employees in Offices of Elected Officials

Employees in the offices of Elected Officials are subject to the testing provisions contained in this Chapter, unless the Elected Official has adopted a drug and alcohol workplace policy specific to his or her Department.

1305 When Testing is Required

(a) Pre-Employment/Post-Offer Testing

All applicants for Full-time and Part-time safety-sensitive positions of employment with the County will be tested for drugs after a conditional offer of employment has been extended. No such applicant or new hire shall be permitted to report for duty until the results of the drug test are obtained. All applicants for temporary full-time and temporary part-time safety sensitive positions of employment will be tested for drugs after a conditional offer of employment has been extended.

Anyone who refuses a pre-employment/post-offer drug test(s) or who tests positive shall not be extended a final offer of employment and will not be considered for any subsequent employment for a period of two (2) years. The Applicant will, however, be afforded the opportunity to contest the test results as set forth in this Chapter.

(b) Random Testing

All employees who are required to hold a commercial driver's license (hereinafter referred to as "CDL" or "CDL positions"), and employees in safety sensitive positions shall be subject to random or periodic drug and alcohol screening as determined by the applicable Elected Official or Department Director and the Human Resource Director. Random screening will be as follows:

- (1) Tests will be ordered on a random, unannounced basis from the pool of identified CDL and safety sensitive positions.
- (2) A random selection method and test rates as adopted by the Human Resources Director will be used to select employees, thereby allowing each employee an equal chance of being tested each month. Random selection test rates are subject to change as determined by the Human Resource Director.
- (3) An employee's name will remain in the pool after being selected so that every employee will have an equal chance of being tested each time selections are made. Therefore, it is possible that any CDL or safety sensitive employee, who is randomly selected for testing, may be randomly selected again during the same year.

(c) After-Care Testing

Persons in CDL positions and safety sensitive positions returning to work from an approved

treatment program for drug or alcohol abuse may be subject to unannounced testing at the discretion of the applicable Elected Official or Department Director for a period of twelve (12) months following the employee's return to work. Employees subject to Department of Transportation ("DOT") requirements shall undergo follow-up tests at the frequency prescribed by the DOT following any required evaluation and rehabilitation for drug or alcohol abuse.

(d) Return to Duty Testing

Persons in CDL and safety sensitive positions who return to regular employment after being absent for more than fourteen (14) calendar days, may be subject to drug and alcohol screening upon returning to work and before performing any job duties.

(e) Position Testing

Employees who are transferred, reclassified, promoted, or demoted from a non-CDL or non-safety sensitive position into a CDL or safety sensitive position will be tested for drugs before performing any job duties in the new position.

(f) Reasonable Suspicion

All employees will be subject to testing when there is reasonable suspicion that the employee has used drugs or misused alcohol in violation of this Chapter. Any employee who is required to take a reasonable suspicion test will be immediately suspended without pay pending the results of the test and confirmation of the results, if applicable.

(1) Any Supervisor who has received training in the signs and symptoms of drug and alcohol use and impairment may require an employee to undergo a reasonable suspicion test(s) for drugs or alcohol. A reasonable suspicion test may be required based upon, but not limited to the following:

- (i) Personal observation of the employee's job performance, appearance, behavior, speech, or odor by the trained individual creating a reasonable suspicion that the employee has used drugs or alcohol in violation of this Chapter; or
- (ii) Personal observation of the employee by another individual who has fully disclosed the observation to the County; or
- (iii) Observation of the employee by a nurse or physician engaged in the treatment or evaluation of a work-related injury who has disclosed such observations to the County; or
- (iv) Information from a law enforcement department received by the County.

Additionally, any untrained Supervisor may require a reasonable suspicion test(s) for drugs or alcohol when a trained Supervisor or the Human Resources Director has

reviewed the underlying facts and agrees that reasonable suspicion exists to require a test.

- (2) Specific and objective facts indicating that an employee's drug or alcohol use may have caused or been a contributing factor to an on-duty motor vehicle accident. The following facts, if present, may independently or collectively, depending upon the circumstances, give rise to reasonable suspicion:
- (i) The appearance, behavior, speech or odor of the employee immediately prior to or after the accident;
 - (ii) The employee left the scene or attempted to leave the accident scene without legal authority or permission to do so;
 - (iii) The employee's actions were contrary to a safety rule, established safety practice or otherwise engaged in demonstrably unsafe behavior for which there is no reasonable explanation;
 - (iv) The employee was arrested or received a traffic citation;
 - (v) The employee or any person received medical attention as a result of the accident; and
 - (vi) The employee has been involved, as a contributing factor, in a pattern of repetitive on-duty accidents, regardless of whether such accidents involved actual or potential injury.

Notwithstanding the foregoing factors indicating reasonable suspicion of drug or alcohol use due to involvement in an on-duty motor vehicle accident, it is the policy of the County to administer drug and alcohol tests to all employees involved in any of the accidents described in paragraph (g) below.

- (3) Specific and objective facts indicating that an employee's drug or alcohol use may have caused or been a contributing factor to an on-duty accident involving the use of heavy machinery. The following facts, if present, may independently or collectively, depending on the circumstances, give rise to reasonable suspicion:
- (i) The appearance, behavior, speech or odor of the employee immediately prior to the accident;
 - (ii) The employee left the accident scene or attempted to leave the accident scene without legal authority or authorization to do so, or failed to report the accident to the appropriate individual or otherwise attempted to keep appropriate persons from learning about the accident or the extent of the accident;
 - (iii) The employee's actions were contrary to a safety rule, established safety practices or otherwise engaged in demonstrably unsafe

behavior without a reasonable explanation;

- (iv) The employee or any other person received medical attention because of the accident; and
- (v) The employee has been involved as a contributing factor in a pattern of on-duty accidents, regardless of whether such accidents involved actual or potential injury.

Notwithstanding the foregoing factors indicating reasonable suspicion of drug or alcohol use due to involvement in an on-duty accident involving the use of heavy machinery, it is the policy of the County to administer drug and alcohol tests to all employees involved in any of the accidents described in paragraph (g) below.

- (4) Any employee to be tested based upon reasonable suspicion, shall be immediately removed from duty, escorted to the testing facility, and taken home (unless other suitable arrangements have been made to transport the employee). Under no circumstances will the employee be allowed to drive him or herself home. The employee shall be suspended without pay pending the results of the test and any confirmation tests, if applicable. If the positive test is explained or negated by the MRO and/or subsequent confirmation testing, the employee shall be reinstated with back pay and the Suspension without pay will be expunged from the employee's personnel file.

(g) Post-Accident Testing

Alcohol and drug test(s) should be completed within eight (8) hours of the accident and drug test(s) within eight (8) hours of any accident described below. This testing is to be performed in addition to any drug or alcohol test(s) ordered by law enforcement authorities. The involved employee must report immediately for testing, or be subject to immediate termination.

Drug and alcohol testing must be performed within these guidelines when any employee, while operating a County vehicle, personal vehicle while performing County business or heavy machinery is involved in an accident that results in: (1) a fatality; or (2) a citation issued to the employee; or (3) an injured person requiring immediate medical treatment; or (4) estimated damage to County or personal property of at least \$500.00; or (5) damage to a vehicle to the extent that it is towed away.

1306 Pre-Testing Procedures

(a) Pre-Test Interview

A pre-test interview shall be conducted by testing personnel with each Applicant or employee to ascertain a list of those prescriptions and over-the-counter medications that the employee or Applicant has recently used which may affect the test results. This list of medications shall be disclosed only to the Medical Review Officer, who will determine whether a false positive result might be due to the lawful use of the medications indicated

by the employee or Applicant.

(b) Consent

Before tests are administered, all employees and job Applicants are required to sign a consent form consenting to any and all frequency of drug and/or alcohol test(s) set forth in this Chapter and permitting the release of test results to the employer and/or the medical review officials. Signed consent forms are kept on file by the Human Resources Department and are enforceable for the duration of employment.

(c) Refusal

Any employee subject to drug and alcohol testing under this Chapter who refuses to submit to a drug and alcohol test as required herein shall be subject to termination. Employees who refuse to be escorted or fail to appear at the designated collection site to take the test when so directed shall also be subject to termination.

Refusal can include an inability to provide a sufficient urine specimen, breath or saliva sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test.

(d) Department Notification

Whenever a drug or alcohol test(s) is to be performed under this Chapter, the Elected Official or Department Director or his or her designee shall be notified of the circumstances necessitating the test(s) as soon as possible.

1307 Testing Facilities

(a) Collection Facilities

Licensed medical practitioners at a facility authorized by Newton County, or Newton County personnel who have received appropriate training shall collect all drug test samples. All specimen collection and tests for drugs will be performed in accordance with the Department of Health and Human Services guidelines to ensure accuracy of drug test results, quality control over laboratory and analysis procedures, and protection of privacy.

(b) Testing Laboratories

Newton County will identify a licensed laboratory to perform testing on all approved specimens. All drug tests shall be administered and accounted for by an approved laboratory and/or medical facility that is operating in compliance with the U. S. Department of Health and Human Services (DHHS) to ensure proper security, chain of custody, and integrity of collected specimens. Testing will involve an initial screening test(s) and confirmation of positive tests by gas chromatography/mass spectrometry (GC/MS) analysis. Tests will be certified, to the extent possible under the circumstances, by a laboratory approved by the DHHS.

1308 Testing Procedures

(a) Drugs to be Test For

All drug tests, regardless of the purpose for the test, shall be performed as a Panel 10. Substances to be tested for include, but are not limited to, the following: marijuana, opiates/narcotics, amphetamines, cocaine, PCP (hallucinogens), sedatives, methaqualone, stimulants, benzodiazepines, and alcohol.

(b) Alcohol Testing

Alcohol screening will be conducted using a federally approved evidential breath-testing device or the use of a swab/saliva test performed by an approved independent medical facility. A confirmation test will be required if an employee undergoes a breath-test for alcohol and the results indicate a blood alcohol concentration of .02 or greater. If the confirmation test is less than .019, this shall be treated as a zero test. A blood alcohol concentration between .02 and .039 will result in disciplinary action and the employee's removal from safety-sensitive duties for a minimum of eight hours (24 hours for CDL positions) without pay. A blood alcohol concentration of .04 or greater will subject an employee to termination.

If it is not reasonable under the circumstances to conduct an alcohol test based on a breath test, the County reserves the right to test for the presence of drugs or alcohol by a blood test analysis. If this procedure is used, the County will make reasonable efforts to notify the employee of the results within ten (10) days after the results are received. A MRO will not be used when a blood test for alcohol is conducted.

(c) Positive Results

A physician approved by the County as a Medical Review Officer "MRO" shall review and interpret all positive test results before the results are reported to the County. Prior to notifying the County, the MRO will make reasonable efforts to contact the employee to allow the employee to offer an alternative medical explanation for the positive test result. If the MRO is able to contact the Applicant or employee and determines there is a legitimate medical explanation for the positive test, the result will be communicated as negative to the County. Inability to contact the Applicant or employee before providing test results to the County will not void the test results or make the test results unusable in any subsequent disciplinary action. An Applicant or employee who fails to respond to an inquiry by the MRO within forty-eight (48) hours of such inquiry, shall have waived his or her opportunity to offer an alternative medical explanation for the positive test result or to request confirmation testing. Because the employee is present for interpretation of an alcohol test, the procedure concerning prior notification by the MRO is not applicable.

Upon notification by the MRO of a confirmed positive result for drugs, the employee may request, within five (5) calendar days of such notification, that the remaining portion of his or her specimen undergo a second confirmation test at his or her expense at a DHHS laboratory of his or her choice. If the test conducted by the laboratory selected by the

employee is negative for the presence of drugs, a third test may be completed at the County's sole expense at a separate DHHS facility of its own choosing. The results of the third facility will be determinative. If the results from the third facility are negative, all prior positive tests will be disregarded and shall not be the basis for any disciplinary or adverse action. This option of a confirmation test is contingent upon there being enough of the specimen remaining to allow for a confirmation test.

