FULTON COUNTY GOVERNMENT

GUIDEBOOK

PERSONNEL POLICIES AND PROCEDURES

EFFECTIVE JANUARY 1, 2017

UPDATED MAY 2020

FULTON COUNTY

ALL PEOPLE ARE SAFE
ALL PEOPLE ARE HEALTHY
ALL PEOPLE HAVE ECONOMIC OPPORTUNITY
ALL PEOPLE ARE SELF-SUFFICIENT
ALL PEOPLE TRUST THAT GOVERNMENT IS EFFICIENT, EFFECTIVE AND FISCALLY SOUND
ALL PEOPLE ARE CULTURALLY AND RECREATIONALLY ENRICHED

IMPACT • SERVICE • EFFICIENCY
fulton county 1st in 3
ENGAGED PEOPLE

GUIDEBOOK
PERSONNEL POLICIES AND REGULATIONS

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DEFINITIONS

16-0810

Fulton County Board of Commissioners

Agenda Item Summary

BOC Meeting Date
10/5/2016

Requesting Agency
Personnel

Commission Districts Affected
All Districts

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*
Discussion Topic: Updated Fulton County Personnel Rules and Regulations.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*
Review and approval of the updated Fulton County Personnel Rules and Regulations.

Is this Item related to a Strategic Priority Area? *(If yes, note strategic priority area below)*

Yes All People trust government is efficient, effective, and fiscally sound

Is this a purchasing item?
No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: Through a partnership with the County Attorney's Office, the Employee Associations and outside counsel, the Personnel Department has updated the County's Personnel Rules and Regulations. The project's primary goal was to ensure that the County's Personnel Regulations and County Policies, those that directly impacted the workforce, were up-to-date and in-step with both federal and local laws, as well as being in-step with Human Resources Management's best practices, all while minimizing risk of litigation.

Community Impact: (Provide the overall impact on community health, whether the impact would be Countywide or to a specific District, if applicable).

Department Recommendation: Approval.

Project Implications:
The Fulton County Personnel Policies and Procedures will –

- be updated to comply and be in-step with federal and local statutes;
- define a compensation philosophy that manages an employee's pay by their performance; allows for adjustments whenever internal salary equity issues arise; offer retention bonuses and on-call pay to key talent in critical positions;
- remain focused on ensuring a diverse and inclusive workforce;

Agency Director Approval		County Manager's Approval
Typed Name and Title	Phone	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

Continued

- simplify steps for both employees and managers and clearly articulate expectations so that both are held accountable;
- provide greater flexibility for managers to manage and for employees to excel; and,
- allow management to modify procedures, with legal sufficiency review, to adapt to the ever-evolving new circumstances that may not have been previously contemplated.

Community Issues/Concerns: Not Applicable.

Department Issues/Concerns: None.

History of BOC Agenda Item: No.

(For purchasing items, provide the project history chart or if a new procurement, insert "New Procurement".)

Contract & Compliance Information	*(Provide Contractor and Subcontractor details.)*

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Agency Director Approval		County Manager's Approval
Typed Name and Title	Phone	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

17-0163

Fulton County Board of Commissioners

Agenda Item Summary

BOC Meeting Date
2/15/2017

Requesting Agency
Personnel

Commission Districts Affected
All Districts

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*
Offering policy enhancements for Board consideration.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*
Approval of the policy enhancements.

Is this Item related to a Strategic Priority Area? *(If yes, note strategic priority area below)*

Yes All People trust government is efficient, effective, and fiscally sound

Is this a purchasing item?
No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: (Provide a brief project scope of work of the services/work to be provided)

Enhancement to the following policies are brought before the Board for consideration and approval -

1. Time Away from Work
2. Education Assistance Plan and Career Incentive
3. Internal Equity in Pay

Community Impact: (Provide the overall impact on community health, whether the impact would be Countywide or to a specific District, if applicable)

Not applicable.

Department Recommendation: (Provide the user department recommendation)

The Department of Human Resources Management recommends approval of these enhancements.

Project Implications: (What are the future implications of the item in terms of potential changes in budget, service provision, or County policy/operations?)

Not applicable.

Community Issues/Concerns: (Identify any issues/concerns raised by constituents or clients concerning the agenda item and if those issues have been addressed?)

Agency Director Approval		County Manager's Approval
Typed Name and Title	Phone	
Signature	Date	

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Continued

Not applicable.

Department Issues/Concerns: (Identify any additional department recommendations or concerns including funding, staffing, external/internal partnerships and operational inefficiencies)

No departmental issues or concerns.

History of BOC Agenda Item: (Has this item previously been before the BOC? Yes or No. If yes, for non-purchasing item(s), describe what action(s) were taken.)

No.

(For purchasing items, provide the project history chart or if a new procurement, insert “New Procurement”.)

Contract & Compliance Information	*(Provide Contractor and Subcontractor details.)*

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Agency Director Approval		County Manager's Approval
Typed Name and Title	**Phone**	
Signature	**Date**	

Revised 03/12/09 (Previous versions are obsolete)

FULTON COUNTY

JOHN H. EAVES, PH.D
CHAIRMAN

john.eaves@fultoncountyga.gov

OFFICE OF THE CHAIRMAN

BOARD OF COMMISSIONERS
141 PRYOR STREET, SW
TENTH FLOOR, SUITE 10032
ATLANTA, GEORGIA 30030

TELEPHONE: (404) 612-8206

Dear Valued Fulton County Employees:

An effective and thriving organization is one in which individuals have the knowledge, skill, desire and opportunity to personally succeed in a way that leads to organizational success. Such an organization cannot be a reality unless the people who work in that organization feel empowered and engaged.

The Fulton County Board of Commissioners' approval of the updated Personnel Policies and Procedures, contained within these pages, sets the stage for increased empowerment. Their implementation will be the framework from which we will continue to drive toward our six (6) strategic goals –

- all people are safe;
- all people are healthy;
- all people have economic opportunity;
- all people are self-sufficient;
- all people trust that government is efficient, effective and fiscally sound; and,
- all people are culturally and recreationally enriched.

Fulton is already a leader in the region. With our new strategic vision, we are poised for even greater things -- thanks to you, the dedicated employees of Fulton County. We are encouraged by your support and feedback as we build upon these policies and procedures. It is our hope to strike a better work-life balance for the entire workforce while positioning the County to be the "First in Three" in impact, service and efficiency.

The Board of Commissioners is encouraged by the progress we've made as an organization and look forward to seeing each of you grow as professionals while we continue the work of enhancing the lives of the citizens we serve.

Sincerely,

John H. Eaves, Ph.D
Chairman
Fulton County Board of Commissioners

FULTON COUNTY GOVERNMENT
GUIDEBOOK

GENERAL PROVISIONS

FULTON COUNTY

PERSONNEL POLICIES

SUBJECT: GENERAL PROVISIONS

DATE: February 1, 2018 Number: 001-16

I. General Purpose

The general purpose of these Personnel Policies is to set forth the policies applicable to Fulton County employees, and to activate, codify and implement the provisions and intent of the Civil Service Act of 1982, as amended. These Personnel Policies are effective upon their approval by the Fulton County Board of Commissioners. All prior Civil Service Rules and Regulations of the Personnel Board are hereby rescinded and superseded. It is the overall policy of Fulton County to comply with all applicable federal, state and local laws.

II. Exclusivity

These Personnel Policies shall be the sole and exclusive policies governing personnel administration and personnel transactions with respect to employment within Fulton County, unless otherwise mandated by state or federal law, rule or regulation. Departmental standard operating procedures not in conflict with these Personnel Policies and any procedures developed by the County Manager are allowed; to the extent such a conflict exists, these policies and the procedures interpreting the same shall apply.

III. Amendments

Future additions, rescissions and amendments to these Personnel Policies shall be effective only upon approval by the Board of Commissioners.

IV. Administration

The Chief Human Resources Officer Director, the County Manager, and all Appointing Authorities are charged with the faithful and impartial administration and execution of these Personnel Policies and all future changes thereto which may be approved.

FULTON COUNTY GOVERNMENT
GUIDEBOOK

100 SERIES

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: AMERICANS WITH DISABILITIES ACT AND REASONABLE ACCOMMODATION

DATE: January 1, 2017 Number: 100-16

I. Statement of Policy

It is the policy of Fulton County to ensure the civil rights of all current and prospective employees irrespective of any mental or physical disability, and to fully comply with the Americans with Disabilities Act (ADA), as amended by the Americans with Disabilities Act Amendments Act of 2008, and Fulton County policies. Fulton County will not tolerate discrimination against any individual with a disability in any terms or conditions of employment, including, but not limited to:

- Recruitment, advertising and position application procedures.
- Hiring, promotion, awarding of tenure, demotion, transfer, layoff, termination, right of return from reduction in force, or rehiring.
- Rate of pay or any other compensation or change in compensation.
- Position assignment, position classification, organizational structure, position description, line of progression and seniority listing.
- Leaves of absence, sick leave or any other leave.
- Fringe benefits available by virtue of employment, whether or not administered by Fulton County.
- Selection and/or financial support for training, including apprenticeships, professional meetings, conferences and other related activities and selection for leaves of absence to pursue training.

II. Background and Applicability

The Americans with Disabilities Act (ADA), as amended, is a federal mandate requiring all public and private sector entities to provide equal access to employment opportunities, facilities, buildings, programs, goods, services and activities for individuals who have mental or physical disabilities. Signed into law in 1990, this federal mandate extends anti-discrimination and civil rights protections to persons with disabilities as defined by the Act.

This policy is designed to assist all Fulton County employees with ADA compliance; to provide full and equal access to employment and promotional opportunities; to assist qualified employees with disabilities whose job performance may be impacted by their disability; and to provide reasonable accommodation(s) which may enable qualified employees to perform the essential functions of their positions, unless the accommodation would result in undue hardship to Fulton County. This policy shall be administered by the Office of Diversity and Civil Rights Compliance ("DCRC").

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: AMERICANS WITH DISABILITIES ACT AND REASONABLE ACCOMMODATION

DATE: March 17, 2017 Number: 100-16

In establishing this Procedure, Fulton County intends to fully comply with all requirements of the Americans with Disabilities Act, as amended ("ADA"), implementing regulations, and all other applicable laws ("applicable law"). To the extent any part of this Procedure conflicts with applicable law, the requirements of applicable law will control.

I. Definitions

- Employee refers to all individuals employed by Fulton County, including but not limited to those in any of the following position categories: Classified, Fee Paid, Permanent, Probationary, Temporary, Temporary Pending Register, Unclassified, Work Test, and WAE (When Actually Employed) Hourly.

- Disability as defined by the ADA, refers to:
  - A physical or mental impairment that substantially limits one or more of the major life activities of an individual;
  - Having a record of such an impairment; or
  - Being regarded as, treated as, or perceived as, having such an impairment.

  Current illegal drug use is expressly excluded from this definition of "disability."

- Physical or Mental Impairment refers to:
  - Any physiological disorder, condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory (including speech organ); cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin and endocrine; or

- Any mental or psychological disorder, such as an intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

This is not necessarily an exhaustive list and does not include all physical or mental disabilities that are intended to be included in this definition.

- Major Life Activities refers to, but are not limited to:
  - Caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working; and

  - The operation of a major bodily function, including functions of the immune system, special sense organs and skin; normal cell growth; and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

- Substantially Limits refers to: a limitation that significantly restricts the manner, condition or duration under which an individual can perform a particular major life activity as compared to the manner, condition or duration under which the average person in the general population can perform that same major life activity.

- Having a Record of Such Impairment refers to possessing a history of, or having been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

- Being Regarded, Perceived, or Treated as Having Such an Impairment refers to an individual who:

  - Has a physical or mental impairment that does not substantially limit any major life activities, but which is treated by a covered entity as being a substantially limiting impairment;

  - Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others towards such impairment; or

  - Has none of the impairments defined herein, but is treated by a covered entity as having a substantially limiting impairment.

Employees simply "regarded as" disabled are not entitled to a reasonable accommodation under the ADA.

- Qualified individual with a disability refers to an individual who meets the definition of a person with a disability under the ADA and satisfies the requisite skill, experience, education and other position related requirements of the employment position such individual holds or desires, and who, with or without reasonable accommodations, can perform the essential functions of such position.

- Essential functions refers to the fundamental position duties of the employment position as described by the Fulton County, Georgia Classification Specification, inclusive of, but not limited to, the included Essential Duties and Physical Requirements for all applicants and employees of Fulton County. The term "essential function" does not include marginal functions of the position. The Performance Appraisal (PA), the Fulton County Classification Specification, and input from the employee's supervisor may be utilized to determine essential or marginal functions of the job.

- Reasonable Accommodation refers to: A modification to the normal policies, procedures, processes, and rules to provide persons with disabilities (whether applicants or employees) equal access to an entity's programs, facilities and services in the same manner as those without disabilities; or

    - Adjustment(s) to the application process that enables an applicant with a disability to apply for the position such applicant desires; or

    - An adjustment to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, which may enable an individual with a disability who is qualified, to perform the essential functions of that position; or

    - An adjustment that enables an employee with a disability to enjoy equal benefits and privileges of employment as enjoyed by other similarly situated employees without disabilities.

    - Other possible reasonable accommodations may include, but are not limited to:

        - Modification of work sites or environment
        - Job restructuring of non-essential duties
        - Modification of work schedules
        - Provision of adaptive equipment or modifying equipment
        - Provision of effective communications via alternative formats, qualified readers, sign language interpreters and/or large-font print

- ❖ Reassignment to a vacant-funded position for which the employee is qualified to perform the essential functions of the job with or without a reasonable accommodation
- ❖ Leave of absence for a specified duration of time

- Direct Threat refers to a significant risk of substantial harm to the health or safety of the individual or another individual that cannot be eliminated or reduced by reasonable accommodation(s). The determination that an individual poses a "direct threat" shall be based on an individualized assessment of the individual's present ability to safely perform the essential functions of the position in accordance with Fulton County's Fitness for Duty Policy. This assessment shall be based on a reasonable medical judgment that relies on the most current medical knowledge and/or on the best available objective evidence. Factors to be considered include:
  - The duration of the risk
  - The nature and severity of the potential harm
  - The likelihood that the potential harm will occur, and
  - The imminence of the potential harm.

To the extent any such definitions conflict with definitions in any applicable law or regulation, such applicable law or regulation is controlling.

II. Reasonable Accommodations Procedure

A. Applicant and Pre-Employment Requests for Accommodation

The ADA covers all employment activities, including position applications and recruitment. The Fulton County Department of Human Resources Management shall endeavor to: make all aspects of the recruitment process accessible; make and/or provide requested reasonable accommodation(s) relative to the recruitment, application, or interview process as required; and ensure equal access to employment opportunities for all applicants. The following is a partial list of actions that Fulton County may implement to ensure equal access to employment opportunities:

1. Notice of position openings shall be provided via a recorded "position hotline" and in print formats at its main office located at 141 Pryor Street, SW, Suite 3030, Atlanta, Georgia 30303 (additional access to Fulton County forms and applications are available at www.myfultoncountyga.com). Position notices, application forms, testing materials and other printed materials shall be made available in alternative formats upon request to the Department of Human Resources Management for persons who may require them.

2. Printed position notices, or other alternative formats, shall be posted in the main office and an identical set provided in a notebook that is accessible to persons with disabilities who are unable to read the wall posted notices.

3. County Department of Human Resources Management staff is available upon request to assist applicants who have disabilities with reading position notices or completing positions applications.

4. Sign language interpreters will be provided upon request, to assist persons who require such assistance. Requests for this assistance should be made at least 72 hours in advance and should be directed to the Deputy Chief Human Resources Officer or the HR Operations Manager. Recruitment personnel will obtain appropriate sign language interpreters by contacting the DCRC – Disability Affairs Unit.

5. Callers utilizing TTY/TTD or relay-type services, may request sign language interpreter services or communicate with Fulton County via the Georgia Relay Service (711) for assistance.

6. Other requested accommodations that are reasonable and will not result in undue hardship to Fulton County may be provided to ensure equal access during the recruitment and application process.

Advance Notice Required

It is the responsibility of the applicant to request accommodations at least 72 hours in advance of arriving to participate in any part of the recruitment or application process for which the applicant may need a reasonable accommodation. Applicants should contact the Deputy Human Resource Officer or the HR Operations Manager by calling 404-613-0871 at least 72 hours in advance to request accommodations.

B. Employee and Post-Employment Reasonable Accommodations and the Interactive Process

In accordance with the requirements of the ADA, when an employee with a disability requests an accommodation under the ADA, Fulton County and the employee must engage in an interactive process to evaluate the employee's request and identify reasonable accommodations that would allow the employee to perform the essential functions of his or her job without resulting in undue hardship to Fulton County.

The interactive process consists of two components: (1) determining whether the employee may have a medical condition or impairment that meets the definition of disability under the ADA (qualification/eligibility) and may be entitled to reasonable accommodations; and (2) determining what reasonable accommodations exist that would allow the employee to perform the essential functions of his or her job without resulting in undue hardship to Fulton County. Any employee seeking to request a reasonable accommodation must contact the DCRC – Disability Affairs Unit. The following steps will then be initiated to complete the reasonable accommodations/interactive process:

1. Determining Eligibility

a. Intake: During this stage of the process, an intake session is conducted with the requesting employee at which time:

- A copy of this policy shall be explained and provided to the requesting employee by the DCRC Program Coordinator or designee.

- The DCRC shall review qualification requirements and possible outcomes of the process with the employee and answers any questions the employee may have at that time.

- The employee will be asked to sign an Acknowledgment/Consent to Proceed form to verify his/her receipt and understanding of the County's ADA/Reasonable Accommodations policies and procedures. This signed acknowledgment form also provides the DCRC with authorization to proceed with the reasonable accommodation process.

- If the employee's disability is not known or readily apparent, the employee may be asked to provide medical documentation sufficient to establish that the employee has a disability and the need for a reasonable accommodation. The documentation must identify the "limitations" relative to performing the essential duties of the position. When appropriate, Fulton County may also request that the employee provide medical documentation establishing the need for particular accommodation(s) requested by the employee. It is the employee's responsibility to request a reasonable accommodation and to ensure that the proper documents to support the request are provided by the employee's medical professional directly to DCRC.

- The employee should ensure that Fulton County will receive requested medical documentation (where required) within 15 days from the intake meeting. If the DCRC does not receive a response within 15 business days from the date of the intake meeting, the employee shall be informed via certified letter, and given an additional 10 business days to communicate with the medical provider regarding the importance of responding in a timely manner. It is the employee's responsibility to have the licensed health care provider(s) transmit the requested information directly to the DCRC. If after the additional 10 business days has passed and there is still no response received by the DCRC, the case will be administratively closed as incomplete. The employee shall be notified of the closure via certified letter. The DCRC will re-open or recommence the reasonable accommodation process at any time if a medical provider, knowledgeable about the employee's condition, provides the DCRC with the necessary supporting documentation.

- In cases where the employee has been requested to provide medical documentation, the DCRC will review the medical documentation provided by the employee's medical provider to support eligibility/qualification for disability (physical or mental impairments) and limitations relative to performing essential

duties. If the documentation is insufficient, incomplete, vague or ambiguous, the DCRC will notify the employee by certified letter and the employee will have 10 business days to request that his or her healthcare provider provide complete and sufficient information to DCRC. If the employee's healthcare provider does not respond or again provides information that is insufficient, incomplete, vague or ambiguous, Fulton County will give the employee the option of choosing to sign a limited release to allow the DCRC to communicate directly with the employee's medical provider for the purpose of assessing the employee's request for accommodation. The County may also wish to request recommendations from the employee's medical provider regarding the employee's job duties.

- During this step of the process, an employee may be granted a temporary accommodation pending a final determination and/or may be placed on paid leave up to the amount of the employee's accrued leave balance, placed on unpaid leave and/or afforded the opportunity to apply for leave under the FMLA, if s/he is unable to perform the essential duties of his or her position. Each case will be evaluated and treated on an individual basis.

b. Eligibility- Upon receipt and review of any required medical information provided to the DCRC, a determination shall be made and notifications sent within five (5) business days as to whether the employee is eligible to participate further in the interactive process under the ADA . The DCRC's determination will include whether that employee may be entitled to the provision of Reasonable Accommodations and/or whether further discussion is warranted. Employees who are not required to provide medical information to substantiate a disability will be similarly notified of the qualification status.

- If the determination is that the employee has a disability, a notification letter will be directed to the Appointing Authority and the employee (employee's letter will be sent by certified mail), notifying him/her of the employee's eligibility for a Reasonable Accommodation. An interactive meeting shall be scheduled within 15 business days by the Appointing Authority with the employee, the DCRC Program Coordinator and/or other relevant personnel to discuss possible reasonable accommodation(s).

- If the determination is that the employee is not eligible, the employee shall be sent a notification letter via certified mail and the case shall be closed.

- An employee's eligibility status may be modified upon request for or submission of additional documents from a licensed health care provider should the employee's condition(s) change. An automatic review of the initial eligibility may also occur when:

  - additional or modified accommodations are requested

- the essential job functions have changed and/or
- Fulton County's business needs have changed

2. Interactive Meeting

The intent of the interactive meeting is to assist the employee and the Appointing Authority in reviewing all essential functions of the employee's position and physician-described limitations (where applicable), and determining if a reasonable accommodation that will not result in an undue hardship to Fulton County is available to assist the employee with the performance of all essential functions of his or her position.

- Participants in the interactive process include the employee, the Appointing Authority or designee (which may include the direct supervisor and/or the Department of Human Resources Management representative) and the ADA Administrator or designee.

- The process may involve: an analysis of the employee's current job to determine the essential functions; consultation with the employee to identify potential accommodations and the effectiveness of those accommodations in enabling the employee to perform the essential functions of the job; and consideration of the overall business needs of the Department or County. All requests for reasonable accommodations shall be addressed on a case-by-case basis.

- Should the employee's condition(s) change (e.g. limitations or essential duties), an employee's reasonable accommodation(s) may be modified upon request with the submission of additional documents from a licensed health care provider or the Appointing Authority. Fulton County may also review an employee's reasonable accommodation(s) based on changing business needs.

C. Possible Accommodations – Examples

Examples of possible accommodations or outcomes may include, <u>but are not limited to</u>:

1. Modification to the Work Environment or Schedule

Should the identified reasonable accommodation(s) consist of a modification to the employee's work "environment," the DCRC may recommend the following:

- The Appointing Authority, or his/her designee, must contact the Workers' Compensation Safety Officer to conduct a workplace assessment of the primary work area.

- Recommendations may be made as to the type of adaptive equipment necessary to minimize the impact of the limitations, and/or rearrangement of the equipment or primary work area.

- Should the identified reasonable accommodation(s) consist of a modification to the employee's work "schedule," the DCRC, through the interactive meeting, may

request additional information from the Appointing Authority, or his/her designees, regarding possible scheduling modifications, including, but not limited to flex schedules, extended hours, or alternative operation hours when possible.

2. Provision of Adaptive Equipment and Devices

Should the identified reasonable accommodation(s) consist of equipment, devices or similar items, the DCRC Program Coordinator will initiate the following procedures:

- Based on physician's or other specialists' recommended specifications, identify a minimum of three (3) potential vendors (make note if sole source vendor) to contact for price quotes, including shipping. The DCRC Program Coordinator may also coordinate purchase activities with various internal departments (e.g. Department of Information Technology [IT] for telecommunication or computer-related equipment needs).

- Forward a memo to the Appointing Authority requesting a funding line for the purchase of specified item(s). The DCRC Program Coordinator shall be notified of the availability of funds within five (5) business days after receipt of this memo.

- Upon approval of funds by the Appointing Authority (or designee), the DCRC Program Coordinator shall coordinate the purchase, delivery and installation of the equipment with the appropriate department.

- Upon receipt and confirmation that the correct equipment has been received and functions properly, the DCRC Program Coordinator shall modify the Reasonable Accommodation Plan as appropriate as well as confirm functionality of the equipment and/or implementation of the Reasonable Accommodation Plan in 30-business days.

All items provided to any County employee as a Reasonable Accommodation under the ADA shall remain the property of Fulton County Government. If for any reason the employee no longer requires these items or any part thereof, these items shall be returned to the Appointing Authority for recycling and/or may be re-assigned to other employees.

Upon separation and/or termination of employment with the County, an employee shall return to the Appointing Authority all assistive devices which have been provided to him/her by the department. This return shall be completed within three (3) business days of the employee's separation and/or termination.

The Appointing Authority shall be responsible for maintaining a current inventory list of any and all equipment which has been purchased by and/or distributed to the employee.

3. Reassignment

Where appropriate, the County may attempt to place an individual into a vacant-funded position for which he/she is qualified and can perform all essential functions, with or without reasonable accommodations. Reassignment positions may be within the employee's current department or, may be identified in another County department. Should this option become necessary, the preliminary contacts and arrangements will be made during the "Interactive Meeting" process as described above.

- Internal Departmental Reassignment- If the employee cannot perform all essential functions of his/her current position with or without reasonable accommodations, the employee will be asked to provide a current resume and completed Fulton County Application Form to the HR Operations Manager and to the DCRC. This information will be reviewed to determine which minimum job requirements and skill sets the employee meets relative to available positions which may be a suitable fit for reassignment. The current department will have 30-business days to conduct an internal departmental job search for any vacant-funded positions for which the employee may be qualified, with or without reasonable accommodations.

- County-wide Reassignment – Upon request by the employee, the DCRC Program Coordinator shall provide the Fulton County Department of Human Resources Management with the employee's application and resume to review for minimum job requirements and skill sets the employee possesses in order to identify available vacant-funded positions for which the employee may be qualified, with or without reasonable accommodations, outside of the employee's current department. This process may be concurrent with the internal job search and will continue for a period of 60 business days.

- Once the Fulton County Department of Human Resources Management identifies possible job opportunities for which the employee qualifies, the DCRC Program Coordinator shall contact any department(s) in which there appears to be a viable vacancy to discuss the position requirements, funding, availability, and interview opportunities. If the vacancy appears viable, DCRC will facilitate a meeting between the Hiring Authority or designee, and the employee for interview opportunities.

- The employee shall be notified in writing by the Hiring Authority of any offered positions as a reasonable accommodation (reassignment), pending final approval.

- If the County-wide search does not identify a vacant-funded position within 60 business days, or the employee is not re-assigned to an internal department position, the employee and his/her Appointing Authority shall be notified via certified mail by the DCRC.

- Reassignment opportunities as a result of a reasonable accommodation may be offered at a pay rate equivalent to the employee's current pay rate, subject to the

budgetary constraints of the Department and provided the employee's current pay rate falls within the pay range for the new position. If the employee's current pay rate does not fall within the pay range for the new position, the employee must be offered a pay rate within the pay range for the new position, consistent with Fulton County's Compensation Policy.

4. Leave of Absence

Depending on the circumstances, a leave of absence (including but not limited to leave under the FMLA) may be a reasonable accommodation.

5. Inability to Accommodate

If the employee rejects all reasonable accommodation(s) offered by Fulton County and/or if there is no reasonable accommodation that can be made that would allow the employee to perform the essential functions of the job without undue hardship to Fulton County, at the conclusion of the Reasonable Accommodation/Interactive process, the employee will be allowed to take FMLA leave and/or other applicable leave in accordance with Fulton County policies and applicable law. In cases where an employee is not eligible for FMLA leave or any other applicable leave and there is no reasonable accommodation that can be made that would allow the employee to perform the essential functions of the job without undue hardship to Fulton County, an Appointing Authority may separate the employee in accordance with Fulton County's Separations Policy.

D. Reasonable Accommodation Plan

The Reasonable Accommodation Plan captures any suggested accommodations, limitations, applicable timeframes, including but not limited to reassignment agreements discussed between the involved parties during the interactive meeting. Prior to its implementation, the Reasonable Accommodation Plan must be endorsed by the Appointing Authority (or designee), the requesting employee and the DCRC. Reasonable Accommodation Plans shall be distributed for signature within 5 business days of the interactive meeting. The Appointing Authority shall be responsible for the collection of any applicable signatures, excluding the ADA Administrator, and the DCRC shall monitor and verify implementation for a period of no less than 30-business days.

E. County Manager Responsibility and Authority

In the event that the Appointing Authority should dispute or deny the provision of reasonable accommodation for the employee, DCRC will send the matter to the County Manager for further review and action. In such cases, the County Manager will make a final determination regarding reassignments and/or implementation of the Reasonable Accommodation Plan and communicate that decision to the Appointing Authority and DCRC within 10 business days of the receipt of the DCRC's referral.

F. Monitoring and Case Closure

The DCRC will monitor implementation of the Reasonable Accommodation Plan for 30 business days following the interactive meeting, to ensure that the Plan is implemented and working well for all parties and the subject case will be closed. In the event that the Plan is not working for either the employee or the Appointing Authority, the ADA Administrator has the discretion to initiate a 2nd interactive meeting to address any challenges or revise the Plan.

III. Additional Information

A. Confidentiality

1. The DCRC shall maintain all medical information in a strictly confidential manner at all times. However, the DCRC, as needed or required by law, may disclose certain limited information to support the need for the requested reasonable accommodations.

2. Under the guidelines of the ADA, an employer may not discuss this matter with anyone who is not directly involved or responsible for the subject employee's job performance. Specifically, an employer is prohibited from disclosing that the employee: has requested a reasonable accommodation; is receiving accommodations, or is covered under the ADA.

3. Employers are also prohibited from disclosing any other information which would violate the employee's rights to confidentiality under the ADA.

4. The employee shall be notified in writing should DCRC be required to release any part of their confidential information.

B. Notification

1. All correspondence to applicants and new or current employees regarding this process or any employment/advancement opportunities shall include a statement informing the individual that all requests for a reasonable accommodation will be considered upon request and that reasonable accommodations will be provided in accordance with the ADA.

2. All correspondence regarding public meetings, training, special events, etc., shall include a statement informing the individual that requests for reasonable accommodations, including information in an alternative format for persons with disabilities, will be considered upon request and that reasonable accommodations will be provided in accordance with the ADA.

3. Examples of such statements might include the following: "Should you require reasonable accommodations for this interview, please contact (name of department contact) at least 72 hours in advance"; or "Should you require a reasonable accommodation or this communication in an alternative format due to a disability, please contact (name of department contact) at least 72 hours in advance of the scheduled event. [72 hours advance notice is specific to alternative communications requests. For other types of reasonable modifications that may not be communication-

related, additional time may be required. *i.e.* public events, accessibility, etc. may be requested 2 weeks in advance.]

C. Parking

1. Fulton County does not provide parking for all employees. Title II of the Americans with Disabilities Act (ADA) requires that a minimum percentage of parking spaces, at facilities where parking exists, be made accessible for the public. The provision of a special parking space for an employee, however, may be considered in the context of the reasonable accommodations process.

2. Accessible parking spaces are strictly for use by the public (individuals with disabilities who display the appropriate permits) on a first-come-first-serve basis. County employees shall not occupy accessible public parking spaces on County property designated for private individuals with disabilities, unless designated as "staff parking."

D. Representation

For any and all meetings required under this Policy, an employee may choose to bring a representative of his/her choice. That representative may be a family member/friend, employee organization/union representative or a legal representative. However, should the employee determine that he/she wishes to have a legal representative present, the employee is responsible for notifying all individuals involved in sufficient time such that the Appointing Authority and/or the DCRC staff may also secure legal representation, as appropriate. The DCRC reserves the right to postpone any meeting during the interactive process in order to secure legal counsel.

E. Retaliation

Retaliation due to any contact with the DCRC or participation or assistance in the DCRC Qualification process and/or Reasonable Accommodation process is strictly prohibited. Any employee engaging in such retaliation is subject to disciplinary action in accordance with Fulton County policy.

F. Training

1. The DCRC, in coordination with the Department of Human Resources Management's Training Division, provides on-going training to all Fulton County employees in the areas of disability awareness and etiquette, non-discrimination in employment practices, reasonable accommodations (Title I), ADA requirements for state and local governments (Title II) and public accommodations (Title III).

2. Training is provided to all new employees during New Employee Orientation and other established County training classes that include ADA/disability training components. Basic ADA training is provided on a cyclical basis. However, customized, specialized, or department-specific training is provided as needed or requested by specific departments.

3. The Office of Diversity and Civil Rights Compliance staff regularly participates in professional training workshops/seminars on various topics including the ADA and current case law.

IV. Worker's Compensation and the ADA

To be covered by both Workers' Compensation and the ADA, an injury/illness must arise out of and in the course of employment and must result in a limitation of a major life activity as defined by the ADA. Employees who have active worker's compensation cases and believe they may also qualify for a reasonable accommodation under the ADA should contact the DCRC for assistance.

V. Family and Medical Leave Act (FMLA) and the ADA

An employee who is temporarily or intermittently unable to perform one or more of the essential functions of his/her current position may be entitled to the protections afforded by the Family and Medical Leave Act (FMLA). Any employee who is in such a situation and believes that he/she may be entitled to the protections afforded by the Family and Medical Leave Act should contact the Department's HR Liaison or the County's FMLA Leave Administrator to explore all available options. The DCRC does not review or approve requests for FMLA.

At the expiration of the employee's FMLA leave, if the employee is preparing to return to work with or without limitations and is in need of a reasonable accommodation, they may initiate the interactive process as described above prior to their return.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: DISCRIMINATION COMPLAINT PROCEDURE

DATE: January 1, 2017 Number: 101-16

I. Statement of the Policy

It is the policy of Fulton County to provide employees with a Discrimination Complaint Procedure through which employees can raise complaints and concerns without fear of retaliation.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: DISCRIMINATION COMPLAINT PROCEDURE

DATE: January 1, 2017 Number: 101-16

I. Purpose, Scope and Effect of the Procedure

A. Purpose

The purpose of the Discrimination Complaint Procedure ("Complaint Procedure") is to promote equal employment opportunities for Fulton County employees by providing a means for the internal resolution of complaints alleging discrimination on the basis of race, color, religion, sex, pregnancy (including childbirth, lactation or related medical conditions), sexual orientation, gender identity or expression, age (40 and over), national origin or ancestry, physical or mental disability, genetic information (including testing and characteristics), veteran status, uniformed service-member status, or any other consideration protected by federal, state or local law. This procedure should also be followed when investigating an external Charge of Discrimination filed with the United States Equal Employment Opportunity Commission ("EEOC Charge").

B. Scope

The Complaint Procedure may be used by any covered individual, including an employee, applicant for employment, or former employee of Fulton County who believes that he/she has been subjected to discrimination as defined in this Procedure.

Citizens doing business with Fulton County who believe they have been subjected to discrimination or harassment on the basis of any of the protected traits outlined above may also file an Internal Discrimination Complaint.

C. Application of Other Internal Complaint Procedures and External Discrimination Complaint Procedures

The Complaint Procedure, in appropriate instances, may be used in conjunction with other applicable internal or external discrimination complaint procedures, including any procedure administered by the United States Equal Employment Opportunity

Commission ("EEOC"). Employees are advised that while they may simultaneously pursue complaints internally with the Office of Diversity and Civil Rights Compliance (DCRC) and externally with the EEOC, they are not required to do so. Employees may proceed directly to the EEOC without filing an internal complaint under this procedure. Further, employees are advised that the EEOC has strict deadlines for filing charges, and that filing an internal complaint under this procedure does not stay those deadlines. Employees who wish to file a charge with the EEOC should contact the EEOC for further information, including information regarding filing deadlines.

II. Definitions

For the purpose of this procedure, the terms delineated below shall have the following meanings ascribed to them:

Alleged Violator – the County official or employee named in an Internal Discrimination Complaint as having taken the action(s) which form the basis for the complaint.

Charging Party – an individual or group of individuals who file an Internal Discrimination Complaint or EEOC Charge.

Compliance Review – an investigation that is initiated at the discretion of the DCRC upon the receipt of written notice from an Appointing Authority or his/her designee of a possible violation of the Equal Employment Opportunity and Prejudicial Acts Policy..

Director – the Director of the Office of Diversity and Civil Rights Compliance (DCRC) or the Director's designated representative.

Discrimination – conduct motivated by the animus toward a protected trait, including race, color, religion, sex, pregnancy (including childbirth, lactation or related medical conditions), sexual orientation, gender identity or expression, age (40 and over), national origin or ancestry, physical or mental disability, genetic information (including testing and characteristics), veteran status, uniformed service-member status, or any other consideration protected by federal, state or local law.

EEOC Charge – a Charge of Discrimination filed with the United States Equal Employment Opportunity Commission.

Harassment – unwelcome conduct that is based on race, color, religion, sex, pregnancy (including childbirth, lactation or related medical conditions), sexual orientation, gender identity or expression, age (40 and over), national origin or ancestry, physical or mental disability, genetic information (including testing and characteristics), veteran status, uniformed service-member status, or any other consideration protected by federal, state or local law. Such conduct violates County policy where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would

consider intimidating, hostile, or abusive. Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures and interference with work performance. However, petty slights, annoyances, or isolated incidents (unless the isolated incident is extremely serious) will not rise to the level of a violation of this policy.

Internal Discrimination Complaint – a written and signed statement by a specifically identified applicant, employee, former employee or other covered individual: 1) alleging that he or she has suffered direct injury as a result of an action by a County official or employee, which is intended to, or has the effect of, discriminating against the individual on the basis of race, color, religion, sex, pregnancy (including childbirth, lactation or related medical conditions), sexual orientation, gender identity or expression, age (40 and over), national origin or ancestry, physical or mental disability, genetic information (including testing and characteristics), veteran status, uniformed service-member status, or any other status protected by federal, state or local law, and 2) requesting that the DCRC take action to resolve the discrimination. Complaints filed that raise employment concerns, but which do not allege discrimination based on any status protected by law may be referred to another County entity such as the HR Operations Division of the Department of Human Resources Management.

Prejudicial Act – any action designed to frighten, harm, injure, intimidate or harass an individual, in whole or in part because of a biased motivation against the actual or perceived race, color, religion, citizenship, national origin, gender, age (40 and over), disability, ethnic background, sexual/gender identity or genetic information of the individual(s).

Sexual harassment – unwelcome and unwanted conduct of a sexual nature including, but not limited to physical assault, sexual advances, or comments, requests for sex or sexual activities related to one's employment or advancement. Such conduct may qualify as sexual harassment even when it is unaccompanied by promises or threats that have the purpose or effect of interfering with an individual's work performance, if it is severe and pervasive enough to create an objectively intimidating, hostile or offensive work environment. In the case of citizens, examples of such conduct may include, but is not limited to, sexual advances or comments or requests for sex or sexual activities concerning the receipt of or access to government services or benefits by Fulton County Employees.

Respondent – generally, the Appointing Authority of the department in which the Alleged Violator works.

III. Administration of this Procedure

A. Responsibility for Administration

The Complaint Procedure will be administered by the Director of the Office of Diversity and Civil Rights Compliance (DCRC) ("Director"), and all records resulting from use of the Complaint Procedure will be maintained by the Director with the exception of medical records protected under state and federal laws, which shall be forwarded to the Department of Human Resources Management for retention in the employee's medical file. The Director is responsible for determining compliance with all aspects of this procedure and providing information concerning the procedure specifically requested by users of this policy.

B. Time Periods

Unless specifically stated otherwise, the time periods within this procedure refer to business days.

C. Compliance Review

Upon the receipt of written notice from an Appointing Authority or his/her designee of an alleged violation of the Equal Employment Opportunity and Prejudicial Acts policy, the DCRC shall have the discretion to initiate a compliance review of such conduct.

IV. Discrimination Complaint Process

A. Initiation of Investigation

1) Filing an Internal Discrimination Complaint

Employees do not have to report discrimination to their immediate supervisor or go through their supervisory chain of command before notifying the DCRC. In fact, employees are specifically authorized to bypass their supervisors (and chain of command) and report the incident directly to the DCRC. If the employee files an Internal Discrimination Complaint during working hours, the employee must notify his/her supervisor or a designee that s/he is leaving the office. In those instances where an employee is not comfortable with their ability to write a complaint to file with the DCRC, the DCRC will lend whatever assistance is necessary to formalize the complaint.

A covered individual under this policy who believes he/she is experiencing or has experienced discrimination, may file an acceptable written statement with DCRC by completing a Discrimination Complaint Form to be provided by DCRC. DCRC immediately will evaluate the written information provided to determine whether it has sufficient information to consider the complaint as complete.

Covered individuals choosing to utilize this procedure are responsible for providing DCRC with any and all requested information to enable DCRC to proceed with Internal Discrimination Complaint evaluation and investigation and/or resolution attempts.

(a) Time for Filing an Internal Discrimination Complaint

In order to be timely, an Internal Discrimination Complaint must be filed within thirty (30) business days of the last date on which the action described in the complaint occurred. The filing date of a complaint shall be the date that is stamped on the complaint upon receipt by DCRC.

(b) Waivers

If an Internal Discrimination Complaint is not filed in a timely manner, DCRC will notify the Charging Party of the opportunity to request a waiver. The Director may grant a waiver of the 30 day filing requirement under any of the following circumstances:

- The Charging Party reasonably could not be expected to know the act was discriminatory within the timeframes prescribed by this procedure;
- The Charging Party was unable to file an Internal Discrimination Complaint because of illness or other incapacitating circumstances during the timeframes prescribed by this procedure;
- Unique circumstances created by the department's or Alleged Violator's action have adversely affected the Charging Party's ability to file the Internal Discrimination Complaint; and/or
- Other circumstances which, within the sole discretion of the Director, warrant granting the waiver.

An Internal Discrimination Complaint will be confidential to the degree possible during the investigation.

2) Receipt of an EEOC Charge of Discrimination

Upon receipt of an EEOC Charge filed against Fulton County or a Fulton County employee, DCRC will proceed with an evaluation and investigation of the allegations contained in the EEOC Charge. Employees should refer to the EEOC for guidelines regarding timeliness of EEOC Charges.

All communications from the EEOC that are received by any Department Head or County employee shall be forwarded immediately to the Director of DCRC. The following types of charges will be considered exceptions to this policy and will be reviewed by the Director of DCRC in conjunction with the County Attorney and the County Manager to determine the best course of action: (1) charges filed by employees of the County Manager's Office; (2) cases in which there is pending litigation involving the same set of facts underlying the EEOC Charge; (3) charges filed by one Department Head against another Department Head; and (4) other charges as determined by the Director of DCRC.

B. Notice of Internal Discrimination Complaint and EEOC Charge of Discrimination Filing and Obligation to Respond

When the Director receives an EEOC Charge or a complete and timely filed Internal Discrimination Complaint, within five (5) business days of receipt of the Internal Discrimination Complaint or EEOC Charge, the Director will notify the Respondent, the Alleged Violator and, in cases involving an EEOC Charge, the County Attorney and County Manager).

C. Administrative Closures

In a variety of circumstances, DCRC may determine that an investigation should be closed administratively. Examples of such circumstances may include but are limited to: 1) the Charging Party's failure to cooperate in the processing of the evaluation, investigation and/or resolution of the Internal Discrimination Complaint or EEOC Charge; 2) the Charging Party's decision to withdraw his/her complaint; 3) the death of the Charging Party, making it impossible for DCRC to investigate the allegations fully; 4) the Internal Discrimination Complaint or EEOC Charge is a continuation of a pattern of previously filed complaints involving the same or similar allegations against the same Respondent, which repeatedly have been found factually unsubstantiated by DCRC; and/or 5) DCRC's receipt of information at any time confirming that the allegations raised by the Charging Party have been resolved.

D. Evaluation and Investigation

Generally, DCRC will issue a data request letter (DRL) to the Respondent, Alleged Violator, seeking information and documents relevant to the investigation, or, if appropriate, request a written response to the Internal Discrimination Complaint or EEOC Charge and any other relevant questions specific to the allegations, to include supporting documentation setting forth all known details concerning the Charging Party's allegation(s). A response to any DRL or request for response issued by DCRC in connection with the Internal Discrimination Complaint or EEOC Charge must be in writing. The written response generally must be received by the Director within ten (10) business days of receipt of the DRL or request for response. Extensions will be granted

at the discretion of the Director and should be given when warranted based on the amount of information sought and priority of other operations.

The Director of DCRC generally will delegate the handling of certain aspects of an EEOC case to an Equal Employment Officer or other designee.

If requested to do so by the Director of DCRC, the Department of Human Resources Management and/or any other County department or division, shall collect and report any personnel or related information necessary to facilitate DCRC's investigation of the allegations contained in the Internal Discrimination Complaint or EEOC Charge.

If the Director of DCRC or the County Attorney determines that it is not appropriate for DCRC to conduct an investigation, the Director of DCRC will immediately forward a copy of the Internal Complaint or EEOC Charge to the County Attorney who may either retain an outside investigator to conduct an independent investigation or prepare an Investigative Report and/or Statement of Position on behalf of the County.

E. Completion of Investigation

Evaluation and investigation of an Internal Discrimination Complaint or EEOC Charge generally will be completed within 90 business days from the date the investigation is initiated. When additional time is required, a letter may be sent by the Director notifying the Charging Party and Respondent of the new time frames by which DCRC anticipates completing its evaluation and/or investigation.

Upon completion of any investigation, the Director shall prepare an Investigative Report detailing the factual findings related to the Internal Discrimination Complaint or EEOC Charge.

If the investigation only involves an Internal Discrimination Complaint, then upon completion of the complaint evaluation and investigation, the DCRC shall issue an Investigative Report that shall contain sufficient documentation to support its findings and conclusions. All involved parties will be notified of the DCRC's determination.

If the investigation involves an EEOC Charge, the Investigative Report shall not contain any conclusions regarding the allegations and shall be forwarded to the Office of the County Attorney for review. The County Attorney's Office will either recommend settlement of the EEOC Charge to the County Manager or develop a Statement of Position on behalf of the County.

V. Resolution

Every effort shall be made to obtain early resolution of an Internal Discrimination Complaint at the lowest level possible. With respect to an Internal Discrimination Complaint, the DCRC will utilize alternate dispute resolution strategies with affected parties, as appropriate, at any stage in the process. DCRC shall attempt to resolve the Charging Party's allegations of discrimination promptly and appropriately. .

A. Internal Discrimination Complaint

If an Internal Discrimination Complaint is resolved during the evaluation and investigation process prior to the completion of an Investigative Report, the complaint resolution letter to all parties should contain:

- the basis for the complaint (*i.e.*, the protected status as set forth in Section I, above);
- a brief statement of the allegations;
- an explanation of the basis for DCRC's determination that the complaint has been resolved; and
- a copy of any signed, written agreement that has been reached.

1) When the Alleged Violator is not the Department Head

Where the Director finds that there is reasonable cause to believe that discrimination has occurred, the Director may determine a remedy that the department head is responsible for implementing. In the event the department head disagrees with the proposed remedy, the department head shall have the right to appeal the remedy, but not the determination, made by the Director. Such appeal shall be made in writing to the County Manager within three (3) business days of the issuance of the Investigative Report. Within ten (10) business days, the County Manager shall make a final decision regarding the remedy, based on a review of the findings and supporting documentation. After the County Manager makes a decision, there will be no further County review of the complaint.

2) When the Alleged Violator is the Department Head

Where the Director finds that there is reasonable cause to believe that discrimination has occurred and the Alleged Violator is a department head, the Director may recommend a remedy to the County Manager. Within ten (10) business days, the County Manager will make a final decision regarding the remedy in the matter, based on a review of the findings and recommendations. This decision shall be issued in writing to each of the concerned parties as well as the Director.

B. EEOC Charge of Discrimination

Upon receipt of an Investigative Report, the County Attorney's Office will either recommend settlement of the EEOC Charge to the County Manager or develop a Statement of Position on behalf of the County. In the event that a settlement or resolution of an EEOC Charge is recommended by the County Attorney, a copy of the recommendation shall be forwarded to the County Manager.

When a settlement or resolution of an EEOC Charge is agreed to by the County Manager and County Attorney, the County Attorney is authorized to formally advise all parties of the actions necessary to conclude the EEOC action and to recommend settlement payments, if any, to the Board of Commissioners.

No written settlement agreement shall be entered into without the approval of the County Attorney, and if payment is required**,** the settlement agreement *must be submitted by the County Attorney to the* Board of Commissioners for approval. All such agreements will contain appropriate release and waiver provisions.

The Director of DCRC or his/her designee and representatives of the County Attorney's Office, shall attend all EEOC mediations, fact-finding conferences, conciliation conferences or other such meetings, and shall participate in all discussions with the EEOC.

In the event that the EEOC makes a cause finding, the Director of DCRC shall advise the County Manager, the Office of the County Attorney, and the affected department head of the same by memorandum. Additionally, the case file will be transferred to the County Attorney for further handling.

VI. Disciplinary Action

All disciplinary actions for violation of this policy shall be taken by the County Manager or Appointing Authority, and shall be governed by the guidelines set forth in Fulton County's Discipline for Classified Employees Policy and Procedure, as applicable. Appeals of disciplinary actions by permanent classified employees may be made to the Fulton County Personnel Board. Officials appointed by the Board of Commissioners of Fulton County may seek redress for any disciplinary action before the Board.

While the County encourages any employee to raise any question or concern he/she may have regarding misconduct in accordance with these procedures, the County also recognizes that intentional or malicious false accusations alleging misconduct can have a serious effect on innocent men and women. Individuals who intentionally accuse another falsely of misconduct will be disciplined up to, and including, termination of employment.

VII. Strict Prohibition Against Retaliation

Fulton County strictly prohibits retaliation against: 1) any employee or citizen who opposes any act or practice they perceive to violate this policy; or 2) any employee who has made a charge, testified, cooperated, assisted or participated (in any manner) in any DCRC-related investigation, proceeding or hearing. Retaliation is a separate violation, distinct from the initial, underlying discrimination allegation. DCRC will investigate all complaints of retaliation using the procedures set forth above. Individuals found to have engaged in retaliation shall be subject to discipline without regard to whether there has been a finding of cause in connection with the underlying, initial complaint. Any employee who feels they have been subjected to retaliation should contact DCRC immediately.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: EMPLOYMENT ELIGIBILITY VERIFICATION

DATE: January 1, 2017 Number: 102-16

I. Statement of the Policy

Fulton County is committed to complying with all immigration-related employment laws. Therefore, Fulton County will not knowingly or intentionally hire or continue to employ individuals who lack work authorization. Nor will it do business with independent service providers (*e.g*., independent contractors, subcontractors, vendors) it determines to have knowingly hired or continued to employ persons without work authorization. Moreover, Fulton County will only work with contractors and subcontractors who use E-Verify to check the status of workers employed on building and road projects and/or engaged in any other performance of labor for a public employer within this state under a contract or other bidding process, as required by State Law.

Consistent with this commitment, Fulton County requires the completion of the federal Form I-9 to verify the identity and work authorization of all employees hired after November 6, 1986. Fulton County also participates in E-Verify.

II. Applicability

This policy applies to all employees responsible for ensuring completion of the Form I-9 and/or using E-Verify to confirm employment eligibility. Employees who fail to comply with this policy are subject to disciplinary action, up to and including termination of employment.

III. Prohibition of Discrimination and Retaliation

Fulton County will not tolerate any form of discrimination or harassment prohibited by federal, state, or local law, including discriminatory treatment based on an individual's national origin or citizenship status. Nor will Fulton County tolerate discriminatory application of the Form I-9 requirements or E-Verify process, including, but not limited to, singling out individuals for extra scrutiny based on their national origin or citizenship status. Fulton County will not permit retaliation against employees for complaining of perceived discrimination or harassment.

IV. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Manager and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: EMPLOYMENT ELIGIBILITY VERIFICATION

DATE: January 1, 2017 Number: 102-16

I. Form I-9 Compliance

As required by Federal law, Fulton County must ensure that every employee hired or rehired after November 6, 1986, completes the Form I-9. The Department of Human Resources Management should use the most current version of the I-9 and familiarize themselves with the instructions before working with an employee to complete it.

Fulton County must retain I-9 forms of all current employees. It must also retain I-9 forms of former employees for three years after the date of hire or one year from the date of termination, whichever is later. Completed I-9 forms should not be placed in personnel files; instead, the forms, and any accompanying documents, such as E-Verify confirmations, should be kept in separate I-9/E-Verify binders and maintained in confidence as with any other personnel records.

Section 1

- Employees must fully complete Section 1 no later than the first day of employment (*i.e.*, when the employee actually begins working). Applicants must never be asked or permitted to complete Section 1 before he or she accepts an offer of employment with Fulton County.

- The employee must write down his or her full name, other names used, address (no post-office boxes permitted), and date of birth. The employee must also write down his or her Social Security number for purposes of E-Verify. The employee may, but is not required to, write down an e-mail address and/or telephone number.

- The employee must attest to his or her citizenship/immigration status by selecting the applicable box in Section 1 and filling in the accompanying blanks, if any.

The employee must then sign and date immediately above the Preparer and/or Translator Certification.

- If the employee requires assistance to complete Section 1 (*e.g.*, translation, someone other than the employee fills out any information in Section 1), the individual providing this assistance must complete the Preparer and/or Translator Certification by writing down his or her full name and address, signing, and dating. The employee must still sign and date Section 1. It is generally advisable that someone other than the staff member completing and signing Section 2, assist the new hire in completing Section 1.

Section 2

- After confirming that Section 1 is complete, the Department of Human Resources Management must complete Section 2 and do so within three business days after the date the employee begins working. For example, if the employee begins working on Monday, the Department of Human Resources Management must complete Section 2 on or before Thursday. If the employee is to work less than three business days, the Department of Human Resources Management must complete Section 2 on the first day of employment.

- Fill in the blank asking for the employee's full name (last name, first name, middle initial). Use the name written down by the employee in Section 1.

- The employee must present either (1) one original document from List A; OR (2) one original document from List B and one original document from List C. Department of Human Resources Management staff must familiarize themselves with the list of acceptable documents included with the form (generally all documents must be unexpired). If a List B document is presented, the List B document must have a photograph. The Department of Human Resources Management must never ask the employee to provide a specific type of document or particular combination of documents. If the employee provides more documents than required, such as a List A and List B document, the Department of Human Resources Management should allow the employee to select an acceptable combination of I-9 documents, and return the other unnecessary documents.

- With the employee present, the Department of Human Resources Management should physically examine each document to determine that it (1) relates to the person presenting it, and (2) appears genuine on its face, not fake or fraudulent. If not, the Department of Human Resources Management must return the document to the employee and ask that he or she provide another acceptable document. The employee must do so within three business days of beginning employment. Regardless, if any document appears to relate to someone else or does not appear genuine on its face, Department of Human Resources

Management staff must immediately report the situation to the Chief Human Resources Officer, even if the employee later provides a facially acceptable document.

- Employees may present certain receipts in lieu of original documents if their employment will last at least three days:

    - A receipt showing the employee applied for a lost, stolen, or damaged document. The employee must provide the original replacement document within 90 days. A receipt is not acceptable for extensions or renewal of documents.

    - The arrival portion of the Form I-94/1-94A with a temporary I-551 stamp and a photograph. The employee must present the actual Permanent Resident Card (Form I-551) by the expiration date of the temporary stamp or within one year from the date of issuance if there is no expiration date.

    - The departure portion of the Form I-94/I-94A with a refugee admission stamp. The employee must present an unexpired Employment Authorization Document (Form I-766) or a combination of a List B document and an unrestricted Social Security card within 90 days.

- The Department of Human Resources Management should record the information for the presented documents in Section 2, specifically the document title, issuing authority, document number, and expiration date, if any. Photocopies should be made of the following documents only: U.S. Passport, Passport Card, Permanent Resident Card (Form I-551) or Employment Authorization Document (Form I-766) and the photocopies must be retained with the I-9. If the employee presents an acceptable receipt in lieu of an original document, the Department of Human Resources Management must record the document title, write "receipt" and the document number in the "Document Number" field, and record the last day the receipt is valid, as discussed above, in the "Expiration Date" field. When the employee later provides the original document, the Department of Human Resources Management must cross out the word "receipt" and accompanying document number and expiration date, record the updated information from the original document, and initial and date.

- Within the Section 2 certification, the Department of Human Resources Management must write down the employee's first day of employment, sign and date the certification, write down the Department of Human Resources Management's staff member's full name and job title, enter "Fulton County" under employer name, and write down the Fulton County address. The Department of Human Resources Management should complete all portions of Section 2, including the certification, on the same day the Department of Human Resources Management reviews the supporting documents provided by the employee.

Section 3

- Fulton County will not continue to employ individuals whose temporary work authorization has expired. If a current employee's temporary work authorization expires during employment, Fulton County must complete Box A (if applicable), review an original List A or List C document supporting renewed work authorization (or a receipt as discussed above), complete Box C, and fill out the attestation (sign, date, and print name). The Department of Human Resources Management must re-verify the employee's renewed work authorization before the original grant expires.

- Reverification applies only to List A or List C documents evidencing temporary work authorization, such as an Employment Authorization Document (Form I-766). The Department of Human Resources Management is not to re-verify work authorization of U.S. Citizens, non-citizen nationals, or lawful permanent residents who supplied a Permanent Resident Card (Form I-551) in support of Section 2 even if the Permanent Resident Card later expires during employment.

- If the Department of Human Resources Management needs to re-verify more than once during an employee's term of employment, use a new I-9 form. Write down the employee's full name at the top of Section 2, complete Section 3 as appropriate, and retain with the original I-9.

II. E-Verify Participation

E-Verify is an Internet-based program that compares information from an employee's Form I-9 to data in federal records to confirm employment eligibility. As required by law, Fulton County is enrolled in and participates in E-Verify. Before a Department of Human Resources Management staff member uses E-Verify, they must register as a user, familiarize themselves with the Rules and Responsibilities contained in the E-Verify User Manual, and participate in the required E-Verify tutorial. Registered users must never allow someone else to use their login credentials to access E-Verify.

All new hires must be verified through E-Verify. E-Verify should never be used to verify prospective employees or applicants. Current employees already confirmed through E-Verify must never be "re-verified" even if Section 3 of the I-9 must be completed because temporary work authorization expired, or is set to expire. If Fulton County rehires an employee, the County must confirm his or her employment eligibility using E-Verify as for a new hire.

An E-Verify case for each newly hired employee must be initiated no later than the third business day after he or she begins working. Generally, case initiation should occur on the same day the Department of Human Resources Management completes Section 2 of the I-9. If the Department of Human Resources Management misses this

deadline, the Department of Human Resources Management must still proceed with the verification and note the reason for the delay using the dropdown function in E-Verify.

E-Verify will require that the information from the I-9 be entered into the system. Department of Human Resources Management staff must make sure the information they enter into E-Verify is correct. The County will adhere to all procedures called for by E-Verify depending on the result (*e.g.*, Employment Authorized, SSA Tentative Nonconfirmation, DHS Tentative Nonconfirmation), including notifying an employee of a Tentative Nonconfirmation, affording the employee an opportunity to contest/not contest the non-confirmation, and providing the required referral papers.

Fulton County will not take any adverse action against an employee based on the E-Verify result unless and until the system issues a Final Nonconfirmation or No Show, or unless the employee receives but does not contest a Tentative Nonconfirmation. Fulton County cannot continue to employ anyone who receives a Final Nonconfirmation or No Show result, or who receives and does not contest a Tentative Nonconfirmation.

The Department of Human Resources Management must print, store, and retain the E-Verify Case Details Report with the I-9 for the same amount of time that Fulton County is required to retain the I-9. The Case Verification Number should be written at the top of the I-9. This practice must be followed regardless of the E-Verify result.

III. Prohibition of Discrimination and Retaliation

Fulton County will not tolerate any form of discrimination or harassment prohibited by federal, state, or local law, including discriminatory treatment based on an individual's national origin or citizenship status. Nor will Fulton County tolerate discriminatory application of the Form I-9 requirements or E-Verify process, including, but not limited to, singling out individuals for extra scrutiny based on their national origin or citizenship status. Fulton County will not permit retaliation against employees for complaining of perceived discrimination or harassment.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY AND PREJUDICIAL ACTS

DATE: January 1, 2017 Number: 103-16

I. Statement of Policy

Fulton County is an equal opportunity employer and is committed to the principles of non-discrimination and equality of employment opportunities. In accordance with applicable law, Fulton County prohibits and will not tolerate discrimination, harassment or retaliation against any applicant or employee based on any legally-recognized basis, including, but not limited to: race, color, religion, sex, pregnancy (including childbirth, lactation or related medical conditions), sexual orientation, gender identity or expression, age (40 and over), national origin or ancestry, physical or mental disability, genetic information (including testing and characteristics), veteran status, uniformed service-member status, or any other consideration protected by federal, state or local law. Such prohibition includes but is not limited to Georgia law's prohibition against discrimination of employees and applicants for employment based on age (40-70) and disability, and against wage differentials based on sex.

Fulton County's commitment to equal opportunity employment applies to all persons involved in County operations and prohibits unlawful discrimination, harassment or retaliation by any employee, including supervisors and co-workers.

In addition, any acts or threats of violence, property damage, harassment, intimidation or other acts designed to infringe upon employees' rights as described by federal anti-discrimination laws or Fulton County Personnel Policies will not be tolerated. This policy is designed to strictly prohibit all discrimination and harassment, including sexual harassment, by or against supervisory officials, employees, non-employees, as well as clients and customers.

Please note that employees may be found to be in violation of this policy even if their conduct does not rise to the level of legally cognizable discrimination, harassment, or retaliation.

II. Applicability

This policy applies to all Fulton County employees, department heads and elected or appointed officials hired by Fulton County and paid by the Fulton County Finance Department (Payroll Division), including part-time, non-permanent employees, interns and contractors doing business with Fulton County. Additionally, this policy also protects citizens doing business with Fulton County.

Any employee or other covered individual who believes he or she may have been subjected to discrimination, harassment or retaliation in violation of this Policy, may file an Internal Discrimination Complaint with the Office of Diversity and Civil Rights Compliance ("DCRC"), as set forth in the Discrimination Complaint Procedure.

III. Prohibition Against Retaliation

Fulton County strictly prohibits retaliation against: 1) any employee or citizen who opposes any act or practice they perceive to violate this policy; and 2) any employee who has made a charge, testified, cooperated, assisted or participated (in any manner) in any EEO-related investigation, proceeding or hearing. Retaliation is a separate violation, distinct from the initial, underlying discrimination allegation. Individuals found to have engaged in retaliation will be subject to discipline without regard to whether there has been a finding of cause in the underlying, initial harassment complaint. Any employee who feels they have been subjected to retaliation should contact the DCRC or the EEOC immediately.

IV. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: FAMILY AND MEDICAL LEAVE (FMLA)

DATE: January 1, 2017 Number: 104-16

I. Statement of the Policy

It is the policy of Fulton County to fully comply with the Family and Medical Leave Act ("FMLA") to provide eligible employees with leave for qualifying reasons and to assure those employees that they will be able to return to work into the same or an equivalent position with all of the same benefits, pay, and terms and conditions of employment as provided by law.

It is further the policy of Fulton County to comply fully with each and every requirement of the Family and Medical Leave Act without regard to race, color, religion, sex, pregnancy (including childbirth, lactation or related medical conditions), sexual orientation, gender identity or expression, age, national origin or ancestry, physical or mental disability, genetic information (including testing and characteristics), marital status, parental status, veteran status, uniformed service-member status, or any other consideration protected by federal, state or local law.

II. Eligibility

To be eligible for FMLA Leave benefits, employees must have: (1) worked for Fulton County for a total of at least 12 months, which need not be consecutive as defined by applicable law; (2) worked at least 1,250 hours over the previous 12 months as of the start of the leave; and (3) worked at a location where at least 50 employees are employed by Fulton County within 75 miles, as of the date the leave is requested.

Eligibility requirements may differ for employees who have been on a protected military leave of absence. If employees are unsure whether they qualify, they should contact the Chief Human Resources Officer or his/her designee.

III. Reasons for Which FMLA Leave May be Granted

- The birth, adoption or foster care of an employee's child within 12 months following birth or placement of the child (Bonding Leave);

- To care for an immediate family member (spouse, child, or parent with a serious health condition (Family Care Leave);

- An employee's inability to work because of a serious health condition (Serious Health Condition Leave);

- A "qualifying exigency," as defined under the FMLA, arising from a spouse's, child's, or parent's "covered active duty" (as defined in the accompanying Procedure) as a member of the military reserves, National Guard or Armed Forces (Military Emergency Leave); or

- To care for a spouse, child, parent or next of kin (nearest blood relative) who is a "Covered Service member," as defined in the accompanying Procedure (Military Caregiver Leave).

VI. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: FAMILY AND MEDICAL LEAVE (FMLA)

DATE: January 1, 2017 Number: 104-16

I. Reasons for Which FMLA Leave May be Granted

A. Qualifying Reasons for FMLA Leave:

- The birth, adoption or foster care of an employee's child within 12 months following birth or placement of the child (Bonding Leave);
- To care for an immediate family member (spouse, child, or parent with a serious health condition (Family Care Leave);
- An employee's inability to work because of a serious health condition (Serious Health Condition Leave);
- A "qualifying exigency," as defined under the FMLA, arising from a spouse's, child's, or parent's "covered active duty" (as defined below) as a member of the military reserves, National Guard or Armed Forces (Military Emergency Leave); or
- To care for a spouse, child, parent or next of kin (nearest blood relative) who is a "Covered Service member," as defined below (Military Caregiver Leave).

B. Applicable Definitions

- **"Child"** for purposes of Bonding Leave and Family Care Leave, means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis*, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability at the time that Family and Medical Leave is to commence. "Child," for purposes of Military Emergency Leave and Military Caregiver Leave, means a biological, adopted or foster child, stepchild, legal ward, or a child for whom the person stood *in loco parentis*, and who is of any age.

- **"Parent"** for purposes of this policy, means a biological, adoptive, step or foster father or mother, or any other individual who stood *in loco parentis* to the person. This term does not include parents-in-law. For Military Emergency leave taken to provide care to a parent of a deployed military member, the parent must be incapable of self-care as defined by the FMLA.

- **"Covered Active Duty"** means (1) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and (2) in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation as defined by applicable law.

- **"Covered Service Member"** means (1) a member of the Armed Forces, including a member of a reserve component of the Armed Forces, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred or aggravated in the line of duty while on active duty that may render the individual medically unfit to perform his or her military duties, or (2) a person who, during the five (5) years prior to the treatment necessitating the leave, served in the active military, Naval, or Air Service, and who was discharged or released therefrom under conditions other than dishonorable (a "veteran" as defined by the Department of Veteran Affairs), and who has a qualifying injury or illness incurred or aggravated in the line of duty while on active duty that manifested itself before or after the member became a veteran. For purposes of determining the five-year period for covered veteran status, the period between October 28, 2009 and March 8, 2013 is excluded.

- **"Spouse"** means the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into, or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state. This includes common law marriage and same sex marriage in places where these marriages are recognized.

- **"Key employee"** means a salaried FMLA-eligible employee who is among the highest paid 10 percent of all the employees employed by the employer within 75 miles of the employee's worksite.

II. Notice and Certification

(1) Bonding, Family Care, Serious Health Condition and Military Caregiver Leave Requirements

Employees are required to provide:

- When the need for the leave is foreseeable, employees should provide their Appointing Authority with 30 days advance notice or such notice as is both possible and practical if the leave must begin in less than 30 days (normally this would be the same day the employee becomes aware of the need for leave or the next business day);

- When the need for leave is not foreseeable, employees should provide notification to their Appointing Authority within the time prescribed by Fulton County's normal absence reporting policy, unless unusual circumstances prevent compliance, in which case notice is required as soon as is otherwise possible and practical;

- When the leave relates to medical issues, a completed Certification of Health-Care Provider form within 15 calendar days (for Military Caregiver Leave, an invitational travel order or invitational travel authorization may be submitted in lieu of a Certification of Health-Care Provider form) should be provided to the Department of Human Resources Management;

- Periodic recertification (as allowed by law); and

- Periodic reports during the leave.

When leave is for planned medical treatment, employees must try to schedule treatment so as not to unduly disrupt Fulton County's operations. Please contact the Immediate Supervisor or Appointing Authority - prior to scheduling planned medical treatment so that scheduling conflicts can be minimized as much as possible.

Fulton County is required to provide:

- Fulton County will provide an employee with written notice of the designation of leave as protected Family and Medical Leave;

- Fulton County will provide an employee with written instructions regarding the requirements for the employee to furnish medical certification of a serious health condition;

- Fulton County will provide an employee with notice regarding the consequences of the employee's failure to provide the requested medical certification of a serious health condition;

- Fulton County will provide an employee with information regarding the County's policy with regard to substitution of paid leave during any time taken pursuant to Family and Medical Leave;

- Fulton County will provide an employee with notice regarding an employee's responsibility to continue making premium payments to maintain health benefits and shall designate where the employee shall send those payments during the period of Family and Medical Leave;

- Fulton County will provide an employee with notice regarding any departmental requirement that the employee present a fitness for duty certification upon his/her return to work; and

- Fulton County will provide an employee with information regarding the employee's right to restoration to the same or an equivalent job upon his/her return from leave.

(2) Certification

Certification forms are available from the Department of Human Resources Management or on Fulton County's Employee portal. Completed certification forms should be submitted to the Department of Human Resources Management Attn: FMLA Leave Administrator within fifteen calendar (15) days. At the County's expense, Fulton County may require a second or third medical opinion regarding the employee's own serious health condition or the serious health condition of the employee's family member. In some cases, Fulton County may require a second or third opinion regarding the injury or illness of a Covered Service Member, but only where the military caregiver leave certification has been completed by a healthcare provider who is not affiliated with the Department of Defense (DOD), the Veterans Administration (VA), or TRICARE. Employees are expected to cooperate with Fulton County in obtaining additional medical opinions that may be required.

(a) Initial Certification of a "Serious Health Condition"

A "serious health condition" refers to an illness, injury, impairment, or physical or mental condition which requires any one of the following;

- An overnight stay at a hospital, hospice or residential medical care facility; or

- A period of incapacity of at least four calendar days combined with either of the following: (1) any period of incapacity relating to the same condition which requires treatment at least two times by a nurse or physician's assistant under the direct supervision of a health care provider; or (2) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a health care provider; or

- Any period of incapacity as a result of pregnancy or the necessity for prenatal care; or

- Any period of incapacity or treatment which meets any one of the following criteria:

  - Required periodic visits for treatment by a health care provider, or by a nurse practitioner or physician's assistant under the direct supervision of a health care provider within the scope of their practice under Georgia law;

  - Continues over an extended period of time (this includes recurring episodes of a single underlying condition);

  - Causes episodic rather than a continuing period of incapacity;

  - A period of incapacity which is long-term due to a condition for which treatment may not be effective (*e.g.* Alzheimer's, a severe stroke or the terminal stages of a disease); or

  - Any period of absence to receive multiple treatments by a health care provider.

Upon either (a) an employee's absence for a minimum period of four (4) scheduled work days and when the employer acquires knowledge that an employee's leave may be for an FMLA–qualifying reason; or (b) upon request by the employee, the Appointing Authority or his/her designee shall send an employee notice of their status as an FMLA-eligible employee and a Certification Form, via certified mail, along with the instructions for the employee to have the form completed by his/her health care provider (or by the parent's, child's or spouse's health care provider when the absence is the result of the employee caring for a family member with a serious health condition) and returned to the Department of Human Resources Management Attn: FMLA Leave Administrator within fifteen calendar (15) days so that the FMLA Leave Administrator may determine whether or not the leave should be charged as Family and Medical Leave.

In cases where an employee is not FMLA-eligible due to the employee's length of service with Fulton County, the Appointing Authority or his/her designee shall send the employee notice of non-eligibility and the notice must state at least one reason why the employee is not eligible. Exhaustion of all FMLA leave does not make an employee FMLA-ineligible and, although the employee's leave will not be approved if all leave has been exhausted, such employees should still be sent the notice of their status and the Certification Form as described above. The FMLA Leave Administrator will notify the employee if they have been approved for Family and Medical Leave and communicate to the Appointing Authority the duration of the Family and Medical Leave. This requirement is applicable in all situations other than those situations in which (i) an

employee is on approved vacation, holiday, or compensatory leave or (ii) an employee has "called in sick" and, upon inquiry, has informed the Appointing Authority that the condition is not sufficiently severe to require the services of a health care provider. At the time an employee is informed of an approved FMLA request, the employee should be provided a copy of a return to work certification, notification that a completed return to work certification is required before the employee may resume work, and a copy of their job description.

If an employee submits a Certification that is incomplete or insufficient, Fulton County will notify the employee in writing of what additional information is needed to make the Certification complete and sufficient. Fulton County will return the Certification to the employee to remedy the deficienc(ies). The employee must provide the additional information to Fulton County within seven calendar days, in most circumstances.

At no time may a supervisor or Appointing Authority contact an employee's health care provider, either directly or indirectly. All contact with an employee's health care provider must be made by the employee, a FMLA Leave Administrator, a human resources professional or by a health care provider representing Fulton County, with the employee's written permission, solely for the purposes of clarifying and/or authenticating the Certification or the terms thereof.

Any employee who requires Family and Medical Leave for the purpose of caring for a seriously ill spouse, child or parent may be required to obtain the same certification from the family member's health care provider.

(b) Second Opinion of Initial Certification

At the sole discretion of the FMLA Leave Administrator, an employee seeking certification may be required to submit to a medical examination such that a second opinion may be rendered as to the employee's entitlement to certification. This "second certification" will be at the expense of the County. When the FMLA Leave Administrator determines, for good cause, that a second opinion shall be required, then he/she must contact the Finance Department to arrange for funding for the second opinion. The Finance department shall make the required funds available. The selected health care provider may not be employed on a regular basis by Fulton County nor may Fulton County regularly contract with or otherwise regularly utilize the services of the health care provider.

Pending the opinion of the second physician, the employee will be provisionally entitled to the benefits and protections afforded by certification.

(c) Third & Binding Opinion on Initial Certification

Should the conclusions of the second examination contradict the conclusions of the initial examination, at its sole discretion, the FMLA Leave Administrator may require the employee seeking initial certification to submit to a third and binding medical examination. This third and binding examination will also be at the expense of the County. The health care provider conducting the examination will be a health care

provider agreed upon by the County and the employee. When the FMLA Leave Administrator determines, for good cause, that a third opinion shall be required, then he/she must contact the Finance Department to arrange for funding for the third opinion. The Finance Department shall make the required funds available.

Pending the certification decision of the final physician, the employee will remain provisionally entitled to the benefits and protections afforded by certification.

Should the employee fail to act in good faith in making a selection concerning the appropriate physician, then the employee shall be bound by the determination of the second examination.

(d) Results of Certification

Should the required documentation ultimately establish that the employee is not entitled to certification, then any time off will be counted against the employee's sick leave balance and, in the absence of an available sick leave balance, the employee's vacation and/or holiday leave balance and the time taken will not be designated as Family and Medical Leave. At any time, the employee may request, in writing, that his/her compensatory time be charged. Otherwise, leave in excess of accumulated balances shall be charged as leave without pay.

Should the required documentation ultimately establish that the employee is entitled to certification, then any time off will still be counted against the employee's sick leave, vacation and/or holiday leave balances as applicable. However, the time taken will be additionally designated as protected Family and Medical Leave. At any time, the employee may request, in writing, that his/her compensatory time be charged. Otherwise, leave in excess of accumulated balances shall be charged as leave without pay. Upon written request, the County shall furnish the employee with a copy of the examining health care provider's conclusions within seven (7) business days of the employee's written request.

(e) Storage of Records Received as a Result of Second and/or Third Examinations

Employee records reflecting any medical information that has been received by the County shall be stored by the Department of Human Resources Management in a file separate from the employee's official personnel file. The Chief Human Resources Officer is responsible for ensuring the confidentiality of the information contained in the employee's medical file.

(f) Re-Certification

In general, Fulton County may request an employee to provide a recertification no more often than every 30 days and only in connection with an absence by the employee. However, if a certification indicates that the minimum duration of the serious health condition is <u>more than 30 days</u>, Fulton County will wait until that minimum duration expires before requesting recertification. However, in cases where the serious

health condition is in excess of 6 months (e.g., a lifetime condition) or the condition is of an indefinite duration, a recertification may be requested every 6 months.

Regardless of the anticipated duration of the leave, Fulton County may request a recertification in less than 30 days if:

- the employee requests an extension of leave,
- the circumstances described by the previous certification have changed significantly (for better or worse), or
- Fulton County receives information that causes it to doubt the employee's stated reason for the absence or the continuing validity of the existing medical certification.

A completed recertification form must be returned by the employee no later than 15 calendar days from the date of the recertification request.

In general, Fulton County will ask for the same information in a recertification as that requested in the original medical certification. However, Fulton County may also provide an employee's health care provider with a record of the employee's absences and ask if the serious health condition and need for leave is consistent with the leave pattern. The employee is responsible for paying for the cost of a recertification. Fulton County will not require second and/or third examinations to either confirm or refute the opinion of the physician submitting a response to a re-certification request.

(3) Military Emergency Leave Requirements

Employees are required to provide:

- As much advance notice as is reasonable and practicable under the circumstances;

- A copy of the covered service member's active duty orders when the employee requests leave and/or documentation (such as Rest and Recuperation leave orders) issued by the military setting forth the dates of the service member's leave; and

- A completed Certification of Qualifying Exigency form within 15 calendar days, unless unusual circumstances exist to justify providing the form at a later date.

Certification forms are available from the Department of Human Resources Management or on the Employee portal.

(4) Failure to Provide Certification

Absent unusual circumstances, failure to comply with these notice and certification requirements may result in a delay or denial of the leave.

III. Methods and Amount of Leave Available

(1) Amount of Leave Available as Family and Medical Leave

The maximum amount of FMLA Leave will be 12 workweeks in any 12-month period when the leave is taken for: (1) Bonding Leave; (2) Family Care Leave; (3) Serious Health Condition Leave; and/or (4) Military Emergency Leave. However, if both spouses work for Fulton County and are eligible for leave under this policy, the spouses will be limited to a total of 12 workweeks off between the two of them when the leave is for Bonding Leave or to care for a parent using Family Care Leave. The applicable "12-month period" utilized by Fulton County is a “rolling” 12–month period measured backward from the date an employee uses any FMLA leave.

The maximum amount of FMLA Leave for an employee wishing to take Military Caregiver Leave will be a combined leave total of 26 workweeks in a single 12-month period. A "single 12-month period" begins on the date of the employee's first use of such leave and ends 12 months after that date.

If both spouses work for Fulton County and are eligible for leave under this policy, the spouses will be limited to a total of 26 workweeks off between the two when the leave is for Military Caregiver Leave only or if the leave is for a combination of Military Caregiver Leave, Military Emergency Leave, Bonding Leave and/or Family Care Leave taken to care for a parent.

For employees who normally work part-time schedules, the amount of leave to which the employee is entitled is determined on a pro rata or proportional basis by comparing the new schedule with the employee’s normal schedule. For example, if an employee normally works 30 hours per week and, while on FMLA leave, works only 20 hours per week, the employee’s 10 hours of leave would constitute 1/3 of a week of FMLA. For employees with schedules which vary from week to week, an average of the weekly hours worked over the immediately preceding twelve weeks will be used as the employee’s normal” workweek.

It shall be the responsibility of each Appointing Authority, or his/her designee (such as the departmental payroll clerk), to calculate all Family and Medical Leave, including intermittent and/or reduced leave, taken pursuant to this policy and procedure and to communicate the same to the FMLA Leave Administrator.

To the extent required by law, some extensions to leave beyond an employee’s FMLA entitlement may be granted when the leave is necessitated by an employee's work-related injury or illness or by a “disability” as defined under the Americans with Disabilities Act (the “ADA”) and/or applicable state or local law. Certain restrictions on these benefits may apply. Employees who believe they may need to request additional leave beyond their FMLA entitlement should contact the ADA Unit of Fulton County’s Office of Diversity and Civil Rights Compliance (“DCRC”).

(2) Intermittent or Reduced Schedule Leave

Under some circumstances, employees may take FMLA Leave intermittently or on a reduced schedule, which means continuing to work while taking leave on an intermittent / as-needed basis, or by reducing the employee's normal weekly or daily work schedule. An employee may take leave intermittently whenever it is medically necessary to care for a seriously ill family member, or because the employee is seriously ill and unable to work. Leave due to military exigencies may also be taken on an intermittent basis. If the requested intermittent or reduced schedule leave is for the birth of placement of a child, the FMLA Administrator is not required to grant the request.

Leave taken intermittently may be taken in increments of no less than 1 minute. Only the amount of leave actually taken will be counted toward an employee's twelve-week entitlement. For example, if an employee normally works five days per week and takes one day off, the employee has utilized 1/5 week of his/her entitlement.

Employees who take leave intermittently or on a reduced work schedule basis for a planned medical treatment must make a reasonable effort to schedule the leave so as not to unduly disrupt Fulton County's operations. Please contact the Immediate Supervisor or Appointing Authority prior to scheduling planned medical treatment so as to limit scheduling conflicts. If FMLA Leave is taken intermittently or on a reduced schedule basis due to foreseeable planned medical treatment, the County may require employees to transfer temporarily to an available alternative position with an equivalent pay rate and benefits, including a part-time position, to better accommodate recurring periods of leave. Transfers will be subject to the Lateral Transfer Policy.

If an employee's request for intermittent leave is approved, Fulton County may later require employees to obtain recertification of their need for leave as allowed by law. For example, Fulton County may request recertification if it receives information that casts doubt on an employee's report that an absence qualifies for FMLA Leave.

(3) Concurrent Leave

While on Family and Medical Leave, an employee will be required to exhaust all paid vacation, holiday, and/or sick leave before they go on unpaid leave. The employee may make a written request to utilize accrued compensatory time concurrently and any such request shall be granted. Therefore, the employee may concurrently be on vacation, holiday, sick or compensatory leave and Family and Medical Leave.

IV. Required Use of Paid Leave Time

Fulton County requires employees to utilize any vacation, sick, and/or holiday leave available prior to being placed on unpaid status during family leave. Employees may also request in writing to use their accrued compensatory time and such request will be approved by their Appointing Authority. Employees using paid leave while on FMLA are subject to the policies governing use of paid leave. Any employee who uses

any paid leave for medical appointments or recurring treatment may be required to submit reports of attendance at such appointments.

V. Continuation of Benefits During Leave

Fulton County shall maintain all of an employee's benefits under the same terms and conditions as if the employee were not on Family and Medical Leave. Specifically, Fulton County will continue making contributions to employee group health benefits during their leave on the same terms as if employees had continued to actively work. This means that if employees want their benefits coverage to continue during their leave, they must also continue to make the same premium payments they are required to make for themselves or their dependents. If the employee is receiving concurrent paid leave or is on intermittent leave, Fulton County will deduct the employee's benefit premiums from their pay check as usual. If the employee is on unpaid leave, Fulton County will provide the employee with instructions regarding how to make his/her regular contributions to his/her health coverage. Should the employee fail to make such contributions, Fulton County reserves the right to drop the employee from coverage during his/her leave as allowed by law.

In accordance with applicable law, upon reinstatement, Fulton County shall provide the same level of coverage as prior to the leave with no qualifying periods, physical examinations, or exclusions of pre-existing conditions.

Employees taking Bonding Leave, Family Care Leave, Serious Health Condition Leave, and Military Emergency Leave will generally be provided with group health benefits for a 12 workweek period. Employees taking Military Caregiver Leave may be eligible to receive group health benefits coverage for up to a maximum of 26 workweeks. In some instances, Fulton County may recover premiums it paid on the employee's behalf to maintain health coverage if the employee fails to return to work following a FMLA Leave.

An employee's length of creditable service will not be impacted by the use of FMLA leave, but accrued benefits such as vacation and sick leave will not accrue while an employee is on an unpaid FMLA Leave.

VI. Reinstatement

If, upon expiration of the employee's Family and Medical Leave, the employee is able to return to work and perform the essential functions of his/her position, then, in accordance with applicable law, under most circumstances, that employee shall be restored to his/her original position or an equivalent position, with equivalent benefits, pay, and other terms and conditions of employment. However, employees have no greater right to reinstatement than if they had been continuously employed rather than on leave. For example, if an employee would have been laid off if he or she had not gone on leave or, if the employee's position was eliminated during the leave, then the employee will not be entitled to reinstatement.

At least 10 days prior to the expiration of an approved FMLA leave, the FMLA Leave Administrator shall send out a reminder to the employee, copying the Appointing Authority, reminding the employee of the expiration of his/her FMLA leave and providing options if the employee is unable to return to work at the expiration of his/her leave. This notice should inform the employee of the following options: requesting additional FMLA leave through the FMLA Leave Administrator; requesting an accommodation under the Americans with Disabilities Act through DCRC; requesting use of accrued leave through the Appointing Authority; and resigning for medical reasons. If an employee fails to return to work at the expiration of his/her FMLA leave and has not exercised one of the above listed options within 4 workdays, Fulton County may presume that the employee does not plan to return to work and has voluntarily resigned from their employment. However, the Appointing Authority should inform the FMLA Leave Administrator of the employee's failure to return and if the FMLA Leave Administrator determines that the employee has not exhausted all FMLA allotted to him/her for that 12 month period, the FMLA Leave Administrator shall send out an FMLA certification form to the employee via certified mail as provided for in Section IV of this policy. Failure to comply with the certification requirements may result in delay or denial of the leave. Employees are reminded that unapproved absences from work could lead to disciplinary action.

If, upon expiration of the employee's Family and Medical Leave, the employee is not able to return to work and perform the essential functions of his/her position, then that employee shall not automatically be restored to his or her original position or an equivalent position. In this situation, the employee may request to use his/her vacation leave, and/or investigate his/her options under the Americans with Disabilities Act (the "ADA") by contacting the Office of Diversity & Civil Rights Compliance (DCRC). All such requests will be reviewed on a case-by-case basis. If an employee is not able to return to his/her position following FMLA leave due to the inability to perform the essential functions of his/her position and there is no reasonable accommodation that can be provided under the ADA, then the employee may be separated from employment.

"Key employees" as defined in the FMLA, may be subject to reinstatement limitations in some circumstances. If an employee is considered a "key employee," the employee will be notified of the possible limitations on reinstatement at the time the employee requests a leave of absence.

VII. Alternative Positions

When an employee needs intermittent leave or a reduced leave schedule on a foreseeable basis, the Appointing Authority has the right, at his/her sole discretion, to temporarily transfer the employee to an alternative position within the department for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position. No employee will be subjected to any reduction of salary as the result of such a temporary reassignment, regardless of the fact that the alternative duties may potentially differ significantly from the employee's regularly assigned duties.

Upon completion of the employee's need for intermittent leave or a reduced leave schedule, the employee shall be returned to either (i) his/her original position; or (ii) an equivalent position.

VIII. Return to Work Certification

It is the policy of Fulton County that, as condition of returning to work following FMLA leave for the employee's own serious health condition that made the employee unable to perform the employee's job, the employee must obtain and present certification from the employee's health care provider that the employee is able to resume work and can perform the essential functions of the employee's job. For an employee on intermittent FMLA leave, such a release may be required if reasonable safety concerns exist regarding the employee's ability to perform his or her duties, based on the serious health condition for which the employee took the intermittent leave.

At the time an employee is informed of an approved FMLA request, the employee should be provided a copy of a return to work certification, notification that a completed return to work certification is required before the employee may resume work, and a copy of their job description.

IX. FMLA and Worker's Compensation

In many situations, an employee who is taking time off as the result of an injury that is compensable under the County's Worker's Compensation Policy will also be protected by the provisions of the Family and Medical Leave Act. In such an event, the procedures set forth in this policy pertaining to FMLA leave will apply. •

Employees on Worker's Compensation are entitled to choose to either utilize vacation and/or sick leave or to receive payment from Worker's Compensation. Workers who have opted for payment from Worker's Compensation in lieu of utilizing vacation and/or sick leave and who are also on Family and Medical Leave will not be required to utilize their vacation and/or sick leave simultaneously. Moreover, employees may request in writing to use accrued compensatory time, which request will be granted.

X. Prohibition of Retaliation

Fulton County does not condone and will not tolerate, any adverse action being taken against an employee because of that employee's exercise or attempt to exercise his/her rights under the Family and Medical Leave Act. No employee of Fulton County will be subjected to any adverse action because of that employee's bona fide opposition to or complaint about any alleged unlawful practice under the FMLA. Finally, no

employee will be subjected to any adverse action as a result of giving any information and/or testimony relating to any rights under the FMLA.

XI. Confidentiality

Documents relating to medical certifications, recertifications or medical histories of employees or employees' family members will be maintained separately and treated by Fulton County as confidential medical records, except that in some legally recognized circumstances, the records (or information in them) may be disclosed to supervisors and managers, first aid and safety personnel, government officials or Fulton County's legal counsel.

In addition to any other discipline already outlined in this policy, any employee who violates the confidentiality provisions of this policy could be subject to discipline up to and including termination.

XII. Fraudulent Use of FMLA Prohibited

An employee who fraudulently obtains Family and Medical Leave from Fulton County is not protected by FMLA's job restoration or maintenance of health benefits provisions. In addition, Fulton County will take all available appropriate disciplinary action against such employee due to such fraud.

XIII. Additional Documentation and Information

Fulton County's "Employee Rights and Responsibilities" notice provides additional details regarding employee rights and responsibilities under the FMLA. Employees may obtain a copy of the "Employee Rights and Responsibilities" Notice from the Department of Human Resources Management. Employees should contact the Department of Human Resources Management about any FMLA questions they may have.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: LACTATION ACCOMMODATION

DATE: January 1, 2017 Number: 105-16

I. Statement of the Policy

To the extent required by law, Fulton County will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child during the first year following the child's birth. Employees will be relieved of all work-related duties during any unpaid break.