The County will make reasonable efforts to notify the employee of a positive drug test within ten (10) days from the date it receives the test results. Because the results of a breath alcohol test are immediately available, this provision will not apply to alcohol tests conducted in such a manner.

1309 Arrests for Drug or Alcohol Related Offenses

Any CDL or safety sensitive employee who is arrested for a drug or alcohol related offense or who is subject to a temporary or permanent Suspension of driving privileges must notify their Elected Official or Department Director of the arrest immediately. The County will determine at that time whether the arrest temporarily or permanently disqualifies the employee from holding that his or her position, or constitutes grounds for disciplinary action. An employee in a CDL or safety sensitive position must immediately report all convictions for alcohol or drug related offenses to his or her Elected Official or Department Director.

All non-CDL and non-safety sensitive employees who are required to operate a County vehicle as a regular part of their job must report any drug or alcohol arrest, temporary or permanent suspension of driving privileges, and any drug or alcohol related conviction to their Elected Official or Department Director immediately. The County reserves the right to take appropriate action, including relieving the employee from duty, transferring the employee to a non-driving position, or instituting disciplinary action up to and including termination.

1310 Searches

All County-issued equipment, property and facilities, including but not limited to, desks, lockers, and vehicles (collectively "Materials") are subject to inspection at any time and for any reason. No employee shall have any privacy interest whatsoever in any County-issued Materials. The employee's personal property may be searched if the employee consents to the search. No search of the employee's personal property will be conducted if the employee refuses consent, but the employee's refusal to cooperate may be considered in determining appropriate disciplinary action. Prior to conducting a search pursuant to this Section, the County will explain to the employee the reasons and grounds for the search and request the employee's consent. Searches will be conducted in a manner that minimizes intrusions into the employee's privacy.

If a search uncovers evidence of employee wrong doing, illegal activity, or employee violations of County rules or policies, the evidence may be used to support disciplinary actions up to, and including, termination. In cases involving suspected illegal activities, the evidence may be turned over to the proper legal authorities.

1311 Confidentiality

All reports of test results for drug and alcohol, searches, or any employee referral, or participation in an assistance program or treatment program for addictive disorders, will be maintained in strict confidence. Any person authorized by the Human Resources Director, to have access to such confidential information, who, without authorization, discloses it to another person shall have engaged in gross misconduct and be subject to severe disciplinary action, up to and including, termination. The confidentiality of such information shall not apply to any use by or communication to the Newton County attorneys, or where the information is relevant to the County's defense in an administrative or civil action. Such information may also be disclosed to the extent required by any federal, state or local law, statute, ordinance or regulation.

1312 Employee Assistance Program and a Drug and Alcohol-Free Workplace

The ultimate responsibility for dealing successfully with and eliminating addiction and chemical dependency shall be solely with the affected employee. Newton County's policy shall be to encourage all employees with addictive disorders or chemical dependency to seek proper medical and/or psychological treatment, in addition to the appropriate disciplinary action, if applicable.

No employee shall be terminated, disciplined, or suffer any adverse employment action solely for requesting a referral to an assistance program, provided the employee is not in violation of County policies. Similarly, no employee who identifies himself or herself as in need of such assistance before an incident leading to detection occurs and before receiving notice of an upcoming drug or alcohol test shall suffer any adverse term or condition of employment because of his or her disclosure of such condition. This is provided the employee discloses the condition and then seeks such assistance and adheres to the treatment plan prescribed by his or her physician or other competent medical, psychological, or addiction counselor, and if he or she remains free of the illicit chemical substance, and provided that the employee is otherwise eligible, qualified, and entitled to the position.

No employee shall be subject to any discriminatory treatment if the employee has successfully completed a drug or alcohol addiction program, provided that the employee remains drug and alcohol free and otherwise complies with all County policies. Notwithstanding the foregoing provisions, the requirement that an employee who has returned to duty following completion of a drug or alcohol addiction treatment program submit to more frequent unscheduled drug screening tests as a means of ensuring the employee's continued compliance shall not be considered as adverse or discriminatory treatment.

Contact the Human Resources Department for current EAP contact information.

1313 Discipline

(a) Immediate Suspension

An employee who tests positive for drugs or alcohol shall immediately be relieved from duty, placed on Suspension without pay, and sent home pending disciplinary action. If the positive test is explained or negated by the MRO and/or subsequent confirmation testing, the employee shall be reinstated with back pay and the Suspension without pay will be

expunged from the employee's personnel file.

(b) Disciplinary Action

An employee who violates any provision of this Chapter is subject to discipline, up to and including termination. If terminated, the employee will not be eligible for rehire for a minimum period of two (2) years.

(c) Immediate Termination

The following reasons shall be presumed to result in immediate termination of an employee:

- (1) Manufacturing, dispensing, using, consuming, possessing, distributing, purchasing, or selling, or otherwise transferring an illegal drug(s) or controlled substance(s) while on the job, on call, on County Premises, while operating County equipment or vehicles, or while operating any other equipment or vehicles on County business.
- (2) Operating County motorized equipment while unfit for duty due to the use of drugs and/or alcohol.
- (3) Conviction for violation of any drug law.
- (4) Refusing to consent to or to take a drug or alcohol test pursuant to this Chapter.
- (5) Failure to appear at the designated collection site to take a drug or alcohol test when so directed.
- (6) A confirmed positive test for drugs or alcohol.

Chapter 14: Employee Assistance Program

Effective Date: 03/06/2018

Revision Date:

1401 Statement of Policy

An Employee Assistance Program (EAP) is sponsored and paid for by the County and is available to all employees and their Immediate Family members. This program provides confidential professional assistance for any type of personal or work-related problem. Typical problems are emotional or family distress, alcoholism, drug abuse, financial difficulties, or legal problems.

Participation in the program is voluntary, even if referred by management. Participation in the EAP does not relieve the employee of his or her responsibility to meet job performance requirements, attendance standards or compliance to all County policies. Absence from work to attend an EAP appointment is subject to established procedures for excused absences.

1402 Referral Methods

- (a) Any employee or family member with a personal problem may request a confidential, professional consultation by calling the EAP support line and asking to speak to an EAP consultant. The EAP consultant will arrange to see the employee in a local office or will provide the necessary assistance on the telephone.
- (b) A manager, Elected Official, Department Director, or Human Resources Director may refer an employee to the EAP based upon:
 - (1) a request by the employee for assistance with a personal problem; or
 - (2) a decline in work performance on the part of the employee; or
 - (3) a particular on-the-job incident which indicates the possible presence of a personal problem, excluding incidents of misconduct which require immediate Suspension, termination, or other severe disciplinary action.
- (c) When an employee has come to a manager, Elected Official, Department Director, or Human Resources Director to seek advice regarding a personal problem, the manager, Elected Official, Department Director, or Human Resources Director should make the employee aware of the professional assistance available through the EAP and encourage the employee to call for an appointment with an EAP consultant.

1403 Confidentiality

The Employee Assistance Program will comply with all federal and state laws regarding confidentiality and privilege. All information between the EAP consultant and the employee or family member will be held confidential with the following exceptions:

- (a) The employee provides written authorization to release information;
- (b) Based upon the EAP consultant's opinion, the employee or family member presents a *serious* danger to self or others;
- (c) Child abuse/neglect, elder abuse/neglect or dependent adult abuse/neglect is suspected; or
- (d) A court order is presented.

Chapter 15: Workplace Wellness Policy

Effective Date: 03/06/2018

Revision Date:

1501 Statement of Policy

Newton County recognizes that employees are critical to the quality and efficiency of local government services. The health and well-being of our employees directly affect their ability to perform their job duties and provide services to the Newton County community. Newton County cares about employees' health and well-being and continuously makes strives to create a work environment that is supportive for healthy behavior changes. Therefore, Newton County is dedicated to helping employees reach optimal health and improve their quality of life.

1502 Newton Employee Wellness Mission Statement

The mission of the Newton Employee Wellness (NEW) Program is to encourage employees' personal and professional productivity, and overall well-being by fostering a worksite culture that supports employees' desire to make healthy lifestyle choices.

1503 Scope of Wellness Program

Newton County is committed to providing an environment that promotes employees' health, well-being and ability to succeed by supporting a healthy lifestyle. A healthy worksite environment and lifestyle improves the health of employees and also controls health care spending driven largely by chronic diseases. The employee wellness program policy applies to all Newton County employees and may be offered as part of our group health plan or separately.

1504 Voluntary Participation

Employee participation in the NEW programs and activities is voluntary.

1505 Program Goals

Newton County recognizes the benefits, to both employees and employers, of programs that promote and support workplace health promotion and wellness. Newton Employee Wellness (NEW) Program is designed to provide employees with the tools they need to make positive lifestyle changes that result in better overall wellbeing. The program's goals are to:

- (a) To improve workers' health and thereby reduce health care costs.
- (b) Reduce absenteeism, boosting worker productivity and increasing retention.
- (c) Create a wellness culture to encourage active participation and production of happier, healthier employees.

1506 Wellness Leader and Committee

As part of Newton County's commitment to wellness, a Health Promotion Leader has been appointed to assist in developing wellness goals, activities, challenges, and events.

Chapter 16: Workplace Violence

Effective Date: 03/06/2018

Revision Date:

1601 Statement of Policy

The County is concerned about the health and personal safety of its employees and anyone doing business with the County. Consequently, the County strictly prohibits workplace violence. Acts of violence and/or threats of violence, whether expressed or implied toward individuals in the County workplace, are prohibited and will not be tolerated. All incidents of violence and threats of violence that are reported will be taken seriously and investigated. This policy defines prohibited conduct, as well as general procedures and potential responsive steps in the unfortunate event that workplace violence occurs despite these preventive measures. In addition, unauthorized or non-County issued firearms, weapons, ammunition, or explosives on County property is strictly prohibited.

1602 Scope

This prohibition against threats and acts of violence (including domestic violence) applies to all persons involved in the operation of the County, including but not limited to, County personnel, contract and temporary workers, and anyone else on County property.

1603 Definition of Workplace Violence

Workplace violence is any conduct that is severe, offensive or intimidating enough to make an individual reasonably fear for his or her personal safety or the safety of family, friends or property. Examples of workplace violence include, but are not limited to, threats or acts of violence or behavior that causes a reasonable fear or intimidation response that occurs:

- (a) On County premises, no matter what the relationship is between the County and the perpetrator or victim of the behavior.
- (b) Off County premises, where the perpetrator is acting as an employee or representative of the County at the time, where the victim is an employee who is exposed to the conduct because of work for the County, or where there is a reasonable basis for believing that violence may occur against the targeted employee or others in the workplace.
- (c) Examples of conduct that may be considered threats or acts of violence under this policy include, but are not limited to the following:
 - (1) Threatening physical or aggressive contact directed toward another individual or engaging in behavior that causes a reasonable fear of such contact.
 - (2) Threatening an individual or his or her family, friends, associates or property with physical harm or behavior that causes a reasonable fear of such harm.