In accordance with applicable law, Fulton County will provide employees with the use of a room or a private area, other than a bathroom or toilet stall, that is shielded from view and free from intrusion from coworkers and the public.

Fulton County will otherwise treat lactation as a pregnancy-related medical condition and address lactation-related needs in the same manner that it addresses other non-incapacitating medical conditions, including requested time off for medical appointments, requested changes in schedules and other requested accommodations. Fulton County will not demote, terminate or otherwise take adverse action against an employee because an employee requests or makes use of the accommodations and break time described in this policy.

Employees should contact their supervisor during their pregnancy or before their return to work to identify the need for a lactation area.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: LACTATION ACCOMMODATION

DATE: January 1, 2017 Number: 105-16

Employees needing breaks for lactation purposes may use ordinary paid rest breaks or may take other reasonable break time when needed. If possible, the lactation break time should run concurrently with scheduled meal and rest breaks already provided to the employee. If the lactation break time cannot run concurrently with meal and rest breaks already provided or additional time is needed for the employee, the lactation break time will be unpaid for nonexempt employees.

Where unpaid breaks or additional time are required, employees must notify their supervisor regarding scheduling and reporting the extra break time. Employees should provide reasonable notice to the County that they intend to take breaks for expressing breast milk upon returning to work. Because exempt employees receive their full salary during weeks in which they work, all exempt employees who need lactation accommodation breaks do not need to report any extra break time as “unpaid.”

Fulton County will make a reasonable effort to identify a location within close proximity to the work area for the employee to express milk. This location may be the employee’s private office, if applicable.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: MEAL AND REST BREAKS

DATE: January 1, 2017 Number: 106-16

I. Statement of the Policy

It is the policy of Fulton County to comply with all laws regarding meal and rest breaks. Fulton County will provide break time as appropriate, subject to operational needs and supervisor discretion. This policy does not constitute a contract or agreement by Fulton County to provide such break time.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains “at will”.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: MEAL AND REST BREAKS

DATE: January 1, 2017 Number: 106-16

I. Duration of Meal/Rest Break

Any rest breaks of short duration (lasting less than 20 minutes) will be counted as "hours worked" and paid accordingly. Meal breaks lasting 20 minutes or more are not considered "hours worked" for purposes of federal law and will not be paid for nonexempt employees.

Employees must be completely relieved from work duties during any unpaid meal break. If an employee is not completely relieved of all duties and/or is asked to return to work during an unpaid meal break, the employee must report the interrupted meal break to the employee's supervisor immediately.

II. Accurate Recording of Break Time Required

Nonexempt employees must accurately record the beginning and ending time of their meal breaks each day on their time records.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: ON-CALL PAY

DATE: January 1, 2017 Number: 107-16

I. Statement of the Policy

To ensure that employees will be available to address and resolve issues that may arise, Fulton County has instituted this on-call compensation policy to cover those nonexempt employees who may be required to be on-call and/or return to work following their regularly scheduled shift.

During the on-call period, employees may not be required to report to work and may perform on-call work remotely to the extent their job allows and consent is given by their supervisor. Employees are free and encouraged to engage in personal activities during the on-call period. However, Fulton County requires that the employee refrain from the use of alcohol and/or illicit drugs during their on-call period to ensure soundness of judgment.

This policy will be applied and interpreted in accordance with applicable municipal, state and federal legal requirements.

II. Applicability

This policy applies only to nonexempt employees. Exempt employees are not eligible for “on-call” pay.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains “at will”.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: ON-CALL PAY

DATE: March 17, 2017 Number: 107-16

I. Requirements and Procedure

During the on-call period, employees may not be required to report to work and may perform on-call work remotely to the extent their job allows and consent is given by their supervisor. Employees are free and encouraged to engage in personal activities during the on-call period. However, Fulton County requires that the employee refrain from the use of alcohol and/or illicit drugs during their on-call period to ensure soundness of judgment.

On-call employees are expected to keep their pager, cell phone, and laptop accessible during all on-call hours, and are also expected to respond to a page or call within 15 minutes of receipt.

II. Eligibility

Only those employees whose position and classification require they be available to work at unexpected times to support the operational needs of Fulton County should be placed in on-call status. If the work of the on-call employee can be done during normal work hours, then the employee should not be placed in on-call status. Department Heads are responsible for making sure employees are placed in on-call status only to the extent necessary.

The Department of Human Resources Management may at any time request an explanation for an employee's placement in on-call status. Abuse of or fraud with respect to the on-call policy will be referred to the County Manager, County Attorney and/or County Auditor for investigation and discipline including possible termination.

III. Compensation

Employees will be compensated for their on-call/call-in time. Failure to respond to a call or page during the employee's designated on-call time may result in disciplinary action.

Nonexempt on-call employees shall be paid at their normal rate of pay for any time actually worked while on-call, as specified in this policy. Employees will be paid any applicable overtime rate if the time actually spent carrying out assigned duties during the call-in time qualifies as overtime hours.

Employees who are not required to perform any work during their on-call shift will be paid $2.50 per hour. Because this premium payment is not for work actually performed, the on-call hours will not count as hours worked for the purpose of determining overtime.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: OVERTIME AND COMPENSATORY TIME

DATE: January 1, 2017 Number: 108-16

I. Statement of the Policy

It is the policy of Fulton County to properly compensate employees for all time worked, including payment of overtime and accrual of compensatory time, as allowed by and in accordance with applicable law.

II. Applicability

This policy and accompanying procedure apply to all employees who are "non-exempt" as defined in the Fair Labor Standards Act ("FLSA") and may apply to exempt employees in certain circumstances as set forth herein.

A. Overtime Pay

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime. Non-exempt employees will be paid one and one-half (1.5) times their regular rate of pay for all hours worked in excess of the applicable maximum hours as listed below and as otherwise required by applicable state and federal law, unless the employee receives compensatory time for overtime work as set forth in this policy:

- 40 hours in one standard workweek for all non-exempt employees except those engaged in law enforcement or fire protection activities (as defined in 29 U.S.C. § 207(k));
- 212 hours in one 28-day work period for non-exempt fire protection employees (as defined in 29 U.S.C. §207(k)); or
- 171 hours in one 28-day work period for non-exempt law enforcement personnel (as defined in 29 U.S.C. §207(k)).

Paid time off such as sick pay, holiday pay, vacation pay, and jury duty pay (where applicable) will not count toward hours worked for the purpose of determining overtime pay.

All overtime work must be authorized in advance by the employee's supervisor. **Employees will be compensated for all time worked**. However, working overtime without prior authorization may result in disciplinary action.

The standard work week and 28-day work period discussed above are defined in the Work Week, Work Period, and Pay Period Policy.

B. Accruing Compensatory Time

Fulton County may offer time off with pay ("compensatory time") in lieu of overtime pay for overtime work as provided by applicable law to a non-exempt employee to whom the County has provided sufficient notice under the law informing the employee that compensatory time will be provided in lieu of overtime pay as allowed by law.

Compensatory time shall accrue at the rate of one and one-half (1.5) hours for each hour worked in excess of the applicable maximum hours set forth above in Section II(A) or as otherwise required by applicable state and federal law. Paid time off such as sick pay, holiday pay, vacation pay and jury duty pay (where applicable) will not count toward hours worked for the purpose of determining overtime pay.

No Appointing Authority may approve or permit (i) a non-exempt employee (other than non-exempt public safety and emergency response employees, as defined by 29 U.S.C. § 207(o) and 29 C.F.R. § 553.24) to accrue more than 240 hours of compensatory time, and (ii) a non-exempt public safety or emergency response employee (as defined by 29 U.S.C. § 207(o) and 29 C.F.R. § 553.24) to accrue more than 480 of compensatory time. Upon accruing the applicable limit of 240 or 480 hours of compensatory time, Fulton County shall pay non-exempt employees overtime pay for overtime hours worked beyond the applicable 240 or 480 hours limit in accordance with this Policy.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: OVERTIME AND COMPENSATORY TIME

DATE: April 1, 2018 Number: 108-16

I. Procedure for Using Compensatory Time

Non-exempt employees are encouraged to use their accrued compensatory time. A non-exempt employee who accrues compensatory time will be allowed to use his or her compensatory time within a reasonable period after making a request, so long as the use does not unduly disrupt the business operations of the County. To request the use of compensatory time, an employee should submit a written request to their supervisor as far in advance as possible. There is no guarantee that the compensatory time approved will be for the specific date(s) requested by the employee. Fulton County, at is sole discretion, may require employees to take their compensatory time on date(s) selected by the County. Compensatory time taken will not be charged to any other leave category accrued by the employee, such as vacation, personal time, or sick time.

Any leave taken by an employee will be charged against accrued compensatory leave balances, if available, before any holiday or vacation balances are charged. Hours of compensatory time used during a work week do not count towards “hours worked” for that work week for purposes of assessing whether an employee is entitled to payment of overtime or accrual of additional compensatory time.

The County reserves the right at any time to pay an employee in cash for any or all accrued compensatory time and/or to require the employee to use accumulated compensatory time.

II. Paying out Compensatory Time

Upon separation from employment, accrued, unused compensatory time will be paid out to an employee either at that employee’s average regular rate during the last three years of employment or that employee’s final regular rate, whichever is higher.

If Fulton County in its discretion decides to cash out an employee’s accrued compensatory time balance at a time other than upon termination, payments for such accrued compensatory time will be paid at the regular rate earned by that employee at

the time the employee receives such payment.

III. Exempt Employees

Exempt employees are expected to work as much of each workday as is necessary to fulfill their job responsibilities. Exempt employees are not eligible for overtime pay. At the sole discretion of Fulton County, exempt employees, with the exception of employees in fee positions, may be offered compensatory time in certain circumstances, upon approval from the County Manager for departments under his direct supervision. The approval for compensatory time for other exempt employees who report to the County Attorney, the County Auditor or any other elected constitutional officer shall be made by those respective department or agency heads. If such compensatory time is offered, exempt employees will be allowed to use the compensatory time at a time convenient for Fulton County. Exempt employees will receive payment for accrued unused compensatory time at their regular rate of pay upon separation from employment with Fulton County.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: RELIGIOUS ACCOMMODATION

DATE: January 1, 2017 Number: 109-16

I. Statement of the Policy

Fulton County prohibits unlawful discrimination based on an employee's religious beliefs and will provide reasonable accommodation for employees' religious beliefs, observances, and practices in accordance with applicable law when a need for such accommodation is identified and reasonable accommodation is possible. A reasonable accommodation is one that eliminates the conflict between an employee's religious beliefs, observances, or practices and the employee's job requirements, without causing undue hardship to Fulton County.

II. Applicability

This Policy and accompanying Procedure shall apply to all Fulton County employees, including employees occupying temporary, seasonal and part-time positions. This Policy and accompanying Procedure in no way give any employee a property interest in employment with Fulton County.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: RELIGIOUS ACCOMMODATION

DATE: January 1, 2017 Number: 109-16

Any employee who perceives a conflict between his or her job requirements and a religious belief, observance, or practice should bring the conflict and his or her request for accommodation to the attention of their supervisor and the Office of Diversity and Civil Rights Compliance to initiate the accommodation process. Requests for a reasonable accommodation should be made in writing on the Request for Religious Workplace Accommodation form provided by the Office of Diversity and Civil Rights Compliance, and in the case of requested schedule adjustments, as far in advance as possible.

I. Procedure

An employee may request a religious accommodation by:

1. Completing a "Request for Religious Workplace Accommodation" form;
2. Submitting the request for an accommodation to his/her supervisor or Appointing Authority; and
3. If requested, providing documentation to support the request.

Whenever possible, requests for accommodation should be made at least 30 days in advance of the desired accommodation. Fulton County is not required to provide an accommodation if it not aware of the employee's need and desire for accommodation.

II. Discussion

Reasonable accommodations are determined, identified and implemented using a collaborative process. The County's Office of Diversity and Civil Rights Compliance and the employee's supervisor will engage in an interactive process with any employee seeking a religious accommodation to discuss conflicts between religion and work and to take action to provide a reasonable accommodation for the employee's needs.

Following receipt of the request for accommodation, the supervisor or Appointing Authority will:

1. Discuss the request with the employee; and
2. Where it would assist accommodating the request, discuss the basis of the employee's request with others.

III. Documentation

In addition to submitting the "Request for Religious Workplace Accommodation" form, it is the responsibility of the employee to provide requested documentation to support the request. The supporting documentation requested may vary depending on the nature and extent of the accommodation requested.

IV. Analysis of Job/Position or Performance of Job Responsibilities

Departments will attempt to accommodate requests for accommodation, balancing the request to accommodate the employee's religious practices with the particular needs of the department and work unit. In determining whether to approve the request for accommodation, the employee's supervisor or Appointing Authority, in consultation with the Department of Human Resources Management, will:

1. Identify the essential functions or primary work-related duties of the individual's position;
2. Assess the impact of the requested accommodation on the performance of the essential functions of the individual's position and the operation of the department or unit; and
3. Assess the potential issues posed by the request, such as impact on other employees.

V. Analysis of the Request for Accommodation

Reasonable accommodations are determined on an individual basis, and may include (but are not limited to) providing an employee leave for religious observances, providing a time and/or place to pray, and/or providing the flexibility to wear religious attire. Other examples of accommodating an employee's religious beliefs include scheduling changes, voluntary substitutions of shifts or hours with a supervisor's or Appointing Authority's approval, job reassignments, and lateral transfers.

The following factors are among those to be included in the individualized assessment of a request for religious accommodation:

1. Nature of the accommodation requested
2. Duration of the request
3. Alternative accommodations

4. Financial impact
5. Impact on the operation of the department, division or unit
6. Ability of the individual to perform essential functions of the position, if the accommodation is granted
7. Other related factors

If the employee is working during certain hours only as an accommodation of the requirements of his/her sincerely held religious beliefs or practices, that employee is not entitled to any premium wages or premium benefits that would apply ordinarily.

VI. Notification and Implementation of an Accommodation

The employee making the request for an accommodation will be notified by his/her supervisor or Appointing Authority of the determination and, if granted, of the type of accommodation. The Appointing Authority and/or supervisor will help make an agreed-upon workplace accommodation effective.

Before any request for accommodation is denied, the supervisor or Appointing Authority will consult with the Office of Diversity and Civil Rights Compliance (DCRC) and/or the County Attorney's Office.

VII. Resolving Disagreements

In the event an employee's request for religious accommodation is denied or the employee disagrees with the supervisor's/Appointing Authority's proposed accommodation, he or she may contact the DCRC for assistance.

VIII. Recordkeeping

Documentation related to an employee's religious accommodations request, including the request for accommodation and any other information, will be shared only for authorized department or unit business reasons and will maintained in the employee's personnel file.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: TRANSGENDER NON-DISCRIMINATION IN EMPLOYMENT

DATE: January 1, 2017 Number: 110-16

I. Statement of Policy

Fulton County does not discriminate in any way on the basis of sex, sexual orientation, gender identity, or gender expression. The purpose of this policy is to articulate Fulton County's commitment to comply with all non-discrimination provisions pursuant to Title VII of the Civil Rights Act of 1964, as amended, and demonstrate the County's desire to welcome and include transgender, gender non-conforming, and transitioning employees. This policy is designed to create a safe, productive and inclusive workplace environment for all employees. This policy sets forth guidelines to address the needs of transgender and gender non-conforming employees and clarifies how the relevant law and County policies should be implemented in situations where questions may arise about how to protect the rights or safety of such employees.

II. Anti-Discrimination/Harassment/Retaliation

It is unlawful and a violation of County policy to discriminate in any way (including, but not limited to, failure to hire, failure to promote, or unlawful termination) against an employee because of the employee's actual or perceived gender identity. Additionally, it is also unlawful and contrary to this policy to retaliate against any person objecting to, or supporting enforcement of legal protections against, gender identity discrimination in employment. The County is committed to creating a safe work environment for transgender and gender non-conforming employees. Any incident of discrimination, harassment, or violence based on gender identity or expression will be given immediate and effective attention, including, but not limited to, investigating the incident, taking suitable corrective action, and providing employees and staff with appropriate resources.

III. Applicability

This policy applies to all Fulton County departments and agencies, contractors, and elected officials.

IV. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: TRANSGENDER NON-DISCRIMINATION IN EMPLOYMENT

DATE: January 1, 2017 Number: 110-16

I. Definitions

The definitions provided herein are not intended to label employees but rather to assist in understanding this policy and the legal obligations of Fulton County as an employer. Employees may or may not use these terms to describe themselves.

- Gender identity: A person's internal, deeply-felt sense of being male, female, or something other or in-between, regardless of the sex they were assigned at birth. Everyone has a gender identity.

- Gender expression: An individual's characteristics and behaviors (such as appearance, dress, mannerisms, speech patterns, and social interactions) that may be perceived as masculine or feminine.

- Transgender: An umbrella term that can be used to describe people whose gender identity and/or expression is different from their sex assigned at birth. A person whose sex assigned at birth was female but who identifies as male is a transgender man (also known as female-to-male transgender person, or FTM). A person whose sex assigned at birth was male but who identifies as female is a transgender woman (also known as male-to-female transgender person, or MTF). Some people described by this definition do not consider themselves transgender – they may use other words, or may identify simply as a man or woman. A person does not need to identify as transgender in order for the County's nondiscrimination policies to apply to them.

- Gender non-conforming: This term describes people who have, or are perceived to have, gender characteristics and/or behaviors that do not conform to traditional or societal expectations. Keep in mind that these expectations can vary across cultures and have changed over time.

- Transition: The process of changing one's gender from the sex assigned at birth to one's gender identity. There are many different ways to transition. For some people, it is a complex process that takes place over a long period of time, while for others it is a one- or two-step process that happens more quickly. Transition may include "coming out" (telling family, friends, and coworkers); changing the name and/or sex on legal documents; and, for many transgender people, accessing medical treatment such as hormones and surgery.

- Sexual orientation: A person's physical or emotional attraction to people of the same and/or other gender. Straight, gay, and bisexual are some ways to describe sexual orientation. It is important to note that sexual orientation is distinct from gender identity and expression. Transgender people can be gay, lesbian, bisexual, or straight, just like non-transgender people.

- LGBT: A common abbreviation that refers to the lesbian, gay, bisexual, and transgender community.

- Workplace Transition Plan: A document developed by the Office of Diversity and Civil Rights Compliance (DCRC), Appointing Authority and the transitioning employee which guides some of the processes that may occur during an employee's transition. An appropriate Workplace Transition Plan must be customized for the individual needs of each transitioning employee. A transitioning employee's participation in the Workplace Transition Plan is strictly voluntary. A sample Transition Plan is attached to this procedure.

II. Responsibilities

The specific responsibilities under this policy are assigned to County departments and agencies as specified below:

- Appointing Authorities are responsible for ensuring that employees who transition on the job receive the full support of the department, their supervisors, and coworkers.

- The Department of Human Resources Management, in coordination with the Office of Diversity and Civil Rights Compliance (DCRC), is responsible for assisting each transitioning employee and Appointing Authorities to ensure a successful and safe workplace transition. The Department of Human Resources Management will also assist Appointing Authorities and transitioning employees to ensure that the transitioning employee has a new ID badge and photo if

necessary; that all work documents have the appropriate name and gender; as well as assuring that name and gender designations have been changed in all of the places an employee's name may appear.

- The DCRC is responsible for recommending updates and other revisions to the Transgender Non-Discrimination in Employment Policy and Procedure to the County Manager, providing staff training, ensuring the implementation of non-discrimination and anti-harassment protections including discrimination complaint procedures associated with relevant County policies related to transgender, gender non-conforming and transitioning employees. Any incident of discrimination, harassment, or violence based on gender identity or expression should be reported immediately to the Office of Diversity and Civil Rights Compliance for investigation and follow up.

III. Privacy/Confidentiality

Transgender employees have the right to discuss their gender identity or expression openly, or to keep that information private. The transgender employee gets to decide when, with whom, and how much to disclose regarding his/her private gender identity or expression information. Information about an employee's transgender status (such as the sex they were assigned at birth) can constitute confidential medical information under privacy laws like HIPAA. In addition, the County's non-discrimination and anti-harassment policies prohibit any employee (including Management, Co-workers, Department of Human Resources Management or DCRC staff) from disclosing information that may reveal an employee's transgender status or gender non-conforming presentation to others. Such information may only be shared with the transgender employee's consent and with coworkers who truly need to know to do their jobs.

IV. Changing of Official Records

Fulton County will change an employee's official records, where possible, to reflect a change in name or gender upon request from the employee. Certain types of records, like those relating to payroll and retirement accounts, may require a legal name change before the person's name can be changed. Most records, however, can be changed to reflect a person's preferred name without proof of a legal name change. Fulton County will make every effort to update any photographs at the transitioning employee's workplace so the transitioning employee's gender identity and expression are represented accurately.

If a new or transitioning employee has questions about company records or ID documents, the employee should contact the Chief Human Resources Officer.

V. Names/ Pronouns

An employee has the right to be addressed by the name and pronoun that correspond to the employee's gender identity, upon request. A court-ordered name or gender change is not required. The intentional or persistent refusal to respect an employee's gender identity (for example, intentionally referring to the employee by a name or pronoun that does not correspond to the employee's gender identity) can constitute harassment and is a violation of this policy. If you are unsure what pronoun a transitioning coworker might prefer, you can politely ask your coworker how they would like to be addressed.

VI. Sex-segregated job assignments

For sex-segregated jobs, transgender employees will be classified and assigned in a manner consistent with their gender identity and not their sex assigned at birth, provided they can fulfill the essential job requirements of the sex-segregated job.

VII. Restroom Accessibility

Employees shall have access to the restroom corresponding to their gender identity. Any employee who has a need or desire for increased privacy, regardless of the underlying reason, may be provided access to a single-stall restroom, when available. No employee, however, shall be required to use such a restroom. All employees have a right to safe and appropriate restroom facilities, including the right to use a restroom that corresponds to the employee's gender identity, regardless of the employee's sex assigned at birth. That is, transgender women must be permitted to use the women's restroom, and transgender men must be permitted to use the men's restroom. That decision should be left to the transgender employee to determine the most appropriate and safest option for them.

Some employees – transgender or non-transgender – may desire additional privacy. Where possible within the constraints of its existing facilities, the County may make available a unisex single-stall restroom that can be used by any employee who has a need for increased privacy, regardless of the underlying reason. For example, if any employee does not want to share a multi-person restroom with a transgender coworker, they can make use of this kind of option, if available.

VIII. Locker Room Accessibility

All employees have the right to use the locker room that corresponds to their gender identity. Any employee who has a need or desire for increased privacy, regardless of the underlying reason, can be provided with a reasonable alternative changing area such as the use of a private area, or using the locker room that corresponds to their gender identity before or after other employees. Any alternative arrangement for a transgender employee will be provided in a way that allows the employee to keep their transgender status confidential.

IX. Dress Codes

The County does not have dress codes that restrict employees' clothing or appearance on the basis of gender. Transgender and gender non-conforming employees have the right to comply with department dress codes in a manner consistent with their gender identity or gender expression.

Fulton County Workplace Transition Plan Guide

Note: this Workplace Transition Plan Guide addresses some of the processes that may occur at Fulton County during an employee transition. An appropriate Workplace Transition Plan must be customized for the individual needs of each transitioning employee.

I. Before the Workplace Transition Begins

1. The transitioning employee should consult with the Office of Diversity and Civil Rights Compliance, their Appointing Authority, or other selected first point of contact to make them aware of the employee's upcoming transition.

2. Next, if the transitioning employee's Appointing Authority or other supervisor was not the first point of contact, a meeting between the transitioning employee and the employee's supervisor – and others, if desired by the transitioning employee – should be scheduled to ensure the supervisor knows of the employee's planned transition. Note: Management beyond the transitioning employee's supervisor should be made aware of the employee's planned transition so that leaders can express their support when the employee's transition is made known to the employee's work team.

3. The transitioning employee and their initial point person should meet to discuss all of the individuals who will need to be included in the workplace transition plan. This should include the employee, the employee's Appointing Authority, and the immediate supervisor (if applicable), and someone from DCRC. All members of this transition team should familiarize themselves with the company's policies and any other relevant resources that provide educational information about transgender issues.

II. Creating the Workplace Transition Plan

The Plan should include the following:

1. The date when the transition will officially and formally occur. This means the date that the employee will change their gender expression, name, and pronouns. The transitioning employee may choose to begin using the restroom and locker room associated with their gender identity on this date as well. The transitioning employee will know best when this should occur as they will be able to determine all relevant factors to be considered when choosing this date.

2. Decide how, and in what format, the transitioning employee's co-workers should be made aware of the employee's transition. It is up to the transitioning employee to decide if they would like to make some co-workers aware of their transition on a one-on-one basis before it is officially announced.

3. Decide what, if any, training will be given to co-workers.

4. Determine what updates should be made to the transitioning employee's records, and when they will be made.

5. Determine dates of any leave that may be needed for pre-scheduled medical procedures.

6. Ensure that all name changes and photographs are updated in advance so that they are prepared on the transition day. This includes email addresses. Make sure to keep in mind that name changes within certain processes could take longer than in others. Figure this into your Transition Plan timeline.

III. The Day the Transition Will Be Made Known to the Work Team

1. Have a work team transition meeting that includes the transitioning employee, the employee's Appointing Authority, other supervisor (if applicable), the employee's co-workers, and any other Fulton County leaders if they are able to attend. Otherwise, remote conference any members of the transition team or the employee's work team that cannot be there in person. It's important to have this meeting in person if at all possible. If the employee thinks it would be helpful, a handout about transgender issues can be provided at this meeting. It is up to the employee whether they feel comfortable attending or would prefer not to be there.

2. The employee's Appointing Authority should announce the transition, along with any other high level management who are there in order to show solidarity for the transitioning employee. The speaking Appointing Authority must:

i. Emphasize the transitioning employee's importance to the County and the management's complete support of the employee's transition.

ii. Review the County's relevant nondiscrimination policies.

iii. Indicate that the transitioning employee will be presenting themselves in accordance with their gender identity and this should be respected. The manager should also advise co-workers about the transitioning employee's new name and preferred pronoun.

iv. Be a behavioral model by using the transitioning employee's new name and pronoun in all communications – written and oral, formal and informal.

v. Make a point that the transition will not change the workplace and that everything should go on as it did previously.

vi. Solicit any questions. Refer questions the manager cannot answer to DCRC.

vii. If training is going to occur, the date should be announced at this meeting. If possible, the training should occur before the date of the employee's official workplace transition.

IV. The First Day of the Employee's Official Workplace Transition

The transitioning employee's Appointing Authority should ensure that all elements are in place, in the same way the supervisor would for a new hire or transferred employee. These elements include:

1. Making sure that the transitioning employee has a new ID badge and photo if necessary.

2. Ensuring all work documents have the appropriate name and gender and checking that these have been changed in all of the places an employee's name may appear.

V. Ongoing Support

The County will provide ongoing support as necessary to transitioning employees, their coworkers, and their Appointing Authorities to ensure a safe and inclusive workplace for all employees.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: WORK WEEK, WORK PERIOD AND PAY PERIOD

DATE: January 1, 2017 Number: 111-16

I. Statement of Policy

The purpose of this policy is to identify and differentiate Fulton County's standard work week, work period for certain staff, and standard pay period.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: WORK WEEK, WORK PERIOD, AND PAY PERIOD

DATE: January 1, 2017 Number: 111-16

I. Standard Work Week

Fulton County's standard work week is seven (7) days beginning 12:00 a.m. Wednesday and ending 12:00 a.m. the following Wednesday. This standard work week applies to all employees except sworn law enforcement and fire protection employees (as discussed below in Section III).

The applicable Appointing Authority or other supervisor will assign employees to a 40-hour work schedule or shift for the work week. However, sworn law enforcement and fire protection employees may be assigned to work schedules that coincide with their applicable work periods. Employees working alternate schedules or shifts or who desire to explore the possibility of working an alternate schedule or shift should refer to Fulton County's Flextime and Telecommuting Policies for guidance.

All employees are expected to be at their desk or designated work area at the start of their scheduled shift, prepared to begin work.

Supervisors will schedule meal and rest periods as appropriate. Fulton County complies with federal and state laws in this regard. Please see Fulton County's Meal and Rest Breaks Policy for further details.

Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in total hours that may be scheduled each day and week.

II. Work Period for Sworn Law Enforcement Officers and Fire Protection Employees

The work period for all sworn officers and detention officers of the Sheriff's Office, Police Department, and Marshal's Office who are eligible under the Fair Labor Standards Act (29 U.S.C. § 207(k)) to accrue compensatory time shall be a 171-hour, 28-day work period. The work period for all fire protection employees of the Fire

Department who are eligible under the Fair Labor Standards Act (29 U.S.C. § 207(k)) to accrue compensatory time shall be a 212-hour, 28-day work period. The 28-day work period begins 12:00 a.m. Wednesday and ends 12:00 a.m. the third Wednesday thereafter. The Fulton County standard work week (set forth in Section II above) shall apply to all other civilian personnel within the law enforcement and fire departments.

Sworn law enforcement employees who work more than 171 hours and fire protection employees who work more than 212 hours in a work period may earn overtime and/or accrue compensatory time as outlined in the County's Overtime and Compensatory Time Policy.

III. Standard Pay Period

Fulton County's standard pay period is the combination of two (2) consecutive standard work weeks. To the extent required by law, other pay periods may be utilized.

FULTON COUNTY GOVERNMENT
GUIDEBOOK

200 SERIES

PERSONNEL POLICY

SUBJECT: COUNTY VEHICLE USE

DATE: January 1, 2017 Number: 200-16

I. Statement of Policy

It is the policy of Fulton County to allow employees to use County vehicles based on the preservation of Public Safety and Health, to satisfy response requirements, and to otherwise provide for the effective and efficient use of County and personal vehicles in the delivery of services to citizens of Fulton County.[1]

II. Applicability

All County employees who are assigned and operate County vehicles or who are reimbursed for the personal use of their private automobile shall comply with this policy.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

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[1] This policy is consistent with Fulton County's Code, Sec. 23-3-6, paragraph (d), which states:

> A report will be sent semi-annually to the Board of Commissioners that will, by department, show: County vehicles that are taken home at night by County employees; type of vehicle; employee's name and residence; and the reasons for authorization to take the vehicle home at night.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: COUNTY VEHICLE USE AND ASSIGNMENT CRITERIA

DATE: July 1, 2018 Number: 200-16

I. County Vehicle Take-Home Privileges

A. Eligibility for vehicle take-home privileges for Public Safety and Public Facilities Employees who live in Fulton County:

1. For Public Safety (Police, Sheriff, Marshal): only those officers who are determined to be necessary for callback on an emergency basis for incident response or investigations will be eligible for take-home privileges to residences within Fulton County. The vehicle must be equipped as an emergency response vehicle to qualify for this treatment.

   The Chief of Police, Sheriff, and Marshal will make the determination of those who qualify under this provision and report to the County Manager on a quarterly basis.

2. For Public Facilities (Public Works, Department of Real Estate and Asset Management (D.R.E.A.M.)): only those individuals who are determined to be skilled and needed for callback to respond to County facility emergencies (such as water or sewer line breaks, plumbing, electrical, heating or air conditioning outages, etc.) will be eligible for take-home privileges to residences within Fulton County. The vehicle must be equipped with the tools necessary for the appropriate response to qualify under this provision.

   The Director of Public Works and the Director of D.R.E.A.M. will make the determination of those who qualify under this provision and report to the County Manager on a quarterly basis.

B. Eligibility for vehicle take – home for Public Safety and Public Facilities Employees who live outside of Fulton County:

1. All other employees who qualify for a take home vehicle under this policy, but who live outside of Fulton County, may choose one of the following options:

    a. Parking the vehicle at the closest County facility to home for drop-off and pick-up;
    b. Using a personal vehicle for call-backs and charging mileage (a combination of 1 and 2 would be permissible); or
    c. Paying the County a commute fee of $.10 per mile from the County line to the employee's residence and back via payroll deduction.

II. Other Circumstances Where Overnight, Take-Home Privileges May be Granted

On a case-by-case basis, a Department Head may authorize temporary overnight take-home privileges for one of his/her employees. In those instances, the employee must have been attending an authorized meeting as an official representative and it is not in the best interest of cost and safety to return the vehicle to its normal location. In such instances, the Department Head must document for file the temporary overnight privilege to indicate the justification for the action.

III. County Vehicle Range

For day-to-day business, authorization to take a vehicle outside of the Atlanta Metropolitan Area (e.g., Macon, Columbus) must be approved in writing by the County Manager or his/her designee. For purposes of this policy, the Atlanta Metropolitan area is defined as the 20 county area as established by the United States Census Bureau. These counties are as follows: Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Newton, Paulding, Pickens, Rockdale, Spalding, and Walton.

IV. Report to Board of Commissioners

Consistent with Fulton County's Code, Sec. 23-3-6, paragraph (d), a report will be sent semi-annually to the Board of Commissioners (BOC) that will, by department, show: County vehicles that are taken home at night by County employees; type of vehicle; employee's name and residence; and the reasons for authorization to take the vehicle home at night.

Exceptions and requested additions to the semi-annual report required by this policy must be made in writing and approved by the County Manager who will include them in the semi-annual report to the BOC.

Additions/deletions to the Overnight Vehicle List must be approved by the County Manager who will include them on the next semi-annual report to the BOC.

V. Other Provisions for the Use of Vehicles on County Business

The County will endeavor to:

A. Provide transportation when available, or make reimbursement of costs incurred, to employees traveling on official business for the County.

B. Assign County vehicles full time during the working day to specific employees based on a justified need and not because of position.

3. Provide County vehicles, as available, to other employees having less than full time needs.

4. Encourage use of public transportation system when business is near Metropolitan Atlanta Rapid Transit Authority line.

5. Encourage use of the County-wide motor pool.

6. Authorize reimbursement at the current County-approved rate-per-mile for the use of privately owned vehicles only when it is deemed necessary and in the County's best interest.

7. Expect employees to travel to and from work at their own expense.

VI. Vehicle Assignment

Vehicle assignment for business purposes may be categorized in the following manner:

- Exclusive Assignment - Restricted
- Exclusive Assignment - Unrestricted
- Eight-Hour Assignment
- Pool Assignment
- Personal Vehicle

All assignments, including use of personal vehicles, are subject to the monetary limitations imposed by the Fulton County Board of Commissioners as part of the annual budget process. Except as otherwise provided for in this policy, County vehicles shall be used for official County business only.

A. <u>Exclusive Assignment – Restricted</u>: the authorized use of a County vehicle by a designated County employee/position for the purposes of efficiently and effectively performing County business and encompasses commuting to and from home and "*de minimus*" personal use. Examples

of "*de minimus*" personal use include lunch and/or a personal errand on the way between a County work location/activity and the employee's home.

B. Exclusive Assignment – Unrestricted: the assigned, unrestricted use of a County vehicle on a 24-hour basis within the Metropolitan Atlanta area. Exclusive assignment is limited to specific positions within the County, i.e., the Fulton County Marshal's and Police Departments and the Sheriff's Office, whose response time to urgent and immediate needs of public safety duties and responsibilities are essential. The specific positions for unrestricted, exclusive assignment will be determined by the County Manager.

Unrestricted use of Public Safety (emergency medical services and law enforcement) vehicles by specifically authorized personnel is allowed. Such unrestricted use must encompass an urgent and immediate need to respond to public safety duties and responsibilities where response time is essential. All such assignments must be recommended by the appropriate Public Safety Department Directors and approved by the County Manager.

C. Eight-Hour Assignment**:** the assigned use of a County vehicle by a designated employee/position for the efficient and effective performance of County business during the respective employees assigned work period which may in fact be more than eight hours depending on job assignment as approved by the Department Head. Such assignment allows for use of the County vehicle for all authorized uses with the exception of commuting between normal work site and personal residence.

An eight-hour assignment of a County vehicle may be approved when:

- A vehicle is needed and used extensively each working day, or
- The nature of one's work may cause unusual depreciation and wear on a personal vehicle.

D. Department Pool Assignment: the assigned use of a County vehicle by employees of a specific department for the efficient and effective performance of County business on an as needed basis.

County vehicles not assigned to a specific employee/position are designated as Department Pool Assignment vehicles. These vehicles are to be utilized by County personnel as directed by the owning Department Head or his/her designee.

Department Pool Assignment vehicles should normally be used to handle a department's short-term (approximately eight hours) transportation requirements; however, they may be used on a temporary basis for periods greater than a day when approved by the Department Head, to accomplish essential County business. The Department Head shall document for file the justification for this approved action.

E. Personal Vehicle Use: allowed in the performance of County business when a County vehicle is not otherwise appropriate or available. Reimbursement shall be accomplished on an allowance or mileage basis as outlined later in this policy.

1. Individuals using personal vehicles on official County business are required to carry, at a minimum, the Georgia auto liability limits as evidence of financial responsibility. This is the primary insurance coverage for the employee's vehicle at all times, including when the vehicle is used on official County business. These individuals are required to provide the supervisor with evidence of insurance upon request.

2. Approved officials or employees who use their personal vehicles for County business may be reimbursed on a per mileage basis. Mileage for transit between home and work and between work and lunch does not qualify for reimbursement.

3. An employee or official who is required regularly to use and consistently uses his private vehicle in carrying out his/her day-to-day assignments may, on recommendation of the Department Head, be compensated for the use of his private vehicle at the approved rate per mile.

4. Persons in this category of assignment who consistently travel more than 500 miles per month in the conduct of County business may be considered for another type of vehicle assignment.

5. *Reimbursement requests*: The "Mileage Reimbursement Request" form shall be signed by the employee requesting the reimbursement and verified by the employee's Department Head. Reimbursement documents shall be filed with the Finance Department. The Finance Director may employ any reasonable means of checking the validity of mileage reimbursement requests. Any inaccurate record keeping shall subject the requesting employee to disciplinary action in accordance with applicable Fulton County policy including, but not limited to, the Discipline Procedures for Classified Employees Policy.

6. In general, the County assumes no liability for property and/or personal injury damages for employees operating a personal vehicle while conducting official County business.

VII. Other Vehicle Use Considerations

A. Mass Transit: High priority should be given to the use of public transportation systems. Employees using mass transportation for official business can turn in a receipt for reimbursement.

B. Taxation: Personal use of a County vehicle will subject the employee to the Internal Revenue Service (IRS) tax liability guidelines. Positions that meet the Public Safety requirements of the IRS code are exempt. The Internal Revenue Code requires the value of using a County vehicle for commuting to and from work to be taxed as income subject to federal, state and FICA withholding requirements.

VIII. Approval Process

Semi-annually, each Department Head will assess the status of the vehicle assignments, utilizing the five categories outlined in paragraph I.

On or before March 31st and September 30th of each year, Department Heads will submit justification for requirements for exclusive and eight-hour assignments to the Director of the Public Works Department. These requirements should be submitted using the "Request for Vehicle Assignment" form. D.R.E.A.M. will provide a consolidated recommendation to the County Manager for his/her review and presentation to the BOC for the third Wednesday Board Meeting in April and October of each year.

In the case of mileage and vehicle allowance, reviews will be conducted annually in conjunction with the September report.

IX. Driver Responsibilities

A. <u>Driver Qualifications</u>

Only County employees who hold a valid Georgia or other state driver's license and who meet the following driver's qualifications shall be allowed to operate County vehicles or drive their personal vehicles while conducting official County business:

1. Have at least one year of experience in the class of vehicle to be operated or have received proper training in the operation of the vehicle prior to use.

2. Must meet driver's licensing requirements.

3. Must provide an initial Driving History Report (MVR) and annually thereafter.

4. An employee will not qualify for a County vehicle if, during the last 36 months, the driver had any of the following experiences:

- Been convicted of a felony.
- Been convicted of sale, handling, or use of drugs.
- Has automobile insurance canceled, declined, or not renewed by a company for reasons related to unsafe driving practices.
- Has 12 or more points assigned to his/her driving record.

B. License Inspection

All County employees must, upon request, provide a copy of their driver's license to the Department of Human Resources Management. A visual check of the driver's license shall confirm the following:

- Signature matches the individual
- Photo resembles the individual
- Description and address fits the individual
- The expiration date has not passed
- The license has been issued by the state in which the individual resides

C. Reporting Requirements

1. Driving While Impaired

All County employees are required to report any Driving While Impaired (DWI) arrest, or any other drug or alcohol arrest related to driving, whether on or off duty, to their supervisor. The employee's driving privileges will be suspended pending final disposition by the courts. Failure to report the arrest is a violation of the Fulton County Personnel Regulations and shall be grounds for disciplinary actions.

2. Traffic Violations

All County employees who are assigned a County vehicle or who drive any vehicle more than 10% of their work time are required to report any traffic violations, whether on or off duty, to their supervisor. Failure to report any traffic violations is a violation of the Fulton County Personnel Regulations and shall be grounds for disciplinary action. Fines imposed on a County employee for a traffic offense committed while on or off duty are imposed on the employee personally and payment thereof is the employee's personal responsibility.

3. Incidents and Accidents

In the event of a preventable accident involving death, the employee will, at a minimum, be suspended five (5) scheduled work days without pay and required to attend a Defensive Driving course approved by the County Manager or his/her designee at the County's expense before he/she is permitted to resume driving any vehicle while conducting official County business.

All vehicle operators are required to report any accident or any other incident involving a County vehicle, or any accident or other incident in a personal vehicle while conducting official County business in any vehicle, immediately, or as soon as possible, to their Appointing Authority or Department Head. In the event of an accident, the vehicle operator shall also:

- Contact the appropriate investigating agency, regardless of the extent of damages.
- Not discuss the circumstances of the accident with anyone other than the investigating officer, the County's insurance carrier, or persons conducting an internal investigation.
- Make no attempt to reach a settlement.
- Get the name, address, and phone number of all involved parties and witnesses.
- Take photographs of the accident or incident scene if possible.

D. Safety and Proper Care

All County employees who operate County vehicles or their personal vehicles while conducting official County business are required to operate them in a safe and lawful manner and shall not engage in any actions which would distract the driver from the safe operation of the vehicle. Also, employees shall operate said vehicle in accordance with the motor vehicle laws of Georgia and the applicable law of any other governmental entity having jurisdiction. Approved commuters are responsible for making sure the County vehicle assigned to them is parked safely and securely when parked at the employee's home.

All drivers who operate vehicles owned by, titled to or otherwise controlled by the County, are responsible for the proper care, use, safety and security of County property.

In addition to any other acts prohibited by this Procedure, in accordance with O.C.G.A. § 40-6-241, all drivers of commercial motor vehicles are prohibited from engaging in the following acts while operating a County commercial vehicle:

- Using more than a single button on a wireless telecommunications device to initiate or terminate a voice communication; or

- Reaching for a wireless telecommunications device or stand-alone electronic device in such a manner that requires the driver to no longer be in a seated driving position or properly restrained by a safely belt.

E. Alcohol, Drugs, and Tobacco Prohibited

Possession, transportation or consumption of alcohol or illegal drugs by anyone in a County vehicle is strictly forbidden, and no tobacco products may be used in County vehicles.

F. No Right of Privacy

County vehicles are the property of Fulton County and as such, are subject to inspection, audit, and search by County officials. This includes the right to place tracking devices on County vehicles and monitor their whereabouts without notice to employees. The County Manager shall designate persons authorized to conduct inspections, audits, searches, and monitoring.

G. Appearance

It shall be the responsibility of the employee to which a County vehicle is assigned to keep the vehicle in a state of cleanliness. County vehicles are a direct reflection on the County and as such should portray a professional appearance.

H. Vehicle Logs

Vehicle Logs (i.e., the "Automobile Mileage Report" form) may be placed in vehicles at certain times by County administration to help gather information to help the County assess its vehicles' needs and usage patterns. When this happens, each driver will be responsible for ensuring that there is a vehicle log in his/her vehicle and that it is filled out each day. When a page is filled out completely, the driver is responsible for getting his/her supervisor's initials on the sheet showing they have reviewed the record.

I. Vehicle Inspection Checklist

Each employee who is assigned a County vehicle shall complete a Vehicle Inspection Checklist and provide a copy to his/her supervisor no less than once monthly, as determined by the County Manager or his/her designee.

J. Gas Stations

Only approved gas stations may be used unless there are extenuating circumstances.

K. Passengers

Only passengers on official County business are allowed in County vehicles.

L. Cell Phones and Electronic Devices

In accordance with O.C.G.A. § 40-6-241, the use of a mobile telephone for voice communications while physically holding or supporting said telephone with any part of the body and while operating a County vehicle or while operating a personal vehicle on official County business is prohibited except in the following circumstances:

- When reporting a traffic accident, medical emergency, fire, an actual or potential criminal or delinquent act, or road condition which causes an immediate and serious traffic or safety hazard;

- By a law enforcement officer, firefighter, emergency medical services personnel, or other similarly employed public safety first responder during the performance of his/ or her official duties; and/or

- When using an earpiece, headphone device, or device worn on a wrist to conduct voice based communications.

In all other circumstances, employees should park their vehicle in a safe manner and location when it becomes necessary to use a mobile telephone for voice communications inside the vehicle.

Reading or writing texts or emails while operating a County vehicle or personal vehicle on County business is prohibited. Specifically, it is unlawful under O.C.G.A. § 40-6-241 to "[w]rite, send, or read any text based communication, including but not limited to a text message, instant message, e-mail, or Internet data on a wireless telecommunications device or stand-alone electronic device" while operating a motor vehicle on any highway of this state."

Mobile telephones should not be used while pumping gasoline.

The use of any other electronic digital media device (e.g. GPS, laptop computer, iPod, etc.) while operating a personal vehicle on official County business, is discouraged. Employees should park their vehicle in a safe manner and location when it is necessary to use an electronic digital media device inside the vehicle.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: DAMAGE TO PERSONAL CLOTHING AND PERSONAL PROPERTY IN THE PERFORMANCE OF JOB DUTIES

DATE: January 1, 2017 Number: 201-16

I. Statement of Policy

It shall be the policy of Fulton County to reimburse claims filed by employees for damages suffered to personal clothing and personal property while performing their normal County duties. Damages suffered due to negligence, recklessness or willful disregard of departmental policies and practices shall not be reimbursable.

II. Applicability

This policy shall apply to all Fulton County employees, department heads and elected or appointed officials.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains “at will”.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: DAMAGE TO PERSONAL CLOTHING AND PERSONAL PROPERTY IN THE PERFORMANCE OF JOB DUTIES

DATE: March 17, 2017 Number: 201-16

I. Overview

Employees who suffer damages to clothing and personal property while performing their normal job duties shall be reimbursed when the value of damages exceeds five dollars ($5.00) under the guidelines set forth in this procedure. All claims for reimbursement shall be investigated by the affected Departments and reviewed by the County Attorney before a recommendation is presented to the County Manager for further handling.

II. Responsibilities

It shall be the responsibility of the affected Departments to investigate the factual allegations contained in the claim and to ensure all supporting documentation is present before submitting to the County Attorney for review. The affected Departments shall also be responsible for processing the claim in the appropriate manner once approval has been made by the County Manager or the Board of Commissioners.

The County Attorney shall be responsible for evaluating the claim based upon the existing policy and appropriate law and offer an opinion to the County Manager.

III. Guidelines

The following guidelines shall apply:

- Damage to personal property must be beyond the control of the employee and sustained while the employee is on the job performing proper duties.
- Damage resulting from accidents that could have been presented by reasonable, prudent action is not reimbursable.
- Claims for lost or stolen articles will not be considered.

- Amount of reimbursement will be either current value or repair cost, whichever is lower, reduced by a five dollars ($5.00) administrative processing fee and any reimbursement from outside sources.
- Denial of the claim by the County Attorney or County Manager is final and not subject to review.

Employees who suffer damages to clothing or personal property while acting in the normal performance of their County duties without negligence, recklessness or willful disregard of departmental policies and practices shall submit a claim in writing to their department head setting forth the facts surrounding the claim. The claim must include the cost and approximate date the damaged clothing or personal property was purchased. Receipts and/or an estimate of costs must be presented with the claim to the department head. **The employee should also state if the claim has been/will be totally or partially covered by insurance (i.e. vision insurance covering replacement costs/percentage of replacements costs for eyeglasses, etc.).**

After receipt of the claim and other supporting documentation as described above, the affected Departments will investigate the circumstances contained in the claim and present all of the facts resulting from the investigation in writing to the County Attorney for further review and evaluation. The affected Departments will make a recommendation as to whether the claim should be paid by Fulton County.

The County Attorney will evaluate the claim and offer a legal opinion as to whether Fulton County should pay such claim under the existing policy and other appropriate laws. Included in the County Attorney's opinion shall be a determination as to whether the claim was due to negligence, recklessness or willful disregard of departmental policies and practices.

The County Attorney will forward her/his recommendation and evaluation, and the report and recommendation of the affected Departments to the County Manager for further disposition.

The County Manager will make a determination as to whether or not the claim should be paid. If the County Manager makes a recommendation to pay claims of $10,000.00 or more, the claim will be placed on the Board of Commissioner's agenda for approval. The County Manager has the authority to approve claims less than $10,000.00 without placing them on the Board of Commissioner's agenda. The County Manager will send all claims approved by the County Manager or the Board of Commissioners to the affected Department for further processing through the Finance Department for payment.

If the County Manager determines that the claim should be paid by Fulton County, the County Manager and the Board of Commissioners should consider the following:

- Recommendation of the County Attorney and the affected Departments;

- Review of the supporting documentation such as cost estimates and receipts, **(insurance documentation to be included)**;
- The method by which claims with similar facts were resolved (i.e., the amount of money, if any, used to settle the claim); and
- Whether the claim was due to the employee's negligence, recklessness or willful disregard of departmental policies and practices.

IV. Eligible Incidents

Incidents considered eligible to qualify for reimbursement include:

- Assault by another person—which took place without wrongful provocation by the claimant.
- Attack by an animal.
- Malfunction of equipment—which must include the following 3 conditions: (a) a piece of equipment not known to be defective unexpectedly malfunctions in a sudden way; (b) the malfunction could not have been predicted by any reasonably prudent person; and/or (c) the malfunction was not caused by improper operation of the equipment.
- Field emergency operations—when employee is attempting to save life or property under circumstances where it is not appropriate for him to exercise the same precautions to protect his personal property as would normally be expected. Typical emergency operations include fire, flood, search or rescue and law enforcement.

V. Ineligible Incidents

Damage occurring as part of a preventable accident caused by carelessness or imprudence of the claimant or other person. This procedure also is not intended to replace other mechanisms available to recompense an employee for damages to clothing and personal property. The County may require an employee to utilize other available remedies before processing a claim pursuant to this procedure.

VI. Eligible Personal Property

Damage to personal property that qualified for reimbursement includes:

- Reimbursement will be considered for damage to personal property that is worn or carried by the officer or employee to satisfactorily perform his duties. Qualifying items include clothing, watches, personal prostheses, eyeglasses, dentures and hearing aids.
- Tools, cameras, briefcases will be considered only if the property was necessary to perform employee's specific duties as determined by the Appointing Authority or Department Head.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: FULTON COUNTY OBSERVED HOLIDAYS

DATE: January 1, 2017 Number: 202-16

I. Statement of the Policy

This policy shall apply to all Fulton County employees, departments and agencies. In general, it is the policy of Fulton County to officially close, when possible, all of its offices on each of the following paid holidays observed by Fulton County during each year:

HOLIDAY	TYPICAL DATE OBSERVED
New Year's Day	January 1
Dr. Martin Luther King, Jr.'s Birthday	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas Eve	December 24
Christmas Day	December 25
New Year's Eve	December 31

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

(1) Dates of observation when holiday falls on weekend

Designated holidays which occur on a Saturday shall be observed on the preceding Friday; those which occur on a Sunday shall be observed on the succeeding Monday.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Manager and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: INCLEMENT WEATHER

DATE: January 1, 2017 Number: 203-16

I. Statement of the Policy

Fulton County recognizes that on certain days it may be difficult or impossible for an employee scheduled to work to report for duty due to inclement weather caused by snow, ice, or other extreme weather conditions. The purpose of this policy is to prescribe uniform procedures for the closure of Fulton County offices and facilities and for the treatment of employee absences from work during periods of inclement weather and other emergencies. In order to fulfill its mission of public service, Fulton County will make every reasonable effort to open its facilities to the public as scheduled, consistent with safe access for staff and the public.

Whenever it is determined that the health and safety of citizens, customers, clients, or employees would be placed at risk or that conditions or events prevent performance of regular operations, services, or assigned responsibilities, closure of County offices or specific departments may be deemed necessary. The County Manager will be responsible for making and disseminating all official decisions concerning closure of County offices and facilities due to inclement weather or other emergency.

II. Background and Applicability

This policy applies to all Fulton County employees.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Personnel Director and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains “at will”.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: INCLEMENT WEATHER

DATE: March 13, 2020 Number: 203-16

I. Definitions

A. Inclement Weather: Weather that is physically severe with the potential to result in damage, loss of human life and/or the creation of hazardous road conditions including but not limited to snow, ice, flash flooding, extreme winds, large hail, tornados and hurricanes.

B. Emergencies: An unforeseen combination of circumstances or an urgent need for immediate action, including but not limited to natural disasters, lack of heating, cooling, plumbing and power outages and actual or potential public health crises.

C. Essential Employees: Those employees who are designated as such by the County Manager for the purpose of providing essential services to Fulton County citizens or other employees during periods of inclement weather and/or emergency. The following departments have essential employees:

- County Manager
- Emergency Services 911
- Emergency Management
- Office of the Sheriff
- Fire
- Police
- Department of Real Estate and Asset Management (D.R.E.A.M.)
- Public Works
- Animal Services
- Marshal
- Medical Examiner
- External Affairs
- Finance
- Purchasing
- Department of Human Resources Management

- Information Technology
- Health and Wellness

II. Roles and Responsibilities

A. County Manager

During inclement weather sufficient to make travel hazardous or during emergencies, the County Manager may decide to close completely or early or delay the opening of County offices and facilities. If inclement weather or other emergency conditions affecting Fulton County operations develop during the workday, employees will be notified by normal employee communication methods of any official changes to normal work hours. In addition, whenever possible, Fulton County will notify employees and the public of closures through the following channels:

- Local media outlets (Radio: WSB - 750 AM and 95.5 FM, WGST - 640 AM, WAOK - 1380 AM, WABE - 90.1 FM, WVEE - 103.3 FM; Television: WSB – Channel 2 (ABC), WAGA – Channel 5 (FOX), WXIA – Channel 11 (NBC), WGNX – Channel 46 (CBS))

- Fulton County website at www.fultoncountyga.gov

- Fulton County Government Social Media accounts -- @FultonInfo on Twitter and Facebook

- Twitter updates from the Atlanta-Fulton County Emergency Management Agency @AFCEMA

- FGTV - Fulton Government Television

- Fulton County Emergency Notification System (ENS)

- Email (i.e., FulcoNews)

B. Department Heads

Department Heads/Appointing Authorities are responsible for ensuring that these procedures are fully disseminated and understood by all employees in their respective departments. Department Heads/Appointing Authorities will determine which employees are needed to maintain essential services when Fulton County offices and facilities are closed. Department Heads/Appointing Authorities will ensure that employees know whether they are considered “Essential” or “Non-essential” personnel for purposes of this policy.

Department Heads are encouraged to make their departments have taken the following steps before an inclement weather or other emergency event occurs:

1. Employees and supervisors should make sure they have after-hours contact information for each other.

2. Supervisors should remind employees of the various channels through which the County Manager's Office will communicate the status of County facilities.

3. Supervisors should discuss safe transportation options for Emergency Essential employees to report to work during inclement weather.

4. Supervisors should discuss job tasks employees can perform if others in their work unit, office or department are not able to report to work.

5. Supervisors should consider and discuss work employees may perform from home, if necessary. If appropriate based on an employee's job classification, an employee should gather materials needed to accomplish this work and bring these materials home before an inclement weather or emergency event. Confidential documents or those documents that contain protected or personal information should not to be removed from County facilities without the department head's approval.

C. Essential Employees

Essential employees are individuals whose duties become even more important during inclement weather or other emergency situations, and/or who must continue to perform work despite Fulton County office closures. Employees are designated essential or may deemed essential due to unusual circumstances within the discretion of the Department Head.

An employee deemed essential will be designated as either "Essential Emergency" or "Standard Essential." "Essential Emergency" employees are required to report to or remain at their assigned work site or an alternative Fulton County work site regardless of weather or other emergency conditions. "Essential Emergency" employees are not eligible to telework during a declared state of emergency and/or unexpected office closure. "Standard Essential" employees may be required to be on-call or to work remotely during inclement weather or emergency situations. The designation of an employee as "essential" will remain in effect for the duration of time the employee occupies the "Essential Emergency" or "Standard Essential" position in their respective department.

D. Non-Essential Employees

In the absence of official notification regarding delayed opening or office closures, non-essential employees are expected to report to work on time or to contact their supervisor or other appropriate County personnel as directed by the Department Head/Appointing Authority.

III. Use of Leave During Inclement Weather/Emergency Incidents

Announcements will be made as soon as possible following any decision to close County operations, offices or facilities in any area. Depending upon an employee's designation as "Essential or Non-essential" personnel, the following shall apply:

A. Non-Essential Employees

1. All non-essential employees who are scheduled to work but are unable to do so because their assigned work site is closed or operations are suspended shall be compensated for their full work day or shift at their regular rate of pay. However, any time that the work site is closed or operations suspended shall not count towards "hours worked" for that work week for purposes of assessing whether an employee is entitled to payment of overtime or accrual of compensatory time in lieu of overtime pay.

2. All non-essential employees who are scheduled to work but excused from work by their Appointing Authority/Department Head will be compensated for their full work day or shift at their regular rate of pay.

3. If a non-essential employee's assigned work site, office or facility is officially closed or operations suspended due to inclement weather or an emergency during an employee's normal work hours and the employee is required to leave early, the employee shall be compensated for the remainder of his or her regularly scheduled shift at his or her regular rate of pay.

4. Non-essential employees who are delayed due to weather conditions on days when County offices and facilities open at their regular time or who need to leave early due to weather-related concerns when Fulton County offices remain open until their normal closing time, shall notify their Appointing Authority and/or immediate supervisor regarding their situation as soon as possible. Such employees shall have the option of using accrued compensatory, vacation, or holiday leave to cover any related period of absence. Any non-essential employee who fails to report to work during bad weather conditions without notifying the Appointing Authority or the employee's immediate supervisor of his or her situation will be considered absent without approval and will not receive any compensation from the County during such absence.

5. A non-essential employee who calls out and does not report to work on a day that County offices close early due to inclement weather or an emergency shall be charged vacation leave for any period of absence leading up to the time of the closure and will be compensated for the remainder of their regularly scheduled shift at his or her regular rate of pay.

B. "Emergency Essential" Employees

1. All “Emergency Essential” employees will report for their regularly scheduled shift and will be compensated at their regular rate of pay. In addition, any “Emergency Essential” employee who reports to work during an office closure will receive accrued leave banked as “holiday earned” at a rate of 1.5 for each hour actually worked. Non-exempt employees will be compensated for all hours worked in excess of the applicable maximum hours as listed in the Overtime and Compensatory Time Policy and as otherwise required by applicable state and federal law, unless the employee receives compensatory time for overtime work as set forth in the Overtime and Compensatory Time Policy.

2. Fulton County may offer to transport “Emergency Essential” employees in order to deal with an inclement weather emergency or to adequately staff continuous-operations during an inclement weather emergency. Such employees shall be required to accept such transportation and to report to work.

3. Any “Emergency Essential” employee refusing Fulton County-provided transportation during an inclement weather emergency will be considered absent without approval and will not receive any compensation from the County during such absence. “Emergency Essential” employees who are scheduled to work and fail to report to work, including any “Emergency Essential” employee who refuses County-provided transportation, may be subject to disciplinary action in accordance with applicable Fulton County policies and procedures (i.e., the Discipline for Classified Employees Policy and Procedure).

4. “Emergency Essential” employees who are instructed by their supervisor not to report for work or who are excused from work will be compensated for their full work day or shift at their regular rate of pay.

C. Standard Essential Employees

1. “Standard Essential” employees may be required to be on-call or to work remotely at the discretion of the Department Head.

2. “Standard Essential” employees who are on-call will be compensated in accordance with the On-Call Pay Policy and Procedure (107-16). “Standard Essential” employees shall be paid at their normal rate of pay for any time actually worked while on-call, as specified in this policy. In addition, any “Standard Essential” employee who performs work during an office closure will receive accrued leave banked as “holiday earned” at a rate of 1.0 for each hour actually worked. Non-exempt employees will be paid any applicable overtime rate if the time actually spent carrying out assigned duties during the call-in time qualifies as overtime hours. Employees who are not required to perform any work while on-call will be paid $2.50 per hour.

3. “Standard Essential” employees who work remotely during an office closure will be compensated at their regular rate of pay. In addition, any “Standard Essential” employee who performs work during an office closure will receive accrued leave banked as “holiday earned” at a rate of 1.0 for each hour worked.

D. Employees Not Scheduled to Work

Employees who are not directly affected by the weather conditions warranting closure (i.e., employees participating in the County’s telecommuting program), or who are not scheduled to work during such times, shall not accrue any right to, and shall not be compensated in any manner for, any absence that may be authorized for the employees directly affected by the closure.

Any employee already on previously authorized leave (i.e., approved vacation, compensatory, sick, or FMLA leave or leave without pay) during a day that there is a delayed opening, early closure or complete closure of County offices or facilities will remain on such leave during any period of closure. The employee’s leave time will be reported and his or her leave banks charged in accordance with established Fulton County policy and procedures including the Time Away from Work (Leave) Policy and Procedure.

IV. Emergency Event Response Compensation

Any non-exempt employee who is required to report to work outside of his or her regularly scheduled work hours in order to respond to inclement weather needs, an emergency event as defined above, or to participate in special construction, maintenance, renovation or repair projects imperative to Fulton County operations will be compensated at a rate equal to one and one-half times their regular rate of pay. Non-exempt employees will be compensated for all hours worked in excess of the applicable maximum hours as listed in the Overtime and Compensatory Time Policy and as otherwise required by applicable state and federal law, unless the employee receives compensatory time for overtime work as set forth in the Overtime and Compensatory Time Policy.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: NO SMOKING

DATE: January 1, 2017 Number: 204-16

I. Statement of Policy

Fulton County is dedicated to providing a healthy, comfortable and productive work environment for its employees and the public we serve. This goal can be achieved only through on-going efforts to protect non-smokers and to help employees to stop smoking. To help achieve this goal, Fulton County has enacted Chapter 34 (Health and Sanitation), Article III of the Fulton County Code, wherein the County has established the "Clean Indoor Air Ordinance."

Smoking is prohibited in any Fulton County owned or leased enclosed building. Loading docks, stairwells and parking garages are included in this prohibition on smoking areas. Smoking is also prohibited on outdoor property of any Fulton County owned or leased enclosed building. This policy applies to all employees, vendors, clients and visitors.

Smoking will not be permitted in any Fulton County owned or leased motorized vehicle or motorized equipment.

This policy will in no instance conflict with any existing or future regulations established for fire, health or safety reasons. Buildings owned by the County, but leased to other agencies or individuals are exempt from this policy. However, if the leased building is considered a "public building" then the subject agency (i.e., lessee), although exempt from Fulton County's Policies and Procedures, is responsible for complying with state law regarding public buildings.

II. Applicability

This policy and procedure shall apply to all Fulton County employees, elected officials and contract personnel. Persons visiting County facilities shall comply with the County's smoking restrictions.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: NO SMOKING

DATE: January 1, 2017 Number: 204-16

I. Overview

For purposes of the No Smoking policy, smoking includes lighting, smoking or carrying a lighted cigarette, cigar or pipe and the use of any electronic smoking device. This list is illustrative only and not exhaustive.

Department heads and elected officials will widely disseminate the No Smoking policy and procedure to all employees.

All new County employees will be informed of the No Smoking policy during the initial Fulton County Department of Human Resources Management Orientation.

Signs will be placed in all appropriate spaces in County buildings indicating that smoking is not allowed. Signs will be installed by the Department of Real Estate and Asset Management (D.R.E.A.M.) to ensure a professional appearance.

II. Enforcement

The success of this policy will depend upon the thoughtfulness, consideration and cooperation of smokers and non-smokers alike. All employees share in the responsibility for adhering to and enforcing this policy. Any conflict should be brought to the attention of appropriate supervisory personnel. In all cases, the right of the non-smoker to protect his or her health and comfort will take precedence over an employee's, a visitor's or a customer's desire to smoke.

Violation of this policy could subject the offender to possible discipline as well as criminal punishment, as referenced in § 34-69 Fulton County Code of Laws, and state law (i.e., O.C.G.A. § 16-12-2). Further, nothing in the No Smoking policy is to be construed as, or inconsistent with, state law regarding smoking in public facilities.

Department heads and Appointing Authorities will take actions as necessary to ensure their employees comply with this policy.

III. Complaint Procedure

The effectiveness of our efforts depends largely on employees telling us about any violations of the policy. If employees do not report smoking in the workplace, the County cannot become aware of a possible violation of this policy and may not be able to take appropriate corrective action. Any employee who witnesses smoking in the workplace should report it immediately to his or her direct supervisor or, if the conduct involves the employee's direct supervisor, to the next level manager or supervisor above the direct supervisor as soon as possible. The complaint should be as detailed as possible, including the names of all individuals involved and any witnesses.

The Appointing Authority will investigate all complaints of violations of this policy and will take prompt corrective action, including discipline, if appropriate.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: PAID PARENTAL LEAVE

DATE: January 1, 2017 Number: 205-16

I. Statement of the Policy

Fulton County is committed to fostering a family-friendly work environment for its employees. Fulton County shall provide paid parental leave to eligible employees following the birth, adoption or foster care placement of a child with an employee to give parents time to bond with their new child, adjust to their new family situation and balance personal and professional obligations. In providing paid time off for activities related to the care and well-being of a child born to or placed for adoption or foster care with an employee, Fulton County reaffirms its commitment to promoting family well-being and improving family economic security.

II. Background and Eligibility

Permanent employees who have been employed by Fulton County for at least 180 consecutive calendar days are eligible for paid parental leave. If employees are uncertain about their eligibility, they should contact the Personnel Director or his/her designee.

III. Reasons for Which Paid Parental Leave May be Granted

- The birth of a child/children;
- The placement of a child/children with the employee for adoption or foster care;
- An employee's inability to work because of a post-pregnancy disability or incapacity related to childbirth; or
- To care for a spouse/domestic partner who experiences a post-pregnancy disability or period of incapacity related childbirth.

IV. Establishment and Implementation of Procedure

The County Manager, in consultation with the Personnel Director and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: PAID PARENTAL LEAVE

DATE: January 1, 2017 Number: 205-16

I. Reasons for Which Paid Parental Leave May be Granted

A. Qualifying Reasons for Paid Parental Leave:

- The birth of a child/children;
- The placement of a child/children with the employee for adoption or foster care;
- An employee's inability to work because of a post-pregnancy disability or incapacity related to childbirth; or
- To care for a spouse/domestic partner who experiences a post-pregnancy disability or period of incapacity related childbirth.

B. Applicable Definitions

- **"Event"** for purposes of this policy, means the birth (including post-pregnancy disability or incapacity related to childbirth), adoption or foster care placement of one or more children.
- **"Parent"** for purposes of this policy, means a biological, adoptive, legal guardian or foster father or mother, or any other individual who stands *in loco parentis* to a child.
- **"Spouse"** means the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into, or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state. This includes common law marriage, domestic partners and same sex marriage in places where these marriages are recognized.

II. Methods and Amount of Leave Available

A. Amount of Leave Available as Paid Parental Leave

Fulton County will provide up to eight (8) workweeks of 100% paid parental leave to an eligible employee upon the birth of a child or children, or upon taking custody of an adoptive child or foster child under the age of 18. An employee may receive only one period of paid parental leave for the care of any given child. An employee shall not use more than eight (8) workweeks of paid parental leave in any twelve month period. The birth, adoption or foster care placement of multiple children that is part of the same event, does not increase the length of paid parental leave granted.

B. Calculation of Leave

Eligible employees working forty (40) hours per workweek will receive up to a maximum of three hundred twenty (320) hours (eight (8) workweeks) of paid parental leave per event. Eligible employees working less than forty (40) hours per workweek will receive a pro-rated amount of leave per event, based on percentage of time worked. Eligible employees' leave is calculated by multiplying the assigned or average number of hours in a workweek by eight (8).

If both parents work for Fulton County and meet the eligibility requirements, each parent will be eligible for up to a maximum of three hundred twenty (320) hours (eight (8) weeks) of paid parental leave.

C. Use of Accrued Leave

Paid parental leave must be used within twelve (12) months following the birth, adoption or foster care placement of a child. To the extent an employee qualifies for leave under the Family and Medical Leave Act (FMLA) Policy and Procedure for the birth, adoption or foster care placement of a child, any paid parental leave taken under this policy shall be concurrent with, and not in addition to, leave taken under the FMLA Policy and Procedure.

Use of paid parental leave shall not require use of any accrued leave (e.g., sick, vacation, compensatory, holiday). Employees also may use paid parental leave before other accrued leave. Paid parental leave must be used before an employee enters into a leave without pay (LWOP) status. Any paid parental leave not used by the employee before the end of the twelve-month period to which it relates shall be forfeited and may not be accumulated for any subsequent use.

Paid parental leave shall be used in continuous days during the twelve-month period immediately following the birth or the arrival or placement of the adoptive or foster child. Parental leave may be used on an intermittent basis only if approved by the employee's Appointing Authority in accordance with Paragraph D below.

Paid parental leave will be paid at the employee's regular pay rate, but shall not include overtime.

D. Intermittent or Reduced Schedule Leave

Use of intermittent or reduced schedule paid parental leave is contingent upon the approval of the employee's Appointing Authority. If the employee takes intermittent or reduced schedule paid parental leave, the actual number of hours of leave taken will be counted toward the total hours of leave allowed under this Policy. Paid parental leave may not be used in increments of less than a full workday or work shift under any circumstance.

III. Notice

Fulton County will process requests for paid parental leave using the same procedures established for employees to request and receive FMLA leave. Employees planning to use paid parental leave should provide their Appointing Authority with no less than thirty (30) days advance notice of the birth, adoption of foster care placement of a child. When the birth, adoption or foster care placement is not foreseeable, employees should provide their Appointing Authority with as much notice as is both possible and practical.

IV. Confidentiality

The circumstances involving the need for an employee to be granted paid parental leave will be kept confidential to the extent allowed by law. All documents provided to the County regarding the leave will be maintained separately and treated by Fulton County as confidential medical records, except that in some legally recognized circumstances, the records (or information in them) may be disclosed to supervisors and managers, first aid and safety personnel, government officials or Fulton County's legal counsel.

In addition to any other discipline already outlined in this policy, any employee who violates the confidentiality provisions of this policy could be subject to discipline up to and including termination.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: POSSESSION OF DEADLY WEAPONS ON PUBLIC PROPERTY

DATE: January 1, 2017 Number: 206-16

I. Statement of Policy

Consistent with Fulton County's Workplace Violence Policy, the County strictly prohibits employees from possessing weapons of any kind at the workplace. This prohibition includes firearms, knives, mace, or any instrument or device that could be used or fashioned for attack. Employees are not permitted to bring weapons to the work site or keep weapons on County property. County property covered by this policy includes property of any nature that is owned, controlled or used by the County including but not limited to work sites, vehicles, offices, desks, file cabinets, and lockers. This policy is designed to promote the health and safety of all employees in the workplace. A violation of this policy may result in disciplinary action up to and including termination.

II. Applicability

This policy shall apply to all Fulton County employees. To the extent that it may conflict with Georgia law, Georgia law shall govern.

Exceptions:

1. Employees excluded from this policy include law enforcement officers and other employees who have permission to carry a specific weapon(s) as a part of their employment duties.

2. This policy is not intended to prevent employees from legally keeping firearms in their privately owned motor vehicle parked in county parking lots provided the firearm is locked and out of sight within the trunk, glove box, or other enclosed compartment or area within such privately owned motor vehicle.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: POSSESSION OF DEADLY WEAPONS ON PUBLIC PROPERTY

DATE: January 1, 2017 Number: 206-16

I. Reporting

Employees have a duty to report violations of this policy. Any employee who becomes aware of a violation of this policy is to report the violation to his or her supervisor AND one of the following offices:

- Chief Human Resources Officer
- County Manager
- Applicable Appointing Authority
- County Attorney
- Fulton County Law Enforcement Agency

Upon receipt of a report of a violation of this policy, the County Manager, applicable Appointing Authority or County Attorney shall notify the Chief Human Resources Officer of said report. Confidentiality will be maintained to the extent practicable. No employee will be retaliated against for making a good faith report under this policy, even if the report is in error. The purpose of this policy is preventative, not punitive. It is the responsibility of each employee to contribute to a safe working environment.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: PUBLIC AND GROUP TRANSPORTATION

DATE: January 1, 2017 Number: 207-16

I. Statement of Policy

This policy is established to define Fulton County's role in its support of the use of public and group transportation by its employees and its participation in related programs and activities. It is the responsibility of all Fulton County employees to actively support Clean Air Programs that will improve the quality of life for its employees and citizens.

II. Background

With increased costs of transportation, more traffic and congestion on the streets and highways in Metro-Atlanta, and new federal and state laws and regulations affecting fuel use and air quality, Fulton County must take a leadership role in supporting activities that will improve the quality of life for its employees and citizens.

III. Applicability

This policy will provide guidance to all departments and employees of Fulton County.

IV. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: PUBLIC AND GROUP TRANSPORTATION

DATE: January 1, 2017 Number: 207-16

I. Public and Group Transportation

Fulton County supports a number of programs and activities that advocate for the use of public and group transportation.

A. Public Transportation: Fulton County encourages its employees to use MARTA and other public transportation, and the County provides a monetary and administrative incentive for its employees to participate, i.e., the Finance Department will process automatic payroll deductions for reduced rates on monthly MARTA passes.

B. Ride-Share: Fulton County encourages its employees to commute and travel together in passenger cars in order to reduce transportation costs and minimize single occupancy vehicles, and the County provides an administrative incentive for its employees to participate, i.e., the Public Works Department, with assistance from the Department of Real Estate and Asset Management (D.R.E.A.M.), will coordinate with County employees for employee ride-share matches and with the Georgia Department of Transportation (DOT) and its automated system for locating ride-share participants from the general population of Metro-Atlanta.

C. Van Pool: Fulton County encourages its employees to commute and travel together in passenger vans in order to reduce transportation costs and minimize single occupancy vehicles. The County provides an administrative incentive for its employees to participate (e.g., the Public Works Department and D.R.E.A.M. will coordinate with the Georgia DOT and assist in establishing a van pool program for interested County employees).

II. Other Clean Air Efforts

Fulton County also supports a number of other related programs and activities that complement the use of public and group transportation and embrace the goal of improving the quality of life for County employees and citizens.

A. Clean-Air Vehicles: Fulton County supports the operation of clean air vehicles in its County fleet in accordance with federal and state laws and regulations. The Public Works Department and D.R.E.A.M. will be the focal point for coordinating this program, and integrating clean-air vehicles into the fleet.[1]

B. High Occupancy Vehicle (HOV) Lanes: Fulton County encourages its employees and its citizens to use the HOV lanes established on the interstate highway system throughout Metro-Atlanta in order to relieve traffic congestion and reduce air pollution. Fulton County, through the joint efforts of its Departments of Public Works, D.R.E.A.M. and External Affairs, will continue to educate its employees and citizens on the benefits of using HOV lanes when traveling.

C. Parking: Fulton County supports the provision of County parking spaces as positive economic and quality of life incentives for its employees to either ride-share or van pool to work. D.R.E.A.M. will coordinate with the Public Works Department on the required number of parking spaces needed and allocate parking spaces on a priority basis as they become available to employees who request parking and who either ride-share (two or more) or van pool (six or more).

[1] Fulton County, GA. Code § 174-2, No Idling of County Vehicles, "No county employee or contractor shall stop or stand any county-owned or -leased motor vehicle and idle for more than 15 minutes. This limitation shall not apply under the following conditions: (1) Emergency vehicles, construction and maintenance vehicles where the engines must run to perform the needed work; (2) The vehicle is forced to remain motionless because of traffic conditions; (3) If the ambient temperature is less than 32 degrees Fahrenheit, in which case idling shall be limited to a maximum of 25 minutes; or (4) The vehicle's primary source of energy during idling is natural gas (CNG) or electricity.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: REORGANIZATION

DATE: January 1, 2017 Number: 208-16

I. Statement of the Policy

As a public agency, Fulton County has a responsibility to our citizens to ensure that taxpayer funds are used appropriately, and that we are working as efficiently, effectively, and productively as possible on their behalf. Fulton County therefore encourages the County Manager, Department Heads and Appointing Authority to routinely review departmental operations to determine whether there are performance gaps or opportunities for improvement - such as increasing operational efficiency, reducing costs and making County government more customer-friendly. Sometimes improvements require changing the organizational structure of a unit, program or division and/or the elimination, addition or redistribution of job functions within a department. It is the policy of Fulton County to have any changes to the organizational structure of departments centrally reviewed and approved by the County Manager prior to implementation.

A reorganization is the restructuring of departmental operations. A reorganization may occur for various reasons including, but not limited to, the following:

- To improve operational efficiency
- To reduce costs or for other budgetary reasons
- The merger, repositioning or realignment of business units
- To meet the strategic needs of the County or department
- To provide a better service model
- The addition or loss of grant funds
- The addition or termination of a program or service

- A significant change in technology.

The structure of the County has a profound effect on the delivery and funding of services. Accordingly, Fulton County adopts this policy to formally outline the process for the preparation, coordination, review, approval and implementation of changes to the organizational structures of County departments.

The provisions of this policy are intended to ensure a thoughtful and thorough analysis of workforce demands, financial resources and the needs of County residents prior to the implementation of any departmental reorganization. The County Manager, Department Heads and Appointing Authorities must consider the concerns of and impact on employees, employee unions, other departments, vendors, citizens and any related stakeholders while developing reorganization proposals. In addition, because reorganizations impact classifications and employees, Department Heads and Appointing Authorities are required to work in conjunction with the Department of Human Resources Management and the Office of the County Attorney to ensure all personnel matters are processed and handled in accordance with federal and state law and Fulton County policies and procedures. A reorganization shall become effective the first pay period following approval by the County Manager or the requested effective date, whichever is later.

This policy is not to be used to eliminate specific personnel or as a substitute to disciplinary policies or procedures. While department reorganization may result in the reclassification of and/or other changes to an existing position(s) or the creation of new positions; this process should not be used to request for individual reclassification. Individual reclassification requests occur pursuant to the Positions and Compensation Policy and Procedure when the established classification of an incumbent employee's current position is changed due to significant and permanent changes in the assigned responsibilities as the result of long-term adjustments to work assignments. If following implementation of a reorganization, there are any employees that have been displaced or declared excess or surplus to the needs of the department, the County Manager will seek approval of the Board of Commissioners to separate those employees via a reduction in force.

II. Background and Applicability

This Policy and the accompanying Procedure shall apply to any change in the organizational structure of an existing unit, section, program or division within a department, which results in the realignment of existing supervisory, managerial or other reporting relationships and/or the elimination, addition or redistribution of functions.

III. Definitions

Reorganization is defined as a management initiated rearrangement of duties and responsibilities or of reporting relationships of multiple positions within or between a department's organizational units.

IV. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: REORGANIZATION

DATE: March 17, 2017 Number: 208-16

I. Procedures

A Reorganization is a management initiated rearrangement (or restructuring) of duties, responsibilities and/or of reporting relationships of multiple positions within or between a department's organizational units. The County Manager may authorize the reorganization of any department, but must inform the BOC 30 days prior to the effective date of any reorganization that may lead to a reduction in force. No Department Head or Appointing Authority may reorganize their department without prior written approval from the County Manager; however, neither the elimination nor the addition of a single division, program or unit within a department shall constitute a reorganization for purposes of this policy and procedure.

Reorganization requests should be submitted far enough in advance (typically 90-180 days) of an estimated effective date in order to provide sufficient time for a complete and thorough review and analysis by the County Manager, the Finance Department and the Department of Human Resources Management (DHRM). The effective date of the reorganization will be determined by the complexity of the reorganization request, the volume of the changes requested, and the time needed for thorough analysis of the reorganization request. To the extent a reorganization will require the establishment of a new accounting or budget set up, reorganization plans should be developed in concert with the fiscal year budget whenever feasible.

A. Submission of Reorganization Requests to the County Manager

A Department Head/Appointing Authority formally initiates the reorganization process by preparing and submitting a reorganization plan to the County Manager. The reorganization plan is a detailed description of all changes to the organizational structure of the department that will result from the reorganization. Examples of the changes that may occur include change(s) in reporting relationships; creation of new positions; reallocation of existing vacant positions; and/or reclassification of multiple

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positions in conjunction with other actions (reclassification upward, title change, reclassification downward).

The Reorganization Plan must include the following:

1. A clear explanation of each proposed change, including the need for the change. This is the most important part of the Reorganization Plan. It should identify simple, clear reasons for the proposed organizational changes. If the reorganization is in part due to a federal program change, a change in law, or any other legal basis, that legal authority should be referenced and attached. The Appointing Authority/department head should also describe the operational impact should the reorganization request not be approved.

2. A description of the budget and fiscal impact of the proposed changes include specification of the effects of the reorganization on the budget of each affected organizational division, unit or program, as applicable. It must include an estimate of any reduction or increase in expenditures expected to result from the reorganization.

3. An explanation of how the proposed changes will support, benefit or otherwise add value to the department, unit or program's objectives and mission including a description of any improvements in operational efficiency and/or service delivery expected to result from the reorganization.

4. A personnel impact summary that provides an explanation of the impact the reorganization has relating to the personnel of each affected organizational unit, including but not limited to the number of employees that will be transferred and/or subject to placement or layoff, new positions and reclassifications.

5. Current and proposed organization charts for each unit, division, bureau, program or section affected by the reorganization. Employee names should not be shown on the charts; however, the Department Head/Appointing Authority should use position numbers on the organization charts that are being reclassified so that they can be easily identified.

6. A proposed implementation date for the reorganization to be determined by the complexity of the reorganization, volume of the changes requested and time needed for thorough analysis of the request.

7. A plan for how to communicate and share information about the proposed reorganization with department employees throughout each step of the reorganization process.

8. A plan for filling positions in the new structure. Options include lateral reassignments and/or full recruitments for all new positions. (Note: Appointing Authorities/Department Heads should consult with the Department of Human Resources Management (DHRM) regarding filling positions within the new organizational structure.)

Requests for reorganization must include all of the items identified above. Incomplete requests will be returned to the department. Submission of an incomplete request may delay review of the request.

B. Development of a Communication Plan.

Developing and implementing an effective communication plan will assist in keeping employees engaged and productive in the midst of organizational changes. Appointing Authorities/Department Heads should consider identifying a point person for coordinating information needs for all involved and impacted. Development of the communication plan should involve the following:

- Identification of the groups the department will need to communicate with throughout the implementation.

- Determination of who will draft communications, the method of delivery (in-person, e-mails, memoranda, etc.) and the timing of the communication.

- Determination of whether a departmental intranet site (which may help with rumor control) is an appropriate tool in the reorganization plan.

- Determine if a meeting with employee unions is necessary and coordinate through the Personnel Department.

- Development of a preliminary schedule of informational meetings with staff.

- Inclusion of regular meetings, in coordination with the Office of External Affairs, that will provide feedback from management, staff and client groups.

The Appointing Authority/Department Head should facilitate ongoing communication with staff by remaining open and listening to employee suggestions and concerns.

II. Responsibilities

The specific responsibilities under this policy are assigned to County departments and agencies as specified below:

A. The Department Head/Appointing Authority Requesting the Reorganization

1. Analyze current processes to determine whether existing functions and organizational structures are meeting department and/or County objectives. This process may include any of the following:

   - Reviewing department programs and processes to determine if organization structures are enabling or hindering successful operations and identifying areas for improvement;

   - Collecting data to identify gaps between the actual vs. desired performance of the department, unit or program; and

   - Identifying opportunities for cost reduction, improved efficiency and/or increased effectiveness including elimination of processes and functions that do not further the department's, unit's or program's vision, mission or objectives.

2. Meet with key stakeholders of the department, including managers and customers, to determine their expectations for the services and programs the department provides.

3. Put together an analysis and planning committee that, ideally includes:

   - Key department managers
   - Representatives from other departments who are involved in or impacted by the department's business processed
   - A Department of Human Resources Management (DHRM) Representative
   - A Representative from the Office of the County Attorney

4. Determine if a different organizational structure is needed to support improved business processes, to support customer needs, to meet program, unit, department or County goals and/or to achieve desired outcomes.

5. Identify a new structure or model that will support your goals, including Distribution of functions throughout the department, unit or program (definition

of functions to be performed, groupings of functions, and the relationships among functions)

6. Prepare position description questionnaires (PDQs) that convey the changes in duties and responsibilities for each position affected by the reorganization.

7. Development of the Reorganization Plan.

8. Collaborate with the DHRM on the development of class specification for any new classifications established as a result of the reorganization.

9. Develop an ongoing communication plan, including:

    - Identifying the different groups who will need communication and the messages/information each group will need;
    - Determining a schedule for informational meetings with staff;
    - Planning communications outside the department to announce the reorganization and articulate the reasons for the change to stakeholders; and
    - Setting up individual meetings with employees who may be impacted by a Reduction in Force and employees whose jobs will change significantly as a result of the reorganization.

10. Consider how the changes will affect employees and plan for transitions, including the following:

    - Determination of the skills needed for any new positions;
    - Assessment of the skills, knowledge and experience of current department staff including potential and readiness for new assignments;
    - Comparison of current employee skill sets with what is needed for new positions; and
    - Determination of training needs to prepare staff for new positions.

11. Design, implement and/or coordinate any training needed to prepare staff for new positions.

12. The Appointing Authority/Department Head, in consultation with the Department of Human Resources Management, shall prepare a spreadsheet with the names of every employee in the current organizational structure and for each employee, indicate:

    - Job title.
    - Date of hire.

- How the employee will be affected by the structural changes, e.g., job will be eliminated.
- Physical location.
- Gender, ethnicity, age (for evaluation of adverse impact).
- Supervisor.

13. The Appointing Authority/Department Head shall prepare a spreadsheet for all new positions in the new organizational structure and indicate:

    - Job title
    - New supervisor
    - Physical Location.

14. The Appointing Authority/Department Head shall prepare a timeline, which may be updated as needed, with dates for:

    - Communicating with managers, supervisors and staff at critical points during the reorganization.
    - Notifying employees who will be affected by the intended changes.
    - Meeting with those affected. Notably, multiple meetings with managers and staff may be needed.
    - Executing the recruitment plan to advertise new positions or initiate new assignments.
    - Providing progress reports/updates to the program, unit or department.
    - Initiating Reduction in Force (RIF) activity if needed, including detailed transition plans for each affected employee.
    - Completing RIF activities if needed.
    - Training existing staff if needed.
    - Identifying the length of the transition period for each function.
    - Launching of new services, programs, or units, if applicable.

15. Submit reclassification requests to the DHRM. Once the reorganization has been approved by the County Manager, the department may submit any reclassification requests/actions associated with the reorganization to the DHRM. Reclassification requests/actions that are submitted to the DHRM without the required County Manager approval will be returned to the department.

B. Department of Human Resources Management (DHRM)

1. Provide technical assistance, throughout the development and implementation stages, on the personnel impact of reorganization changes. Prior to submitting its reorganization plan to the County Manager, the requesting department should contact the DHRM for an initial consultation relative to the proposed

reorganization. The DHRM shall review the reorganization plan for the technical aspects of human resource management and provide its recommendations to the County Manager.

2. Provide classification assistance including an assessment and recommendation to the Appointing Authority/Department Head regarding the appropriate salary grade level and classification to be assigned to positions based on described duties and responsibilities.

Factors that will be considered in determining the appropriate classification for a position include, but are not limited to:

- Nature of the duties and responsibilities of the position including scope, level and complexity;
- Relationship of the position to other positions in the department;
- Level of Supervision given and/or received;
- Exercise of independent judgment; and
- Autonomy and authority related to decision-making and accountability.

C. Office of Diversity and Civil Rights Compliance

1. Provide Guidance to Department Heads, Appointing Authorities and the County Manager regarding any potentially adverse impact of proposed organizational changes on protected groups.

D. Finance Department

1. Provide guidance to reorganizing department regarding budget levels and other funding matters.

2. Identify potential changes to the Department's accounting/budget structure.

3. Provide budgetary analysis to County Manager and reorganizing department regarding proposed organizational changes.

E. Office of the County Attorney

1. Provide opinion and other guidance with respect to the legal implications of proposed organizational changes and plan.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: TRAVEL, TRAINING, PARKING AND AUTOMOBILE ALLOWANCE/ MILEAGE REIMBURSEMENT POLICY

DATE: January 1, 2017 Number: 209-16

In accordance with the Official Code of Georgia Annotated ("O.C.G.A.") TITLE 45 Chapter 7 Sections 20 through 34, it is the policy of Fulton County to reimburse expenses incurred on its behalf for travel, training, parking, and automobile usage for official business. The County shall not reimburse expenses incurred related to any personal use.

I. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: TRAVEL, TRAINING, PARKING, AND AUTOMOBILE ALLOWANCE/ MILEAGE REIMBURSEMENT

DATE: March 26, 2018 Number: 209-16

I. TRAVEL & TRAINING

1. GENERAL PROVISIONS

1.1 Objectives

The objective of these procedures are to:

- Provide guidance to Travelers, Department Travel Coordinators ("DTC"), approvers and auditors on cost-effective management of travel expenses that aid in conserving the use of County funds.
- Define the responsibility and accountability of Travelers, DTCs, and approvers of business-related and/or training travel.
- Define the consequences of not adhering to this policy.

1.2 Standards

- Travel is contingent upon the availability of funds in the departmental budget. Each Department is responsible for managing its own Travel and Training budget and monitoring actual expenditures against budget authority.

- Travel/Training requests must provide support documentation which shows that the Traveler sought the most cost effective travel accommodations. Prior to seeking out-of-state travel and/or training, Travelers must to their knowledge certify that the trip is necessary and related to their employment with Fulton County.

- All travel expenses must be in compliance with the procedures herein established, unless granted exception per prior written approval by the County Manager or action of the Fulton County Board of Commissioners. The Traveler will be responsible for reporting and submitting supporting documentation for actual expenses incurred for authorized costs, except that receipts for the per diem amount for meals and incidentals are not required.

- Travel expenses will not be paid in advance, except for those items charged to the assigned departmental travel card(s) ("T-Card") and meal per diems. "T-cards" should be used to purchase hotel accommodations, transportation (airline ticket, car rental, bus or train) and

to pay for conference/seminar registration costs. Per Diem allowance will be paid via check no earlier than a week in advance of the dates of travel.

- Travel and/or training expenses incurred by Travelers **outside** the Atlanta Metropolitan Area are reimbursable according to the requirements outlined in this procedure. For mileage reimbursement for same-day travel within the Atlanta Metropolitan Area, Travelers should refer to Attachment J for further discussion and examples.

- Pre-approval by the department Head or County Manager is required for all Travel and Training expenditures. Expenses paid by a Traveler prior to authorization, may not be considered for approval/reimbursement until travel has occurred and a complete reconciliation package is submitted to Finance. Travel requests should be presented on proper forms and coordinated by DTC in compliance with policy procedures and federal per diem guidelines, unless a deviation from the same is approved in advance by the County Manager and approved by the Department Head. Approval for travel advances and/or eligible reimbursements are subject to funding availability. The County Manager reserves the right to review all travel and training requests.

- The Finance Department shall be responsible for managing all financial processes, systems and procedures as they relate to Travel and Training expenditures, consistent with the provisions contained in these procedures

- The Finance Department will not approve for reimbursement any expenditure without auditing the necessary documents if required to insure that such payment is lawful and proper.

- No amendments or other changes to these procedures shall be effective until the same is communicated to the Finance Department, the Purchasing Department, Department Heads and to DTCs.

- Expenses incurred for selection of accommodations based solely on Traveler's personal convenience, including extended travel, upgrades and cancellation or change fees, are not allowable for payment or reimbursement by the County.

- Reimbursement for transportation costs and/or mileage between an employee's residence and primary work location for the employee's normal commute is **NOT** allowed.

- Personal expenses, including extended travel expenses, not related to the business necessity of an employee's travel are not reimbursable. (*See* Section 6.2 lists of allowable and non-allowable reimbursable expenses).

1.3 Fraudulent Use of Travel Advance

O.C.G.A. § 45-7-32(a) provides that it is unlawful for any person to use any travel advance received from public funds for nongovernmental purposes or to submit or approve, knowingly or through willful and wanton neglect, a fraudulent request for reimbursement of expenses. Any person in violation of this code section may be subjected to criminal and civil penalties.

Travelers who knowingly misrepresent the facts concerning travel for official business, or who file or sign any travel form which contains false statements given with the intent to defraud the County,

may be subject both to administrative and/or disciplinary action up to and including possible termination and/or criminal action.

1.4 Definitions

Actual Departure/Return Time: the actual time a Traveler gets in a vehicle to leave for the destination and the actual time he or she returns after completing travel. For example, the Actual Departure time is equal to the time Traveler leaves home, and the Actual Return time is equal to the time Traveler returns home.

Allowance: a fixed amount of money permitted for authorized travel.

Atlanta Metropolitan Area: Region consisting of the following 29 counties: Barrow, Bartow, Butts, Carroll, Cherokee, Clayton, Cobb, Coweta, Dawson, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Haralson, Heard, Henry, Jasper, Lamar, Meriwether, Morgan, Newton, Paulding, Pickens, Pike, Rockdale, Spalding and Walton.

Business/Local Mileage Reimbursement: reimbursement expenses incurred from transportation between Traveler's primary work location, other county offices, business meetings and other off-campus County business functions within the Atlanta Metro Area. Expenses related to business/local mileage differ from mileage expenses related to travel/training and are paid from a different object code -1346 Mileage payments.

Commuting Mileage - Total roundtrip miles traveled daily by a Traveler between his or her residence and primary work location.

Department Head: the director or senior officer of a department, institution, agency, court or a commissioner of Fulton County government.

Department Travel Coordinator (DTC) the coordinator for travel designated by the Department Head.

Domestic Travel: any travel within and between the United States and its territories.

Emergency Travel: travel required or requested by a Commissioner, or the County Manager, or required by adjudication or other court direction that is either necessary to support County functions or mandated for public safety reasons on approved short notice.

Extended Travel – Travel that goes beyond the official start or end date of a conference, training or seminar.

Federal Travel Management Policy (FTMP): a division of the U.S. General Services Administration which provides information on Federal travel management policies and travel-related activities for the Federal Government. FTMP sets the domestic per diem rates for Federal agency Travelers while on official business for the Government. The County will use the rate that is effective at time of booking to estimate lodging, meal and incidental expenses reimbursement. Any deviation from these rates must be preapproved in writing by the County Manager. A Traveler will be reimbursed for any increase in rates that occurs during travel. (*See* http://www.gsa.gov).

Incidental Expenses: fees and tips for certain personal services, including: porters, baggage carriers, bellhops, hotel housekeeping, driver services, stewards or stewardesses and valet services.

International Travel: any travel outside of the United States and its territories.

Lodging Rate: the base rate defined by the vendor prior to the application of taxes or the conference standard room rate, etc.

Non-Reimbursable Expenses: expenses generated by a Traveler which are not allowed pursuant to these procedures.

Official Travel: employees and officials may be required to travel both within and outside the local area for the purpose of representing Fulton County at meetings, professional associations, as well as for training to enhance their skills or maintain required certifications regarding the performance of their various positions and job duties within County government.

> **Local Travel:** any travel occurring in the Atlanta Metropolitan Area.
>
> Note: When official business requires that the Traveler stay overnight in the Atlanta Metropolitan Area, he or she shall follow the procedures for Non-Local Travel. Overnight lodging, however, within the Atlanta Metropolitan Area is not reimbursable, except in instances pre-approved by the appropriate Department Head or the County Manager.
>
> **Non-Local Travel:** any travel outside the Atlanta Metropolitan Area.

Per-Diem: the allowance rate for lodging (excluding taxes), meals and incidental expenses. The County adheres to the federal meals and incidental expenses per diem rates, unless a deviation is preapproved by the County Manager. (www.gsa.gov)

Prepaid or Prepayment: amount paid to a vendor by the County on behalf of the Traveler, generally in advance of travel.

Primary Work Location: the location a Traveler regularly reports to for work.

Reimbursement: amount paid to Traveler or owed to the County for certain allowable business travel expenses upon reconciliation of travel costs.

Same Day Non-Local Travel: same day travel outside of the Atlanta Metropolitan Area, but Traveler elects to return same day.

Training: all travel costs associated with acquiring continuing educational requirements for the performance of the Traveler's work duties or maintenance of professional licensing. All costs related to the training (registration, hotel, air, etc.) should be budgeted and paid from object code -1306- Training.

Travel: all travel costs associated with events that do not directly result in obtaining continuing educational requirements. All costs related to the event should be budgeted and paid from object code -1302 – Travel.

Traveler(s): any individual authorized to travel on County business and/or for training. Any person required to travel for extradition or as a witness is also included in this definition.

Travel Advance: an advance of funds provided to a Traveler to cover estimated travel expenses or amounts paid to a Traveler by the County prior to departure for payment of reimbursable items. Travel advances are paid by check to the Traveler or payment is made directly to a vendor. A travel advance represents a lien against wages.

Travel Authorization: written approval to travel on official business. County travel is authorized based on the type of travel being performed as follows:

Types of Travel	**Authorization Requires Signature By:**
Travel by Board of Commissioners or their staff	By each Commissioner for their respective travel, administered by the Clerk to the Commission.
Travel by elected judges	By each Judge
Travel by appointed judges	By the court's Chief Judge
Travel by Department Heads	County Manager.
Travel by County Executives and Constitutional officers	By each County Executive or Constitutional officer
Domestic travel by Travelers (other than Department Heads)	Department Head
Travel by appointed members of county boards, , guest speakers, job candidates, witnesses and other invitees	Department Head.

Travel Card Reconciliation: process used to determine whether the T-card statement balance at the end of each spending cycle is equal to the total amount of travel purchases by the T-card holder.

Travel Expenses: costs for registration, transportation, lodging, meals, and incidental expenses directly related to travel.

Travel Purchasing Cards ("T-Cards"): County-issued credit cards used to pay specifically for hotel, airline, conference registration or other approved business-related travel expenses.

Traveler Reconciliation: process by which the Traveler gathers receipts and other supporting documentation upon returning from a trip and compares actual allowable expenditures against travel advances to determine the amount, if any, of reimbursement due to the Traveler or to the County.

2. INTERNAL AND EXTERNAL RESOURCES FOR TRAVEL AND TRAINING

2.1 Internal Resources

(a) Fulton County Department of Human Resources Management

The Fulton County Department Human Resources Management operates a countywide Training and Career Development Division (see Employee Central/Training Catalog for current course offerings). If internal training is available, the Training and Career Development Division is the primary source for coordinating and facilitating training for County employees. External training should only be utilized when a Traveler requires continuing education licensing or credits to perform job duties and when a comparable course is not offered internally to employees.

2.1 External Resources

The use of travel agents or agencies is strictly prohibited, unless approved by the County Manager or the County utilizes a central travel procurement agency.

3. AUTHORIZATION AND RESPONSIBILITIES

To carry out the goal of using County travel funds economically, prior to any travel, the appropriate Department Head, in consultation with the DTC and the Traveler, is responsible for:

- Reading and understanding the County's Travel and Training Policy and these procedures.
- Authorizing only reasonable and necessary travel and training to conferences, seminars and other similar events and, in the most economical manner.
- Ensuring that Travelers adhere to all procedural guidelines;

The responsibilities for authorizing travel and training are set forth as follows:

3.1 Department Heads' Responsibilities

- Identify annual conferences, seminars and other training opportunities that are required or provide benefit to county employees and other authorized Travelers, and when possible submit estimated expenses and justification during the budget process.

- Ensure that travel and training expenses are not authorized beyond the approved departmental budget for travel and training.

- Appoint a designee as the department's DTC, who will coordinate and facilitate all matters related to travel and training for the department.

- Review and approve travel and training requests.

- Supervise the activities of the DTC and review and approve all reconciliations of T-Card charges.

3.2 Departmental Travel Coordinators' Responsibilities

- Manage departmental travel and training processes and procedures and administer T-card payments with proper regard for economy and in compliance with travel and training policy and procedures.

- Verify requests for travel and training are within the scope of the requestor's job duties or needs of the department.

- Function as the liaison between Travelers, the Department Head, Finance, Purchasing and Personnel Departments for travel related issues. Provide a copy of any policy and/or procedural updates to the Department Head and the Travelers to ensure strict compliance with all requirements set forth therein.

- Comply with all procedures as set forth by the Purchasing Department in the Travel Card Manual.

- Communicate with the Purchasing Department or the department's assigned Budget Analyst regarding any concerns or requests for adjustments to spending limits or categories of allowable costs (i.e., for object codes "Travel-1302", "Training-1306", and non-employee travel).

- Track, monitor and review all travel-and training-related reconciliations. Prepare monthly T-card payment/reconciliation. Review and certify all reconciliations for accuracy to ensure all expenses adhere to this policy, and submit completed reconciliation packages to the Finance Department in a timely manner for further review after approval and signature by the Department Head.

- Prohibit additional travel for any Traveler who has an outstanding travel reconciliation or an outstanding reimbursement due to the County.

- Monitor and maintain records of monthly expenditures and balances in the departmental Travel and Training budget and provide the same to the Department Head upon request.

3.3 Travelers' Responsibilities

- Read and understand this policy and procedures before requesting travel or training from the County.

- Never use the T-card for any personal charges.

- Work with DTC to coordinate and facilitate all matters related to travel and training and complete required forms and provide other supporting documents (forms, original receipts, proof of attendance, and etc.) to substantiate travel and training requests and expenses.

- Verify applicable tax exemptions are deducted from lodging costs for travel within the State of Georgia.

- Requests for reimbursement must be submitted to DTC within 3 days of returning from travel.

On an annual basis, sign and submit the "Travel/Training Advance Agreement form, which allows the County to (1) reimburse the Traveler upon their return for any expenses incurred that were not previously paid, and (2) deduct undocumented costs from the Traveler's paycheck if funds are due to the County, or the entire cost of the trip if the travel/training reconciliation is not provided to Finance within the allotted time period.

- Complete reconciliation upon return from trip by calculating balance between travel advance and actual costs and record amount of reimbursement to self or to the County.

Note: The Board of Commissioners' travel and training costs and any other reimbursements, as well as the Pool Car data will be reported on a quarterly basis and included on the Consent Agenda. This report will include department, Traveler, travel dates, paid dates, destination and amount.

3.4 The County Manager's Responsibilities

- Review and approve, any and all travel and training and policy exception requests.

- Approve use of Non-Agency funds for travel and training costs and notify Finance of his or her approval for said usage.

- Review and approve travel and training requests and submissions from Department Heads and County Executives who report direct to the County Manager.

3.5 Purchasing Department

- Ensure T-card usage and reconciliations are in accordance with policy and procedural guidelines as outlined in Purchasing Card and/or Travel Card manuals and these procedures.

- Maintain and revise the Purchasing Card and Travel Card manuals to keep the same in compliance with these procedures.

3.6 Finance Department

- Manage all financial processes, procedures and systems as they relate to travel and training expenditures subject to these procedures.

- Provide annual training to DTCs to ensure their understanding of this policy and proper T-card use.

- Monitor and track unreconciled travel and coordinate payroll deductions when necessary. Finance may request additional documents to substantiate any claim for reimbursement or advance payments consistent with these procedures.

- Not process future travel reimbursement requests for any Traveler with outstanding travel reconciliations.

- Serve as the final repository for copies of completed travel reconciliation packages.

3.7 Department of Human Resources Management:

Coordinate County training to employees and maintain listings of current, County-sponsored courses and training opportunities.

3.8 Office of the County Auditor:

Conduct random audits of travel/training expense documentation as requested to ensure Traveler's and travel authorizers are adhering to County policy and procedures.

4. CATEGORIES OF TRAVEL & TRAINING COSTS

4.1 Conferences, Seminars, and Conventions

Registration Cost

Registration is a T-card eligible expense. Additional registration costs for recreational and entertainment activities will not be paid by the County and shall not be charged to the T-Card, unless pre-approved by the County Manager.

4.2 Lodging and Attendance

(a) Metropolitan Atlanta Area Travel

An advance for lodging expenses or reimbursement for the same shall be authorized only when it requires overnight accommodations for the Traveler to conduct County business. Unless approved by the County Manager due to special circumstances, lodging within the Atlanta Metropolitan Area is not authorized. Mileage for use of a personal vehicle is eligible for reimbursement (See Section **6.2** for more details on mileage reimbursement eligibility criteria and the County's automobile mileage reimbursement process outlined in Attachment **J**).

(b) International Travel

Conferences, seminars or other requested travel or training is not allowed outside the United States and its territories without prior approval by the County Manager.

4.3 Reimbursable Lodging Room Rate

Lodging, excluding applicable taxes, will be reimbursed up to the federal lodging per diem for the travel destination prescribed as follows:

- For Domestic Travel: www.gsa.gov
- For International Travel: www.gsa.gov

For travel in the State of Georgia, Travelers should ensure they follow the procedures to receive the tax exempt rate.

The total cost for lodging should include the room rate per night and all applicable taxes and fees. Travelers must submit an itemized lodging receipt upon returning from travel. The receipt must show all items as being paid in full. If the receipt does not show a zero balance, evidence must accompany the receipt to show the bill was fully paid.

(a) Conference Hotel Room Rates

The County will pay rates above the federal lodging per diem for official conference hotels. Conference hotel rates are not transferable to other hotels. If there are multiple conference hotels, Travelers should select the hotel with the lowest available room rate, when possible.

(b) Allowable Room Types

Only the single, standard room rate can be advanced or claimed for reimbursement. If a room is shared by two or more Travelers, the entire room cost should be paid and the reimbursement claimed by one Traveler. When two county Travelers choose to share room, the conference room rate or federal lodging per diem remains applicable. Travelers may not combine individual allowances to procure room upgrades. Travelers are responsible for costs for room upgrades or additional guests that are not authorized County Travelers. Itemized hotel bills are required for reconciliation.

(c) Government Room Rates

Travelers should select accommodations from hotels that are reasonably priced and should always take advantage of government room rates when available.

4.4 Payment Methods and Special Forms

(a) Departmental Travel Cards (T-card)

One T-card is issued to the Department Head or his/her designated DTC in each County department. It is important for the T-card to be utilized effectively and with proper approvals, as all costs incurred are subject to review by various members of the County and auditors. These records are also subject to Open Records Requests. Refer to the Travel Card Manual for proper guidelines and procedures regarding usage and reconciliation of the T-Card.

1. Financial Stewardship

It is the responsibility of both the Department Head and DTC to monitor all travel expenses purchased using the T-card and to ensure any expenses for travel are within the department's budget appropriations. Any spending by a department in excess of its budget appropriation may result in discipline, up to and including termination, of the DTC and/or Department Head. The Finance Department, Purchasing Department, and the appropriate DTC are jointly tasked with ensuring costs are paid to the card provider timely and accurately. Personal use of the T-card is strictly prohibited. Any violation of this policy will result in financial restitution by the offending party to the County of all unauthorized charges.

2. Infractions

Unauthorized use of a department's T-card will subject that department to review and may result in suspension and/or revocation of all privileges associated with the T-card's use. If improper use of any T-card is substantiated, the County Manager has the authority to immediately revoke the department's T-card, and place a moratorium on further travel within the department. Any expenses incurred as result of unauthorized use of a T-card shall be the sole personal responsibility of the offending party(ies).

(b) Credit Card Authorization

The County encourages all hotel accommodations to be reserved in advance, via the T-card by the DTC. Therefore, a Credit Card Authorization form should also be faxed to the hotel to ensure the

card used to acquire the room will remain the card used at time of checkout. This also ensures the Traveler will have no problems upon check-in. It is incumbent upon the DTC to verify the T-card's available credit prior to each transaction. The Traveler and the DTC must also confirm that the hotel will accept the T-card used to secure the reservation for payment upon check-out.

(c) In-State Lodging & Hotel/Motel Tax and Sales Tax Exemptions

These forms are required for in-state travel to take advantage of the hotel/motel and sales tax exemptions. The Traveler must forward both forms to hotel prior to travel. The Hotel/Motel Tax Exemption Certificate (see Attachment F) can be obtained from the department's DTC. Sales Tax Exemption forms are acquired through Purchasing. The maximum lodging reimbursement (excluding taxes) shall be up to the federal lodging per diem for the travel by destination unless as provided otherwise in these procedures.

4.5 Traveler's Responsibilities for Lodging and Attendance

- Must obtain the most reasonable lodging rate available.
- Make reservations well in advance.
- Obtain government rates whenever possible.
- Avoid high cost hotels and motels.
- Communicate changes in reservations with the hotel/motel.
- Utilize the Hotel/Motel Tax Exemption Request form.
- Mention conference or seminar name to ensure the conference rate for blocked rooms.
- Attach a copy of the conference literature to Reconciliation package indicating the conference hotel rate included in the package.
- Secure and review itemized bill of lodging charges to submit within three (3) business days from date of return with the travel/training reconciliation.
- Document any emergencies that preclude attendance to conferences, etc.
- Ensure Department Travel Coordinator has confirmed the T-card is an acceptable form of payment upon Traveler check out.

5. ALTERNATE TRAVEL PLANS

Any change to travel plans, which incurs additional expense(s) must be justified as official County business and approved in writing by the Department Head or the County Manager. Any unapproved changes to travel route or length of stay must be made by the Traveler and he/she shall be responsible for all associated costs, which may or may not be eligible for reimbursement. Transportation expense reimbursements are allowed only for uninterrupted, direct route travel – from authorized point of departure to destination and from the destination back to the original point of departure. Exceptions will only be made for Travelers who are traveling to more than one destination on a single trip for pre-approved, official County business.

5.1 Extended Stay

Extended stays will be treated as an exception to this Policy and will require approval in writing by the appropriate Department Head or County Manager.

5.2 Special Housing

Special housing provisions are allowable for Travelers who are attending school for training if it requires accommodations for more than one week and the cost is less than staying at a hotel/motel within the vicinity of the training facility.

6. TRANSPORTATION EXPENSES

6.1 Group and Gratuitous Transportation

When two or more Travelers are in route to the same destination, maximum use shall be made of special group travel discounts and joint use of transportation options including taxi cabs, County-owned or privately owned vehicles to share transportation costs. Travel with representatives of other government units is encouraged whenever possible. However, no Traveler will be allowed either mileage or transportation expense reimbursement when they are gratuitously transported by another person or when transported by another Traveler who is entitled to reimbursement.

6.2 Authorized Travel Modes

(a) County-owned Vehicle

Travelers are encouraged to utilize County-owned vehicles, when available, for travel within the State of Georgia of trips of 4 hours or less, unless written authorization has been granted by the County Manager to rent a vehicle.

The Department of Facilities and Transportation should be contacted prior to traveling to determine if a County-owned vehicle is available.

A gasoline credit card issued by the County should be used only for the purchase of gasoline when utilizing a County-owned vehicle for official County business. If one is not made available for use, the County will reimburse the Traveler for actual expenses incurred for gasoline. The original gasoline receipts must be included with the reconciliation voucher. Credit card statements will not be allowed to verify fuel reimbursement requests.

(b) Personal Vehicle (Mileage Reimbursement)

When no County-owned vehicle is available, the Traveler may use their personal vehicle. Reimbursement for use of a Traveler's personal vehicle shall be limited to the mileage allowance provided by the County. No additional reimbursement for fueling costs is allowed. Travelers utilizing their personal vehicles for official County business travel will be reimbursed mileage according to the allowable mileage rate set by the IRS and published on its website as "Standard Mileage Rates" (http://www.irs.gov). The County will distribute IRS mileage rates to Department Heads and to DTCs when rates are updated.

The Traveler may use a published road atlas (Google Maps, MapQuest, etc.) or documentation of actual miles driven to calculate the distance between departure and destination points. For travel where the Traveler is departing from his or her residence during regular working hours, any mileage in excess of their normal commute mileage is allowable. If the Traveler's normal place of employment is a residence, or travel will be done on a holiday or weekend, the Traveler may use place of residence as the departure point to calculate travel with no deduction for normal commuting mileage. However, NO reimbursement shall be made for use of a personal vehicle for an employee's normal commute.

Mileage from a Traveler's residence to the airport for out of state business travel is allowable with proper receipts to substantiate airport parking. However, the County encourages Travelers to utilize public transportation (taxi, shuttle, or mass transit) for this travel when available.

When a personal vehicle is used at the Traveler's preference in lieu of airfare, reimbursement will be limited to the cost of the lowest priced airfare between the nearest commercial airport serving the origin and destination points based on the documented quote for airfare obtained for the trip.

(c) Rental Vehicle

Temporary County-owned vehicles should be used when available and most economical. If a County-owned vehicle is not available, County employees should select the most cost-effective between a rental vehicle or mileage reimbursement for use of their personal vehicle. Travelers must use the County's contracted rental car vendor. When renting through the county's preferred vendor, additional insurance is not required and is automatically included with each rental.

Reimbursement expenses for a rental vehicle will not be authorized without prior approval by the Department Head. If approved, the rented vehicle should be secured through the County approved Vendor and for the lowest cost available at the time of booking. Rentals are limited to mid-size or smaller, but upgraded sizes may be approved, based on the number of County Travelers being transported, or special accommodation request approved by the Department Head in advance of travel. The request for a rental car should be submitted for approval on the initial Travel and Training Expense Form, if known at the time the trip is planned

Reasonable fuel expenses will be reimbursed with original receipts. Travelers must return rental vehicles with the same amount of gas that it had when it was picked-up, to ensure there are no overcharges for gas upon return of the rental car.

If a rental vehicle is used for both business and non-business purposes, the Traveler will be responsible for reimbursing the County for the non-business portion.

1. Insurance

Any Traveler who has a traffic accident while operating a County-owned vehicle or while operating their own personal vehicle on County business should report the accident to the police, and their supervisor as soon as possible. The Traveler should contact the Fulton County Risk Management Division regarding any questions related to insurance coverage at (404-612–7637).

NOTE: The County liability policy is only in effect while the employee is using the rented vehicle for official County business. For this reason, personal use of the vehicle, including allowing friends or family members to ride in a County rented vehicle, is prohibited.

2. Maximum Allowable Rental Days

There is a ten (10) day maximum for the rental of vehicles within the State of Georgia unless rented from a County authorized contract. There is no maximum time limitation for the use of rental vehicles out of the State of Georgia.

3. Payment

Payment for expenses associated with a rental car may be paid in advance on County T-card.

(d) Common Carrier (Air, Rail, and Bus)

The Traveler may utilize air, rail or bus when traveling for County business. Reimbursement for air, rail, or bus fare is limited to the standard fare and must be substantiated by a receipt.

1. Air Travel

When traveling by commercial air, the original transportation receipt must be submitted with the Traveler's reconciliation.
All attempts shall be made by the DTC to secure airfare at the government rate when available. Travel is limited to a nonrefundable "economy" or "coach" fare. This shall be the standard mode of travel for the County. Travelers who require air travel must utilize the DTC to secure the lowest available airfare and must submit proof of quotes in the required format. Upgrades to Business or First Class must be paid for by the Traveler at the time of booking the ticket.

The selection of the air carrier should be based on the lowest airfare offered to fit the Traveler's schedule. Airfare quotes should include at least three (3) lowest non-refundable available rates. If there is more than a 25% increase in airfare between the time the travel is initially approved and when the flight is actually booked, the higher fare shall require approval, in writing, from the Department Head prior to payment.

The County will only be responsible for roundtrip airfare costs between the cities of the primary work location and the travel destination. Travelers who select to fly between different destinations for personal reasons, will be responsible for airfare costs exceeding those of the cost of travel between home and the approved travel destination.

a) Advance Purchase
It is important that the Traveler and the DTC expeditiously coordinate travel and training requests to take advantage of lower airfares that are available 21-28 days in advance of travel. Tickets should be booked at least 14 – 21 days, to receive the lowest non-refundable rate available. Tickets not purchased by the 14th day proceeding travel will require written approval from the Department Head prior to purchase.

b) Additional Passengers
No travel-related costs for additional passengers, including baggage costs, will be covered using County funds.

c) Baggage Fees/Lost Stolen Baggage
Baggage fees for one checked bag up to the airline carrier's standard rate are T-card eligible expenses. Receipts must be included in reconciliation. Travelers are allowed one piece of luggage and any excess when traveling with heavy or bulky County business-related materials or equipment. Excess baggage fees for personal belongings are not reimbursable.

The County will not reimburse the Traveler for lost or damaged baggage while traveling on County business. The Traveler must communicate and seek resolution directly with the airline carrier.

d) Trip Protection
The purchase of trip protection, either through trip insurance or the purchase of a refundable ticket is allowable following careful consideration of costs and business necessity. This expense is subject to approval as outlined in travel authorization signatories in Section 1.4.

e) Cancellations

It is the Traveler's responsibility to coordinate travel plans with the DTC. Any cancellations or rearrangements should be communicated as soon as possible in case the airfare can be applied to future travel. Non-refundable airline tickets for a canceled trip are credited by the airline carrier and must be used by the Traveler within the deadline established by the air carrier. The Traveler may be required to reimburse the County if the airline ticket is not used within one year of issuance or prior to end of Traveler's tenure with the County, whichever is sooner. If the cancellation is without cause or merit, the current value of the ticket may be subject to payroll deduction.

Any remaining credit from tickets cancelled due to conference rescheduling should automatically be held over and used towards airfare for a new conference date. The DTC shall NOT sell or transfer any tickets to Traveler for personal use without prior written approval by the County Manager. Such an act will be in violation of this Policy and may result in disciplinary action against Traveler and DTC.

The DTC is required to submit to Finance (Travel) names of Travelers with cancelled airline tickets at the end of each month.

2. Bus or Rail Travel

For transportation by bus, railroad, taxi, or other conveyance, the actual fare for standard seating will be reimbursed.

6.3 Ground Transportation

Ground transportation expenses include, but are not limited to, costs for rental cars, parking, tolls, public transportation, airport shuttles, car services, valets and taxicabs. Pre-approved rental cars and hotel parking fees may be eligible for payment on the departmental travel card with DTC approval.

Self-parking fees at the Traveler's hotel are eligible for pre-approval and inclusion in hotel payment via the T-card. The DTC is allowed to submit credit authorization for both hotel fees, applicable taxes and approved parking fees. All items should be included on the hotel folio receipt and provided in the reconciliation package. Tips should not be included, as they are not allowable reimbursement costs separate from per diem rates.

Travelers may utilize airport parking and shuttle services. The County will reimburse parking fees only up to the Economy Rate and shuttle service fees will be reimbursed at actual costs with receipts. Tips for transportation services are included in each Traveler's Meal and Incidental Expenses rate and are not reimbursable expenses. Fees for limousine or car services, other than taxi cabs are not allowable for reimbursement, unless they present costs savings to the County.

For reimbursement purposes, cab fare costs for group Travelers must either be paid by one Traveler, who during reconciliation can submit the original receipt for reimbursement, or each Traveler must obtain an individual receipt verifying payment for their portion of the fare. Photocopies of receipts will not be accepted.

Ground transportation for non-conference sponsored activities and travel are deemed personal in nature and are not reimbursable.

Parking fees incurred by Travelers, while on official County business, should be restricted to the most economical parking fee rates at the parking facilities. Except for hotel parking fees, included

on the hotel folio, street parking fees are not eligible for payment on the T-card, without prior County Manager approval. These expenses are reimbursable with submission of a complete reconciliation package, after completion of travel and must be substantiated by original receipts that include the purpose of the trip(s).

6.4 Travel Incentive Programs

Travelers may not personally earn, receive or retain promotional items or benefits as a result of official County business-related travel, including: frequent flyer miles, points, cash back or travel rewards. Any Traveler who violates this procedure may be subject to discipline and the loss of County sponsored travel privileges and/or use of the T-Card.

6.5 Travel Advance Exemptions

Requests for advance of ground transportation costs, not usually eligible for advance, may be allowed on a case by case basis by the Department Head with prior approval of the County Manager.

7. MEALS AND INCIDENTAL EXPENSES/REIMBURSABLE RATES

7.1 Meal Per Diems

Only travel that is eligible for overnight stay entitles the Traveler to receive a per diem amount for meals and incidental expenses ("M&IE") at a rate consistent with IRS regulations for accountable reimbursement plans. The per diem amount is inclusive of taxes, gratuity and any additional costs associated with a meal. The term "incidentals" includes, but is not limited to expenses for personal services (i.e., tips for porters, servers, baggage carriers, drivers, housekeeping, and etc.).

Generally, Travelers will not be provided the full per diem amount on the departure and return dates. In accordance with GSA guidelines, first and last day calendar day travel is calculated at 75% of the daily per diem rate.

(a) Travel within Atlanta Metropolitan Area

Meal per diem is not allowable for travel within the Atlanta Metropolitan Area.

If a conference, seminar or training requires travel for more than two (2) consecutive days and is within the Atlanta Metropolitan Area, but is at least 50 miles from Traveler's normal workplace, the Department Head may approve an overnight stay if accommodations and per diem are more cost effective than mileage reimbursement for the total roundtrip travel.

(b) Day Trips

A Traveler in travel status for day trips (outside of the Atlanta Metropolitan Area) is allowed meal reimbursements based on federal per diems. It is also allowable for a Traveler who decides to return on the same night from a trip that qualifies for overnight accommodations. Note: The IRS considers all meals reimbursements not associated with overnight travel taxable.

(c) Overnight Travel

Meal per diem allowance shall be based on the federal meal per diem rates found here: www.gsa.gov. To receive the full meal per diem it is necessary for Travelers to be in overnight

travel status and be eligible for both breakfast and dinner. All taxes, gratuities and tips are included in the maximum allowances for meal per diem.

(d) Conference /Convention Meals

Travelers shall not be provided per diem for meals included as part of a conference or convention registration fee paid by the County. Travelers who elect to eat elsewhere shall do so at their own expense and no reimbursement will be allowed. Exceptions may be made for Travelers with medical requirements or religious beliefs that prevent them from eating the meal provided as part of the conference. If approved, the Traveler will be reimbursed in the same manner as all other meals.

Banquets not included in the registration fee will be paid at the stated rate, provided the meal is an integral part of the convention or conference (for example, a banquet at which industry/political leader(s) will be a special guest or keynote speaker and where there is special opportunity to promote County initiatives). The Traveler will not be reimbursed for meals that are complimentary or provided by any other person or entity without charge. The meals and incidentals per diem may be reduced by an amount comparable to the allowance rate for such meals.

(e) Hotel Meals

Continental breakfast included in the registration fee should not be considered a meal; therefore, the meal per diem is allowable for included continental breakfasts. However, if the hotel provides a full hot breakfast, per diem is not allowed, as it is provided as part of the lodging fee paid by the County.

(f) Airline Meals

Meals or snacks served on airlines will not affect the daily meals and incidentals allowance.

(g) Alcohol Allowances

An alcoholic beverage is never a reimbursable expense, **NO EXCEPTIONS**.

7.2 Reimbursable Expenses/ Incidental Expenses

(a) Allowable Reimbursable Expenses

It is the County's policy to reimburse Travelers for all reasonable and necessary expenses incurred while conducting official County business. However, there are some expenses that will be considered personal in nature and will not be reimbursed.

The following are allowable expenses that are reimbursable:

- Telephone reimbursement for County-related business calls. Must indicate business purpose in order to claim reimbursement.
- Fax and postage expenses incurred relative to County business. Receipts are required with justification.
- Laundry expenses while away on County business for one (1) week or more.
- Parking and toll charges, in state or out of state.
- Baggage claim fees for business related materials or equipment and one piece of luggage.
- Reasonable internet café/hotel Wi-Fi service charges that are incurred to facilitate County business.

(b) Non-Allowable/Non-Reimbursable Expenses

- Personal long distance phone calls
- Entertainment expense
- Laundry if travel is less than one (1) week
- Valet services
- Personal grooming
- Personal reading material
- Alcoholic beverages
- Direct expenses for the use of a personal vehicle (Ex. tires, oil change, etc.)
- Personal travel insurance
- Traffic fines and court costs
- Souvenirs from trip
- Movie rental
- Extended travel expenses that do not provide cost savings to the County

These lists are not all-inclusive. The Department Head shall approve or disapprove all other expense reimbursements not clearly defined in the policy.

(c) Incidental Expenses

Incidental expenses are fees and tips that are incurred for personal services during the normal course of business travel. Expenses in this category are covered by the Meal and Incidental Expenses (M&IE) per diem rate, established by the General Services Administration. Such expenses do not require substantiation by receipts. Location-specific information for M&IE can be found at www.gsa.gov/perdiem.

Outlined below are travel expenses included in the Traveler's M&IE per diem rate.

- Tips for meal services
- Tips for airport baggage handlers and hotel porters
- Tips for hotel housekeeping
- Tips for transportation services

(d) Extraordinary Travel or Costs

In instances of travel not covered or clearly defined in this policy, or where the actual necessary costs exceed the maximum reimbursement allowed and the travel is in the best interest of the County, the Department Head or the County Manager (or assigned proxy) may approve reimbursement of actual cost beyond the maximums stated herein. However, the terms of reimbursement must be determined before the travel occurs or before the cost is incurred and expenses must be substantiated in the reconciliation.

(e) Non-County Sponsored Travel/Training

The Fulton County Board of Commissioners, through Resolution #12-0823, prohibits the use of any funds from County Contractors, defined as "a person, business or entity, however formulated, that: (1) is seeking official action from Fulton County; (2) is seeking to do or is doing business with Fulton County; (3) represents a person who is seeking official action from Fulton County; or (4) has an interest that may be affected by the performance or non-performance of official duties by the Traveler, officer, elected official or Commissioner" for travel expenses for any party subject to all other terms and conditions within this policy, unless such expenses are specifically authorized by a written County contract or solicitation.

If travel for an authorized Traveler is being sponsored by a third party, the County will not be responsible for advancing full or partial expenses for any portion of travel that will be either advanced or reimbursed by the third party. All expenses reimbursable by the sponsor to the Traveler are the sole responsibility of the Traveler.

8. TRAVEL/TRAINING ADVANCES AND RECONCILIATION

The use of T-cards minimizes the financial burden of a Traveler while traveling on behalf of the County. Travelers will receive a check issued by the Finance Department for their per diems pursuant to this policy.

By signing the appropriate Travel and Training Form, the Traveler acknowledges compliance with County procedures and certifies to the accuracy and propriety of all expenses and allowances listed are necessary in the performance of official County business. This instrument also authorizes the County to deduct, via payroll or other county payment, any monies owed from the Traveler for unreconciled travel costs. It is the responsibility of the Traveler to reconcile the travel expenses within the required period of time (3 days), upon returning from trip.

Cancellations or indefinite postponement for authorized travel/training must be communicated to the Departmental Travel Coordinator. The DTC must ensure that any prepayments that can be rescinded are credited back to the travel card.

8.1 Payment Methods

Cash, ACH or EFT payments are strictly prohibited, unless otherwise authorized under an approved modification in business practices.

8.2 Travel/Training Reconciliation

Travelers are required to reconcile travel and give a completed package to the DTC within three (3) business days from the date of returning from travel for review and certification. Completed reconciliations should be forwarded from the DTC to Finance for final review, approval and payment of any owed reimbursements.

Original receipts are required for hotel and all allowable expenses noted in Section 7.2a of these procedures policy. Credit card statements in lieu of original receipts will not be accepted. Receipts must be marked paid or show a zero balance. Personal expenses must be paid by the Traveler and cleared from the final bill at checkout. Unallowable taxes paid on the County T-card for hotel expenses within the State of Georgia must be reimbursed, reversed or credited back to the County before the final reconciliation can be approved.

The DTC shall at the end of each month, complete a report including outstanding travel reconciliations for their respective department and submit those names to the Department Head and to the Accounting Division of the Finance Department. It is the DTC's responsibility to communicate each deficiency to the individual departmental Traveler, which should include monies advanced on Traveler's behalf (i.e. hotel, conference or seminar registration) and any other advances associated with the trip.

Accounting will not directly contact Travelers who have not submitted reconciliations, but will assist the DTC and the Purchasing Department with any discrepancies found in reconciling.

Reconciliation files that are not completely closed after 30 days from the return date of travel will be reviewed for payroll deduction. The Accounting Division will submit the names of Travelers with outstanding travel balances due that are **30** days old to the Payroll Division of Finance to proceed with the payroll deduction for any amounts due to the County. The signature of the Traveler on the Advance Agreement Form is authorization to deduct any monies due back to the County from the Traveler's payroll check or in a manner pursuant to any other Fulton County Policy or Procedure.

Payroll check deductions will be broken down into multiple installments to be determined by the County. However, if the amounts due the County are under $100.00, the total amount due will be deducted on one paycheck rather than over multiple paychecks.

Federal tax guidelines require that all requests for reimbursement must be made in a timely manner, meaning that all requests for reimbursement must be made no later than 60 days after the date the expense was paid or incurred. Failure to comply with this requirement may result in the non-reimbursement of the request.

(a) Timetable Guide for Executing a Travel and Training Request and Reconciliation

Please note that the time frames set forth below are subject to change by the County Manager or the Department Head, if the travel is being approved by the Department Head. Changes affecting the below time frames will be communicated in writing by the Finance Department to the Purchasing Department, Department Heads, DTCs, and employees.

Travel/Training Request Action – Prior to travel	**Number of Business Days to Complete**
Traveler/Traveler submits travel or training request to the DTC.	20 days before the requested travel departure, when possible.
The **DTC** reviews the request and submits it for approval to the Department Head.	2
The **Department Head** reviews the request; either approves the request and returns it to the DTC for processing or rejects it and returns it to the Traveler with no further action necessary.	5
The **DTC** processes the approved travel and training request (i.e. pays registration fees, secures transportation and lodging and reserves ground transportation, if needed). *To provide the greatest cost benefit to the County, airline tickets should be purchased at least 21-28 in advance of travel.	5
DTC forwards Per diem Package to Finance for processing	14 days before travel departure date
Travel/Training Reconciliation – Upon return from travel	
Traveler completes reconciliation for the trip by gathering receipts and other supporting documentation and calculating amount advanced and	

amount to be reimbursed on the Travel/Training Expense form and submits to the DTC.	3
The **DTC** reviews the reconciliation package submitted by the Traveler for accuracy, verifies actual costs and reimbursement amounts and ensures all supporting documentation is attached. Once approved by the Department Head, the DTC forwards completed reconciliations to Finance.	5 days
Finance completes final review of completed reconciliation package to verify actual costs and reimbursement amount and processes a check for any amount due from the County to the Traveler.	20 days
On the last business day of each month, the **DTC** submits to Finance a comprehensive list of names of Travelers with outstanding travel reconciliations.	30 days
Finance forwards to Payroll a list of names of Travelers with unreconciled travel over (30) days past the return date from travel. The Payroll Division of Finance ensures a Travel/Training Advance Agreement form is on file before withholding funds that are due from the Traveler to the County and begins the process for payroll deduction.	10 days

9. PROCEDURES AND EXCEPTIONS SPECIFIC TO THE OFFICES OF THE SHERIFF AND DISTRICT ATTORNEY

The Fulton County Sheriff's Office is subject to all conditions set forth in this policy, except in cases where the nature of its travel precludes adherence to certain procedures within. These exceptions are outlined as follows:

9.1 Extradition Travel

All extradition travel must have signatory approval of both the Sheriff's Office and the District Attorney's Office. Costs for extradition travel will be equally (i.e., 50/50) shared between both the Sheriff's Office and District Attorney's Office. The DTC will be responsible for reviewing and/or completing the travel package and making travel arrangements. A payment voucher should be executed by both the Sheriff's Office and the District Attorney's Office for per diem and approved travel advance. All other items should be paid in advance via the T-card where possible.

9.2 Payment of Travel Advance

The Sheriff's Office and the District Attorney's Office will each be assigned a T-card solely for extradition travel (i.e., separate from the T-card assigned for all other travel). This T-card should only be used to secure pre-payment eligible items (transportation and lodging) for extradition travel. Extradition Travelers must adhere to the federal per diem allowance rates for lodging, meals and incidental expenses found here (www.gsa.gov). When requesting travel allowance or per diem, a joint payment voucher must be executed by both the Sheriff's and District Attorney's Offices and submitted to Accounts Payable in the Finance Department for processing. Accounts Payable in the Finance Department shall notify the Treasury/Cash Management Division of any forthcoming cash advance requests. Traveler will be contacted by the Finance Department when a cash advance is available for retrieval. The signature of each Traveler or the DTC is required for the release of funds.

9.3 Petty Cash for Per Diem and Travel Allowance

The Sheriff's Office and the District Attorney's Office shall jointly establish and maintain a joint petty cash account within the Finance Department solely for the purpose of funding approved travel allowances and per diem for extradition travel. This petty cash account shall be equally funded by both Offices from their annual budget appropriations for extradition travel and must maintain a minimum reserve of $5,000.00 (i.e., $2,500 per Office). The Sheriff's Office's procurement unit is responsible for ensuring reserves remain at or above the minimum balance, and oversee the transferring of money from the Offices' extradition travel budgets when the balance of the petty cash account reaches a threshold of 85% of entire minimum balance. All outstanding reconciliations must be cured prior to the transfer of additional money to this petty cash account. At the end of the calendar year, all funds remaining in this reserve account shall be equally distributed between the Sheriff's and District Attorney's Offices and transferred back to the original object codes.