- (3) Intentional destruction or threat of destruction of the County's or another's property.
- (4) Harassing or threatening physical, verbal, written or electronic communications, including verbal statements, phone calls, emails, letter, faxes, website materials, diagrams or drawings, gestures and any other form of communication that causes a reasonable fear or intimidation response in others.
- (5) Stalking, which is defined as a pattern of conduct over a period of time, however short, which evidences a continuity of purpose and includes physical presence, telephone calls, emails and any other type of correspondence sent by any means.
- (6) Veiled threats of physical harm or like intimidation or statements, in any form, that lead to a reasonable fear of harm or an intimidation response.
- (7) Communicating an endorsement of the inappropriate use of firearms against Newton County employees.
- (8) Unauthorized possession of weapons of any type, whether licensed or not, and particularly firearms. The only exception is local, state, and federal law enforcement officers, police or arson investigators acting in the line of duty. Weapons, include, but are not limited to:
 - (i) Any weapon which, per applicable law, is legal or illegal to possess;
 - (ii) Any firearm, loaded or unloaded, assembled or disassembled, including pellet, "BB", and stun guns;
 - (iii) Knives (and other similar instruments) other than those present in the workplace for approved work purposes or for the specific purpose of food preparation and service;
 - (iv) Any switchblade knife;
 - (v) Brass knuckles, metal knuckles, and similar weapons
 - (vi) Bows, cross-bows and arrows;
 - (vii) Explosives and explosive devices, including fireworks, ammunition and/or incendiary devices;
 - (viii) Throwing stars, nun chucks, clubs, saps, and any other item commonly used as, or primarily intended for use as a weapon;
 - (ix) Self-defense chemical sprays (Mace, pepper spray) in canisters or containers larger than two ounces;

- (x) Any object that has been modified to serve as, or has been employed as, a dangerous weapon.

1604 Reporting Complaints

If you observe the possession of unauthorized non-County issued weapons on County premises, or if you are subjected to or threatened with firearms by a co-worker or member of the public, or if you become aware of another individual who has been subjected to or threatened with violence, you must report this information to your Supervisor or the Human Resources Director immediately. Supervisors must report all potential violations so the Human Resources Department can handle them appropriately. Do not assume that any violation or threat is not serious. All complaints will be thoroughly investigated, and all complaints that are reported to management will be treated with as much confidentiality as possible. Employees who become angry, upset, or concerned with the actions of a co-worker, Supervisor, member of the public or the County in general, are encouraged to seek assistance from the Human Resources Director.

A 9-1-1 call may be appropriate first, in the good judgment of the employees or managers involved. Under this policy, decisions may have to be made quickly to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing. Nothing in this policy is intended to prevent quick action to stop or reduce the risk of harm to anyone, including requesting immediate assistance from law enforcement or emergency response resources.

Failure to report any threats or acts of violence in violation of this policy appropriately is itself a violation of this policy, and may subject any employees involved to discipline up to and including termination.

Retaliation against anyone for reporting an actual or suspected violation of this policy in good faith will not be tolerated and will subject the individual engaging in the retaliation to discipline up to and including termination. Any complaints about retaliation should be reported in the same manner as violations of this policy are to be reported.

1605 County Expectations of Targeted Employees

Stay Away Orders: The County reserves the right to seek orders of protection (also known as restraining orders or stay away orders) against any person who violates the Workplace Violence policy. Additionally, employees themselves may seek and obtain orders of protection against individuals outside of the workplace. Employees so protected are obligated to immediately notify the Human Resources Director and their Supervisor if (a) an order of protection extends to the workplace; or (b) they reasonably believe that their safety (or the safety of others) in the workplace is affected by the order of protection. Employees should provide written notification of:

- (a) The existence of any such order and provide a copy of the order;
- (b) Any violations or attempted violations of the order;
- (c) Any changes to the order that affect the workplace; and

- (d) The order being lifted.

Employees who are subject to orders of protection requiring them to stay away from or refrain from contacting other individuals who are or may be in the workplace (including employees, customers, vendors and others) must immediately notify the Human Resources Director and provide a copy of the order.

Upon being notified of an order of protection, Human Resources will contact the reporting party to gather information about the individual and assess the situation. The County will make every effort to maintain confidentiality of such orders with the understanding that it will use the information as necessary to maintain safety in the workplace.

1606 Search Policy

If the County reasonably suspects that an employee either has or may have violated this policy, or that the employee possesses evidence that others pose a threat of workplace violence as defined by this policy, the County may request the individual to submit to a search of his or her person, personal effects, vehicles, and locker. In addition, the County may conduct searches of any County property including for instance work stations and areas, including desks, locker, credenzas, file cabinets, computers and computer-stored information, voicemail, email, business records, County vehicles and any other property or equipment owned by the County, at any time, without notice to or permission from affected employees, for purposes of enforcing the no violence policy. If an individual is asked to submit to a search, and refuses, that individual will be considered insubordinate and will be subject to discipline up to and including termination.

Searches will be conducted by a Supervisor with a second witness and may or may not be conducted in the presence of the person whose property is searched. Any weapons or evidence of violations of this policy will be confiscated, and may be turned over to law enforcement, as appropriate. Any illegal activity discovered during an inspection is subject to referral to the appropriate law enforcement authorities.

1607 Assistance Programs/Services

The County provides all employees and family members with a no cost Employee Assistance Program (EAP) that has professionals trained to handle domestic violence cases. These professionals provide counseling, support, and referrals. In addition, EAP is a resource for employees who want to learn more about domestic violence or find out how to help a friend, family or coworker.

Many community agencies provide free services for safety planning, counseling, support groups, shelter, and legal assistance.

Chapter 17: Standards of Conduct

Effective Date: 03/06/2018

Revision Date:

1701 General Conduct

All employees of Newton County are covered by, and subject to, the Newton County Ethics Ordinance. The Ethics Ordinance is incorporated into this Handbook as if fully set forth herein.

1702 Financial Conduct

Under no circumstance may an Elected Official, Department Director or any County employee establish a checking or financial account for any County function, entity or Department. The Newton County Finance Department is the only authorized agent to establish any checking or financial account. Any staff member of the Finance Department cannot designate this authority to any employee or member outside of the Finance Department.

1703 Political Activity

Employees of the County are encouraged to exercise their right to vote, but no employee shall make use of government time or equipment to aid a political candidate, party, or cause, or use his or her government position to influence, coerce, or intimidate any person in the interest of a political candidate, party, or cause. Neither an employee's position, nor County time, nor County property and resources shall be used by covered employees for political purposes, nor shall the employee actively campaign for any candidate for public office during work hours, but employees may express political opinions privately and may be involved in any political activity that would not constitute a conflict of interest. No employee shall be hired, promoted, favored, or discriminated against with respect to employment because of his or her political opinions or affiliations. A county employee seeking elective office within Newton County Government, upon declaring candidacy, shall immediately terminate their employment with the County.

Employees may not distribute literature or other printed material in the workplace unless approved by the County Manager or applicable Elected Official. Employees may not distribute or display political brochures or petitions at any time in County offices.

Nothing in this Section shall prevent an employee from fully exercising those rights to participate in political activities granted by state and federal laws.

1704 Outside Employment

The County recognizes that employees may seek additional employment during their off hours to earn additional income or develop new skills and experience. Despite any other outside employment, their County job is the primary employment responsibility for full-time employees. Working extended hours while at a secondary job may adversely affect the health, endurance, and productivity of employees. The County does not consider outside employment to be an excuse for poor job performance, tardiness, absenteeism, or refusal to work overtime or travel when required

by the County. Outside employment also presents the opportunity for conflicts of interest.

(a) Outside Employment

Outside employment is subject to written approval by the Department Director or designee. A County employee may engage in any business, trade, occupation, or profession that does not:

1. Bring the County into disrepute;
2. Reflect discredit upon the employee as an employee of the County;
3. Interfere with the performance of the employee's County duties;
4. Present a conflict of interest;
5. Result in misuse of County property or funds;
6. Result in use of the County position for unethical/or illegal personal gain;
7. Violate department policy or procedure; or
8. Decrease the health or endurance of employees or adversely affect their productivity.

(b) Dual County Employment & Volunteer Time

Employees may not hold more than one compensated position with the County.

(c) Prohibitions

1. Department Directors are prohibited from engaging in any form of outside employment without specific approval of the County Manager.
2. No employee shall engage in any employment or business where the work presents a conflict of interest.
3. No employee shall engage in any employment or business where the work of the secondary employer has been in the last twelve (12) months or is currently the subject of an investigation by the employee's County department.

4. Except for vacation leave, if you are on leave of any other type, you are not able to work an off-duty job.
5. No employees shall engage in any private business or activity while on duty.

(d) Approval

1. An employee must obtain permission in writing from the Department Director or their designee before accepting any other employment or engaging in any other business. The prescribed form should be used for permission as it gathers the pertinent information for review of the request.
2. An employee must obtain permission in writing from the Department Director and the Director of Human Resources before accepting an assignment as a volunteer for the County.
3. Permission granted is subject to revocation in the event of a subsequent unknown or occurring conflict with this policy.

1705 Holding Multiple Positions with the County

An employee is not allowed to hold more than one full-time position with Newton County. Full-time public safety employees may, however, work part-time jobs for Newton County with the express written approval of the employee's applicable Elected Official or Department Director and the express written approval of the Human Resources Director, provided that the part-time job is during different hours than those required for the full-time job. Any employee electing to hold multiple positions will be paid at the rate of each respective position for the time spent working in that position. Employees must be exclusively committed to each job during the scheduled hours for the job respectively.

1706 Gifts and Gratuities

An employee shall not accept gifts, gratuities, or loans from organizations, businesses, or individuals with whom he or she has an official County business relationship. This limitation excludes items of nominal value (less than \$51.00 excluding monetary gifts and gratuities), acceptance of social courtesies that promote good public relations, or the ability to obtain loans from regular lending institutions. It is particularly important that inspectors, contracting officers, and enforcement officers stand guard against behavior that may be construed as evidence of favoritism, coercion, unfair advantage, or collusion.

1708 Leadership Professional Oath of Honor

As a part of the County's commitment to maintaining a professional work environment, all employees in leadership or Department Director positions, as determined by the County Manager or applicable Elected Official, shall sign the Newton County Leadership Professional Oath of Honor

on the forms provided by the Human Resources Department. The Newton County Leadership Professional Oath of Honor assures our valued citizens, visitors, and employees that when they place their trust in us, they can expect a high standard of professional excellence, integrity, tolerance and. The Newton County Leadership Professional Oath of Honor provides as follows:

As a Newton County leadership employee, I promise:

- I will uphold and promote the Newton County Code of Ethics;
- I will serve the people I work with and for with integrity, competence, objectivity, independence and professionalism;
- I will ensure that considerations of personal benefit will never override my focus on the interests of the people I work with and for;
- I will be equally vigilant in ensuring the professional behavior of my co-workers and subordinates within my Department, department, or the entire organization, and will bring to the attention of the applicable Elected Official or County Manager, any violation of this shared professional oath of honor;
- I will treat all persons fairly and equally regardless of race, gender, nationality, religion, politics, sexual orientation or social status. I will be respectful of those whose wellbeing may be contingent on any decisions or advice;
- I will diligently apply objective judgment to all assignments;
- I will continually invest in professional development to keep abreast of evolving knowledge within my profession and in my areas of technical expertise; and
- I recognize that my status and privileges as a professional – a leader of county government stem from the respect and trust that I must earn each and every day; and I accept my responsibility to employ, protect and develop the above standards to enhance that respect and trust.”

Chapter 18: Use of Vehicles for County Business

Effective Date: 03/06/2018

Revision Date:

1801 Statement of Policy

Vehicles owned by, titled to, or otherwise under the control of Newton County are authorized for use in the performance of essential travel and transportation duties consistent with the assignment of any such vehicle to an employee by his or her applicable Elected Official or Department Director. Unless specifically authorized by the applicable Elected Official or Department Director, use of a County vehicle is not authorized for unofficial travel duties or tasks or the transportation of unauthorized persons or items.

1802 Driver Responsibilities

All drivers who operate a vehicle owned by, titled to, or otherwise controlled by the County are responsible for the proper care, use, and safety of the County vehicle. Moreover, all such drivers are required to meet the standards set forth in the Motor Vehicle Record (“MVR”) requirements as detailed below in subparagraph (a). To the extent that there is a conflict between this Chapter and the MVR requirements, the most strenuous provision shall govern.