9.4 Reconciliation

Reconciliation of extradition travel shall follow the same provisions set forth within this policy. A copy of the completed reconciliation package should be provided to the Finance Department for record keeping.

10. ADDITIONAL GUIDELINES OR EXCEPTIONS FOR THE OFFICES OF THE COUNTY ATTORNEY, DISTRICT ATTORNEY, PUBLIC DEFENDER, SOLICITOR GENERAL, AND CHILD ATTORNEY

10.1 Witness Fees and Travel Expenses

The Offices of the Fulton County Child Attorney, County Attorney, District Attorney, Public Defender and Solicitor General are authorized by O.C.G.A § 24-13-25 - Witness fees - to tender payments for witness/victim's travel expenses to court from a location in or out of state that requires payment for witness mode of travel.

Travel expenditures for witnesses are governed by all provisions outlined in this Fulton County Travel & Training Policy and in accordance with federal lodging rates. Travel expenses for witnesses shall be covered for the duration of their testimony. The District Attorney shall maintain a separate Witness Travel Account (Witness Fees - object codes 1167/1168) for expenses related to witnesses/victims.

10.2 Payment of Witness Fees and Expenses

Payments in these categories may be issued directly to victims/witnesses for any fees incurred for the purpose of appearing in court of law and providing testimony. Travel expenses for lodging and transportation are paid by the Department Travel Coordinator directly to vendors, via the T-card. In some instances, the witnesses/victims will receive mileage reimbursement.

11. ADDITIONAL GUIDELINES FOR GRANT FUNDED TRAVEL

Travel is generally an allowable cost if required for the governmental operations funded by a grant. *Cost Principles for State, Local, and Indian Tribal Governments* (2 CFR Part 225) developed by the Office of Management and Budget further outlines federal policy for Grants administration and accounting and provides more specific guidelines on training and travel expenditures: http://www.whitehouse.gov/sites/default/files/omb/assets/omb/fedreg/2005/083105_a87.pdf.

On a case-by-case basis, travel costs may be restricted or excluded from specific grants. More specific instructions for utilizing grant funds for travel can be found in the “Cooperative Agreement - Special Conditions” provided with each grant award. Restrictions on travel are generally noted. For instances where County policy and an individual grant’s conditions for training or travel differ, the Traveler shall abide by the terms and conditions of the grant.

II. AUTOMOBILE ALLOWANCE / MILEAGE REIMBURSEMENT

1. GENERAL PROVISIONS

1.1 Types of Allowances

This procedure permits reimbursement for the use of privately owned vehicles for essential official County business, referred to as business/local mileage. Department heads may recommend appropriate vehicular allowances for incumbents of pertinent positions. These allowances are of two types:

A. Rate per mile as established by the IRS Standard Mileage Rate and determined by action of the Board of Commissioners, or
B. A flat monthly rate as authorized by the Board of Commissioners for each position

1.2 Business/Local Mileage versus Travel Mileage Reimbursement

Procedures for travel outside the Metro Atlanta area or training (meets licensure/certification requirement) differ from reimbursement for *business* or *local mileage*, which occurs in the performance of an employee's routine job duties. Included in travel mileage reimbursement is travel for business meetings, conferences, or other professional events that are held within Metro Atlanta and allowable under this policy.

Mileage reimbursement for other travel related to conferences, seminars or training, outside of the Metro Atlanta area, must be requested in accordance with the guidelines established in the travel in *Private owned Vehicle (Mileage Reimbursement)*, Section 6.2(b) of the Travel & Training section of this procedure.

1.3 Applicability

Members of the Board of Commissioners shall be ineligible for mileage reimbursement for travel within Fulton County.

1.4 Approval for Business/Local Mileage Reimbursement

Each recommendation must be concurred by the County Manager and approved by the County Commissioners. Inasmuch as authorization by the County Commissioners constitutes approval for the allowances of a specific position only, the allowance may be transferred from one incumbent to a successor in the same position. However, authorization for the allowance to be transferred from one position to another requires Commission approval.

1.5 Ordinary Home to Work Travel (Commuting Miles)

Commuting expenses incurred in traveling between a traveler's residence and County office or for mileage/expenses incurred in any other travel of a personal nature are not reimbursable. If mileage incurred in a single day to a place outside the office exceeds normal commuting mileage (commuting to the office and back), the difference between mileage incurred that day and commuting mileage is reimbursable. Round-trip mileage between a traveler's residence and primary work location is a personal commuting expense and is not eligible for travel reimbursement.

1.6 Examples of Potential Allowable Reimbursable Mileage

- A traveler drives directly from his/her residence to attend a business meeting, conference or seminar or a temporary work location within the Atlanta Metro Area in excess of their daily roundtrip commute.
- A traveler drives from a primary to an alternate work location or work station.
- A traveler drives from his/her residence to primary or temporary work location on the weekend to conduct County business <u>outside of their normal work hours</u>.

Example 1): A traveler's residence is in Alpharetta and their primary work location is in Atlanta at the Fulton County Government Center. The traveler's normal commute mileage is 60 miles roundtrip (RT).

a. The traveler leaves in the morning from his/her residence to represent the County at a health fair in College Park and then returns to his/her residence. The total distance travelled to the health fair is 60 miles RT. The traveler's total (business) miles (60) are equal to the normal round trip commute miles (60), so there is **no reimbursement** for business mileage for this trip.

b. The traveler leaves in the morning from his/her residence to attend a meeting in Doraville, which is 50 miles away, and returns to his/her residence afterwards. The total distance traveled is 100 miles RT. The traveler's reimbursable business mileage is 40 miles (100 miles traveled, less 60 miles normal commute mileage = 40 business miles).

The normal commute miles must always be subtracted when a traveler travels from their residence to a meeting or temporary work location. If the total miles travelled exceed the traveler's round trip commute miles, the miles in excess of his/her normal commute is eligible for reimbursement. If a traveler's normal daily commute is equal to or greater than the business mileage, the trip is not eligible for mileage reimbursement.

Example 2): A traveler's normal commute mileage is 15 miles one way. Traveler leaves from home on Saturday and drives to the Fulton South Service Center outside of his/her normal work schedule and returns to his/her residence later that evening. The traveler's total reimbursable business travel is 30 miles. If travel occurs on a weekend or holiday and is outside of the normal work schedule, mileage is calculated from the point of departure with no reduction for normal commuting miles.

Example 3) A Traveler leaves their primary work location in the evening and goes home. Once home, his/her supervisor calls and needs the traveler to go to a customer site for an emergency work assignment, then return home; a total roundtrip of 35 miles. The Traveler is allowed to claim the 35 miles as mileage reimbursement for the second trip and is not required to deduct normal commuting miles.

Allowable Exceptions (Requires County Manager approval)
Under normal circumstances, commuting miles is not reimbursable and is a personal expense. However, if a business trip originating from the traveler's residence is greater than the distance from the Traveler's residence to the County department, the department head may elect to reimburse the traveler for the difference.

2. Steps to Obtain Automobile Allowance/ Mileage Reimbursement

2.1 Department Head

When a Department Head determines that the incumbent of a particular position must engage in essential and frequent travel within the County, the Department Head may request that the incumbent of the position be authorized reimbursement for the use of his own private vehicle. After evaluation of the extent and frequency of the required travel the department head will determine the appropriate type of reimbursement; that is, rate per mile or flat monthly mileage allowance. Additionally, if the travel requirement is for other than a permanent basis, the recommendation will indicate the period during which the reimbursement is desired. The request for reimbursement, fully supported, will be submitted to the County Manager for approval.

2.2 County Manager:

(a) Reviews the departmental request for reimbursement.

(b) Submits the departmental request with his own recommendations to the Board of Commissioners for consideration.

(c) Advises department head as to Commission action.

2.3 Implementation When Flat Monthly Mileage Allowance is Authorized:

(a) Department Head will ensure that mileage allowance is established on the payroll system for each authorized incumbent.

(b) The allowance is paid biweekly on the normal payroll check.

(c) The allowance is not payable:

a. If any employee is off duty for a full month.

b. When any employee is on leave immediately prior to retirement or separation.

(d) The allowance is payable on a pro-rata basis when any County employee is on duty for any part of the month.

2.4 When Rate Per Mile is Authorized:

(a) Daily business mileage driven by employees in excess of their normal daily round-trip commute mileage, which is defined as mileage between their home and normal place of work.

(b) The amount of mileage claimed by an employee shall be limited to not more than 1,000 miles per month. Authorization for mileage in excess of 1,000 miles in a single month shall be requested by the department head. Such request shall be sent in writing to the Director of Finance.

(c) Elected and non-elected Department Heads should ensure that adequate planning of trips is done so that sharing of vehicles on County business in the same area reduces mileage claims.

(d) For routine deliveries, departments are encouraged to make use of motor pool vehicles rather than using the employee's vehicle and thereby increasing mileage reimbursement.

(e) Employees including Department Heads who are assigned a County vehicle and such vehicle subsequently becomes immobile for any reason shall be required to furnish their own substitute vehicle and the County shall reimburse the employee at the current rate on a mileage basis in accordance with this procedure. Department Heads should furnish a memorandum of explanation to the Director of Finance together with the document outlined below in order for payment to be made to the individual.

(f) Department Heads will forward to the Finance Department by the third working day of the month all monthly automobile mileage reports prepared by personnel authorized the rate per mile vehicle allowance. Department Heads are responsible to ensure that these reports are checked for accuracy and completeness, as well as agreement with the employee's attendance record. No County mileage will be reported on holidays or weekends unless explanation accompanies the report form for mileage allowance.

(g) Employees utilizing their personal vehicle for County business twice a month or less frequently may qualify for modified use of the approved mileage report form. Employees will need to submit the mileage report form; however, in lieu of the odometer reading, employees may submit a published road atlas (MapQuest, etc.) documenting commuting miles and county miles. Detailed instructions are available on Employee Central - Form# 00348 – Instructions Completing the Fulton County Mileage Expense Form.

(h) Mileage reports are subject to audit by the Finance Department and/or the Office of the County Auditor.

(i) Checks for rate per mile, received by the Finance Department on the third working day of the month will be mailed to the employees address in the County's vendor system. The Finance Department will attempt to process any requests within 15

working days. Address changes must be submitted to the Purchasing Department in a timely manner to prevent delays in the delivery of the check by the post office.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: USE OF COUNTY-OWNED PROPERTY

DATE: January 1, 2017 Number: 210-16

I. Statement of Policy

Generally, it shall be the policy of Fulton County that the use of County-owned tools, machinery, equipment, vehicles and other material (property) for non-County, private or commercial activities, is not authorized. Occasionally, such loans may be permissible, e.g., in support of federal, state or local government activities or during declared emergencies. On such occasions when the loaning of County property is permissible, the use of County property must be authorized. The County has devised a standard procedure to facilitate the process for obtaining approval for and maintaining accountability of all loaned property.

II. Background and Applicability

This policy applies to all County personnel and departments that maintain custody of County property, and to all individuals, organizations, Boards, authorities, etc., that borrow County property.[1]

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

[1] Also refer to the policy for County Vehicle Use and Assignment Criteria.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: USE OF COUNTY-OWNED PROPERTY

DATE: January 1, 2017 Number: 210-16

I. Responsibilities

The Department of Real Estate and Asset Management (D.R.E.A.M.) shall provide technical advice and assistance to all participating departments and individuals/organizations during the loan process, in order to facilitate the procedures outlined below.

II. Borrowing

An individual/organization who wants to borrow County property (borrower) shall coordinate with the department that maintains custody of the property, in order to determine its availability and obtain written approval for its use. A request form, i.e., Record of County Property Loaned Form, must be completed by the requesting party. The form (copy attached hereto for reference) may be obtained from the lending department.

The borrower shall complete the form and submit it to the custodial department. The lending department shall obtain the Appointing Authority's signature and distribute the copies as follows:

(1)	Original	Retained by custodial department
(2)	Copy #1	Provided to borrower
(3)	Copy #2	D.R.E.A.M.

Normally, loans should not be made to exceed more than six (6) months, except under rare circumstances that must be justified clearly and in writing.

III. Return of Property and Damages

After the equipment has been returned to the lending department, the bottom portions of the form must be completed and signed by both parties.

In the event that the property is damaged while in the borrower's custody, the borrower will be required to reimburse Fulton County for the damage. However, such reimbursement may not be taken to the extent it reduces the borrower's pay below minimum wage or results in a borrowing employee who is exempt becoming non-exempt. If requested, the D.R.E.A.M. will assist as a neutral party in the assessment of damage. If liability for damage or loss is established against a County employee, the employee shall reimburse the County. Employees who do not reimburse the County may be subject to appropriate disciplinary action.

During each department's annual inventory, all loaned items will be either physically inventoried or accounted for.

Upon separation of employment, all physical County property in the possession of the employee should be returned to the County.

IV. No Liability

While using Company equipment for the borrower's personal use, the County will not be liable for personal injuries resulting from such use. The borrower accepts full responsibility for any and all liabilities for injuries or losses, which occur, or for the malfunction of equipment.

FULTON COUNTY, GEORGIA

RECORD OF COUNTY PROPERTY LOANED

Date

Name of Borrower

Borrower's Signature

Borrower's Organization

Lending Department

CEO of Borrower's Organization

Director of Lending Department

CEO's Signature

Director's Signature

Quantity

Description of Property

Condition of Issue (Describe)

Reason for Loan:

County Serial #

Date Loaned

Date Due Back

Date Returned

Returned by

Accepted by

Condition Upon Return/Remarks:

FULTON COUNTY GOVERNMENT
GUIDEBOOK

300 SERIES

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: APPEALS

DATE: August 21, 2019 Number: 300-16

I. Statement of Policy

The purpose of this policy is to achieve, codify and implement the provisions and intent of the Civil Service Act of 1982, as amended. This policy is effective upon its approval by the County Manager and Fulton County Board of Commissioners ("BOC"), and shall have the force and effect of law, as delegated to Fulton County by the Georgia State Legislature in the Fulton County Civil Service Act (the "Civil Service Act").

This policy governs personnel administration, transactions and procedures within Fulton County concerning disciplinary actions taken for cause against classified employees as described in the Civil Service Act, as amended. The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

II. Applicability

Any permanent Fulton County Classified employee who has been dismissed, suspended, demoted, or otherwise disciplined for cause, whereby the employee suffers any loss in salary, grade, or classification, shall have the right to appeal such action to an Administrative Hearing Officer.

Only permanent employees in the Classified Service are entitled to appeal to an Administrative Hearing Officer. A "permanent employee" is an employee whose retention in the service has been confirmed by the Appointing Authority and the Chief Human Resources Officer, upon completion of his/her probationary period of employment with Fulton County. A permanent employee who may be serving in a higher class, either temporarily or by reason of a probationary appointment, shall not have the right to appeal any actions taken with respect to the temporary or probationary appointment until such time they have reached permanent classified status in the position.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: APPEALS

DATE: August 21, 2019 Number: 300-16

I. Format.

A classified employee can initiate an appeal by filing an appeal form with the Department of Human Resources Management in writing at any time within ten (10) business days from the date of being notified of the disciplinary action. Appeal forms not filed with the Department of Human Resources Management within ten (10) business days will be deemed untimely and the right to appeal will be waived. The Chief Human Resources Officer shall not accept or forward untimely appeals to an Administrative Hearing Officer. Appointing Authorities concerned shall notify individual employees in writing of their appeal rights under this regulation, as applicable.

Pursuant to the Discipline for Classified Employees Policy (305-16), the notice of disciplinary action provided to a classified employee must include the charges against the employee, the effective time and date of such disciplinary action and an explanation of the reasons for the disciplinary action and shall give the employee an opportunity to respond orally or in writing to the charges. To the extent that a classified employee contends that the notice of disciplinary action fails to comply fully with these requirements, then the employee may challenge the sufficiency of the notice in writing to the Administrative Hearing Officer within ten (10) business days of the filing of the employee's appeal. The failure to challenge sufficiency of notice in writing within the ten business days will result in a forfeiture of the employee's right to contest the sufficiency of the notice of disciplinary action at the appeal hearing.

An appeal hearing is a quasi-judicial proceeding and the rules governing such hearings are contained in the Personnel Policies, Procedures and applicable laws. Additional rules, other than written ground rules governing the appeal hearing that coincide with the Personnel Policies, Procedures and applicable laws and that were in effect at the time of the disciplinary action, limiting or expanding the requirements of appeals hearings may only be instituted by amendments to the Personnel Policies and Procedures.

Ground rules shall be in writing, indicating the date of adoption, and maintained

by the Chief Human Resources Officer and made available for inspection upon request. Any ground rule established to govern appeal hearings may only be applied prospectively to appeal hearings if the applicable rule(s) was in effect at the time the disciplinary action on appeal was taken.

Appeal hearings, which are public meetings, are to be held at the Fulton County Government Center and are governed by the Georgia Open and Public Meetings law and, unless and until such time the public disclosure of information is unlawful and the Administrative Hearing Officer closes the hearing for that limited purpose. The hearing is intended to receive evidence either to uphold or reverse the appealed disciplinary action. It shall not be a forum for discussion of extraneous or irrelevant matters having no bearing on the charges at issue. All parties at action and witnesses shall be given ample time and opportunities to develop points, subject to the rules outlined herein.

During the hearings, the Administrative Hearing Officer shall not be an advocate for or against either party. It shall be the duty of the Administrative Hearing Officer to be impartial in its conduct and rulings, both on and off the record.

All questions relating to admissibility of evidence or other legal matters shall be decided by the Administrative Hearing Officer. Appeal hearings shall follow accepted legal procedure insofar as is practicable, but strict adherence to the technical rules of evidence observed in courts of law is not required.

II. Standards of Conduct for Hearing Officers

The following standards shall apply to the attorneys who are appointed pursuant to the Civil Service Act of 1982, as amended, to serve as Administrative Hearing Officers. These standards are designed to promote honesty, integrity and impartiality in fulfilling the duties assigned to the hearings officers by the Civil Service Act.

(1) Impartiality. Administrative Hearings Officers shall conduct hearings in an impartial manner. Administrative Hearing Officers shall hear only those matters in which it is possible to remain impartial and even-handed. If at any time an Administrative Hearing Officer is unable to hear a case in an impartial manner, the Administrative Hearing Officer is obligated to recuse himself or herself from presiding over the matter.

(2) Conflict of Interest. An Administrative Hearing Officer shall refrain from hearing or otherwise deciding a case presenting a conflict of interest. A “conflict of interest,” for purposes of this policy, is defined as any personal or professional involvement, association or relationship which might create an impression of possible bias or could reasonably be seen as raising a question about the Hearing Officer’s impartiality. A conflict of interest may arise from a financial or other personal interest of the Administrative Hearing Officer or of an immediate family member. A conflict of interest exists if:

(a) the financial or other personal interest reasonably could be perceived to influence the official action of the Administrative Hearing Officer;

(b) an Administrative Hearing Officer previously represented or provided legal advice on a specific subject to a party before the hearing officer;

(c) an Administrative Hearing Officer, during his or her term, engages in the private practice of law on behalf of an employee before any other Fulton County Administrative Hearing Officer, grievance review committee or other personnel entity of Fulton County;

(d) an Administrative Hearing Officer, during his or her term, engages in the private practice of law in any matter as to which he or she has exercised jurisdiction as an Administrative Hearing Office; or

(e) an Administrative Hearing Officer, during his or her terms, engages in the private practice of law in any case wherein the Administrative Hearing Office represents any person or entity in any pending claim or lawsuit against Fulton County and/or any other county-related entity, except as provided in F.C.C. § 102-371.5.

An Administrative Hearing Officer shall promptly disclose all actual and potential conflicts of interest reasonably known to the Administrative Hearing Officer and shall decline to hear any appeal in which an actual or apparent conflict of interest exists. If an Administrative Hearing Officer has any doubt about whether a conflict exists, he or she shall recuse himself or herself in order to preserve the integrity of the appeals process. The Chief Human Resources Officer is authorized to reassign a hearing when a conflict of interest exists.

An Administrative Hearing Officer must avoid any professional associations, relationships or representations that would be a conflict of interest or give the appearance of impropriety. For the duration of his or her appointment as an Administrative Hearing Officer, an Officer must not accept employment or representation that would conflict with the Officer's obligations under the Civil Service Act or this policy. Administrative Hearing Officers are specifically prohibited from representing clients in any matters involving disciplinary actions taken for cause against a Fulton County Classified employee, including representing any client appealing disciplinary action pursuant to the provisions of this policy or the Civil Service Act of 1982, as amended.

An Administrative Hearing Officers shall guard against conflicts of interest both during and after the appeal hearing. An Administrative Hearings Officer shall not subsequently establish a professional or personal relationship with either party that would raise legitimate questions about the integrity of the appeals process.

III. Hearings

Each appeal shall be heard by the Administrative Hearing Officer at the earliest practicable date following the receipt of an appeal request.

The Chief Human Resources Officer shall send out a written notice of the time, date and place of the hearing. This notice shall be sent to the Appellant/Employee and/or his/her authorized representative and the Appointing Authority. A copy of the notice shall also be sent to the County Attorney's Office.

The general policy concerning postponements shall be that cases set for hearings will be heard on the dates set, and that postponements will be granted only for good cause shown. Postponement of the opening date of a hearing shall be requested in writing by the moving party and served on the Chief Human Resources Officer and each of the other parties in interest. Such requests shall contain detailed reasons and explanation of the reason a postponement is needed and suggest alternative dates for resetting. Except in emergency situations, postponement requests will not be honored if they are not received at least three (3) working days before the date set for the hearing. The Chief Human Resources Officer, after consultation with the Administrative Hearing Officer and the other parties at interest, shall then take action appropriate to the circumstances involved, including notification to all concerned.

IV. Conciliation Meeting

Upon receipt of a request by the employee, the Chief Human Resources Officer may arrange a prehearing conciliation meeting between the Chief Human Resources Officer (or his/her designee), the Appointing Authority (or his/her designee) and the Employee/Appellant prior to the hearing in order to consider and determine the following elements:

- Simplification of the issues.
- Possible conciliation and settlement without a hearing.
- Stipulation as to any uncontested facts.
- Other matters that may aid in the disposition of the appeal.

An electronic recording of transactions may be made during conciliation meeting upon request of either party at Interest.

V. Witnesses and Documents

The Administrative Hearing Officer shall administer the oath to witnesses. The Administrative Hearing Officer may exclude numerous character witnesses or excessive witnesses testifying to duplicative or identical facts.

The Chief Human Resources Officer shall have the power to issue subpoenas for the attendance of witnesses and production of documents and records as necessary, as

authorized by the Civil Service Act. The Administrative Hearing Officer shall not consider any testimony or document not admitted into evidence by the Appointing Authority or employee. The parties are required to exchange documents at least ten (10) days prior to the hearing.

VI. Counsel or Representation

Employees appearing before an Administrative Hearing Officer may, if desired, be represented by legal counsel at their expense, a representative of an Employee Organization recognized by the Board of Commissioners, or they may act as their own counsel and conduct their own hearings. Appointing Authorities will be assisted by the Office of the County Attorney.

VII. Transcripts

An electronic recording shall be made of all appeal hearings by the Chief Human Resources Officer. In addition to the electronic recording, a certified Court Reporter will be present to take down the hearing. The parties are responsible for purchasing their own transcripts.

VIII. Order of Hearing

In all hearings, the burden of proof shall be on the Appointing Authority, and he/she shall have the right to open and to conclude the hearing. The Appellant/Employee or counsel may cross-examine Appointing Authority witnesses and then present the Appellant's case at the conclusion of the Appointing Authority's presentation. The Appointing Authority or counsel may cross- examine the Appellant and his/her witnesses. After the presentation of all evidence from both parties, the Administrative Hearing Officer may hear closing arguments, which shall not be considered evidence, and shall then take the case under advisement and render a decision. The Administrative Hearing Officer is not permitted to close a hearing or terminate the hearing recordings until the record is complete with all evidence desired to be submitted by either party and closing arguments have concluded.

IX. Decisions, Orders, Findings and Conclusions

(1) The Administrative Hearing Officer, after reaching a decision in the case, shall cause an Order to be prepared within thirty (30) calendar days from the date of the final hearing. The Order of the Administrative Hearing Officer shall indicate the decision to affirm or reverse the actions of the Appointing Authority. The Order of the Administrative Hearing Officer shall include findings of fact supporting his or her decision as to whether the Appointing Authority had authority to exercise such action and did exercise such action for cause within the rules, regulations and policies of Fulton County. If so found, the Administrative Hearing Officer shall affirm the action of the Appointing Authority. Failure to issue an order within the time parameters established herein shall automatically result in approval of the personnel action taken by

the Appointing Authority. In the event that the Administrative Hearing Officer finds that the action taken was prohibited by applicable law, the Administrative Hearing Officer shall reverse such action. The Administrative Hearing Officer shall not modify the terms and conditions of any action of the Appointing Authority but in its order of affirmance or reversal may make recommendations of disposition which shall not be binding but have persuasive force only. The decision of the Administrative Hearing Officer in such cases shall be final and conclusive in the absence of an appellate review in the courts (by writ of certiorari). Copies of the Administrative Hearing Officer's Order shall be made a matter of official record and shall be furnished to all parties in interest. A copy of the Administrative Hearing Officer's Order shall be placed in the employee's official personnel file maintained by the Department of Human Resources Management.

(2) The Administrative Hearing Officer may, within ten (10) days from the date of issuance of the Order, modify or revise his or her former Order to correct any clerical or typographical errors.

X. Destruction of Obsolete Appeal Tape Recordings.

Obsolete electronic tape recordings of past appeal hearings which are one (1) year old or older may be destroyed unless a request for a copy and/or retention of such tapes has been received from any party in interest during this one-year period.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: ATTENDANCE AND PUNCTUALITY

DATE: January 1, 2017 Number: 301-16

I. Statement of the Policy

It is the policy of Fulton County that employees meet punctuality and attendance standards in accordance with the expectations of their job positions and applicable law. In addition, as a public agency, Fulton County has a responsibility to our citizens to ensure that taxpayer funds are used appropriately, and that we are working as efficiently, effectively, and productively as possible on their behalf.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains “at will”.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: ATTENDANCE AND PUNCTUALITY

DATE: March 13, 2017 Number: 301-16

If employees are unable to report for work on any particular day, they must call and/or email their supervisor at least two hour(s) or as soon as practical thereafter, before the time the employee is scheduled to begin working for that day. Fulton County may inquire about the general reason for an absence or tardiness. Unless extenuating circumstances exist, employees must call in on each and every day they are scheduled to work but will not report to work.

Excessive absenteeism or tardiness (which may include but is not necessarily limited to unplanned absences or tardies that exceed an employee's accrued sick leave and/or last-minute absences or tardies, including no-call/no-shows) may result in disciplinary action up to and including termination, unless the absence or tardiness is legally protected. The following types of time off will not be considered grounds for disciplinary action under this policy:

- Excused time off, including vacation and other forms of paid time off;
- Approved leaves of absence, including jury duty leave, military leave, leave protected under the Family and Medical Leave Act or Georgia law, and time off or leave provided under the Americans with Disabilities Act or Georgia law; and/or
- Time off due to a work-related injury that is covered by workers' compensation.
- Unscheduled absences or tardiness resulting from circumstances beyond the employee's control, including, for example, unexpected school delays or closures and inclement weather that interferes with an employee's ability to arrive to work on time.

Each situation of absenteeism or tardiness will be evaluated on a case-by-case basis. Employees are expected to notify their supervisors in a timely fashion for unscheduled absences to be considered excused.

Generally, absenteeism will be considered excessive when an employee incurs three or more unexcused absences of any length in a rolling 90-day period; however, even one unexcused absence or tardiness may be considered excessive, depending upon the circumstances. An unexcused absence may occur whenever a supervisor does not accept as reasonable an employee's explanation for an unscheduled absence or occasion of tardiness. However, a supervisor may only designate an unscheduled medical-related absence as unexcused after consulting with the Department of Human Resources Management. Upon determining that an unscheduled medical-related absence will not be excused, the supervisor shall notify the employee in writing that the absence was not excused and that it will be submitted as leave without pay.

An employee is deemed to be tardy whenever he/she fails to report to work more than ten (10) minutes past his or her scheduled start time. Excessive tardiness occurs when an employee is tardy three or more times during a rolling 90-day period. Fulton County will not subject employees to disciplinary action or retaliation for an absence or for tardiness that is legally protected. If the employee believes that his or her absence or lateness to work is legally protected, the employee should notify his or her supervisor or manager of this fact at the time of the absence or tardiness. Employees will not be required to reveal the nature of any underlying medical condition to their supervisor or manager. If an employee believes he or she has been mistakenly subjected to disciplinary action for an absence or for tardiness that the employee believes is legally protected, the employee should promptly discuss the matter with his or her manager or Appointing Authority. If the employee believes the matter has not been resolved by their manager or Appointing Authority, the employee should contact the Chief Human Resources Officer. In addition, for FMLA-related matters, the employee should contact the Department of Human Resources Management and for ADA-related matters, the employee should contact DCRC. Please see Fulton County's FMLA Policy and ADA and Reasonable Accommodations Policy for further information.

Non-exempt employees who arrive after their scheduled start time but within the ten (10) minute grace period may, at the discretion of the Appointing Authority, be allowed to make up time or required to use available vacation or sick time as a replacement for salary. Making up time is a privilege granted where good reason is provided. A request to make up time should be made in writing to the Appointing Authority and include an explanation of the circumstances contributing to the tardiness. Generally, make up time must be completed within the same work week.

Absent extraordinary circumstances or a legally protected reason, if an employee fails to report to work for a period of four days and the absence is not approved nor has the employee provided proper notification to their supervisor, Fulton County will consider the employee to have abandoned and voluntarily terminated his or her employment.

Responsible Use of Sick Leave

In addition, as a public agency, Fulton County has a responsibility to our citizens to ensure that taxpayer funds are used appropriately, and that we are working as efficiently, effectively, and productively as possible on their behalf. For that reason, Fulton County takes seriously the inappropriate use of sick leave, which is essentially a misuse of public funds. Misuse of sick leave may constitute an attendance issue giving rise to discipline. The Appointing Authority or his or her designee is authorized to discipline an employee for unscheduled sick leave usage. Examples of the misuse of sick leave include but are not limited to the following:

- Habitual use of unscheduled sick leave in single or partial day increments, without valid or current medical documentation.
- Unscheduled sick leave consistently taken on Monday, Thursday (four-day work week) or Friday (five-day work week).
- A pattern of using unscheduled sick leave on the last scheduled work day before or first scheduled work day after a County holiday or a scheduled day off.
- A pattern of using unscheduled sick leave to avoid working overtime or holiday work shifts.
- Unscheduled sick leave consistently taken the same time of year.
- Unscheduled sick leave taken after a vacation request was denied.
- Unscheduled Sick leave consistently taken when difficult assignments or projects are scheduled or due.
- Unscheduled sick leave taken after discipline for a performance matter is issued.
- Unscheduled sick leave consistently taken when supervisor is on vacation.
- Using 40 or more hours of unscheduled sick leave during a quarter of a calendar year for two (2) or more consecutive quarters, without providing any medical documentation to support the absences.

Supplemental Procedures

Each department should develop and maintain its own supplemental written time and attendance procedures to address issues unique to the department that are not included in these procedures. Issues that should be addressed in such departmental procedures include but are not limited to the procedure for requesting use of vacation leave and other paid or unpaid time off and the notification procedure when an employee will be absent due to illness or unexpected emergency.

In addition, law enforcement and public safety departments and departments headed by elected officials and/or constitutional officers are allowed to develop, adopt and enforce more stringent time and attendance standards and/or procedures as deemed necessary for their operation. Any time and attendance procedures so adopted must be in writing and reviewed by the Office of the County Attorney prior to implementation.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: CONFIDENTIAL INFORMATION

DATE: January 1, 2017 Number: 302-16

I. Statement of the Policy

Fulton County's confidential and proprietary information is vital to its current operations and future success. Each employee should use all reasonable care to protect or otherwise prevent the unauthorized disclosure of such information. In no event should employees disclose or reveal confidential information within or outside Fulton County without proper authorization or purpose.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: CONFIDENTIAL INFORMATION

DATE: January 1, 2017 Number: 302-16

I. Definition of "Confidential Information"

"Confidential Information" refers to a piece of information, or a compilation of information, in any form (on paper, in an electronic file, or otherwise), related to Fulton County's business that Fulton County has not made public or authorized to be made public, and that is not generally known to the public through proper means.

By way of example, confidential or proprietary information includes, but is not limited to, nonpublic information regarding Fulton County's business methods and plans, databases, systems, technology, intellectual property, know-how, marketing plans, business development, products, services, research, development, inventions, financial statements, financial projections, financing methods, pricing strategies, customer sources, employee health/medical records, system designs, customer lists and methods of competing. Additionally, employees who by virtue of their performance of their job responsibilities have the following information, should not disclose such information for any reason, except as required to complete job duties, without the permission of the employee at issue: social security numbers, driver's license or resident identification numbers, financial accounts, credit or debit card numbers, and security and access codes or passwords that would permit access to medical, financial or other legally protected information.

Confidential Information does not include any information which is required to be disclosed by state or federal law or information lawfully acquired by non-management employees about wages, hours or other terms and conditions of employment. Nothing in this Policy prohibits an employee from communicating with any governmental authority or making a report in good faith and with a reasonable belief of any violations of law or regulation to a governmental authority, or disclosing Confidential Information which the employee acquired through lawful means in the course of his or her employment to a governmental authority in connection with any communication or report, or from filing, testifying or participating in a legal proceeding relating to any violations, including making other disclosures protected or required by any whistleblower law or regulation to the Securities and Exchange Commission, the Department of Labor, or any other appropriate government authority. To the extent an employee discloses any Confidential Information in connection with communicating with

a governmental authority, the employee will honor the other confidentiality obligations in this Policy and will only share such Confidential Information with his or her attorney, or with the government agency or entity. Nothing in this Policy shall be construed to permit or condone unlawful conduct, including but not limited to the theft or misappropriation of Company property, trade secrets or information.

II. Confidentiality Agreement

Employees may be required to execute a confidentiality agreement depending on their work assignment. Regardless of the existence of a confidentiality agreement, every employee is subject to this policy. Any employee who violates this policy could be subject to discipline up to and including dismissal.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: CRIMINAL BACKGROUND CHECK

DATE: January 1, 2017 Number: 303-16

I. Statement of the Policy

A criminal background check will be conducted at or prior to employment for every individual who is employed by Fulton County to fill either a full-time, part-time, seasonal or temporary position within the County. The County will consider job duties, among other factors, in determining what constitutes satisfactory completion of the background check. All information obtained as a result of a background check will be used solely for employment purposes.

It is the intent and purpose of this policy to (a) assist the successful reintegration of formerly incarcerated individuals back into the community; (b) to enhance the health and security of the community by assisting people with criminal records to provide for their families and themselves; and (c) to ensure that just and fair measures are implemented and practiced within Fulton County Government when screening and identifying prospective employees who may or may not have criminal records.

II. Background and Applicability

This policy shall apply to all Fulton County departments and agencies unless herein or otherwise exempt. To the extent that it may conflict with Georgia law, Georgia law shall govern.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: CRIMINAL BACKGROUND CHECK

DATE: March 17, 2017 Number: 303-16

I. Initial Application of Employment and First Interview

Fulton County shall not make any inquiry regarding an applicant's criminal history during the application process or before or during the first interview. If an Appointing Authority does not conduct an interview, the Appointing Authority is prohibited from making any inquiries or gathering any information regarding the applicant's criminal convictions during the application process. If an applicant voluntarily discloses any information regarding his or her criminal convictions by unsolicited written or oral disclosure prior to or during the first interview, an Appointing Authority may discuss the criminal convictions disclosed by the applicant.

II. Second Interview

Although criminal history inquiries are permitted as of the second interview and beyond, Fulton County shall not require any applicant to disclose or reveal:

- Any arrest or criminal accusation made against the applicant, which is not then pending against that person and which did not result in a conviction;
- Any records which have been erased, expunged, the subject of an executive pardon, or otherwise legally nullified; and
- Any juvenile adjudications of delinquency or any records which have been sealed.

III. Authorization

When a background check is required, applicants/employees must complete the County's background check authorization form. Failure to timely complete an authorization form may result in removal from further consideration and/or termination of employment. Falsification or omission of information may result in denial of employment or discipline, up to and including termination.

IV. Fingerprint and Records Check

Fulton County may require a fingerprint and records check of any applicant who has accepted an offer of employment. Prior to conducting any fingerprint and records check about an applicant, Fulton County shall provide standard written notification advising the applicant that, upon his or her written consent, Fulton County will conduct such an inquiry.

The Appointing Authority of the hiring department shall make a final hiring or promotion decision after reviewing the results of the fingerprint and records check and consulting with the Personnel Department and/or the Office of the County Attorney. If after conducting a fingerprint and records check the Appointing Authority makes an adverse employment decision, including, but not limited to, the refusal, rescission, or revocation of a conditional offer of employment, or termination of employment, Fulton County must, within a reasonable period of time, not to exceed thirty days:

- Notify the applicant of the adverse employment decision;
- Provide the applicant with a photocopy of the results of the criminal history inquiry, indicating the particular conviction(s) that relate(s) to the position's responsibilities; and
- Take any additional steps as may be required by applicable law.

V. Factors for Consideration

The County recognizes the Equal Employment Opportunity Commission's guidance that exclusionary employment policies should be job related and consistent with business necessity to avoid potential disparate impact. For these reasons, the County conducts criminal background checks targeted to consider the following factors:

- The nature and gravity of the offense;
- The amount of time elapsed since the date of offense; and
- The nature of the position being sought in relation to the offense.

VI. Confidentiality:

Any information obtained by Fulton County that pertains to an applicant's criminal history:

- Shall remain confidential;
- Shall only be shared with individuals that have a need to know the contents for the purpose of evaluating candidates or employees in a manner consistent with this policy, except as dictated by law;
- Shall not be used, distributed, or disseminated by Fulton County for any use other than those permitted under this policy; and

- Shall not be used, distributed, or disseminated by Fulton County to any other entity or individual, except as dictated by state or federal law.
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VII. Prohibition Exceptions

The prohibitions of this policy shall not apply to any position, including any law enforcement, public safety, legal, judicial or other Superior, State, Juvenile, Magistrate or Probate court positions, for which any federal or state law or regulation requires the consideration of applicant's criminal history for the purposes of employment, provided the exemption is limited to those offenses or types of offense that federal or state law or regulation requires Fulton County to consider. The prohibitions of this policy also shall not apply to any positions designated by Fulton County to participate in a federal or state government program or obligation that is designed to encourage the employment of individuals with criminal histories.

VIII. Administration of Background Check Policy and Procedure

The Personnel Department is responsible for the administration of this policy. If you have any questions regarding this policy or if you have any questions about background checks that are not addressed in this policy, please contact the HR Operations Division of the Personnel Department.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: DEMOTIONS

DATE: January 1, 2017 Number: 304-16

I. Statement of the Policy

It is the policy of Fulton County that employees may be involuntarily or voluntarily demoted from one job classification or position to another job classification or position in accordance with applicable Fulton County policies and procedures (e.g., the Position and Compensation Policy and the Discipline for Classified Employees Policy).

II. Background and Applicability

This policy generally applies to all Fulton County employees. This policy does not apply, however, to elected officials or employees occupying positions to which appointments are made directly by the Board of Commissioners.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains “at will”.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: DEMOTIONS

DATE: March 17, 2017 Number: 304-16

I. Demotion Defined

A demotion is the appointment of an incumbent employee to a classification or position of a lower pay grade than the employee's current job classification or position.

II. Demotion Approval

A demotion can be voluntary or involuntary and may occur at the request of the Appointing Authority or at the request of the employee. A demotion can be within the same department or in another department. If more than one department is involved, however, approval of both the losing and gaining Appointing Authorities, as well as that of the Chief Human Resources Officer is required.

III. Reasons for Demotions

The reasons for demotion may include but are not limited to the removal of higher level duties and responsibilities, the inability of an employee to assume or perform the duties of his/her position, and/or reduction in force. In addition, an employee may be demoted for disciplinary reasons.

IV. Effect on Compensation

An employee who is demoted will typically receive a reduction in pay in an amount determined by the Chief Human Resources Officer and based on budget availability. The demoted employee's salary rate for the lower position must fall within the minimum and maximum rates of the assigned pay grade for the lower position. As a general rule, in the case of a voluntary demotion or the reclassification of a position to a lower pay grade, adjustments to an employee's salary will be made as follows: a 3% salary reduction for a demotion of one pay grade level; a 5.5% salary reduction for a demotion of two pay grade levels; and an added 1.5% salary reduction for each

additional pay grade level thereafter. As a general rule, in the case of an involuntary demotion, adjustments to an employee's salary will be made as follows: a 5% salary reduction for a demotion of one pay grade level; a 7% salary reduction for a demotion of two pay grade levels; and an added 2% salary reduction for each additional pay grade level thereafter.

In the case of an employee who is demoted within twelve months of having received a promotion, the employee's salary will be reduced to the employee's previous salary or the entry salary for the new position, whichever is greater. In cases where the employee is demoted to a position that is assigned to a lower pay grade than the position held prior to the promotion, the adjustment methodology described in the immediately preceding paragraph shall be applied to the employee's previous salary.

The compensation of employees who are offered the option of a demotion as a reasonable accommodation under the ADA, will be reviewed on a case-by-case basis consistent with the ADA and Reasonable Accommodations Policy.

The Chief Human Resources Officer may develop a systematic method to be used for placement of employees within a pay range to address those circumstances in which an employee moves from a position assigned to a classification and compensation system adopted by certain department(s) to a position assigned to the classification and compensation system adopted by the Board of Commissioners.

V. Appeals

A permanent classified employee who is involuntarily demoted for cause shall have the right to appeal, as provided in the Classified Employees Appeals Policy.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: DISCIPLINE FOR CLASSIFIED EMPLOYEES

DATE: January 1, 2017 Number: 305-16

I. Statement of the Policy

The Civil Service Act entitles any permanent employee in the Classified Service to certain rights when they are dismissed, suspended without pay, demoted or otherwise disciplined whereby such employee suffers a loss in salary, grade or classification. Disciplinary action may only be taken against a permanent Classified employee "for cause."

Further, to ensure the integrity of Fulton County's operations and compliance with the Civil Service Act, as amended, it is the policy of Fulton County to apply progressive discipline measures in a fair and consistent manner with respect to those employed in the Classified Service. Fulton County will ensure that progressive discipline is taken in accordance with County policies and standards of performance, including the Fulton County Standards of Conduct and Fulton County's Code of Ethics, and that progressive discipline is appropriately documented and retained in an employee's personnel file. Fulton County expressly reserves the right to depart from this policy of progressive discipline and immediately discharge any employee in its sole discretion for conduct that threatens the health, welfare and/or safety of the public or other employees.

II. Background Applicability

This policy applies only to Classified Employees under the Civil Service Act, as amended.

III Definition of Cause

As used in this Policy and accompanying Procedure, the term "cause" means any justifiable, non-arbitrary grounds, good and sufficient reason(s), occasion, motive, or inducement which is offered as the basis for a disciplinary or adverse action against an employee.

IV. Notice of Disciplinary Action for Cause

When an Appointing Authority intends to dismiss, suspend without pay, demote or otherwise discipline a permanent Classified employee whereby such employee suffers a loss in salary, grade or classification, the Appointing Authority must give notice to the employee in writing. This writing shall include notice of the charges against the permanent Classified employee, the effective time and date of such disciplinary action and explanation of the reasons for the disciplinary action and shall give the employee an opportunity to respond orally or in writing to the charges. This writing shall be provided to the employee not less than 24 hours prior to the effective date and time of such disciplinary action. If an employee contends that the notice does not comply with these requirements, then the employee may appeal the disciplinary action on this basis, as outlined in Fulton County's Appeals Policy. The attorney for the Personnel Board shall allow the Appointing Authority ten (10) days to respond to any appeal alleging a failure of the notice to conform to the requirements of these rules. The attorney is hereby delegated the authority to issue a written order on behalf of the Personnel Board on the issue of whether the appeal will be dismissed for improper notice. Such order shall become a part of the record of the Personnel Board's proceedings in the case and shall constitute a final order of the Personnel Board on the issue of adequacy of the notice required by this section.

V. Types of Offenses, Progressive Discipline and Mandatory Disciplinary Guidelines

Formal progressive discipline may be in the form of a written warning, suspension, or termination. Depending on the nature and severity of the conduct at issue, Fulton County, in its sole judgment, shall apply progressive discipline in any of these forms. The manner in which progressive discipline is applied will depend on the seriousness of the offense. Fulton County expressly reserves the right to depart from this policy of progressive discipline and immediately discharge any employee in its sole discretion for conduct that threatens the health, welfare and/or safety of the public or other employees.

The Chief Human Resources Officer will develop a procedure for applying progressive discipline and a schedule of minimum and maximum sanctions for employee misconduct and violations of the Personnel policies and procedures. The County Manager must approve the schedule of minimum and maximum sanctions prior to the same becoming effective.

In order to ensure consistent application of this policy, the Department of Human Resources Management should be consulted on all progressive disciplines that result in a loss of salary, grade or classification. The Chief Human Resources Officer and the County Attorney, or their respective designees, must review any recommendation to terminate an employee to ensure that any required progressive disciplinary steps have been followed and that there is adequate documentation to support termination.

VI. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: DISCIPLINE FOR CLASSIFIED EMPLOYEES

DATE: February 1, 2018 Number: 305-16

I. Responsibilities of Appointing Authorities and other Supervisors

Supervisors should maintain clear and accurate records of all staff interactions (memos to file, progress notes, etc.) with back-up documentation, as applicable.

Informal progressive discipline normally starts with verbal counseling.

The fair administration of progressive discipline rests on supervisors' careful collection of pertinent facts and consistent application of established policies, rules of conduct and performance standards. While it is not possible to anticipate a response to all types of misconduct or poor performance, the following principles should be considered:

- Initial discipline should be corrective rather than punitive in nature and applied in a consistent manner; and
- Supervisors should help employees understand the Standards of Conduct and other expected standards of performance and provide leadership to encourage them to meet these standards at all times.

Some forms of misconduct or unsatisfactory performance may warrant administrative suspension of the employee pending a review of the matter to determine the final form of progressive discipline, which may include termination.

In order to prepare to meet with the employee, supervisors should review Fulton County's Standards of Conduct, Code of Ethics, the employee's job description, and other policies and procedures as appropriate. Supervisors should compare the employee's conduct with established standards and should determine the degree of seriousness of the misconduct. The employee's prior record also should be considered.

All meetings should be conducted in private. At the end of the meeting, the employee should understand why the progressive discipline is needed, the department's expectations for improvement, and the consequences of failing to improve.

Appointing Authorities may delegate or permit supervisors and managers to issue warnings, however, suspensions, demotions and dismissals should be ultimately decided and issued by Appointing Authorities.

Progressive discipline may also include the use of mandated referrals by Appointing Authorities to the Employee Assistance Program (EAP) which provides confidential counseling. Mandated referrals to the EAP are intended to help resolve problems affecting documented job performance/discipline. Failure by the employee to accept the mandated referral and/or failure to cooperate and complete any counseling/treatment may be considered as insubordination. The first EAP session may take place during normal County work hours. Additional sessions must be scheduled during non-work hours.

II. Forms of Progressive Discipline

A. Verbal Counseling

A verbal counseling is a private meeting between a supervisor/manager/Appointing Authority and employee to advise an employee that his/her conduct/performance does not meet standard and that, unless corrected, further progressive discipline may be necessary. This conversation may be documented on a calendar or via some other method for future reference but should not be documented to an employee's personnel or department file.

B. Written Warnings

A written warning is a formal report warranted by failure to meet Fulton County's standards of performance or conduct. A written or final warning also may be used to advise an employee of a continued pattern of unacceptable conduct or performance, including failure to improve following a verbal counseling.

When issuing a written warning, the supervisor must complete a Progressive Discipline Form (with guidance and input from the Department of Human Resources Management, as appropriate,) specifying the particulars of the pattern of behavior or rule infraction(s), and the consequences for the employee's failure to correct his/her behavior.

The supervisor must discuss the written warning with the employee so that the employee clearly understands the nature of the misconduct or unsatisfactory performance and the consequences of failing to improve.

The employee should sign the Progressive Discipline Form to acknowledge receipt of the written warning. The employee may comment in the space provided or provide a written addendum, if desired. If the employee refuses to sign, the supervisor should add language indicating that the "employee chooses not to sign."

A copy of the Progressive Discipline Form is given to the employee. A copy is maintained in the department's files and the original is sent to the Department of Human Resources Management for inclusion in the employee's personnel file.

C. Performance Improvement Plan

If after a written warning is issued, an employee's performance does not improve or is not corrected, a Performance Improvement Plan should be created. A Performance Improvement Plan is a detailed outline to develop employees who are experiencing performance deficits in several areas of their job responsibilities and should last at least thirty (30) days. Performance Improvement Plans are required for deficiencies in the following Articles:

Art. 1. Absenteeism and Tardiness, Paragraphs A and B
Art. 9. Housekeeping Violations
Art. 10. Inefficiency and Incompetence
Art. 11. Insubordination, Paragraphs B and C
Art. 12. Loafing

The Performance Improvement Plan should state the areas of concern, the desired behavior and an action plan. The document should be signed by the Appointing Authority, supervisor and the employee; and the supervisor should meet with the employee on a weekly basis to review the progress, and provide additional guidance. There must be a formal follow-up no more than 90 days after the Performance Improvement Plan was initiated to provide the employee with closure on whether or not the improvement level was achieved to a satisfactory level. If a satisfactory level of performance is not achieved, the progressive discipline process will continue.

Although Appointing Authorities and/or supervisors may choose to implement Performance Improvement Plans at other times, this process must be utilized with written warnings and annual performance ratings of less than "Satisfactory".

Supervisors should consult with their Appointing Authority and the Department of Human Resources Management if they plan on issuing a Performance Improvement Plan.

D. Administrative Suspension Pending Review

Suspension pending review provides time to evaluate the particulars of serious situations prior to determining the appropriate final form of discipline. These situations include, but are not limited to: fraud, theft, professional misconduct, breach of confidentiality, and substance abuse.

The Appointing Authorities or their designees must consult with the Department of Human Resources Management regarding Administrative Suspensions Pending Review. Administrative Suspensions Pending Review are paid suspensions and shall last only up

to ten (10) working days.

During Suspension Pending Review, the Appointing Authority, in consultation with the Office of the County Auditor, Department of Human Resources Management and/or Legal Department, will gather relevant information, review pertinent documents and conduct investigatory interviews, as appropriate.

E. Suspension without Pay

Suspension without pay is administered as a result of severe infraction of standards of performance or conduct, excessive and/or repeated violations of standards of performance or conduct after verbal counseling, written warnings and/or the failure to improve job performance after placement on a Performance Improvement Plan. A suspension without pay may also be administered as a result of the failure to maintain licenses and/or certifications required by an employee's position. Appointing Authorities or their designees are encouraged to consult with the Department of Human Resources Management or Office of the County Attorney prior to imposition of a suspension without pay on a classified employee.

F. Dismissal

Dismissal is termination from employment. It is invoked in situations of gross misconduct or after other progressive discipline measures have failed to achieve the results desired. Appointing Authorities or their designees must consult with the Department of Human Resources Management in all cases of possible dismissal of a classified employee. Except in cases of employees employed by an elected official, the Chief Human Resources Officer and the County Attorney or his or her designee must review any recommendation to terminate an employee to ensure that any required progressive disciplinary steps have been followed and that there is adequate documentation to support termination. Elected officials are encouraged and it is recommended that they seek legal advice from the County Attorney regarding dismissal of any employee.

Fulton County expressly reserves the right to depart from progressive discipline and immediately discharge any employee in its sole discretion for conduct that threatens the health, welfare and/or safety of the public or other employees.

III. Notice of Disciplinary Action for Cause

In accordance with the Fulton County Civil Service Act, any dismissal, suspension or demotion or other discipline of a permanent Classified employee whereby such employee suffers a loss in salary, grade or classification, shall be stated to such employee in writing. The writing generally should be provided to the employee within a reasonable time from when the Appointing Authority becomes aware of a violation of the Discipline for Classified Employees Policy and Procedure, and no more than sixty

business days after the conclusion of any investigation into such violation. This writing shall include notice of the charges against the permanent Classified employee, the effective time and date of such disciplinary action and explanation of the reasons for the disciplinary action, and shall give the employee an opportunity to respond orally or in writing to the charges. This writing shall be provided to the employee not less than 24 hours prior to the effective date and time of such disciplinary action.

At a minimum, the notice must provide sufficient information for the employee to understand the factual basis for the disciplinary action and any allegations of misconduct made against the employee; however, such notice shall not be deemed deficient solely because the notice fails to cite or inaccurately cites the Discipline for Classified Employees Policy or Procedure.

IV. Active Period for Discipline

Employee discipline remains active, at a minimum, for a rolling 12-month period following the date it was issued, depending on the type of offense and/or level of discipline previously imposed. Prior disciplinary infractions within the same Article of the Articles of Offenses shall be treated as cumulative with respect to progressive discipline.

V. Definitions

A. "Excessive Delay" for purposes of this policy is defined as including a delay in performing or completing work that is unreasonable, unnecessary and/or unwarranted based on the facts and circumstances at issue.

B. "Sabotage," "Malicious Damage," "Malicious Injury," and "Vandalism" for purposes of this policy are used interchangeably, and are defined as including the willful destruction of County property.

C. "Loafing" for purposes of this policy is defined as including willful idleness, wasting time or deliberate failure to work on the task(s) assigned.

ART. 1. Absenteeism and Tardiness.

A. Chronic absenteeism, defined as habitual, sustained, confirmed or continued unexcused absence.

	MINIMUM	**MAXIMUM**
(1) First offense:	Written Warning	3 days suspension w/o pay
(2) Second offense:	5 days suspension w/o pay	10 days suspension w/o pay
(3) Third offense:	20 days suspension w/o pay	Dismissal

B. Recurring tardiness, defined as habitual, sustained, confirmed or continued unexcused lateness to work without adequate justification.

	MINIMUM	**MAXIMUM**
(1) First offense:	Written Warning	1 day suspension w/o pay
(2) Second offense:	5 days suspension w/o pay	10 days suspension w/o pay
(3) Third offense:	15 days suspension w/o pay	Dismissal

C. Unexcused or unauthorized absence on any scheduled workday or during working hours.

	MINIMUM	**MAXIMUM**
(1) First offense:	Written Warning	3 days suspension w/o pay
(2) Second offense:	5 days suspension w/o pay	10 days suspension w/o pay
(3) Third offense:	15 days suspension w/o pay	Dismissal

D. Failure to report to work for a period of four consecutive (4) workdays (or shift equivalent) without approval or proper notification.

	Minimum
(1) First offense:	Dismissal
(2) Second offense:	N/A
(3) Third offense	N/A

ART. 2. Accidents, Injuries and Safety Violations.

A. Failure to report an accident or injury on the job as required by County policy.

	MINIMUM	**MAXIMUM**
(1) First offense:	Written Warning	1 day suspension w/o pay
(2) Second offense:	3 days suspension w/o pay	5 days suspension w/o pay
(3) Third offense:	10 days suspension w/o pay	15 days suspension w/o pay

B. Violation of administrative policies, procedures or safety rules where safety of persons or property is endangered.

	MINIMUM	**MAXIMUM**
(1) First offense:	5 days suspension w/o pay	10 days suspension w/o pay
(2) Second offense:	15 days suspension w/o pay	20 days suspension w/o pay
(3) Third offense:	30 days suspension w/o pay	Dismissal

ART. 3. Conduct and Behavior.

A. Arrested and/or charged on any felony offense(s), as defined by law:

	MINIMUM	**MAXIMUM**
(1) First offense:	Suspension w/o pay	Dismissal

Although dismissal for the first offense is permitted, an initial suspension without pay may be imposed subject to the limitations herein. A suspension without pay, pending disposition of case, is permitted up to only one (1) year, upon determination by the Appointing Authority, following prior notice and consultation with employee. If after the period of suspension, the case is not resolved in one of the below manners, the Appointing Authority has the discretion to dismiss the employee. Notice of the dismissal shall be required in the same manner as any notice of dismissal to a permanent Classified employee. The following conditions shall apply when the pending felony offense is resolved unless the employee has already been separated from employment:

a. If convicted, dismissal. No back pay. No entitlement to reinstatement unless another resolution permitting reinstatement occurs within one (1) year from the first date of suspension.
b. If nolo contendere, dismissal. No back pay. No entitlement to reinstatement unless another resolution permitting reinstatement occurs within one (1) year from the first date of suspension.
c. If acquitted, nolle prosequi, failure to indict, failure to prosecute or otherwise disposed of without a conviction, reinstatement with back pay up to one year reduced by any income received during the period of unpaid suspension, subject to approval of the County Manager or his/her designee.

(2) Second offense:	Dismissal	N/A

B. Convicted in any court of record on any non-felony charge(s) as defined by law, involving a serious misdemeanor charge.

	MINIMUM	MAXIMUM
(1) First offense:	Written Warning	Dismissal
(2) Second offense:	Demotion	Dismissal
(3) Third offense:	N/A	N/A

C. Immoral or indecent conduct which tends to violate commonly accepted standards of decency or morality.

	MINIMUM	MAXIMUM
(1) First offense:	10 days suspension w/o pay	30 days suspension w/o pay
(2) Second offense:	40 days suspension w/o pay	Dismissal
(3) Third offense:	N/A	N/A

ART. 4. Dishonesty and Ethics.

A. Engaging in private business activities of a prohibited or unethical nature for profit, either during normal working hours or during non-working hours.

	MINIMUM	MAXIMUM
(1) First offense:	Written Warning	30 days suspension w/o pay
(2) Second offense:	40 days suspension w/o pay	Dismissal
(3) Third offense:	N/A	N/A

B. Conflict of interests involving unethical use of official authority, information, or property for personal gain.

	MINIMUM	MAXIMUM
(1) First offense:	15 days suspension w/o pay	Dismissal
(2) Second offense:	Dismissal	N/A
(3) Third offense:	N/A	N/A

C. Embezzlement or misappropriation of funds.

	MINIMUM	MAXIMUM
(1) First offense:	Dismissal	N/A
(2) Second offense:	N/A	N/A
(3) Third offense:	N/A	N/A

D. Acceptance of bribes, gifts or favors intended or designed to influence official actions or decisions.

	MINIMUM	MAXIMUM
(1) First offense:	Dismissal	N/A
(2) Second offense:	N/A	N/A
(3) Third offense:	N/A	N/A

ART. 5. Drinking and Intoxication.

A. Reporting for duty or being on duty while using or under the influence of intoxicating liquors or drugs; provided, that for the purposes of this Article, any employee who is tested and has a positive test result for the presence of an illegal drug in the employee's urine or blood and any employee who is tested and has a Blood Alcohol Concentration (BAC) test equal to .01 grams or greater shall be considered under the influence of the tested substance. While an employee may not be required to submit to a test, signs of being under the influence which would subject one to discipline include, but are not limited to, slurred speech and motor skill impairment.

	MINIMUM	**MAXIMUM**
(1) First offense:	Minimum of 15 days suspension w/o pay, up to a maximum of dismissal, provided, however, that dismissal shall be mandatory for any first offense involving any employee whose assigned duties require the use of firearms or other weapons, in situations where the safety of persons or property may be endangered	
(2) Second offense:	Dismissal	N/A
(3) Third offense:	N/A	N/A

B. Excessive public use of intoxicants while off duty resulting in conduct unbecoming a County employee.

	MINIMUM	MAXIMUM
(1) First offense:	3 days suspension w/o pay	5 days suspension w/o pay
(2) Second offense:	10 days suspension w/o pay	30 days suspension w/o pay, and proof of acceptable medical treatment required for reinstatement.
(3) Third offense:	40 days suspension w/o pay	Dismissal

C. Selling intoxicating liquors or drugs on County premises, if no arrest is involved.

	MINIMUM	MAXIMUM
(1) First offense:	10 days suspension w/o pay	Dismissal
(2) Second offense:	Dismissal	N/A
(3) Third offense:	N/A	N/A

ART. 6. Fighting.

A. Fighting or instigating a fight or disturbance while on duty, and/or while on County property, except in self-defense.

	MINIMUM	**MAXIMUM**
(1) First offense:	5 days suspension w/o pay	Dismissal
(2) Second offense:	Dismissal	N/A
(3) Third offense:	N/A	N/A

ART. 7. Fraud, Falsehood, Perjury and Malfeasance.

A. Fraud, falsehood, perjury or malfeasance involving any willful, intentional or deliberate misstatement or concealment of material fact in connection with employment, employment application, work records, responsibilities, reports, investigations or proceedings, or intentional misuse of paid work time or assets. Willfully, knowingly and falsely swearing by a person to whom a lawful oath or affirmation is administered, in a manner material to an issue or point in question in some proceeding.

	MINIMUM	**MAXIMUM**
(1) First offense:	Dismissal	N/A
(2) Second offense:	N/A	N/A
(3) Third offense:	N/A	N/A

ART. 8. Gambling.

A. Unlawful gambling or betting on County premises.

	MINIMUM	**MAXIMUM**
(1) First offense:	3 days suspension w/o pay	10 days suspension w/o pay
(2) Second offense:	15 days suspension w/o pay	30 days suspension w/o pay
(3) Third offense:	40 days suspension w/o pay	Dismissal

ART. 9. Housekeeping Violations.

A. Failure or refusal to cooperate in the reasonable care and use of equipment, sanitary facilities and related "housekeeping" tasks on the job.

	MINIMUM	**MAXIMUM**
(1) First offense:	Written Warning.	1 day suspension w/o pay
(2) Second offense:	3 days suspension w/o pay	5 days suspension w/o pay
(3) Third offense:	10 days suspension w/o pay	Dismissal

ART. 10. Inefficiency and Incompetence.

A. Continued inefficiency or incompetence in the performance of assigned work, based upon several written performance appraisals and/or other forms of written or verbal counseling covering a reasonably demonstrable period of time.

	MINIMUM	**MAXIMUM**
(1) First offense:	Written Warning	Demotion
(2) Second offense:	2nd Written Warning	Dismissal
(3) Third offense:	N/A	N/A

ART. 11. Insubordination.

A. Intentional disobedience of a supervisor or the requirement of a policy, procedure or rule if such policy, procedure or rule does not already contain a specific disciplinary guideline adopted by Fulton County, assaulting or resisting authority, disrespect or use of insulting or abusive language to a superior.

	MINIMUM	**MAXIMUM**
(1) First offense:	5 days suspension w/o pay	30 days suspension w/o pay
(2) Second offense:	40 days suspension w/o pay	Dismissal
(3) Third offense:	N/A	N/A

B. Failure to carry out orders, failure or excessive delay in carrying out work assignments or specific instructions of superiors.

	MINIMUM	**MAXIMUM**
(1) First offense:	Written Warning	5 days suspension w/o pay
(2) Second offense:	10 days suspension w/o pay	30 days suspension w/o pay
(3) Third offense:	40 days suspension w/o pay	Dismissal

C. Intentional misuse of, or failure to carry out policies and procedures governing the official use of County owned or leased equipment and/or systems.

	MINIMUM	MAXIMUM
(1) First offense:	Written Warning	5 days suspension w/o pay
(2) Second offense:	10 days suspension w/o pay	30 days suspension w/o pay
(3) Third offense:	40 days suspension w/o pay	Dismissal

D. Intentional misuse of County provided internet access, consisting of the accessing, viewing, or downloading of any non-County-business related information or material from any web site that is pornographic, obscene, or primarily devoted to sex and sexual imagery.

	MINIMUM	MAXIMUM
(1) First offense:	10 days suspension w/o pay-and restricted internet access	Dismissal
(2) Second offense:	Dismissal	N/A
(3) Third offense:	N/A	N/A

ART. 12. Loafing.

A. Willful idleness, wasting time or deliberate failure to work on the task(s) assigned.

	MINIMUM	**MAXIMUM**
(1) First offense:	Written Warning	5 days suspension w/o pay
(2) Second offense:	5 days suspension w/o pay	10 days suspension w/o pay
(3) Third offense:	15 days suspension w/o pay	Dismissal

ART. 13. Mistreatment of Prisoners, Patients, Employees, Volunteers, Contractors or Citizens.

A. Verbal abuse.

	MINIMUM	**MAXIMUM**
(1) First offense:	Written Warning	5 days suspension w/o pay
(2) Second offense:	5 days suspension w/o pay	10 days suspension w/o pay
(3) Third offense:	15 days suspension w/o pay	Dismissal

B. Physical abuse.

	MINIMUM	**MAXIMUM**
(1) First offense:	Dismissal	N/A
(2) Second offense:	N/A	N/A
(3) Third offense:	N/A	N/A

C. Prejudicial Acts and/or harassment as defined in the Equal Employment Opportunity and Prejudicial Acts Policy and Procedure #103-16.

	MINIMUM	**MAXIMUM**
(1) First offense:	5 days suspension w/o pay	Dismissal
(2) Second offense:	Dismissal	N/A
(3) Third offense:	N/A	N/A

D. Threats and/or Acts of Workplace Violence or Bullying as defined in Fulton County's Workplace Violence and Anti-Bullying Policy and Procedure #341-16.

	MINIMUM	**MAXIMUM**
(1) First offense:	5 days suspension w/o pay	Dismissal
(2) Second offense:	Dismissal	N/A
(3) Third offense:	N/A	N/A

ART. 14. Political Activity.

A. Unlawful political activities by Classified employees in violation of County policies and/or Civil Service Act.

	MINIMUM	**MAXIMUM**
(1) First offense:	5 days suspension w/o pay	Dismissal
(2) Second offense:	Dismissal	N/A
(3) Third offense:	N/A	N/A

ART. 15. Sabotage, Vandalism or Malicious Injury.

A. Sabotage, malicious damage or vandalism to County property or the property of other employees.

	MINIMUM	**MAXIMUM**
(1) First offense:	10 days suspension w/o pay	Dismissal
(2) Second offense:	Dismissal	N/A
(3) Third offense:	N/A	N/A

ART. 16. Security.

A. Divulging confidential, classified or highly sensitive information without proper authority or for an improper use.

	MINIMUM	**MAXIMUM**
(1) First offense:	10 days suspension w/o pay	15 days suspension w/o pay
(2) Second offense:	Demotion	Dismissal
(3) Third offense:	Dismissal	N/A

B. Failure to exercise due care and caution while guarding prisoners.

	MINIMUM	**MAXIMUM**
(1) First offense:	5 days suspension w/o pay	10 days suspension w/o pay
(2) Second offense:	15 days suspension w/o pay	30 days suspension w/o pay
(3) Third offense:	Demotion	Dismissal

ART. 17. Sleeping on Duty.

A. Where safety of persons or property is not endangered.

	MINIMUM	**MAXIMUM**
(1) First offense:	Written Warning	5 days suspension w/o pay
(2) Second offense:	10 days suspension w/o pay	15 days suspension w/o pay
(3) Third offense:	40 days suspension w/o pay	Dismissal

B. Where safety of persons or property is endangered.

	MINIMUM	**MAXIMUM**
(1) First offense:	5 days suspension w/o pay	10 days suspension w/o pay
(2) Second offense:	15 days suspension w/o pay	30 days suspension w/o pay
(3) Third offense:	40 days suspension w/o pay	Dismissal

ART. 18. Smoking in Unauthorized Places.

A. Smoking in unauthorized areas not considered to be dangerous.

	MINIMUM	**MAXIMUM**
(1) First offense:	Written Warning	1 day suspension w/o pay
(2) Second offense:	3 days suspension w/o pay	5 days suspension w/o pay
(3) Third offense:	10 days suspension w/o pay	15 days suspension w/o pay

B. Smoking in dangerous areas where human life or property is imperiled.

	MINIMUM	**MAXIMUM**
(1) First offense:	1 day suspension w/o pay	3 days suspension w/o pay
(2) Second offense:	10 days suspension w/o pay	15 days suspension w/o pay
(3) Third offense:	Demotion	Dismissal

ART. 19. Theft.

A. Actual or attempted theft of County property, tools or equipment or the property of other employees, whether acting alone or in collusion with others.

	MINIMUM	**MAXIMUM**
(1) First offense:	Dismissal	N/A
(2) Second offense:	N/A	N/A
(3) Third offense:	N/A	N/A

ART. 20. Vehicles.

A. Minor violation of traffic laws while operating a County vehicle.

	MINIMUM	**MAXIMUM**
(1) First offense:	Written Warning	5 days suspension w/o pay
(2) Second offense:	10 days suspension w/o pay	15 days suspension w/o pay
(3) Third offense:	Demotion	Dismissal

B. Serious violation of traffic laws while operating a County motor vehicle, defined as involving damages of $200 or more.

	MINIMUM	**MAXIMUM**
(1) First offense:	10 days suspension w/o pay	15 days suspension w/o pay
(2) Second offense:	Demotion and cancellation of driving privileges	Dismissal
(3) Third offense:	N/A	N/A

C. Use of or knowingly authorizing the use of a County motor vehicle or aircraft for other than official purposes.

	MINIMUM	MAXIMUM
(1) First offense:	30 days suspension w/o pay	Dismissal
(2) Second offense:	Dismissal	N/A
(3) Third offense:	N/A	N/A

ART. 21. Failure to secure and/or maintain necessary training, licensing or credentials required by the position.

An employee shall be suspended for ten (10) working days without pay upon determination by the Appointing Authority that the employee has failed to secure or maintain necessary training, licensure, certification or other credentials required by the employee's position. During the ten (10) working days, the employee shall make every effort to obtain the necessary training, licensing or credentials required by the position. If after ten (10) working days, the employee still has not satisfactorily obtained the necessary training, licensing or credentials required by the position, the Appointing Authority has the discretion to dismiss the employee. Notice of the dismissal shall be provided in the same manner as any notice of dismissal to a permanent Classified employee.

Art. 22. Miscellaneous.

A. Violations of Civil Service Act, as amended, Fulton County Policies and Procedures, and any other violations or actions not specifically enumerated in these guidelines which impair or reflect adversely upon the integrity, efficiency, good order or operation of any segment of the County Government.

   (1) First offense: The penalty imposed must be commensurate with the nature and seriousness of the offense in each case, as determined by the Appointing Authority.

B. Penalties for disciplinary offenses in general should fall within the ranges indicated in these guidelines. However, depending upon the timeliness and severity of the infraction and the past record of the employee, greater or lesser penalties may be imposed. A combination of infractions may be considered jointly and normally will justify a more severe penalty than a single offense resulting in disciplinary action. Past record may be taken into consideration, but past offenses which did not result in disciplinary action at the time of discovery should not be applied in current disciplinary actions.

C. The violations outlined in Articles 1-21 above do not cover every possible type of offense or disciplinary action. Therefore, insofar as possible, offenses not listed should be punished with comparable severity to other similar offenses listed.

All notices of disciplinary action taken preferably should be given to the employee in person, if possible. Otherwise, mailing by Registered Mail, Return Receipt Requested, to last known address or service by a Law Officer is recommended.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: DIVERSITY AND INCLUSION

DATE: January 1, 2017 Number: 306-16

I. Statement of Policy

Fulton County respects, values and celebrates the unique attributes, characteristics and perspectives that make each person who they are. We believe that our strength lies in the diversity among the broad range of people and communities we represent. We consider diversity and inclusion to be a driver of excellence and seek out diversity of participation, thought and action.

The County's approach to an equal employment opportunity workplace is based on three key principles: equality, diversity and inclusion. The County promotes equality by removing barriers, eliminating discrimination and ensuring equal opportunity and access for all groups of people.

The County accepts and respects each person as an individual. Success and competitiveness are built on our ability to embrace diversity, and we believe that everyone should feel valued for their contributions.

The County desires to create a working culture where differences are not merely accepted, but valued; where everyone has the opportunity to develop in a way that is consistent with our vision and values.

The County is committed to being a model employer, business partner and responsive service provider that is well prepared to meet the needs of the County's diverse constituency. In the pursuit of organizational excellence, equal opportunity, and equal access, Fulton County Government will recruit, hire, and promote a diverse workforce and group of contractors that delivers inclusive local government services. This policy affirms the County's commitment to create a culture of inclusion that encourages collaboration, innovation, flexibility, cultural competence, and civility. In addition to fostering integrated and inclusive service principals, this policy articulates the County's commitment to incorporate diversity and inclusion considerations in business administration, policy planning, resources allocation, service programming, and human resources management.

This policy also establishes the Office of Diversity and Civil Rights Compliance (DCRC) and the position of Chief Diversity and Compliance Officer (CDCO), reporting to the County Manager, to lead the development of a Countywide Diversity and Inclusion Strategic Plan and implementation strategy. Lastly, this policy establishes a Diversity and Inclusion Strategic Plan to guide the County in developing program goals, objectives and strategies.

II. Background and Applicability

This policy shall apply to all Fulton County Departments, Divisions, Offices, Grantees, Contractors, Sub-Contractors and other entities that provide services to the public on behalf of the County.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: DIVERSITY AND INCLUSION

DATE: January 1, 2017 Number: 306-16

I. Definitions[1]

A. Workforce Diversity: As a concept, diversity includes everyone and encompasses variations among people including how they communicate, differences of thought, customs, beliefs, and life experiences. A workforce is considered diverse when organizational staffing is comprised of individuals with varied experiences and perspectives working together to help the organization pursue organizational objectives efficiently, effectively and equitably. A highly diverse workforce achieves organizational objectives by leveraging unique perspectives from individuals of varied national origins, linguistic backgrounds, races, colors, disabilities, ethnicities, genders, ages, religions, sexual identities, gender identities, socioeconomic statuses, political expressions, veteran statuses, lifestyles and family structures.

B. A Culture of Inclusion: A culturally inclusive environment engages employees, clients and business partners in a manner that values their differences, solicits their perspectives and contributions, and integrates their individual perspectives and contributions with organizational investments, strategies, and outcomes. Inclusivity leverages diversity throughout the organization by encouraging collaboration, flexibility, cultural competence, civility, equity, and organizational excellence.

C. Supplier/Contractor Diversity: Practices that ensure Fulton County will encourage the use of minority owned and historically underutilized and disadvantaged small business vendors as suppliers to include: women, veterans, Lesbian, Gay, Bisexual or Transgendered (LGBT), and service disabled veteran owned, businesses.

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[1] The definitions included herein are based on definitions included in the U.S. Office of Personnel Management's "Guidance for Agency Specific Diversity and Inclusion Strategic Plans" (2011); and Georgetown University Child Development Center's "Towards a Culturally Competent System of Care; Vol. III (1998)."

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

D. Valuing, Managing and Institutionalizing Diversity: An organizational commitment which fosters an acceptance, understanding, and appreciation for the differences that exist among its members. Valuing diversity is fundamental to meeting the needs of diverse client populations and developing skillsets that empower individuals to demonstrate an acceptance of the differences among different groups of people during service delivery. Managing and institutionalizing diversity involves the development of skillsets that empower individuals to utilize their differences to create an organizational climate that improves organizational operations and workforce performance.

E. Cultural Competence: An ability to provide services, support or other assistance that are responsive to the beliefs, interpersonal styles, attitudes, language and behaviors of individuals who are receiving services in a manner that has the greatest likelihood of ensuring maximum participation in the program. The five necessary elements to develop cultural competence include: 1) Valuing Diversity; 2) Conducting Cultural Self-Assessment; 3) Understanding and Acknowledging the Dynamics of Difference; 4) Institutionalizing Cultural Knowledge; and 5) Adapting to Diversity.

F. Office of Diversity and Civil Rights Compliance (DCRC): Lead office that coordinates and collaborates with County Officials and Departments in the development and implementation of initiatives to promote diversity, cultural competence and inclusion.

II. Guidelines

- No job applicant or employee should receive less favorable treatment because of sex, race, age, ethnic origin, marital status, military status, pregnancy and/or maternity status, civil partnership status, any gender re-assignment, religion or belief, sexual orientation, or disability;
- Employees should be protected from discrimination because of association;
- Equality, diversity and inclusion should be promoted within the workplace;
- Fair and equitable treatment should be the hallmark of every aspect of working life at the County, from written procedures through and including every decision made;
- The County will promote a culture where employees recognize the value that a diverse and inclusive workforce brings to the County, and where colleagues and external associates are treated with dignity and respect; and
- The County shall create an environment where anyone believing they have been subjected to discrimination, victimization or harassment in the workplace is entitled and feels safe to raise such concerns. We are

committed to ensuring that the process for dealing with such concerns is straightforward and will be addressed in a compassionate, efficient and timely manner.

III. Responsibilities

A. County Manager

- Possess ultimate responsibility for compliance with the provisions of the Diversity and Inclusion Policy;
- Ensure that departments implement the provisions of the Diversity and Inclusion Policy and related procedures to ensure that County operations, facilities, employment, programs, services, activities and benefits are provided in such a manner as to promote diversity and inclusion;
- Establish the Office of Diversity and Civil Rights Compliance with appropriate resources and staffing;
- Designate Director of Diversity and Civil Rights who also serves as the Chief Diversity and Compliance Officer reporting to the County Manager; and
- Appoint Diversity Advisory Committee.

B. Office of Diversity and Civil Rights Compliance

- Ensure County Compliance with all equal opportunity and access federal and state laws and related County policies/ordinances;
- Develop/Implement Countywide Diversity and Inclusion Strategic Plan;
- Coordinate implementation of Countywide Diversity and Inclusion strategies pursuant to the Diversity and Inclusion Strategic Plan;
- Work with department Diversity and Inclusion Liaisons (DIL), as appropriate, to coordinate employee engagement activities and training sessions;
- Oversee the development and implementation of County Department diversity strategies;
- Review and provide comments on Department diversity strategies;
- Coordinate the updating of the County's Diversity and Inclusion Strategic Plan every five years;
- Provide technical assistance/resources/support to Fulton County departments on diversity, inclusion and cultural competence issues;
- Monitor, assess and report progress towards goal attainment associated with the Diversity Strategic Plan; and
- Develop such other policies and procedures necessary to improve diversity, inclusion and cultural competence impacting County

operations, facilities, employment, programs, services, activities and benefits.

C. Appointing Authorities

- Assign a senior professional to lead department workforce diversity and inclusion planning and implementation strategies/actions;
- Develop plan outlining actions/activities that will be taken to achieve the specific priorities identified in the County-wide Diversity and Inclusion Strategic Plan;
- Identify a responsible management official and resources for each action/activity; and
- Be consistent with applicable law, merit system principles, County Equal Opportunity/Equal Access Policies and any other applicable non-discrimination laws and regulations.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: EDUCATION ASSISTANCE PLAN AND CAREER INCENTIVE

DATE: February 15, 2017 Number: 307-16

I. Statement of Policy

It is the policy of Fulton County Government to encourage the career growth, education and development of its employees. To help achieve this goal an Education Assistance Plan and Career Incentive Program has been established. Employees are encouraged to take advantage of educational and training opportunities which increase their knowledge and skill in their present jobs, or to prepare them for specific career goals within their departments, or within Fulton County Government at large.

Fulton County will either pay a bonus to an employee who obtains a degree or professional certifications in a field of study directly related to improvement of knowledge and skills in the employee's current job or reimburse an employee for tuition, fees, and books for courses taken that are directly related to improvement of relevant job skills with the County. The Educational Assistance Plan is not an employee benefit, right or entitlement. Denial of participation in the Educational Assistance Plan and Career Incentive Program is not subject to the grievance process.

This plan shall be administered without regard to race, color, sex (including pregnancy), gender identity, age, religion, national origin, disability or genetic information, military status or political affiliation.

II. Background and Applicability

All permanent, full-time County employees shall be eligible to participate in the education assistance plan provided that employees meet certain eligibility requirements and obtain approval from the appropriate Appointing Authority.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: EDUCATION ASSISTANCE PLAN AND CAREER INCENTIVE

DATE: November 1, 2018 Number: 307-16

I. Definitions

A. Educational Assistance Plan for Employees: This program shall be known as the "Educational Assistance Plan for Employees."

B. Successful Completion: Successful attainment of a professional certification or completion of a course, degree or certification program in accordance with minimum performance standards, or better, recognized by the sponsoring institution for the degree or certification pursued (generally, a "Satisfactory," Pass," or a grade of "C" or higher grade for undergraduate study and a "B" or higher grade for graduate study). Courses must be completed. Audits and withdrawals are not eligible for reimbursement. "Incomplete" courses shall not be reimbursed until a final grade is issued.

C. Accredited Institution:

- An institution of learning recognized by one of the national or regional accrediting agencies for colleges and universities or the state university system for unconditional admission to graduate school or for full transfer credit;
- A city, county or state-supported community or junior college whose credits will transfer to the University System of Georgia for full credit on a provisional or unconditional basis;
- Institutions of learning offering off-campus guided study programs and correspondence courses individually approved by the County Manager or designated representative(s); or

- Professional and technical associations and societies, trade unions and other organizations offering formal, certificated programs of training and education for members and non-members, individually approved by the County Manager or designated representative(s).

D. Licensure: A state's grant of legal authority to practice a profession within a designated scope of practice.

E. Certification Program: A training program on a specialized topic for which participants receive a certificate after completing the course and passing an assessment instrument.

F. Professional Certification: A standardized process that enables an individual to demonstrate a certain level of competency in a specific career or job function. Upon completion of professional certification requirements, which typically entail passing an exam administered by an industry specific credentialing organization, a certification credential is awarded. Professional certification holders must complete continuing education requirements to retain the credential.

G. Tuition: The fee for instruction and lab fees only at an accredited institution. Tuition does not include transportation costs or room and board.

II. Qualifications

Any employee who takes an approved course may, upon successful completion of the course, qualify for reimbursement of tuition expenses, fees, and the costs of textbooks in an amount up to, but not to exceed either $5,000 per calendar year or a lifetime cap of $35,000. (This cap also applies to rehires). Employees receiving financial assistance including scholarships, fellowships, grants, and/or Veteran's benefits, will be eligible for reimbursement after the financial assistance has been applied to the tuition expenses and other school-related costs.

III. Employee Eligibility

All permanent, full-time employees who have completed their probationary period (if applicable) shall be eligible for participation provided that the following requirements are met:

- Completion of 13 pay periods of full time employment with Fulton County;

- An overall evaluation of “satisfactory” or higher on the latest employee performance evaluation preceding the beginning of classes, if the employee is in a department that regularly evaluates employee performance;

  Exception: An employee whose latest overall evaluation is less than “satisfactory” may be eligible for Tuition Refund for coursework that relates to specific areas of weak performance.

- Full-time, permanent employees on educational leave without pay or reduced work hour schedules may participate to the extent other eligibility criteria are met.

- Employees assigned to grant funded positions are not eligible, unless the grant has funded this benefit.

IV. Eligibility of Coursework

Guidelines for establishing eligible coursework are as follows:

- Degree and certification programs at accredited institutions which relate directly to the employee’s present position, a position into which the employee may reasonably be expected to advance or transfer in the future, or other career opportunities within Fulton County Government are eligible for approval. Each department head shall provide the Department of Human Resources Management with a list of pre-approved professional certifications or degree and certification programs that shall be eligible for reimbursement.

- For those employees who have been approved for a degree program, all general education courses eligible for credit towards completion of the degree program and graduation as required by the school will be approved.

- All courses must be taken outside of scheduled working hours unless the employee’s Department Head or Appointing Authority permits the employee to work a flex-time or a compressed workweek or approves the use of vacation leave, compensatory time, or holiday leave. If Administrative Leave is granted to take a course during working hours, no tuition reimbursement will be granted.

- For on-line and Internet courses and programs at accredited educational institutions, the Employee Development Division of the Department of Human Resources Management will review requests for reimbursement on a case-by-case basis. The Employee Development Division must receive such requests at least 30 days prior to the start of the course or program.

- The Educational Assistance Plan is designed to assist employees pursuing a degree or professional certification. It is not intended for those interested in only one course, non-degree college training, workshops, or seminars.

- Training or courses required and paid for by the County are not covered under this program.

- Courses started prior to employment shall not be considered for tuition reimbursement; however, an employee may eligible for an Educational Achievement Bonus upon completion of a degree or certification program that the employee began prior to employment.

V. Responsibilities

This program shall be administered by the Department of Human Resources Management. The employee's Appointing Authority/Department Head, the Chief Human Resources Officer or designee shall provide the employee with educational and career counseling as needed to meet program and eligibility criteria and objectives.

Additional specific responsibilities under this policy are assigned to County departments and agencies as specified below:

A. Department of Human Resources

The Chief Human Resources Officer shall be responsible for maintaining a record of all employee educational accomplishments and all educational leave under this program. The Department of Human Resources' Employee Development Division shall maintain program oversight responsibilities including:

- Resolving any problems or discrepancies with the interpretation of this Procedure;
- Reviewing all supporting documents submitted by departments to ensure proper accountability for reimbursement disbursement;
- Calculating the reimbursement due;
- Approving and submitting all reimbursement requests for final disbursement;
- Resolving problems and issues affecting the program.

The Chief Human Resources Officer may also grant extensions for the completion of course work for medical and/or military reasons.

B. Department Heads/Appointing Authorities

The Appointing Authorities and Department Heads shall be responsible for verifying that all approved coursework is in compliance with this Procedure, as well as all other aspects of the program. Appointing Authorities and Department Heads shall approve or disapprove all reimbursements for degrees, programs, and coursework for employees within their departments in accordance with this Procedure.

In addition, Appointing Authorities and Department heads are responsible for expending funds for tuition reimbursement and other education activities within the confines of their existing budgets. In instances approved by the County Manager, the Finance Department may allocate resources to supplement a department's budget.

C. Department of Finance

The Department of Finance shall be responsible for disbursing all reimbursements and maintaining supporting documentation confirming costs.

VI. Reimbursement

Unless otherwise indicated in this Procedure, any employee desiring to participate in the Education Assistance Plan shall submit an application for coursework, degree or certification program approval to their Appointing Authority or Department Head no later than thirty days prior to the start of classes. Employees pay the required tuition and fees and are reimbursed for the costs when the course is completed and appropriate documentation is submitted.

A. Coursework Degree Review and Approval

The Appointing Authority or Department Head shall approve or disapprove the employee's request after verifying the employee's eligibility for participation in the Education Assistance Plan. Participation in certification programs may be denied by the Appointing Authority for valid business reasons including budget and job relatedness.

If the Appointing Authority or Department Head approves the request, a copy of the original application is sent to the Department of Human Resources Management for final approval. Once approved, a copy will be returned to the employee to inform them of the approval. If the Appointing Authority or Department Head disapproves the application, he or she shall advise the employee of the reason for the rejection within twenty (20) business days of receipt of the application.

B. Conditions and Limitations

Educational assistance is neither a guaranteed benefit nor an entitlement of employment with Fulton County, and is limited by the availability of funds. Approved applicants shall submit a request for reimbursement, along with tuition receipts or other proof of payment, official grade notifications, and all supporting documentation, to their Appointing Authority or Department Head no later than thirty days from the receipt of grades for completed coursework. The Departments shall submit to the Department of Human Resources Management's Employee Development Division all applications, whether approved or disapproved, with the supporting documents for final review and reimbursement approval.

An employee is responsible for notifying the Department of Human Resources in writing of any changes in coursework or the amount of tuition or fees paid. If an employee receives an overpayment for reimbursement of their tuition, they will be required to reimburse the County.

Should an employee submit documentation that the employee knows is false or intentionally misleading in order to receive benefits for which the employee is not entitled, the employee will be deemed ineligible to continue to participate in the Education Assistance Plan and must repay Fulton County for any tuition reimbursements received while employed by Fulton County. The employee also may be subject to disciplinary action, including, but not limited to, dismissal from Fulton County's service.

Attendance at a pre-approved class is not part of an employee's job duties. Transportation to classes is the responsibility of the employee. Employees may not use County cars to commute to classes and will not receive reimbursement for travel expenses. Homework is not allowed to be done during work time.

C. Termination of Eligibility

Eligibility for the Education Assistance Plan shall cease when an employee separates from employment. Employees who are already taking a course at the time of separation will not be eligible for the reimbursement of tuition costs for that course.

VII. Educational Achievement Bonus

In lieu of receiving tuition reimbursement as part of an Education Assistance Plan, an employee may apply to receive a one-time Educational Achievement Bonus under the following circumstances:

(1) The employee completed a degree or certification program or attained a professional certification from an accredited institution in a field of study directly related to improvement of knowledge and skills in the employee's current job on or after January 1, 2017;

(2) The employee meets the Employee eligibility criteria outlined in Section III of this procedure and, on the effective date of this procedure, is in the last year of a degree program in a field of study directly related to improvement of knowledge and skills in the employee's current job. Upon, completion of the degree program, the employee may be eligible for an Educational Achievement Bonus.

Employees meeting the criteria under this provision will be required to submit an application, along with an official transcript and/or copy of the degree or certification earned, for bonus payment to their Appointing Authority or Department Head. The deadline for submission of applications for the Educational Achievement Bonus is June 30. The Appointing Authority or Department Head shall approve or disapprove the employee's request after verifying the employee's eligibility for participation in the Education Assistance Plan. The Departments shall submit to the Department of Human Resources Management's Employee Development Division all applications, whether approved or disapproved, with the supporting documents for final review and reimbursement approval.