(a) Motor Vehicle Record.

It is the policy of Newton County and a requirement of employment with the County that every employee filling a position that requires a valid driver’s license have a motor vehicle record (MVR) meeting the grading requirements as stated below. The MVR policy applies both to drivers of County-owned vehicles, and employees using personal vehicles in the course of County business.

Employee MVRs will be examined before the employee will be permitted to operate County vehicles or equipment. Any job offers made requiring a valid driver’s license, will be contingent upon the MVR meeting the required standards. Continued employment with the County in a position requiring a valid driver’s license will require a MVR meeting the standards outlined in the following table:

<u>Total Points on MVR within a Three-year Period</u>	<u>Applicants</u>	<u>Employees</u>
5 - 10 points	Eligible for hire but must be given oral and written notice of this policy by the applicable Department Director and cautioned against any further offenses.	Written reprimand

11 or more points	Not eligible for hire in a position that requires driving	Suspension and removal from driving position; or termination
Any offense which results in the suspension, restriction, or revocation of a license	Not eligible for hire in a position that requires driving	Suspension and removal from driving position; or termination

At the request of the Human Resources Director, the status of an employee’s driver’s license or an updated MVR may be obtained and/or accessed through the Department of Driver Services.

Any employee performing work that requires the operation of a County vehicle must notify his or her immediate Supervisor if the employee’s driver’s license is expired, suspended, or revoked, if such license is required for the job. An employee that fails to report under this Policy is subject to disciplinary action, including Demotion or Termination, as described in this Handbook.

(b) Additional Requirements.

Drivers must also adhere to the following minimum responsibilities:

- (1) Possess and maintain a valid State of Georgia driver’s license approved by the class appropriate for the vehicle;
- (2) Newly hired out of state employees must obtain a Georgia license within thirty (30) days of employment;
- (3) Obey all traffic laws and practice safe and courteous driving, including not driving while texting or otherwise distracted;
- (4) Ensure that vehicles are used for authorized purposes only;
- (5) Follow accident reporting procedures;
- (6) Accept legal responsibility for violations and fines resulting from actions of the driver. This includes personal responsibility for speeding and illegal parking tickets;
- (7) Follow drug and alcohol arrests and conviction reporting procedures; and
- (8) Tobacco use in any form is prohibited inside a County vehicle by driver or passengers.

Anyone misusing or abusing County vehicles, using the County vehicle for other than approved

purposes, transporting non-County employees except as expressly permitted by the applicable Elected Official or Department Director, or taking a vehicle home when not approved by the applicable Elected Official or Department Director shall be subject to appropriate disciplinary action, including Dismissal, as deemed appropriate

1803 Use of Personal Vehicle for County Business

Each employee must use a County vehicle to perform County business whenever a County vehicle is available. In cases where there is not a County vehicle readily available, each employee must make a reasonable effort to locate a vehicle by contacting the County Manager's Office or the Human Resources Department. An employee's use of his or her personal vehicle in the performance of County business is only authorized where there is no County vehicle available. The following rules apply when an employee uses his or her personal vehicle for County business:

- (a) Approved officials or employees who use their personal vehicles for County business may be reimbursed on a per mile driven basis at the rate determined by the IRS for that current period. The rate of reimbursement shall be raised or lowered in each budget year depending upon the rate used by the Internal Revenue Service. Mileage for transit between home and work does not qualify for reimbursement.
- (b) Reimbursement travel should only be done with the advance knowledge and consent of the applicable Elected Official or Department Director. Accurate and substantiated mileage records must be maintained and submitted by the employee to the Finance Department for reimbursement. Such reporting to the Finance Department must include written authorization from the employee's Elected Official or Department Director for reimbursement travel prior to the Finance Department remitting any funds for reimbursement to the employee.

1804 Authorized Use of County Vehicle

Unless authorized by the applicable Elected Official or Department Director, the following constitutes authorized use of County vehicles:

- (a) Transport of officials, employees, clients, or guests of the County;
- (b) The performance of law enforcement duties;
- (c) When on official travel status, between places of official business, and temporary place of lodging;
- (c) When on official travel status, between places of official business, or temporary place of lodging and places to obtain meals or medical assistance;
- (d) Transport of consultants, contractors, or commercial representatives when in direct interest of the County;
- (e) Transport of representatives from Federal, State, or local government when in the direct interest of the County;

- (f) Transport of any person or item in an emergency;
- (g) Commute between place of dispatch or place of performance of official business to a personal residence when specifically authorized by the employee's Elected Official or Department Director to do so;
- (h) Transport of County recreation program participants;
- (i) While on active service call, or on active County business use for lunch or while on break from County business;
- (j) Transport of family members specifically invited to an official County function or meeting of the County.

1805 Unauthorized Use of County Vehicle

Unless specifically authorized by the applicable Elected Official or Department Director, the following are unauthorized uses of County vehicles:

- (a) Travel or performance of a task of a personal nature, not connected with the accomplishment of official business;
- (b) Transport of family members other than as specified above;
- (c) Transport of friends, associates, or other persons who are not employees of the County serving the interest of the County;
- (d) Transport of hitchhikers, except in the case of law enforcement personnel.
- (e) Transport of items of cargo having no relationship to the conduct of official business;
- (f) Loan of vehicle for use in non-County authorized functions, to persons that are not employed by the County, or to persons not authorized by the County to operate the County vehicle;
- (g) Transport of acids, explosives, weapons, ammunition or highly flammable material, except in the performance of an authorized task in the normal performance of duties;
- (h) Transport of an item, equipment, or cargo projecting from the side, front, or rear of the vehicle in such a manner as to constitute an unsafe delivery.

1806 Take Home Vehicle

Newton County may provide an employee with a County vehicle to take home to help the employee in carrying out his or her job duties efficiently and effectively. Employees shall not use a County take-home vehicle for personal or private business except for commuting to and from work in the

County vehicle. Employees residing outside the boundaries of Newton County may only take their County take-home vehicles home with express permission from the Elected Official or County Manager. No employee will be authorized to take a County vehicle home if the actual driving distance from the employee's work site to the employee's residence is more than thirty-five (35) miles. Take-home vehicles may be assigned to employees who:

- a. Have job duties that require responding to emergencies which may require an immediate response to protect life and property;
- b. Cannot use alternative forms of transportation to respond to emergencies;
- c. Cannot pick up a County vehicle before responding to the emergency without impacting his or her ability to respond as quickly as possible; and
- d. Need specialized equipment or a special vehicle to perform duties outside his or her regularly scheduled workday.

The County 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 whether the County receives intangible benefits from giving the employee such a vehicle benefit (i.e. the speed of response to emergencies or after-hours service that justify the benefit) or whether providing the vehicle is considered part of the total compensation package for the position.

1807 Take-Home Vehicle Taxation

The personal use of a take-home County vehicle by a non-public safety employee is a taxable benefit under the Internal Revenue Code. If the County vehicle is provided to the employee and the employee is authorized and required to use the County take-home for commuting to and from work, there is no tax liability on part of the employee. However, if the County take-home vehicle is not required for commuting to and from work, the value of the use of the County take-home vehicle will be reported as income to the employee for tax purposes. The County will withhold appropriate taxes from the employee for the value of the use of the County vehicle and will pay any taxes incurred as an employer.

Chapter 19: Loss Prevention and Workplace Safety

Effective Date: 03/06/2018

Revision Date:

1901 Statement of Policy

It is the policy of Newton County that every employee is entitled to work under the safest possible conditions. Every reasonable effort will be made to provide and maintain a safe and healthy workplace, safe equipment, proper materials, and to establish and insist upon safe methods and practices always. Elected Officials and Department Directors are authorized to adopt and enforce safety rules and regulations that are applicable to the operations of their respective Departments. These rules and regulations are to be complied with and are applicable to all employees located within the respective Department. It is the basic responsibility of every employee to make safety a part of his or her daily concern. Employees are obligated to observe the rules of conduct and safety and to properly use the safety equipment provided.

1902 Applicability

This Policy shall apply to all Full-time, Part-time, temporary, and/or Seasonal Employees of the County and all Full-time, Part-time, temporary, and/or Seasonal Employees of any Elected Officials or Constitutional Officers who have opted-in to the application of this Policy. Elected Officials and/or Constitutional Officers shall be deemed to have opted-in if he or she has automobile, property, liability, or worker's compensation insurance coverage through the County. If any conflict exists between this Policy and any other applicable laws, policies, rules, or regulations, the more stringent provision shall apply.

1903 Definitions & Responsibilities

(a) Definitions

1. Safety and Risk Manager: An individual who serves as the first point of contact for employees, and the general public for county-related risk management and loss prevention issues.
2. Departmental Safety Coordinator: An employee selected by the Department Director who is responsible for ensuring effective communication between the Human Resources and the department.
3. Safety Inspections: An in-depth investigation of a work area/location/operation to correct unsafe work conditions and to determine if safety and health rules and regulations are followed.
4. Personal Injuries: Injuries to a County Employee arising out of and in the course of employment.

5. Accident: an unplanned, undesired event that results in Property Loss valued at more than \$500.00
6. Motor Vehicle Accident: The collision of any Motor Vehicle or Specialized Mobile Equipment with another vehicle or with any object or fixture, or involvement of a Motor Vehicle or Specialized Mobile Equipment in any manner in which any person is killed or injured or in which Property Loss occurs.
7. Motor Vehicle: Every self-propelled device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks and electric personal assistive mobility devices (EPAMD).
8. Special Mobile Equipment: Every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: ditch-digging apparatus, well-boring apparatus, and road construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, earth-moving carry alls and scrapers, power shovels and drag lines, and self-propelled cranes and earth moving equipment. The term does not include house trailers, dump trucks, truck mounted transit mixers, cranes or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.
9. Property Loss: The loss, loss of use, or damage to County property.
10. Chargeable Accidents: A judged avoidable Accident, Incident, or Personal Injury by the Human Resources Director or a designee thereof.
11. “Avoidable” Accident or Injury: An Accident, Incident or Personal Injury involving or sustained by a County Employee arising out of conditions of his/her employment and where the Human Resources Director or a designee thereof determines that the Employee could have prevented such Accident or Personal Injury.
12. “Unavoidable” Accident or Injury: An Accident or Personal Injury involving or sustained by a County Employee arising out of condition of his/her employment and where the Human Resources Director or a designee thereof determines that the Employee could not have prevented such Accident or Personal Injury.
13. Incident: An Incident is an unplanned, undesired event that results in minor Property Loss damage to property. Minor Property Loss is defined as Property Loss valued at \$500.00 or less.

(b) Responsibilities

1. Safety and Risk Manager: Under the general direction of the Human Resources Director, the Safety and Risk Manager serves to support the County’s Loss Control

and Workplace Safety Policies. The Safety and Risk Manager is the first point of contact for all safety and risk matters and shall serve as the chairperson of the Employee Safety Committee.

2. Employee Safety Committee: The overall responsibility of the Employee Safety Committee is to make recommendations in the establishment, implementation and monitoring of the safety and loss control program. The committee will be represented by various departments of the County and will continually monitor effectiveness of ongoing safety programs. Specific responsibilities include:
 - a) Making recommendations to Management as to County Policy in the areas of safety and loss control.
 - b) Recommending and organizing effective safety programs to include employee safety training.
 - c) Recommending corrective action to prevent injuries.
 - d) Monitoring departmental safety activities.
 - e) Reviewing and/or investigating accidents and other safety issues as necessary.
 - f) Performing safety audits of buildings and worksites.

3. Departmental Safety Coordinator: Each Safety Coordinator will –
 - a) Ensure proper display of worker’s compensation panel of physicians, safety posters, and other safety information.
 - b) May conduct safety inspections of the department.
 - c) May be requested to attend and/or lead safety meetings and trainings and serve on the Safety Committee.

4. Department Director: Each Department Director will –
 - a) Maintain safe and healthy working conditions within his/her Department functions whether out in the field, in the shop or in the office.
 - b) Ensure that all incidents and accidents are promptly reported and thoroughly investigated by supervisory personnel.
 - c) Provide the leadership and positive direction essential in maintaining effective accident prevention by setting proper examples.

- d) Ensure that all personnel under his/her direction are in compliance with all safety and health requirements through regular inspections and safety audits.
- e) Ensure Supervisors are conducting new Employee safety orientation and training, to include but not be limited to newly reclassified Employees, prior to allowing employee to work.
- f) Support and participate in safety training related to supporting the County's and Department's goals in loss prevention.
- g) Work with Supervisors in developing, maintaining, and updating work safety policies and requirements essential to that Department, and require those policies and requirements to be posted in the office.
- h) Ensure that regular quarterly Departmental safety meetings are held and attended by all levels of personnel under his/her direction to review Departmental Accidents, Incidents, and Personal Injuries and to discuss plans to bring about a more positive Accident, Incident, and Personal Injury prevention program.
- i) Halt any operation or activity which is determined by the Department Director to be hazardous to employees or the general public when such operation or activity is brought to the attention of the Department Director.
- j) Assure that prompt, corrective action is taken when hazards are recognized or unsafe acts observed.
- k) Ensure a review of all Accidents, Incidents and Personal Injuries with the involved employee are conducted; evaluate the potential cause and, as appropriate, solution. Report the results of the review to Human Resources within Seventy-Two (72) hours of the date of the Accident, Incident, or Personal Injury or as otherwise approved by Human Resources.
- l) Provide a copy of the departmental safety rules and any approved amendments to the Human Resources department.

5. Supervisor: Each Supervisor will -

- a) Assume responsibility for safe and healthy working areas for Employees under his/her direction through regular inspections and safety audit of personnel.
- b) Ensure that all employees under his/her supervision are fully trained to perform their assigned jobs and know the location of emergency exits and evacuation plans. In the case of new employees, this may require demonstration, observation, and practice.
- c) Have employees under his/her supervision read all published safety rules and have the employees certify in writing that they understand that compliance is necessary.

- d) Ensure all safety policies are implemented for maximum efficiency of each job and the well-being of each employee working under such supervisor.
- e) Take the initiative to recommend correction of deficiencies noted in facilities, work procedure, employee job knowledge and attitudes that adversely affect county safety and loss control efforts.
- f) Make one-on-one contact with each employee directly under his/her supervision to review safe practices, procedures, and safety rules on a regular basis.
- g) Be firm and impartial in the enforcement of safety policies.
- h) Be accountable for losses, injuries, and other work interruptions under his/her supervision and reporting requirements related to same.
- i) Only allow authorized licensed employees to operate county vehicles.
- j) Fully cooperate with the Human Resources Department and other responsible supervisory personnel in discontinuing hazardous activities or operations which pose an immediate danger to employees, county property and/or the general public until such times as the operation can be completed safely.
- k) Immediately notify the Human Resources Department whenever an employee whose position affects public safety identifies that he or she has been prescribed medication that may impair his or her ability to perform essential functions.
- l) Post evacuation plans showing the path to take in case of a fire and other emergency. Practice evacuation plan with employees.

6. Employee: Each Employee will -

- a) Follow written and oral safety policies, rules, and requirements to prevent injuries to himself/herself, his/her fellow workers, and/or the general public, and to prevent damage to county and/or private property.
- b) Maintain an alert and businesslike attitude at all times.
- c) Report all Incidents or Accidents resulting in Personal Injury or Property Loss, regardless of how trivial, to the immediate supervisor as soon as the incident or accident occurs.
- d) Report unsafe acts and conditions to supervisor.
- e) Avoid participation in any horseplay or practical jokes.
- f) Keep work areas clean and orderly.

- g) Immediately report any condition the employee reasonably knows or should know to be unsafe to the Supervisor.
- h) Obey all federal, state and local safety requirements. If any doubt exists about the safety of doing a job, the employee shall stop and get instructions or assistance from the Supervisor before continuing work.
- i) Wear any prescribed protective equipment.
- j) Operate only machinery or equipment which the employee is trained and authorized to operate.
- k) Use proper tools and equipment for the job to be performed.
- l) Learn to lift and handle materials properly. Get as close to the load as possible, keep the back straight, and lift with the legs rather than the back. Heavy items should be lifted with at least two people or equipment.
- m) Dress safely and sensibly for the job to be performed before starting to work.
- n) Take an active part in the county's safety program.
- o) Know the location of emergency exits and path to take in case of fire and other emergency.
- p) Inform his/her supervisor when taking medication which may impair the employee's physical or mental alertness and/or affect ability to perform the employee's job safely.
- q) Work at a safe speed, never hurry or take short cuts that may risk the safety of employee, co-workers, or the general public.
- r) Use good judgment in dealing with conditions not covered in this policy.

1904 General Safety Rules and Regulations

(a) Personal Protection Equipment

1. Certain jobs will require that an employee wear personal protection clothing or use safety.
2. Approved safety eye protection, including eyeglasses, goggles, and/or face shields are required while an employee is grinding, polishing, welding, buffing, chipping, mowing, or other similar activities.
3. Appropriate safety gloves are required for the handling of materials that pose risks of lacerations, burns, or skin irritation. Such materials will be designated in Departmental safety rules or by the applicable Department Director.

4. Hard hats must be worn in construction areas or where there is a risk of falling objects.
5. Law Enforcement employees performing certain duties are required to wear protective vests.
6. Any individual working to direct traffic, or otherwise in close proximity to a street or road, will wear an approved reflective safety vest and use proper reflective safety equipment.

(b) Operating Equipment

1. Employees must undergo proper training as verified by the applicable Department Director before operating County equipment. Records of equipment training should be submitted to the Human Resources Department to be placed in the employee's personnel file.
2. Prior to operating any County equipment, a safety and maintenance pre-trip inspection should be completed by the operator.
3. The operation of equipment or machinery that is not properly guarded or in normal operational standard, is strictly prohibited, and should be reported to a Supervisor. The defect or malfunction of any mechanical or safety feature that will prevent equipment from operating in a safe manner must be repaired before County personnel use such equipment.
4. All portable electrical tools must be grounded, provided with ground fault interrupters and/or double insulated. Saws, grinders, and the like must have proper safety guards affixed to them. Do not remove any manufacturer installed safety guards.
5. Ladders of appropriate height shall be used for the job or task at hand. Employees should never stand on the top platform, or second from the top rung, of a ladder. Always inspect ladders for defects and follow the manufacturer's directions posted on the latter to ensure safe use.

(c) Vehicle Use

1. Any employee required to operate a County vehicle or County equipment must satisfy the MVR and licensing requirements described in Section 1802 before the employee will be permitted to operate such vehicle or equipment.
2. Employees shall operate County vehicles in a safe and courteous manner in accordance with all applicable state and local traffic laws.
3. Employees shall not use cell phones while operating a County vehicle, heavy equipment or machinery.
4. All employees and their passengers are required to use a seat belt when traveling in any vehicle in the course of conducting Newton County business. This requirement applies to County business travel in a vehicle owned by Newton County, in a rental vehicle, or in a vehicle owned by an individual employee.
5. If an employee is provided a County-owned vehicle that is used in the course of his or her employment and is also available for that employee's personal use with County approval, that

employee, together with all passengers who occupy the vehicle at any time and for any purpose, are required to use seat belts at all times the vehicle is in motion.

6. No alcohol, whether opened or unopened, or illicit drugs may be transported in any form in County vehicles, except where such items are being transported by the Sheriff's Department as evidence.
7. County vehicles shall not be operated by any employee who has consumed alcoholic beverages, illicit drugs, or prescription drugs that could impair the ability of the driver to operate a vehicle in a safe manner.
8. Only approved licensed employees shall be authorized to operate County vehicles.
9. An employee shall inspect his or her assigned County vehicle prior to operation. Inspections must include, but are not limited to the following safety items: foot and emergency brakes, head and tail lights, turn signals, windshield wipers, tire condition, mirrors, and water and oil levels.
10. County vehicles shall be maintained to a level of performance equal to published manufacturer specifications for the vehicle when originally procured. Preventative maintenance shall be performed on a regular basis and is the responsibility of the operator to schedule such maintenance with the Fleet Maintenance Department or other County approved vendor.

(d) Housekeeping

1. Practice good housekeeping, keep work and walk areas in good order.
2. Keep electrical cords and wires out of walk areas.
3. Space heaters should not be used unless approved by supervisor prior to use. Only those space heaters listed or labeled by a nationally recognized testing laboratory should be permitted for use. Space heaters should never be left unattended and should be turned off when the employee leaves the room and should be unplugged at the end of each day.
4. The use of candles is prohibited within County buildings.

(e) Chemical Handling

1. Material Safety Data Sheets (MSDS) on all chemicals, hazardous, or non-hazardous, should be kept in a close proximity to their storage area. Each employee working with or around a chemical should know where the MSDS for the chemical is located. Employees should immediately report to their department head if the MSDS is missing.
2. Personal protection clothing and equipment should be worn while handling any type of chemical. Minimum requirements should include eye protection/face shield, gloves

and apron/protective suit. If the chemical dispenses a harmful gas, a respirator should be worn.

3. All chemicals should be stored in their appropriate container.
4. All containers should be labeled of the contents within. If the chemical is placed in another container, the container should also be labeled so the contents can be identified. If the container is to be used only once, then the container should be discarded. No other chemical should be placed in a container labeled for another chemical. Use the MSDS for a chemical assure the container is suitable to hold the chemical.
5. Store like chemicals together and away from other groups of chemicals that might cause reactions if mixed.
6. Avoid storing chemicals on the floor (even temporarily) or extending into traffic aisles.

(f) Office Safety

1. An office environment requires a few preventive measures to ensure a safe and healthful environment.
 - a) Be careful of swivel chairs. Do not slump back in them without first testing your weight gradually.
 - b) Be sure to have a firm footing when you climbing. Use a ladder. Do not use metal ladders around electrical connections. Use handrails when using stairs.
 - c) Arrange work station and equipment to ensure employee comfort and reduce repetitive motion.
 - d) Do not stand and talk in front of closed doors that may open suddenly.
 - e) Ensure that office lighting is adequate and available.
 - f) Read mail and other materials while sitting, not while walking around.
 - g) Ensure that electrical cords and phone cords do not cross walkways or otherwise pose a tripping hazard.
 - h) Keep file drawers, desk drawers, locker doors and the like closed when not in use. Open only one file drawer or desk drawer at a time.
 - i) Keep the office floor both neat and clean.
 - j) Keep jewelry, and clothing away from operating equipment.

- k) Report or repair tripping hazards such as defective tiles, boards, or carpet immediately.
- l) Clean spills and pick up fallen debris immediately
- m) Store items in an approved storage space. Take care to not stack boxes too high or too tight. Ensure that boxes are clearly labeled with their contents.

1905 Accident Reporting Procedures

Timely reporting of any incident, accident, or personal injury is mandatory. The County's ability to respond appropriately to such events is dependent upon timely and accurate reporting.

(a) Procedures for Reporting Personal Injuries

An Employee that experiences an on-the-job personal injury must:

1. Report such injury within twenty-four (24) hours to his or her Supervisor;
2. If necessary, report to the appropriate medical treatment facility (using the approved panel of physicians for Workers' Compensation), and ensure that all follow-up medical treatments are completed; and
3. Complete a First Report of Injury Form, Employee Statement of Accident, and/or Employee Treatment Refusal (*if no immediate treatment is sought*).

The Supervisor receiving a report of an on-the-job Personal Injury must:

- a) Provide the employee with assistance seeking medical attention, if needed.
- b) Ensure that appropriate drug testing policies and procedures are followed.
- c) Complete the Employee Injury Packet and promptly submit the packet to the Human Resources Department; and
- d) Investigate the circumstances that caused the injury, and recommend the appropriate corrective measures to eliminate the hazard and prevent future occurrences, ensuring such findings and recommendations are documented on the Supervisor Investigation Supplemental Form.

The Department Director or designee will:

- a) Review all reports for his or her Department related to the personal injury for accuracy and completion;
- b) Have the original copy of such reports delivered to the Human Resources Department within forty-eight (48) hours of the date of the personal injury; and

- c) Review the reports related to the personal injury and then forward such report to Human Resources for further review and investigation.

(b) Procedures for Reporting Accidents/Incidents Involving Motor Vehicle or Special Mobile Equipment

Any Employee that has an accident or incident while using a County vehicle or County equipment, or while on County business in a personal vehicle, must:

1. Notify the appropriate local law enforcement agency;
2. Notify his or her Supervisor and complete an Employee Statement of Accident/Incident; and
3. If applicable, report immediately to a drug testing facility for a post-accident drug screening (per Section 1305).

The Supervisor, upon learning that an Employee under his or her direct supervision has been involved in a motor vehicle accident or incident while on duty, in a County vehicle, or involving County equipment, must:

1. Ensure the employee reports immediately to a drug testing facility for a post-accident drug screening if required (per Section 1305);
2. Complete the Traffic Accident/Incident Report;
3. Investigate the circumstances that caused the motor vehicle accident or incident or accident or incident involving County equipment, and recommend the appropriate corrective measures to eliminate the hazard and prevent future occurrences, ensuring such findings and recommendations are documented on the Supervisor Investigation Supplemental Form; and
4. Ensure any county-owned vehicle Mobile Vehicle or Special Mobile Equipment involved is taken to Fleet Maintenance for assessment, photos, and repair evaluation.

The Department Director or designee, upon learning that an Employee in his or her Department has been involved in a motor vehicle accident while on-the-job or in a County vehicle or in an accident involving County Equipment, will:

1. Review all reports related to the motor vehicle accident or accident involving County Equipment for accuracy and completion; and
2. Ensure that an original copy of the Traffic Accident/Incident Packet is delivered to the Human Resources Department within forty-eight (48) hours of the date of the accident.

(c) Procedures for Reporting (Non-Motor Vehicle) Incidents and Accidents

1. Any Employee involved in an incident/accident while on-the-job must notify his or her immediate Supervisor and complete the Employee Statement of Accident/Incident.
2. The Supervisor, upon learning of the incident/accident, will complete the Traffic Accident/Incident Packet describing the incident/accident and damage. The Supervisor shall also investigate the circumstances that caused the incident/accident and recommend the appropriate corrective measures to eliminate the hazard and prevent future occurrences, ensuring such findings and recommendations are documented on the Supervisor Investigation Supplemental Form.
3. The Department Director, upon learning of the Accident, will ensure the Traffic Accident/Incident Packet is reviewed and forwarded to the Human Resources Department within forty-eight (48) hours of the date of the Incident/Accident.

1906 Evaluation of Accidents, Injuries, and/or Personal Injuries

(a) Evaluation and Record Maintenance

The Safety & Risk Manager shall investigate, evaluate and categorize events as accidents, incidents and/or personal injuries, and formulate proactive measures to prevent future related losses. The Human Resources Department shall maintain records related to accidents, incidents, and personal injuries.

(b) Discipline

Accidents and injuries will be reviewed by the Safety Committee to determine whether the event was an avoidable or unavoidable. Avoidable accidents and injuries may result in disciplinary action. Discipline will be handled at the Department level with coordination with the Human Resources Department.

1907 Return to Work Program

The purpose of the Newton County return to work program is to provide modified duty assignments to employees with work-related injuries and illnesses who are unable, temporarily or permanently, to return to their usual job duties. Because Newton County recognizes that its employees are a valued and limited resource, this Policy is designed to:

- Assist the medical recovery process by providing a focus and a goal of returning the injured employee to his or her usual job duties.
- Benefit employees by allowing them to return to full wages as soon as possible.

- Benefit the County by reducing workers' compensation costs.

Newton County will seek to provide employees with return to work opportunities as soon as medically reasonable with transitional employment assignments for Employees who are temporarily disabled due to an on-the-job injury. Transitional employment opportunities will be considered in all Departments, not just the Department in which the injured Employee was working before the injury or illness occurred.

Transitional employment assignments are intended to assist employees who are transitioning back to work after a temporary disability that resulted from a work-related injury. All transitional employment duties must be productive. Duties must never be demeaning or appear worthless in any way.

Newton County, through its reasonable accommodation program, will make efforts to retain Employees who are permanently disabled.

1908 Safety Deficiency Notice

Any employee who believes that a safety or health risk exists, must submit a safety deficiency notice to the Human Resources Director so that the County may take appropriate action. Upon detection of a safety or health risk, an employee should immediately report the matter, but in any event, the report should be made to the Human Resources Director no later than the close of business on the date the safety or health risk is detected. A safety or health risk may consist of, among other things, a condition in the workplace or the manner of operation of other employees.

1909 Reporting Injuries

An employee who sustains an injury on-the-job must, at the time of the injury, notify his or her Supervisor and the Human Resources Department on the forms prepared and provided by the Human Resources Department. The employee's Supervisor must ensure that the appropriate procedures are followed for reporting on the job injuries, including drug testing.

1910 Safety Violations

Accidents, injuries, damaged machinery or equipment, and destroying materials or property cause needless suffering, inconvenience, and expense to the County. As a result, such actions when avoidable by utilizing appropriate safety practices may result in disciplinary action up to, and including, termination.

Chapter 20: Dress Code

Effective Date: 03/06/2018

Revision Date:

2001 Statement of Policy

To maintain a public image consistent with a professional organization, the County adopts a conservative business casual dress code. For purposes of this Policy, the term “conservative” refers to modest clothing that is in keeping with traditional standards for business attire. When away from work, an employee’s choice of attire is a matter of personal preference. However, when the employee is working, attire must be within parameters that reflect the professional, neutral environment that the County strives to provide. If an employee must conduct personal business that involves non-professional apparel before or after work, the employee should plan to change clothes. Visible tattoos that are offensive in nature, or excessive (covering the majority of exposed skin) must be covered. With the exception of earrings, no visible body piercings, except those related to a sincerely held religious belief are allowed.

The dress code shall apply to all on-site and off-site functions at which the individual is acting as a representative, or is present on behalf, of the County. To the extent that a particular Elected Official or Department Director adopts a more strenuous dress code than that set forth in this Section, the more strenuous departmental dress code shall apply and serve as the basis for disciplinary action.

2002 Employees with Uniforms

The County will provide uniforms to those employees required to wear them or employees who work outside the office at least three (3) days of the week and who are likely to come into elements that could damage, stain, or otherwise harm their personal clothing, or when uniforms are needed for the employee’s protection and/or identification. Employees shall not modify the uniforms provided. Uniforms must be worn at all times when an employee is on duty and must be kept clean and neat required identification on the shirt will be the Newton County logo, the Department name, and the employee’s name. If the uniform shirt does not have the required identification imprinted, then the employee will wear the laminated identification tags provided by the County. Jeans may be allowed for field personnel in lieu of uniform pants with approval of the appropriate Elected Official or Department Director. If allowed, the jeans must be kept clean and in good condition.

No employee shall wear a County uniform or any garment denoting the County, Department or entity of any sort at an off-site, non-job-related establishment or function, or any establishment that is deemed unbecoming to the image of the County.

Upon separation of employment with the County, an employee must return all uniforms to the County and/or reimburse the County for any uniforms lost or not returned to the County. If an employee fails to return all uniforms as required by this Section, the employee shall be assessed the cost of the uniform(s) not returned, and that cost shall be deducted from the employee’s final paycheck.

2003 Employees Without Uniforms

Employees who are not required to wear uniforms must comply with the following guidelines for attire. The goal is for each employee to present a neat, clean, conservative, well-groomed, and businesslike appearance while at work. Rather than focusing on individual items of clothing, the employee should consider the overall image that he or she presents. It is possible for one aspect of an outfit to be considered somewhat casual, but when paired with professional clothing the overall appearance may be professional. (For example, a pair of twill slacks paired with a faded T-shirt would not be acceptable, but the same pair of pants paired with a professional button down shirt, would be acceptable.)

- (a) Casual clothing should not be worn to work. Clothing that works well for the beach, yard work, exercise sessions, sports events, or running errands is typically not appropriate for work.
- (b) Clothing that is see-through is unacceptable.
- (c) Clothing should cover the chest, back, and midriff (including when standing, sitting, stooping, while arms are extended over the head or while bending over), and should not reveal undergarments.
- (d) T-shirts are not allowed unless approved as an official uniform piece.
- (e) Shorts are not allowed.
- (f) Skirts should not be worn more than four (4) inches above the knee.
- (g) Sweat suits, wind suits, and jogging suits are not allowed.
- (h) Leggings or stretch pants that may be perceived as leggings are not allowed.
- (i) Flip-flops or any beach styled sandals or footwear are not allowed.

2004 Personal Grooming, Accessories, and Use of Fragrances

Good personal hygiene is expected at all times. Clothing should be clean, neat, and well kept (no holes, tears, patches, fading, or frayed areas). Facial hair should be clean and neatly trimmed. Fragrances, if used, must be mild; patrons and other employees may be allergic or sensitive to perfumes, colognes, or other fragrant products.

2005 Compliance

Dressing appropriately is a condition of employment with the County. Failure to adhere to the dress code will be addressed as a policy violation. Repeated or obvious violations of this policy will result in disciplinary action, up to and including termination. In extreme cases, the County reserves the right to require an employee to leave work to change into appropriate clothing. Any time spent away from work would be without pay.

Employees are expected to comply with the above standards, and should not put their Supervisors in the position of having to police attire. If there is any doubt as to whether an aspect of attire is appropriate, the employee should assume it is not. Employees with questions about what is appropriate for their positions should contact their Supervisor or the Department Director. The County reserves the right to prohibit certain articles of clothing. The Department Director or Elected Official may approve dress code exceptions in certain circumstances, and will consider such instances on a case-by-case basis.

As stated above, no dress code can address all contingencies. The County reserves the right to interpret what is acceptable in the matter of overall appearance, and to interpret and apply this policy to other aspects of appearance not specifically covered in this policy.

Failure by an employee to comply with their Department's uniform requirements or any portion of this policy may result in disciplinary action.

2006 Casual Day

Unless specified otherwise, business casual dress will be permitted on Fridays. Some Departments may require specific guidelines that differ from this Policy. When meeting clients, regardless of day, business dress guidelines must be observed unless the client has specifically requested otherwise.

Permissible Friday business casual dress includes the following:

1. Casual shirts: All shirts with collars, crewneck or V-neck shirts, blouses, golf and polo shirts. Examples of inappropriate shirts include T-shirts, shirts with inappropriate slogans, tank tops, muscle shirts, camouflage and crop tops. In specified circumstances, T-shirts may be approved and provided by the County for specific events.
2. Pants: Casual slacks, trousers, and jeans that are in good condition (i.e. without holes, or fraying). Examples of inappropriate pants include shorts, camouflage, and pants worn below the waist or hip line.
3. Footwear: Casual slip-on shoes, dress sandals, and athletic shoes if approved by the Department. Examples of inappropriate footwear include floppy sandals and flip-flops.

Chapter 21: Tardiness and Absenteeism

Effective Date: 03/06/2018

Revision Date:

2101 Statement of Policy

It is critical that all County employees avoid tardiness and/or excessive absences. County employees are expected to accurately and correctly report time worked during each work period. Excessive tardiness interferes with an employee's effective and efficient performance of his or her job duties and with the efficient performance of his or her co-workers.

2102 Tardiness

County employees are expected to be punctual in reporting to work for assigned schedules/shifts. The employee must provide his or her immediate Supervisor and/or Department Director with advance notification of any delays whenever such delays are foreseeable. Individual Departments may establish policies regarding advance notification consistent with Department requirements for operation.

An employee shall be considered tardy for disciplinary purposes when reporting one (1) minute after the Department's established workday start time, assigned shift hour, or lunch/supper hour. The appropriate Supervisor, as designated by the Elected Official or Department Director, may permit occasional excused late arrivals. An employee who is tardy or requests excused late arrivals on a recurrent basis will be subject to disciplinary action up to and including termination. An employee is required to speak directly with their Supervisor regarding any unforeseen tardiness. Such notification does not release the employee from disciplinary action.

2103 Absenteeism

All employees are expected to attend and be available to provide services to the County during established workdays. An employee who misses more than thirty (30) minutes of work in a single shift is considered absent unless the employee is on authorized Leave. The employee's Supervisor will determine whether an absence is excused. An absence will be unexcused when an employee either fails to follow proper absentee reporting procedures or lacks a satisfactory reason for the absence. The employee must provide his or her immediate Supervisor and/or Department Director with advance notification of any absences whenever such absences are foreseeable. An employee who is absent for more than one day must keep his or her Supervisor informed by calling in before the start of each workday or as reasonable requested by the Supervisor.

An employee may not seek approval for an absence for work as leave without pay. Such an absence will be unexcused and a matter for discipline, unless upon presentation of a written statement by a licensed physician or dentist, it is certified to the satisfaction of the Elected Official or Department Director that the employee's condition prevented him or her from performing the duties of his or her position. This Section applies to intermittent absences from work and shall not affect an employee's right to seek a continuous leave of absence without pay pursuant to this Handbook. This Section should be read in conjunction with the leave provisions in Chapter 11 and the abandonment provisions in Chapter 8.

Chapter 22: Internet and Use of County Property

Effective Date: 03/06/2018

Revision Date:

2201 County Property

The purpose of this Section is to provide a broad overview of guidelines for the use of County property, including property related to information technology.

All computers, telephones, facsimile machines, copiers, communication systems, electronic equipment, and/or any other material, property, or equipment provided by the County and used in the course of employment is property that is exclusively owned, leased, borrowed, and/or held by the County. Such property is, or for the purposes of this Policy shall be deemed and considered, exclusively the property of the County. County employees should have no expectation of privacy with respect to same.

2202 Telephone Use

When making personal local telephone calls from the workplace, and/or using a County mobile phone or similar device, employees must use judgment and discretion to limit the number and/or length of any calls. Personal long-distance calls are not permitted on County telephones. Excessive or unauthorized telephone use may subject an employee to disciplinary action, up to and including termination.

2203 Communication Systems

The County provides a variety of channels for communication to promote the efficient operation of County business. These communication systems include, and are not limited to, voicemail, email, facsimile, computer networks, internet connections, online services, computer files, telephone systems, mobile phones, and similar devices. All information transmitted by, received from, or stored in these systems is the sole property of the County, and an employee should have no expectation of privacy related thereto.

2204 Email and Internet Access and Code of Conduct

Access to email and the Internet is provided by the County to its employees for the benefit of County employees and patrons, and as valuable sources of information to allow for the provision of better and more efficient services. It allows employees to connect to information resources around the state, the country, and the world. However, County email accounts shall not be used for personal business, such as registering for or logging into social media accounts (unless the account belongs to the County). Every employee has a responsibility to maintain and enhance the County's public image and to use the internet in a productive manner.

2205 Confidentiality, Privacy, and Monitoring

As set forth herein, all County computer systems, including email, internet connections, instant messaging, and similar protocols, are the property of the County. All documents, information, and data created in, stored in, and/or copied to County computer systems are the property of the County and may not be copied or in any form transmitted to any third-party other than in the ordinary course of business on behalf of the County. Employees using the County's computer systems are cautioned that email and internet systems do not provide complete confidentiality and employees have no right to privacy when using same. The County has the right to access, monitor, and disclose the contents of any file or electronic message composed, sent, received, or viewed on County computer systems, for any business purpose, including but not limited to investigating potential security breaches, policy violations, or misuse of computer systems or email. Employees should be aware and understand that the use of personal email accounts to engage in County business may result in those personal accounts being subject to the provisions of the Georgia Open Records Act and/or other statutes pertaining to access to government records.

2206 Email Communications

All employees are responsible for the content of all text, audio, or images that they place or send via email or over the internet. Fraudulent, harassing, or obscene messages are prohibited. Information published on the internet should not violate or infringe upon the rights of others. No abusive, profane, or offensive language may be transmitted through the system. Notwithstanding the County's right to read and retrieve any electronic mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any email messages that are not sent to them. Employees should not attempt to gain access to another employee's messages without the employee's permission, except as expressly authorized elsewhere.

2207 Prohibited Activities

County employees are strictly prohibited from using County email, internet, communication systems, computers, electronic equipment, or other County property to engage in the following activities (except where expressly authorized elsewhere):

1. Sending, retrieving, or storing offensive, obscene, or defamatory material;
2. Engaging in illegal, fraudulent, or malicious conduct;
3. Transmitting or receiving messages containing derogatory, harassing, or inflammatory remarks about an individual's or a group's race, color, religion, sex, national origin, age, disability, genetic information, uniformed service status, pregnancy or related condition, physical attributes, or sexual orientation;
4. Working for or on behalf of another employer, business, association, or organization, without obtaining prior supervisor approval;
5. Sending uninvited email of a personal nature;
6. Personal activities that incur additional costs to the County or interfere with an

- employee's performance;
7. Storing personal data such as pictures, music, and video files;
 8. Sending County proprietary or confidential information and/or materials to anyone not entitled to know or receive same;
 9. Monitoring or intercepting the files or electronic communications of other employees or of third parties;
 10. Obtaining illegal or unauthorized access to another person's or entity's computer system;
 11. Using another individual's account or identity without authorization;
 12. Attempting to test, circumvent, or defeat the security or auditing systems of the County or any other person or organization or to otherwise "hack" into a County file or system that the employee is not authorized to access.
 13. Distributing or storing chain letters, jokes, solicitations, or offers to buy or sell goods; or Downloading files or programs not authorized by the County.

2208 Software

To prevent software compatibility issues, licensing infractions, and security or privacy concerns (such as computer viruses being transmitted through the system), there will be no unauthorized installations of any software. All software downloads must first be authorized by the Department Director. Employees with any questions should contact their supervisor or the Department Director. The County reserves the right to remove any programs that have been installed or downloaded without authorization.

2209 Security

All messages created, sent, or retrieved via email or over the internet are the property of the County. The County reserves the right to access and monitor all messages and files on the computer system as deemed necessary and appropriate. The confidentiality of any messages should not be assumed. Even when a message is erased, it is possible to retrieve and read that message. Further, the use of passwords for security does not guarantee confidentiality. All communications may be disclosed by the County to law enforcement or other third parties without the prior consent of the sender or the receiver.

2210 Use of County Property in General

All County property, including and not limited to, all electronic property (such as computers, telephones, facsimile machines, copiers, communication systems, mailing systems, and electronic equipment) and non-electronic property (such as vehicles, buildings, furnishings, fixtures, furniture, books, supplies, and materials), shall be used in the manner for which it is intended and treated by County employees with care and due regard.

County employees should keep in mind that they are the trustees, caretakers, and beneficiaries of such property, which has primarily been purchased, leased, or provided via public funding. No County employee shall abuse or misuse County property. Employees must return all County property that is in their possession or use upon separation of employment, or immediately upon request. Violation of this policy may result in disciplinary action, up to and including termination. Further, the County may also take all action lawful and deemed appropriate to recover or protect its property.

2211 Passwords and Access

Access to computers, email, voicemail, and select applications may be password protected. Such passwords, access, and accounts, and any other types of authorization employed by the County, are confidentially assigned to individual employees and may not be shared with others. Each employee is responsible for any access to and use of his or her assigned computer, email, voicemail, and applications.

2212 Employer Monitoring

County employees should not expect privacy with respect to their work-related activities. Video surveillance may be used by the County to monitor job performance, monitor interaction and communication with the public, assure conformance with safety procedures, and guard against employee misconduct. However, no video surveillance will occur in County restrooms.

2213 Violations

Violations of any guidelines listed above may result in disciplinary action, up to and including termination. If deemed necessary or appropriate, the County may advise appropriate legal officials of any perceived illegal activities or violations via use of County communication systems.

Chapter 23: Training and Continuing Education

Effective Date: 03/06/2018

Revision Date:

2301 Certification Training

Upon approval of the Appointment authority and subject to the availability of funds, the County will pay for certification testing and related training sessions on all initial attempts as approved by the respective Elected Official or Department Director on a case-by-case basis. Such approval shall be applied in a universal and non-discriminatory manner. The County shall not be responsible for arranging or making payment for the employee to take subsequent exams if the employee fails the first attempt, unless pre-approved by Elected Official or Department Director. It will be the employee's responsibility to pay for, re-take, and pass the certification exam within the specified time frame to meet the requirements of the position. Failure to receive required certifications for the position will result in disciplinary action up to, and including, Dismissal.

2302 Training and Continuing Education

Upon approval of the Appointment authority and subject to the availability of funds, the County shall arrange and pay for training and continuing education that is directly related to the employee's job as approved by the respective Elected Official or Department Director on a case-by-case basis. Such approval shall be applied in a universal and non-discriminatory manner. The certification testing or training is "directly related to the employee's job" if it is designed to make the employee handle his or her job more effectively as distinguished from training him or her for another job or for the performance of a new or additional skill. If continuing education is necessary to meet the requirements of the position, the employee will be subject to disciplinary action up to, and including, Dismissal for failure to timely complete such continuing education.

2303 Compensation for Hours Spent in Certification Testing, Training and Continuing Education

Attendance at certification testing, training, and continuing education sessions or similar activities shall be compensated as hours worked unless the following four criteria are met:

- (a) Attendance is outside of the employee's regular working hours;
- (b) Attendance is voluntary;
- (c) The course, lecture, or meeting is not directly related to the employee's job; and
- (d) The employee does not perform any productive work during such attendance.

It shall be presumed, subject to other direction from the applicable Elected Official or Department Director, that an employee will be compensated for hours spent during attendance at a certification testing, training, or continuing education session if such session is during regular working hours, is directly related to the employee's job, and is approved for reimbursement by the applicable Elected Official or Department Director. Specific questions related to compensation for attendance at

testing, training, and continuing education sessions or similar activities not expressly covered in this Chapter should be referred to the employee's Supervisor or the Human Resources Director for interpretation and compliance with federal law prior to attendance at the session.

2304 Compensation for Travel to Training Session

Pre-approved training sessions that are required by the County shall be considered as the employee's normally scheduled workday. Employees will be compensated for travel time to and from a training session, unless specific departmental procedures provide otherwise. All training classes that require overnight lodging must be approved specifically as to mode and time of travel to the training location. Mileage for the use of a personal vehicle shall be paid consistent with the Travel and Reimbursement Policy administered by the Finance Department.

2305 Training Reimbursements

Requests for payment of training, conventions, or other meetings that are submitted to the Finance Department for reimbursement must include the written approval of the applicable Elected Official or Department Director.

2306 Training Cost Repayment

Employees who voluntarily resign or are terminated within a twelve (12) month period after receiving training paid for by Newton County shall be required to repay the County for the costs of such training. This Policy shall not apply to employee status changes due to reductions in force. This Policy shall only apply to training costs which exceed \$1,000.00. Training costs subject to repayment under this Policy include tuition or registration fees, supply fees, and all other expenses relative to such training including, but not limited to, transportation, lodging, and meals.

The following training costs are excluded from the repayment requirement of this Policy: any training for which the total costs are less than \$1,000.00, legally mandated training, in-house training, employee's salary while attending training, cost of attending seminars.

It is the Department Director's responsibility to accurately determine the amount of training costs subject to repayment under this Policy and have the employee execute an Employee Repayment Agreement on the form prescribed by the Human Resources Director. The Employee Repayment Agreement will address the total costs of the training subject to repayment and an agreement that the employee will continue County employment for at least twelve (12) months after completing the training.

Training repayment costs which are owed to the County may be reclaimed from the employee's final pay check. If the employee's final check is insufficient to provide full repayment, then a payment schedule for the balance due must be approved by the County Manager.

The County Manager shall have full authority to waive the training cost repayment requirement in part or in full on an individual, case-by-case basis.

2307 Tuition Reimbursement

(a) Statement of Policy

It is the policy of Newton County to provide tuition reimbursement benefits in order to promote the following: development of a skilled workforce; a culture that supports employee development; financial assistance to eligible County employees in pursuing personal and professional growth in a fair and equitable manner; and improvement of employee hiring, retention, and satisfaction. Tuition reimbursement is intended to assist employees in developing knowledge, skills, and abilities in the performance of their current job or to qualify for other positions in their career path with the County.

(b) Availability of Funds

Tuition reimbursement benefits under this Policy are dependent upon the availability of funds. The funding of tuition reimbursement is a line item expense for the Human Resources Department and sufficient funds must be included in the annual budget. Thus, prior to preparation of the annual budget, Department Directors are required to obtain educational commitments from employees.

(c) Eligibility

All regular Full-time Employees are eligible for tuition reimbursement benefits. Employees who are in a Probationary Period or Working Test Period are not eligible.

(d) Qualified Course of Study

Upon approval of the applicable Department Director and the Human Resources Director, tuition reimbursement benefits under this Chapter are available for the following courses of study:

- Structured programs that assist the employee in attaining his or her high school diploma or equivalent (GED).
- Technical or skills courses offered through accredited technical schools if an employee's Department Director and the Human Resources Director determine that such courses relate to the employee's current work assignments or potential promotional opportunities within the County.
- Undergraduate and graduate courses offered through accredited colleges or universities if an employee's Department Director and the Human Resources Director determine that such courses relate to the employee's current work assignments or potential promotional opportunities within the County.
- Courses that are part of an approved degree-related program that is relevant to the employee's current job or future advancement opportunities within the County.

Courses of study provided by institutions that are not part of the University System of Georgia must have an accreditation recognized and approved by the U.S. Department of Education and the employee's participation must be specifically approved in advance by the

Human Resources Director. Distance learning courses (i.e. web-based or e-learning courses) will only be approved if the course of study is not offered by an institution within the University System of Georgia. All distance learning courses must be approved by the Human Resources Director.

Courses of auditing or observation purposes are not eligible for tuition reimbursement benefits under this Chapter.

(e) Course Scheduling

Unless approved by the applicable Department Director and the Human Resources Director, employees are expected to attend courses on their personal time.

(f) Amount of Reimbursement

Tuition reimbursement under this Chapter shall be limited to \$3,000 per employee, per fiscal year.

To maximize the use of tuition reimbursement funds, employees should endeavor to obtain instruction at the lowest possible cost to the County. For example, employees are encouraged to take courses at the junior college level to satisfy transferable general education credits before taking courses at the university level.

Reimbursement applies only to tuition and required text books. *The County will not reimburse employees for additional fees imposed by the college or university such as student activity fees, student support services fees, lab fees, registration fees, technical fees, parking expenses, meals or other related expenses. The total reimbursement amount to be provided for tuition and books will be determined by the Human Resources Director.*

Employees who receive other forms of financial aid, such as private scholarships or grants, assistance from a government department, and/or veterans' tuition benefits will be reimbursed only for the difference between reimbursable expenses and the aid received from other sources. Employees who receive other assistance *must* provide documentation of such assistance to the Human Resources Director.

(g) Tuition Reimbursement Procedure

1. Before registering for a course, an employee must submit a completed Request for Tuition Reimbursement Form to his or her Department Director. The employee must attach a copy of the course description from the course catalog or other publication to the request form. The employee and the Department Director will discuss the relevance of the course(s) to the employee's position and/or future goals with the County before submitting the request to the Human Resources Director.
2. The Human Resources Director will review the request and decide whether the requested course(s) fulfills the requirements of this Policy, whether or not adequate

funds are available, and approve or deny the request. If the request is denied, the Human Resources Director will notify the Department Director and the employee.

3. Once approved by the Human Resources Director, the employee may register for the course. Upon the satisfactory completion of the approved course(s), the employee must submit certified transcripts of his or her grade(s) and documentation of payment (canceled check or receipt) for the approved courses to the Human Resources Director. Such documentation should be submitted within thirty (30) days of completing the course. Satisfactory completion shall mean that the employee received a final grade of at least "C" or "Pass". Courses where the employee receives a final grade of "D" or "Fail" will not be reimbursed.
4. The Human Resources Director will review the submitted documents and authorize the reimbursement payment to the employee. Employees must be actively employed with the County at the time of satisfactory course completion to be eligible for tuition reimbursement benefits under this Policy.

(h) Employee Reimbursement of County Costs

1. If an employee who has received tuition reimbursement benefits under this Policy voluntarily leaves the County's employment within two (2) years of receiving such benefits he or she will be required to reimburse the County for the entire cost of the tuition reimbursement benefits paid by the County.
2. Each employee receiving tuition reimbursement benefits under this Policy must execute an agreement with the County guaranteeing full reimbursement to the County if he or she should leave the County within two (2) years of receiving tuition reimbursement benefits.

Chapter 24: Travel and Reimbursement Policy

Effective Date: 03/06/2018

Revision Date:

2401 Statement of Policy

It is the County's policy to allow authorized travel provided that funding is available and travel is within the scope of the employee's employment and discharge of his or her official duties.

2402 Reimbursable Travel

The County will reimburse an individual required to travel on official County business. This includes required and/or necessary certification testing and related training sessions as approved by the applicable Department Director and County Manager on a case-by-case basis. To be reimbursable, training and continuing education must be directly related to the employee's job as approved by the applicable Department Director and County Manager on a case-by-case basis. Such approval shall be applied in a universal and non-discriminatory manner. Certification testing is considered directly related to an employee's job only if it is designed to make the employee more effective in his or her current position, as distinguished from training for another position or for the performance of a new or additional skill. Instructional materials and other documentation obtained while on County business become the property of Newton County and as such should be made available to County staff.

Reimbursement amount shall be according to the Newton County Travel Policy and Procedures administered by the Newton County Finance Department.

2403 Requirement of Reasonableness

The County will reimburse an individual required to travel on official County business for reasonable and necessary expenses incurred during said travel that meet the requirements of this Policy. Payment by the County shall be limited to the actual, necessary, and reasonable expenses incurred for authorized activities provided for in this Chapter. The standard for "reasonable" may be determined by the geographic location and other circumstances and the interpretation of this standard shall be made by the Finance Director or the County Manager.

A traveler required to travel on official County business must exercise prudent judgment when making travel arrangements and must seek the most economical means to minimize travel costs. If the traveler does not take advantage of early registration discounts the traveler will be required to pay the difference. If the traveler cancels the travel without a reasonable work-based justification, the traveler will be required to reimburse the County for expenses incurred due to the cancellation.

Employees are reminded that travel expenses are open to scrutiny by the news media, the public, administrative personnel, and the Board of Commissioners. Please use good judgment in expending public funds.

2404 Departmental Responsibilities

Department Directors are entirely accountable for all travel performed by their staff and as such, are responsible for ensuring staff adherence to the policies and procedures outlined in this Chapter and the Newton County Travel Policy and Procedures, which is administered by the Finance Department.

2405 Annual Leave in Conjunction with County Business Travel

Annual leave in conjunction with travel may be approved at the discretion of the Department Director. Additional costs incurred as a result of approved annual leave in conjunction with official County business travel are solely the responsibility of the traveler and are not reimbursable by the County.

2406 FLSA-Required Compensation

Employees who are non-Exempt under the Fair Labor Standards Act (FLSA) may be eligible for compensation for travel time related to attendance at required and/or necessary testing, training, and continuing education sessions, as described in Section 2203, or similar activities not expressly covered in this Policy. Specific questions related to such compensation should be referred to the Human Resources Director for interpretation and compliance with federal law prior to attendance at the session.

Pre-approved training sessions that are required by the County shall be considered as the employee's normally scheduled workday. Employees will be compensated for travel time to and from a training session, unless specific Departmental procedures provide otherwise. All training classes that require overnight lodging must be approved specifically as to mode and time of travel to the training location. Mileage for the use of a personal vehicle shall be paid consistent with this Policy.

For information, please contact the Human Resources Department.

2408 Travel Authorization

All Non-Local Travel requires prior approval. A completed Travel Authorization Form is required for all Non-Local Travel including trips where the County credit card is used for any or all expenses. Travel Advances may be requested in conjunction with obtaining Department approval. County travel is authorized based on adequate budget and the estimated cost of the travel. Travel authorization is required as follows:

- i. Total travel costs under \$100 must be authorized by an immediate Supervisor;
- ii. Total travel costs over \$100 must be authorized by the applicable Department Director; and
- iii. Total travel costs over \$500 must be authorized by the County Manager.

Chapter 25: Social Networking Policy

Effective Date: 03/06/2018

Revision Date:

2501 Statement of Policy

Employees of Newton County shall not use any form of social media in any way so as to tarnish the image or reputation of the County or its employees. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the County, as well as any other form of electronic communication.

2502 Rules and Guidelines

Employees of Newton County are prohibited from using social media during working hours or on equipment that is provided by the County, unless it is work-related as authorized by the Department Director and consistent with the Internet and Use of County Property Policy. Employees are not permitted to use their assigned County e-mail address to register on social networks, blogs or other online tools utilized for personal use.

Employees who choose to maintain or participate in social media or social networking platforms while off-duty shall conduct themselves with professionalism and in such a manner that will not reflect negatively upon the Newton County. Employees shall be mindful that any conduct that adversely affects job performance, the performance of other County employees or otherwise adversely affects members of the community or the County's legitimate business interests may result in disciplinary action.

In administering this policy, the County is mindful that employees are private citizens with legitimate interests in matters of public concern. Prior to the taking of any adverse employment action in connection with this policy, the County will evaluate whether or not the activity was (1) made by the employee in his or her capacity as a private citizen; (2) addressed a matter of public concern; and (3) if the County's interest in promoting the efficiency of public services outweighs the employee's interest in the activity.

ACKNOWLEDGEMENT OF RECEIPT OF PERSONNEL POLICY MANUAL

By signing below, I acknowledge that I have received a copy of the Newton County Board of Commissioners Employee Handbook. I understand that it is my responsibility to read and comply with the policies contained in this Handbook as well as any revisions made to it. I also understand that if I need additional information, or if there is anything I do not understand in this Handbook, I should contact my immediate supervisor, or other appropriate County management personnel, or the County Manager.

I understand that Newton County is an "at will" employer and, as such, employment with Newton County is not for any definite period of time and may be terminated at the option of either me or the County, with or without cause, and with or without prior notice. I also understand that nothing contained in this Policy Manual may be construed as creating a promise of future benefits or a binding contract with the County for employment, benefits, or any other purpose.

In addition, I understand that this Manual reflects policies, practices, and procedures in effect on the date of publication, and that it supersedes any prior policy manual, handbook, work rules, benefits, and practices of Newton County. I further understand that the rules, policies, benefits, and practices referred to in this Manual are continually evaluated and may be modified, reduced, or discontinued at any time by Newton County, in its judgment and discretion, with or without notice.

SIGNED BY:

(Print employee name)

(Employee signature)