An Educational Achievement Bonus may be paid in four (4) equal installments over a four (4) year period of time or as a one-time bonus. The Educational Achievement Bonuses for each fiscal year shall be paid no later than December 31.

Provided sufficient funds are set aside for the Education Assistance Plan or available within the department's budget, Educational Achievement Bonuses will be paid in accordance with the following table, which may be modified from time to time by the County Manager in consultation with the Chief Human Resources. If sufficient funds are not available, the County Manager, Chief Human Resources Officer, and Finance Director will meet to discuss whether to reduce the amount of the bonus or to delay some or all of the payments until the next fiscal year in which sufficient funds are available.

Accredited Degrees		
Degree level	**Amount**	**Payment period**
Associate's Degree:	$4,000	2 years
Bachelor's Degree:	$8,000	4 years
Master's Degree:	$12,000	4 years
Doctoral Degree (i.e., doctor of philosophy, doctor of jurisprudence, doctor of medicine and doctor of medical dentistry or dental surgery):	$15,000	4 years
Certifications/Licensure		
Type:	**Amount**	**Payment period**
Completion of Certification Program:	$2,000	Same year
Professional Certification:	$4,000	2 years
Licensure:	$6,000	2 years

An employee **will not** be eligible to receive an Educational Achievement Bonus if possession of the degree, license, certification or professional certification was previously used as the basis for the employee to receive a higher than minimum salary upon appointment to the employee's current position.

VIII. Records

All documents relating to this plan, including originals or copies of certificates, certifications, diplomas or transcripts demonstrating employee educational efforts and accomplishments shall become a part of the employee's permanent file in the Department of Human Resources Management, and the Chief Human Resources Officer and Appointing Authorities shall consider educational achievements and accomplishments in rating and assessing employees for purposes of promotion and transfer.

IX. Service Commitment

All employees receiving reimbursement or other assistance under this program will be required to enter into a written service agreement committing to remain in the employ of Fulton County for a minimum of one (1) year following reimbursement or payment of an Educational Achievement Bonus upon completion of coursework or the certification program and/or attainment of a professional certification. Fulton County shall be authorized to recoup money paid to an employee toward educational assistance if the employee separates from Fulton County prior to the expiration of this period. Deductions will be made from the employee's final paycheck to the extent possible. If the final paycheck is insufficient, the employee will still be responsible for reimbursing the County. No reimbursement will be required, however, of those employees who have been laid off and have been previously approved for coursework. If an employee passes away, no reimbursement will be required from either the family or estate of the employee.

X. Income Tax Information

The taxability of the Education Assistance Plan is determined by federal regulations and is subject to change. The use of tuition reimbursement may affect your taxable income. For more information, please consult with a tax advisor. If the benefits are considered taxable during a tax year (i.e., January 1 to December 31), federal law requires that they be reported by Fulton County as taxable income to the employee.

XI. General Information

Fulton County reserves the right to terminate, suspend, restrict, withdraw, amend or modify the Education Assistance Plan in whole or in part at any time based upon the availability of funds or for any other business reason as determined by Fulton County.

Where applications exceed available funds, actions such as the following may be taken:

- Fulton County may select employees whose learning needs are critical to the County;
- Fulton County may set an official, uniformly applied percentage figure as the amount of tuition reimbursement for which Fulton County is responsible;
- Fulton County may reject any and all applications for tuition reimbursement;
- Fulton County may distribute available funds equally among eligible employees or reduce the maximum reimbursement per person.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: PREPARATION OF ELECTION PAYROLLS AND PAYMENT TO ELECTION EMPLOYEES

DATE: January 1, 2017 Number: 308-16

I. Statement of Policy

It is the policy of Fulton County to compensate its election employees consistent with the Fair Labor Standards Act. This policy, and accompanying procedure, establishes the normal method by which election payrolls are prepared and whereby personnel who are employed for the purpose of conducting an election are paid for services rendered. This policy includes the conducting of municipal elections.

II. Background and Applicability

This policy applies to personnel who the County employs for purposes of conducting an election.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains “at will”.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: PREPARATION OF ELECTION PAYROLLS AND PAYMENT TO ELECTION EMPLOYEES

DATE: October 26, 2018 Number: 308-16

I. Classification of Election Workers

These procedures apply to the following personnel who are employed for the purpose of conducting an election:

A. Election Workers**:** This group is composed of personnel who are employed prior to, during and after an election for the purpose of preparing and maintaining voting equipment and material. Upon completion of an election, these or similar employees are responsible for the efficient and orderly return of all election equipment and material to the Elections warehouse. Individuals working in this category are typically contract workers acquired through a temporary staffing agency.

B. Election Day Technicians (EDTs): This group is composed of personnel who provide technical support to the polls on an election day. Employees in this group are required to attend a training session for which they shall be paid as indicated in Section III, Item 2 below.

C. Headquarters Personnel:

(1) Category A: This group is composed of County and Non-County employees who are responsible for such activities as counting absentee and defective ballots and staffing check-in centers, the information technology center and the information dissemination center, etc. These employees usually work only the day of the election and are paid as indicated in Section III, Item A below. Election Night Centers are as follows: (1) Information Technology Center (2) Duplication Center (3) Check-In Centers (4) Certification Center (5) Absentee Ballot Center (6) Write-In Center (7) Ballot Tabulation Center (8) Election Night Technicians.

These policies do not create a contract of employment. Employment for non-classified employees remains “at will”.

(2) Category B: This group is composed of personnel permanently or temporarily assigned to the Departments of Registration and Elections, Real Estate and Asset Management, Information Technology, Finance and Police. They perform duties within the scope of their normal employment in their respective departments and are responsible for working in excess of their normal work week. Non-exempt employees will be compensated for all hours worked in excess of the applicable maximum hours as listed in the Overtime and Compensatory Time Policy and as otherwise required by applicable state and federal law, unless the employee receives compensatory time for overtime work as set forth in the Overtime and Compensatory Time Policy. At the sole discretion of Fulton County and upon approval from the County Manager, exempt employees may be offered straight-time compensatory time in addition to their regular salary for hours worked.

II. Preparation of Compensation Schedules for Election Employees: The County will use the following procedure in preparing compensation schedules:

A. Within a reasonably acceptable period prior to an election, the Department of Information Technology will submit to the Department of Registration and Elections, a list of names and addresses of workers showing assignment, compensation and precinct.

B. All changes in poll worker files will be maintained on an on-line terminal.

C. The Elections Supervisor shall assign personnel at each check-in station with the responsibility of securing the signature of poll managers certifying that each person listed on the schedule, did, in fact, perform his assigned task.

D. On the Monday after the election, the Elections Supervisor is responsible for submitting the non-County workers list to the Finance Department and the County workers list to the Department of Human Resources Management. Changes in personnel will be reflected on forms submitted by each manager.

E. The Finance Department will prepare checks and mail them to non-County election workers not later than two weeks after the election. County workers' pay will be included with their regular paycheck.

F. Since July 1, 1971, G-4 and W-4 forms have been required on all election personnel except those County employees on the payroll who already have these forms on file (for example, election workers who are County Police Officers).

III. Compensation for Poll Workers: In compliance with the Fair Labor Standards Act, the following shall be the rate of pay for:

A. Poll Workers/EDTs

Title	Flat Rate	Hourly Rate (after 14 hours)	Overtime Rate (after 40 hours in a work week)
Chief Manager	$250.00	$17.85	$26.78
Assistant Manager	$200.00	$14.29	$21.44
Clerk	$175.00	$12.50	$18.75
Dual Manager	$275.00	$19.64	$29.46
EDTs	$215.00	$15.38	$23.07
ENA	$100.00		
ENT	$200.00	$15.00	$22.50
Line Monitor	$175.00	$12.50	$18.75

B. Poll Worker Training Classes

All workers will be required to complete an online training course and or attend in-person training classes to become certified. Poll Worker training classes will not exceed three (3) hours. The training fee for all Poll Workers is $30.00.

IV. Compensation for Election Workers: In compliance with Fair Labor Standards Act, the following shall be the rate of pay for:

A. Personnel assigned as indicated:

Title	Flat Rate	Hourly Rate (after 8 hours)	Overtime Rate (after 40 hours in a work week)
Couriers	$75.00	$12.50	$18.75
Sunday Workers	$75.00	$12.50	$18.75
Election Utility Clerk	$75.00	$12.50	$18.75

B. Headquarters Personnel Category A: assigned to Absentee Ballot Center, Write-in's, Certification, Duplication, Compilation, Hand Count, Vote Review Panel and the Department of Real Estate and Asset Management (D.R.E.A.M.) shall be paid:

Title	Flat Rate	Hourly Rate (after 8 hours)	Overtime Rate (after 40 hours in a work week)
Clerk	$100.00	$12.50	$18.75
Assistant	$120.00	$15.00	$22.50

Supervisor			
Supervisor	$130.00	$16.25	$24.38

C. Headquarters Personnel Category B: assigned to Check-in Centers, Fee Schedules, Information Dissemination, Records Reconciliation and Provisional Ballots shall be paid:

Title	Flat Rate	Hourly Rate (after 8 hours)	Overtime Rate (after 40 hours in a work week)
Clerk	$80.00	$10.00	$15.00
Assistant Supervisor	$90.00	$11.25	$16.88
Supervisor	$100.00	$12.50	$18.75

D. Non-County Personnel assigned to Security shall be paid:

Title	Flat Rate	Hourly Rate (after 3 hours)	Overtime Rate (after 40 hours in a work week)
Officer	$116.00	$38.50	$57.75
Sergeant	$126.00	$41.84	$62.76
Lieutenant	$136.00	$45.17	$67.76

E. County Personnel assigned to Registration and Elections, Police, Information Technology and D.R.E.A.M. shall be paid as follows: Fulton County employees assigned to perform duties that are within the normal scope of their employment and in excess of their normal workweek shall be paid the same hourly and compensated for based on their salary classification within their respective Departments.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: EMPLOYEE GRIEVANCES

DATE: January 1, 2017 Number: 309-16

I. Statement of Policy

It is the policy of Fulton County Government to treat all employees fairly and equitably in matters affecting their employment and to provide employees with an efficient and effective process for resolving workplace issues and disputes. The Fulton County grievance procedure is established to provide a formal, structured process through which employees may voice complaints concerning work-related issues and seek administrative redress for alleged violations, misinterpretations or inequitable applications of Fulton County policies, rules, and standards of conduct. An employee has a right to use the grievance procedure without fear of reprisal or retaliation, and the filing of a grievance by an employee will not reflect adversely on the employee's standing or performance.

The objective of the grievance procedure is to settle all grievances between management and employees as quickly as possible and at as low of an administrative level as possible, so as to improve employee-management relations, assure efficient work operations and maintain employee morale. Fulton County expects employees and management to exercise reasonable efforts to resolve any questions, problems or misunderstandings prior to using the grievance procedure. Employees should pursue, if possible, an informal resolution of their complaints, utilizing all available avenues within their department before filing a formal, written grievance. Appointing Authorities, Department Heads and supervisors are encouraged to work with employees to resolve grievances informally.

Time scales have been fixed to ensure that grievances are dealt with quickly, however these may be extended by the County if necessary. Efforts at informal resolution are unrelated to the formal grievance procedure and do not extend the time limit(s) included in the procedure.

The grievance procedure may be modified or eliminated by the County at any time, with or without prior notice. This procedure is not a guarantee of employment or of any other rights or benefits. This procedure does not create or grant covered employees with a property interest in their employment or tenure rights of any kind and does not constitute a contract of employment, express or implied.

This policy is not intended to deal with (1) dismissal or disciplinary matters which are dealt with in a separate policy or procedure; (2) disputes of a collective nature which are dealt with in a separate procedure; or (3) complaints arising from sexual or other harassment actions covered under the EEOC policies.

II. Background and Applicability

All non-probationary, fee-paid and seasonal Fulton County employees are eligible to file grievances pursuant to this procedure. For purposes of this policy, "employee" does not include elected officials and their personal staff, interns, independent contractors, or volunteers. Review of demotion, suspension without pay, and dismissal actions (as well as any other disciplinary action taken for cause whereby an employee suffers any loss in salary, grade or classification as described in the Civil Service Act, as amended) taken against classified employees pursuant to the Personnel Policies of Fulton County shall be exclusively within the jurisdiction of the Fulton County Personnel Board. This grievance procedure and the ability to file a grievance in no way gives any employee a property interest in employment with Fulton County.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: EMPLOYEE GRIEVANCES

DATE: March 17, 2017 Number: 309-16

I. Definitions

A. Grievance: a wrong or hardship suffered (real or perceived), which is the grounds of a complaint. A claim of an individual employee that he was adversely affected by a violation, misinterpretation, misapplication, or disparity in the application of a specific rule, regulation, policy, or procedure.

B. Appointing Authority/Department Head: the person(s) authorized by law or delegated authority to make appointments to fill positions and who is the executive head authorized to oversee the operations of a department.

C. Complaint: an expression of grievance, dissatisfaction or concern.

D. Retaliation: to act or omit to act towards a person in a way which is intended to cause disadvantage to that person because they have made a complaint or may make a complaint.

E. Supervisory Personnel: For the purposes of this procedure, the term "supervisory personnel" shall mean any permanent Fulton County employee who:

1. Customarily and regularly directs the work of two or more full-time employees. This test would be met, for example, if an employee directs one full-time and two part-time workers, one of whom works mornings and the other afternoons; or four part-time workers, one of whom works mornings and the others afternoons; or four part-time workers, two of whom work mornings and two of whom work afternoons; and

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

2. Has the authority to hire or discipline employees, or whose suggestions and recommendations as to hiring and disciplinary actions, and as to the advancement and promotion or any other change of status of other employees, will be given particular weight.

F. Management Personnel: For purposes of this procedure, the term "management personnel" shall include any permanent Fulton County employee who regularly engages in any combination of two or more of the following activities: interviewing, selecting, and training of employees; setting and adjusting employees' hours of work; directing the work of employees; maintaining production records for use in supervision or control; appraising employees' productivity and efficiency for the purpose of recommending promotions or other changes in status; handling employee complaints and grievances; disciplining employees; planning the work; determining the techniques to be used by employees in performing their job duties; apportioning work among the employees; determining the type of materials, supplies, machinery, equipment or tools to be used or merchandise to be bought, stocked and sold; controlling the flow and distribution of materials or merchandise and supplies; and monitoring or implementing legal compliance measures.

II. Rights and Responsibilities

All County employees have the right to:

- Make a complaint to their direct supervisor or HR representative
- Be treated with respect and impartiality and provided with support throughout the process
- Have the principles of procedural fairness observed. This means:
  - Complaints must be fully described by the person with the grievance
  - The person who is the subject of concern must have a full opportunity to put forward their case
  - All parties to the complaint must have the right to be heard
  - All relevant submissions and evidence must be considered
  - Irrelevant matters must not be taken into account
  - The decision-maker must be impartial, fair and just
- Investigations and proceedings that are conducted honestly, fairly and without bias
- No undue delay in investigations and proceedings

It is the responsibility of all parties involved in a grievance to participate fully in the resolution process in good faith. Confidentiality must be respected and maintained

at all times within the constraints of the need to fully investigate the matter, subject to any legal requirements for disclosure and consistent with the principles of procedural fairness.

Right of Representation:

Either party to the grievance procedure may have a representative present at all stages of the grievance procedure. Such representative shall be a union representative or attorney. Notice of representation shall be provided to the other party at all stages of the grievance process. The grievant must bear any cost involved in employing representation or in preparing or presenting his/her grievance.

III. Management Rights

Nothing in the grievance procedure set forth herein is intended to circumscribe or modify the existing management right of Fulton County to do any of the following:

A. Direct the work of its employees as well as establish and revise wages, salaries, position classifications, and employee benefits;
B. Hire, promote, transfer, assign, and retain employees within the County;
C. Maintain the efficiency of governmental operations;
E. Determine the methods, means, and personnel by which operations are to be carried out; or
F. Discharge, demote, layoff, or suspend an employee for unsatisfactory performance or because of reorganization, lack of work, reduction in force, or position elimination.

IV. Grievable Matters

A. An employee may file an individual grievance regarding any of the following matters:

1. Concerns regarding the application or violation of County or department rules, regulations, policies or procedures;
2. Unsafe, unhealthy or unsanitary working conditions;
3. Denials of requests for leave;
4. Classification issues related to whether the grievant is working outside of his or her assigned classification; and
5. Retaliatory actions that result from utilization of the grievance procedure or participation in the grievance of another County employee.

B. Fulton County retains the exclusive right to manage its affairs and operations. Accordingly, matters that are not subject to this grievance procedure include, but are not limited to:

1. Classification-wide title changes or salary grade revisions;
2. Revision of classification specifications or employee benefit plans or systems;
3. Work activity accepted by the employee as a condition of employment or work activity which may reasonably be expected to be a part of the employee's job duties;
4. Performance evaluations or reviews;
5. The contents of established personnel policies, procedures, rules, and regulations;
6. Disciplinary actions;
7. Promotion decisions;
8. Layoff because of departmental reorganization, lack of work, reduction in force, or abolishment of position;
9. Matters involving employee compensation, wages, salary or other payroll-related issues;
10. The hiring, promotion, transfer, assignment, and retention of employees within the County;
11. Administrative suspension with pay, during any internal employment-related investigation;
12. County actions or inactions as it relates to another employee;
13. Violations of federal, state, or local law; and
14. Reassignments or job transfers.

V. Grievance Resolution Procedures

A. Grievance forms are available from the HR Operations Division of the Department of Human Resources Management, Appointing Authorities, Department Heads and direct supervisors. The Department of Human Resources Management's HR Operations Division will track all grievances through the grievance process. The grievance form will establish and constitute the official record of grievance by an employee. The form will be appended at each subsequent step of the grievance process.

B. Each employee who feels aggrieved has a right to present a grievance to appropriate management personnel. All employees will be afforded fair, equitable, and expeditious review of their grievance without fear of any form of punishment, retaliation, or reprisal for such action. No retaliation against an employee who has filed a grievance will be tolerated. However, change in work assignments or job duties for business reasons does not constitute retaliation.

C. Should an employee allege that a supervisor has retaliated against him or her for utilizing this grievance procedure or participating in the grievance of another County employee, that employee may bypass Steps 1 and 2, and proceed under Step 3, and provide a written statement describing the perceived retaliation. Should an employee allege that he or she has been or is being retaliated against by the Appointing Authority or Department Head, as applicable, that employee may bypass Step 3 and submit the grievance and a written statement describing the perceived retaliation directly to the HR Operations Division of the Department of Human Resources Management.

D. While a grievance is in progress, the grievant is expected to continue to work without interruption, in the performance of all duties.

E. A separate form shall be required for each individual grievance unless a group grievance is designated at Step 1. Parties of a group grievance forfeit their individual rights to file a grievance on the same issue.

F. A Request for Determination of Grievability form may be initiated by either the grievant or the Appointing Authority/Department Head/Supervisor when the grievability of an issue or matter is at question. A determination of grievability can be requested by either party at any time prior to the hearing before the Grievance Review Committee or County Manager.

G. There are five (5) categories of grievances listed on the employee grievance form instructions (FCGRF-0001):

1. Concerns regarding the application or violation of County or department rules, regulations, policies or procedures;
2. Unsafe, unhealthy or unsanitary working conditions;
3. Denials of Leave of Absence;
4. Classification issues related to whether the grievant is working outside of his or her assigned classification; and
5. Retaliation actions that result from utilization of the grievance procedure or participation in the grievance of another County employee.

H. The following steps shall govern the processing of employee grievances:

Step 1

An employee who has a grievance shall initially discuss the issue or dispute directly with his immediate supervisor. If the matter itself concerns the employee's immediate supervisor, then the grievance should be taken to the next level supervisor, Department Head or Appointing Authority.

If the supervisor is unable to resolve the matter at that time, then a formal written grievance form should be submitted. Grievances shall be promptly filed. To be considered, a grievance must be filed in writing within twenty business days of the occurrence/event giving rise to the grievance.

A formal written grievance must contain the following information:

1. The date and a brief explanation of the incident or action giving rise to the grievance;
2. The reason the action is deemed to be inappropriate, impermissible, unjust or unfair;
3. The remedy or solution sought; and
4. The signature of the aggrieved employee.

The immediate supervisor should meet with the grievant and respond to the grievance within ten (10) working days (i.e., the supervisor's normal working days) unless an extension is granted by the County. Within the 10 working days, the supervisor shall conduct an investigation of the issues presented and provide a detailed explanation of said investigation on the grievance form. The grievance form, containing the findings and conclusions of the supervisor, along with the reasons for such findings and conclusions will be forwarded by the supervisor to the next level supervisor with copies of all documents used in conducting the investigation. The response will also provide instructions on who to appeal to if still aggrieved.

* Note that in smaller departments, the Appointing Authority or Department Head may receive and process a grievance directly from Step 1 to Step 3 level if no intermediate level of supervision exists.

Step 2

In most instances, the County would expect the supervisor's decision to be final and for the matter to come to a close. However, in some circumstances the employee may remain aggrieved and can seek review of the immediate supervisor's decision.

The request for review (i.e., if the grievance is not resolved during **Step 1** of the procedure to the employee's satisfaction, and the employee desires to pursue the matter) by the next level supervisor must be made within ten (10) working days of the original response to the employee's grievance. The request for review must be made by the employee in writing and/or the direct supervisor shall submit the completed grievance form to the next level supervisor. Within 10 working days of receipt of the appeal, the next level supervisor will meet with the grievant and provide a written response to the grievance on the grievance form. The written response, which shall

include a detailed explanation of the findings of any investigations conducted, the decision on the grievance and the reason therefore, and all supporting documents.

Where the direct supervisor is the Appointing Authority or Department Head, then the grievance should immediately progress to Step 3.

Step 3

If the employee remains aggrieved, there will be a final level of review within the department by the Appointing Authority or Department Head. The request for review must be made in writing to the Appointing Authority or Department Head within ten (10) working days of receipt of the Step 2 response, and should include a copy of the original grievance form as well as all previous supervisory responses to the grievance. Within ten (10) working days of receipt of the grievance form, the Appointing Authority or Department Head and/or designee shall conduct an investigation of the issues presented and shall then set forth in writing on the corresponding section of the grievance form the findings of the investigation. A copy of the grievance form, containing the findings and conclusions of the Appointing Authority or Department Head and/or designee, along with the reasons for such findings and conclusions, shall then be returned to the employee along with the copies of all documents used during the investigation.

If the grievance is resolved to an employee's satisfaction within the department, the Appointing Authority or Department Head and/or designee must submit the completed grievance form to the Grievance Coordinator. This form must contain signatures of the supervisor and/or designee, and employee, and must indicate the specific resolution, deadlines for any actions to be taken to fully resolve the grievance, and date of closure. The employee must be provided a copy of the completed grievance form.

If the Appointing Authority, Department Head or his/her staff breaches any condition of the agreed upon resolution within twelve (12) months of the grievance closure date, then the employee must inform the Appointing Authority, Department Head and/or designee in writing within five (5) working days of the alleged breach. The employee's notice must describe the alleged breach in detail and provide a date of the alleged breach. If the breach is not corrected within five (5) working days from the employee's notice, then the employee may proceed to Step 4 by filing a copy of the completed grievance form with the agreed-upon resolution and a copy of the employee's notice of breach with the HR Operations Division within ten (10) working days from the date of the employee's notice of the breach. Any alleged breaches occurring more than twelve (12) months from the date of closure of the grievance should be treated as a new grievance.

Step 4

If the grievance is not resolved by the Appointing Authority or Department Head and/or designee to the employee's satisfaction, and the employee desires to pursue the matter, the Appointing Authority, Department Head and/or designee must submit the completed grievance to the HR Operations Division within ten (10) working days of reaching a decision. The HR Operations Division shall submit the grievance form and attached evidence to the Grievance Review Committee for a hearing to be held at the earliest possible date.

A. Failure to follow procedure:

1. Channels of supervision between steps one (1) through three (3) as specified in this procedure shall be strictly followed.

2. The failure of supervisory employees or County officials to follow each step as outlined in this procedure shall entitle the employee to proceed to the next step in the grievance procedure. Supervisory employees or County officials who do not follow the steps outlined in the procedure shall be subject to disciplinary action by the affected Appointing Authority, Department Head and/or designee, the County Manager or his/her designee, or the Board of Commissioners, as appropriate. Examples of disciplinary actions include, but are not limited to, verbal and written warnings, suspension without pay, demotion, dismissal, and the loss of any salary increase during a 12-month period.

B. Extension of Time in the Grievance Procedure: Time limit requirements for employees and supervisors who request action on a grievance or departmental response to grievances as specified in this procedure may be extended by agreement in writing signed by the employee and Appointing Authority, Department Head and/or the designee any time prior to the deadline. Extension of time forms shall be available from the Grievance Coordinator. Extensions shall not exceed more than ten (10) days at any given step of this procedure. The original of the extension of time agreement shall be attached to the grievance form, one (1) copy shall be kept by the Appointing Authority, Department Head and/or designee, a copy shall be given to the employee and a copy forwarded to the Grievance Coordinator's office.

VI. Grievance Review Committee

A. An impartial Grievance Review Committee (hereinafter "Committee") consisting of five (5) members is established, empowered and authorized to recommend to the County Manager a resolution and settlement of any

grievance covered by this procedure which has not been satisfactorily resolved during steps 1, 2, 3, 4 or as outlined in this procedure.

B. Members of the Grievance Review Committee are not entitled to receive compensation for their services. The member selected from the community, however, shall receive per diem compensation.

C. Vacancies for any reason shall be filled in accordance with this procedure.

D. Membership of the Committee shall be as follows:

1. Two (2) members shall be elected by Fulton County employees in a County-wide election. The term of office for such members shall be two (2) years. Eligibility requirements are as follows:
   (a) Permanent employee;
   (b) Non-supervisory employee; and
   (c) Signatures from thirty (30) County permanent employees supporting candidacy.

   The Department of Human Resources Management shall verify the qualifications for employee candidates and shall coordinate elections using a democratic process with the assistance of the Registration and Elections Department as needed. The posts will be awarded to those two (2) candidates receiving the most votes. In the event an elected member resigns or becomes ineligible to serve, for whatever reason, the Department of Human Resources Management shall fill the vacancy for the unexpired term with the employee who received the next highest number of votes.

2. Two (2) members shall be appointed by the County Manager from the Fulton County workforce for staggered terms of two (2) years each, with selection eligibility as follows: Management Personnel or Supervisory Personnel. The County Manager shall provide notice to employees of the appointments.

   In the event an appointed member resigns or becomes ineligible to serve for whatever reason, the vacancy will be filled by the County Manager by use of an alternate candidate list outlined in this procedure.

3. One (1) member shall be selected from the community by the Grievance Review Committee for a term of two (2) years, with selection eligibility as follows: human resource or employee

relations experience of at least one (1) year within the last five (5) years.

In the event that the selected member resigns or becomes ineligible to serve, for whatever reason, the Committee shall repeat the aforementioned process.

E. Alternates

1. Alternates, to fill temporary or permanent vacancies on the Committee, shall be chosen in advance at the time of selection of a member. Once an alternate fills a permanent vacancy, a new alternate will be chosen in the following manner:

   (a) An alternate will be chosen by the County Manager at the same time a permanent member is chosen by the County Manager. If the alternate fills a permanent vacancy, then a new alternate shall be chosen by the County Manager within twenty (20) working days.

   (b) If a vacancy involves an elected member (employee County-wide election), the new alternate will be the person with the next highest vote total.

3. In the event two (2) members are elected from the same department, an equal number of alternates shall be selected from the next highest vote totals.

4. In the event two (2) members are appointed by the County Manager from the same department, the County Manager shall appoint an equal number of alternate members in order to comply with requirements set forth in this procedure.

F. New member orientation process

All Committee members shall be given an introduction to their roles and responsibilities, relevant County policy and procedures, personnel regulations and general meeting protocol, by the County Manager's office, Chief Human Resources Officer, and/or members of the Committee no more than thirty (30) days after taking office.

G. Removal of a Committee member:

By a majority vote, the Grievance Review Committee may recommend the removal of a member to the County Manager. A member may be recommended for removal for incompetency, inefficiency, dereliction or neglect of duty, malfeasance in office, or other good cause.

VII. Authority and Functions

A. Upon formation of the Grievance Review Committee, a chairperson and a vice-chairperson shall be elected by the members of the Grievance Review Committee, and thereafter every January a chairperson and a vice-chairperson will be elected for a one-year term.

B. At least three (3) of the five (5) members must be present for all meetings, which shall constitute a quorum for the purpose of conducting business. Any Committee member who is employed by the grievant's department shall not participate in the hearing and shall not be counted for the purpose of reaching a quorum. The chairperson is responsible for ensuring a quorum is in place for all hearings.

C. To ensure that the Committee shall be impartial in its deliberations, and that an objective decision is rendered, any Committee member who is employed in the grievant's department will be excluded from the hearing. In the event that the elected chairperson is excluded, the vice-chairperson will conduct the hearing.

D. The legal counsel to the Committee shall be responsible for ruling on all procedural questions during the grievance hearings, and the chairperson of the Committee shall be responsible for answering all inquiries concerning the status of grievances processed by the Committee.

E. Required attendance at meetings of the Grievance Review Committee by any employee participant or witness shall be reported on a standard leave slip as "Official Leave" and shall not be charged to any other leave category. The Grievance Coordinator shall be responsible for notifying all participants and for coordinating with supervisors a release time for the grievant(s), witnesses and others. Both the grievant and department management shall be responsible for notifying the Grievance Coordinator in advance of hearings of the names and location of any employee witnesses who will appear during a hearing. It is the responsibility of the requesting parties to arrange the presence of any witnesses who are not County employees. Supervisors and/or designees and Appointing Authorities, Department Heads and/or designees are expected to assist the efforts of the Grievance Coordinator by arranging for employee release time in accordance with this Procedure.

F. All witnesses during a Grievance Review Committee hearing shall be sworn-in by the chairperson.

G. Record-keeping: All testimony during a Grievance Review Committee meeting shall be tape recorded, but shall not be transcribed, except at the cost of the requesting party. The Grievance Coordinator's office shall be responsible for the typing and distribution of all approved "Grievance Recommendation Orders" and shall also be responsible for the storage and maintenance of appropriate grievance files and tapes. All such tape recordings shall be destroyed at the end of eighteen (18) months from the date of the Grievance Recommendation Order, unless otherwise requested by any party at interest. Such destruction shall be certified by the Office of the County Manager. The parties shall have the right to have a court reporter record the proceedings at their own expense and with twenty-four (24) hours prior notice to the opposing party. All exhibits shall be clearly identified.

H. The Grievance Review Committee reserves the right to determine its case calendar. Grievances shall be heard in the order or priority set and established by a quorum of the Committee.

I. Upon a majority vote, the Grievance Review Committee may deny or dismiss any grievance as "frivolous." A timely written explanation of a "frivolous" determination shall be provided to the grievant and Appointing Authority or Department Head. Within twenty (20) working days of the date of the written denial or dismissal, the grievant may appeal such finding to the County Manager. A frivolous grievance is one of little weight or importance and not worthy of serious consideration.

J. All committee meetings shall be conducted during normal working hours upon notification in writing from the Committee chairperson to all affected persons. No hearing shall progress beyond 4:00 p.m. on any hearing date. If more time is needed, a continuance shall be granted.

K. Any scheduled meeting of the Grievance Review Committee may be rescheduled with the mutual consent of the parties and upon notification to the chairperson of the Grievance Review Committee, or for good cause as determined by the chairperson.

L. "No Shows": In the event that neither party to a grievance reports at the scheduled date and time for the hearing, the hearing will be rescheduled. If one party reports at the scheduled date and time and the other party does not, the grievance will be resolved in favor of the party reporting as scheduled.

M. Grievance Recommendation Orders:

1. The Grievance Review Committee shall have the authority to issue Grievance Recommendation Orders to the County Manager or his/her designee. All Grievance Recommendation Orders shall be signed by a majority of the committee members who participated in the grievance hearing.

2. The Committee and County Manager shall seek advice when necessary from the Department Head, Appointing Authority, the Chief Human Resources Officer, or from the County Attorney, prior to issuing or approving a Grievance Recommendation Order.

3. Recommendations by the Grievance Review Committee contained in the Grievance Recommendation Order shall be objective, reasonable and impartial; and may identify instances where personal or political prejudices are suspected, and determine when undue hardship results from a grievance action.

4. Recommendations by the Grievance Review Committee in the Grievance Recommendation Order shall be non-precedential. However, recommendations made by the Grievance Review Committee may give due consideration to past practices and decisions concerning other grievances of a similar nature.

5. The County Manager is authorized to approve or not approve a Grievance Recommendation Order. Once approved, Grievance Recommendation Orders shall be signed by the County Manager, and shall become a matter of official record and subject to the Georgia Open Records Act. Copies shall be furnished to all parties at interest, and a copy shall be placed in the grievant's official personnel file.

6. Every Grievance Recommendation Order shall:

(a) Contain a summary of the issues raised by the grievant;

(b) Set forth in writing the decision of the Committee, the reason(s) therefore, and attach any/all supporting documents; and

(c) Describe in detail the resolution of the Grievance Review Committee including specific actions and deadlines needed to satisfy recommendation contained in the Grievance Recommendation Order. Grievance Recommendation Orders shall not include any medical or health related

documents as attachments except for those orders to be placed in Department of Human Resources Management files.

(d) All Grievance Recommendation Orders shall be delivered to the Department Head or Appointing Authority and the grievant no more than five (5) working days after signature of the committee members and no more than five (5) working days after signature of the County Manager or his/her designee.

7. The department shall comply with the recommendations contained in a Grievance Recommendation Order approved by the County Manager within five (5) working days of receipt. The Department of Human Resources Management, through the Grievance Coordinator, shall verify compliance with all Grievance Recommendation Orders.

8. Evidence of default on an approved Grievance Recommendation Order shall be referred to the County Manager or his/her designee for immediate review, disposition and disciplinary action.

9. A Grievance Recommendation Order, once approved or disapproved by the County Manager, shall be final and no further appeals may be permitted.

VIII. Conduct of Grievance Step Meetings

Personal face-to-face meetings are required at all steps. The employee and County management may have a representative present at all steps. If the employee is represented by legal counsel, management likewise has the option of being represented by counsel. The parties to the grievance may by mutual agreement waive any or all intermediate steps or meetings, with the exception of the initial grievance and reducing the grievance to writing. Time spent attending grievance step meetings during the grievant's regularly scheduled hours shall be considered work time and the use of personal leave is not required.

At all steps, appropriate witnesses also may be asked to provide information. Witnesses shall be present only while actually providing testimony. Any time spent providing information during the witness's regularly scheduled hours shall be reported and recorded as "Official Leave" as described in Section VII.E above.

IX. Failure to Follow Procedure

Channels of supervision between steps 1 through 3 as specified in this procedure shall be strictly followed.

The failure of supervisory employees or County officials to follow each step as outlined in this procedure, including adhering to timeframes/deadlines, shall entitle the employee to proceed to the next step in the grievance procedure. Supervisory employees or County officials who do not follow the steps outlined in the procedure shall be subject to disciplinary action by the affected Appointing Authority, Department Head, County Manager, or Board of Commissioners as appropriate. Examples of disciplinary actions include, but are not limited to, verbal and written warnings, suspension without pay, demotion, dismissal, and the loss of any salary increase during a 12-month period.

X. Extension of Time in the Grievance Procedure

Time limit requirements for employees and supervisors who request action on a grievance or departmental response to grievances as specified in this procedure may be extended by the County within 5 to 7 work days from receipt of the request. Extension of time forms shall be available from the HR Operations Division of the Department of Human Resources Management. Extensions shall not exceed more than 10 days at any given step of this procedure. The original of the extension of time form shall be attached to the grievance form, one copy shall be kept by the Appointing Authority, Department Head and/or designee, a copy shall be given to the employee and a copy forwarded to the Grievance Coordinator's office.

XI. Resolution of Grievance by Mutual Consent of the Parties

Any grievance shall be considered resolved at the completion of any step if all parties are satisfied. In fact, it is expected that most grievances will be resolved at the first or second step. However, nothing in this procedure should be construed as limiting the employee's right to exhaust the remedies provided by this procedure.

Employee Grievance Form Instructions (FCGRF-001)

Before filling out this form, please read carefully and comply with Policy and Procedure 309-16, "Employee Grievances." Copies of grievance forms are available from the HR Operations Division of the Department of Human Resources Management. All employees will be afforded fair, equitable and expeditious review of their grievance without fear of any form of punishment, retaliation or discrimination for such action. No retaliation against an employee who has filed a grievance will be tolerated. Report all issues or concerns regarding acts of retaliation to the Department of Human Resources Management, HR Operations Division at 404-613-0902 or 404-613-0916. While a grievance is in process, the grievant is expected to continue to work without interruption in the performance of duties. The employee shall be limited to either a recognized Fulton County Union representative or a member of the State Bar of Georgia.

1. Grievant fills out the top section of the form showing name, position title, department and division, phone number, and indicates the category of grievance (see #3 below). The grievance must show the time, date and place of occurrence. The grievant then states in writing the nature of the grievance, the facts supporting the grievance, all corroborating documents, if any, and the requested remedy. Grievances not listing a requested remedy are incomplete and will not be returned to grievant for completion. Attach additional sheets to the form as necessary. Complete the form using a ball point pen (please print) or computer.

2. One completed form shall be required for each individual grievance, unless a group grievance is filed along with a Group Grievance Roster Form (FCGRF-003). The original grievance form must be signed, dated and submitted by the employee to the immediate supervisor and/or designee within 20 working days of the incident giving rise to the grievance or of becoming aware of the incident giving rise to the grievance.

3. The grievant indicates in writing **one** of the five categories in the upper right-hand corner of the form to identify the type of issue involved as follows:

   (a) Concerns regarding the application or violation of County or department rules, regulations, policies or procedures;
   (b) Unsafe, unhealthy or unsanitary working conditions;
   (c) Denials of Leave of Absence;
   (d) Classification issues related to whether the grievant is working outside of his or her assigned classification; and
   (e) Retaliatory actions that result from utilization of the grievance procedure or participation in the grievance of another County employee.

4. Grievant submits the grievance form to the immediate supervisor and sends copies of the form to the Appointing Authority or Department Head, as applicable, and the Department of Human Resources Management, HR Operations Division, 141 Pryor Street, SW, Suite 3030, Atlanta, GA 30303. Policy and Procedure prescribed time limits shall be strictly observed by all persons at all levels, unless an extension form (FCGRF-005) is properly executed. Failure of supervisory employees or county officials to follow each step as outlined in this procedure shall entitle the employee to proceed to the next step in the grievance procedure. Supervisory employees or county officials who do not follow the steps outlined in the procedure shall be subject to disciplinary action by the affected Appointing Authority or Department Head, as applicable, and/or designee, the County Manager or his/her designee, or the Board of Commissioners as appropriate. Copies of extension forms are available from the Department of Human Resources Management, HR Operations Division, 141 Pryor Street SW, Suite 3054, Atlanta, GA 30303. This form must contain signatures of the supervisor and/or designee and grievant, and must indicate the specific resolution and date of closure.

5. If the grievance is resolved to an employee's satisfaction within the department, the Appointing Authority or Department Head, as applicable, and/or designee must submit the completed grievance form to the Department of Human Resources Management, HR Operations Division, 141 Pryor Street SW, Suite 3030, Atlanta, GA 30303. This form must contain signatures of the supervisor and/or designee and grievant, and must indicate the specific resolution, deadlines for any actions to fully resolve the grievance, and date of closure. The employee must be provided a copy of the completed grievance form.

6. If the Appointing Authority or Department Head, as applicable, or his/her staff breach any condition of the agreed upon inter-department resolution within six (6) months of the grievance closure date, then the employee must inform the Appointing Authority or Department Head, as applicable, and/or designee in writing within five (5) working days of the alleged breach. The employee's notice must describe the alleged breach in detail and provide a date of the alleged breach. If the breach is not corrected within five (5) working days from the employee's notice, then within ten (10) working days from the date of the employee's notice, the employee may submit the completed grievance form that includes the resolution originally reached and the employee's notice of breach to the HR Operations Division. Any alleged breaches occurring more than six (6) months from the date of closure of the grievance should be treated as a new grievance. (See Breach of Grievance Resolution Form—FCGRF 0007)

7. If the grievance is not resolved within the department, to the employee's satisfaction, and the employee desires to pursue the matter, the Appointing Authority or Department Head, as applicable, must submit the completed grievance to the Department of Human Resources Management, HR Operations Division, within 10 working days of reaching a decision of non-resolution. (See Non-Resolution of Grievance Form—FCGRF 0006)

DEPARTMENT OF HUMAN RESOURCES MANAGEMENT

EMPLOYEE GRIEVANCE FORM (FCGRF-002)

PERSONNEL POLICY 309-16

☐**Individual Grievance** ☐**Group Grievance** *(include Group Roster FCGRF-003)*

First and Last Name of Grievant/ Spokesperson:	**Grievance Category (see FCGRF-001):**
Department/Division:	**Mailing Address:**
Date, Time, and Place of Occurrence:	**Phone Number:**

Step #1 Grievant: *Brief description of grievance including statements of facts and issues (use additional sheets if needed). Attach supporting documents.*

Requested Remedy: *(Grievances not listing a requested remedy are incomplete and will be returned to the grievant for completion).*

Signature:_____ **Date:**

Step #2 Immediate Supervisor: *Summarize and attach supporting documents.*

Signature:_____ **Date:**

Step #3 Mid-Level Supervisor: *Summarize and attach supporting documents.*

Signature:_____ **Date:**

Step #4 Appointing Authority or Designee: *Summarize and attach supporting documents.*

Signature:_____ **Date:**

TO BE COMPLETED BY HR OPERATIONS	
File Number:	**HR Consultant Signature:**

Employee Grievance Form Instructions (FCGRF-001)

Before filling out this form, please read carefully and comply with Policy and Procedure 309-16, "Employee Grievances." Copies of grievance forms are available from the HR Operations Division of the Department of Human Resources Management. All employees will be afforded fair, equitable and expeditious review of their grievance without fear of any form of punishment, retaliation or discrimination for such action. No retaliation against an employee who has filed a grievance will be tolerated. Report all issues or concerns regarding acts of retaliation to the Department of Human Resources Management, HR Operations Division at 404-613-0902 or 404-613-0916. While a grievance is in process, the grievant is expected to continue to work without interruption in the performance of duties. The employee shall be limited to either a recognized Fulton County Union representative or a member of the State Bar of Georgia.

1. Grievant fills out the top section of the form showing name, position title, department and division, phone number, and indicates the category of grievance (see #3 below). The grievance must show the time, date and place of occurrence. The grievant then states in writing the nature of the grievance, the facts supporting the grievance, all corroborating documents, if any, and the requested remedy. Grievances not listing a requested remedy are incomplete and will not be returned to grievant for completion. Attach additional sheets to the form as necessary. Complete the form using a ball point pen (please print) or computer.
2. One completed form shall be required for each individual grievance, unless a group grievance is filed along with a Group Grievance Roster Form (FCGRF-003). The original grievance form must be signed, dated and submitted by the employee to the immediate supervisor and/or designee within 20 working days of the incident giving rise to the grievance or of becoming aware of the incident giving rise to the grievance.
3. The grievant indicates in writing **one** of the five categories in the upper right-hand corner of the form to identify the type of issue involved as follows:
   a) Concerns regarding the application or violation of County or department rules, regulations, policies or procedures;
   b) Unsafe, unhealthy or unsanitary working conditions;
   c) Denials of Leave of Absence;
   d) Classification and pay issues; and
   e) Retaliatory actions that result from utilization of the grievance procedure or participation in the grievance of another County employee.
4. Grievant submits the grievance form to the immediate supervisor and sends copies of the form to the Appointing Authority or Department Head, as applicable, and the Department of Human Resources Management, HR Operations Division, 141 Pryor Street, SW, Suite 3030, Atlanta, GA 30303. Policy and Procedure prescribed time limits shall be strictly observed by all persons at all levels, unless an extension form (FCGRF-005) is properly executed. Failure of supervisory employees or county officials to follow each step as outlined in this procedure shall entitle the employee to proceed to the next step in the grievance procedure. Supervisory employees or county officials who do not follow the steps outlined in the procedure shall be subject to disciplinary action by the affected Appointing Authority or Department Head, as applicable, and/or designee, the County Manager or his/her designee, or the Board of Commissioners as appropriate. Copies of extension forms are available from the Department of Human Resources Management, HR Operations Division, 141 Pryor Street SW, Suite 3030, Atlanta, GA 30303. This form must contain signatures of the supervisor and/or designee and grievant, and must indicate the specific resolution and date of closure.
5. If the grievance is resolved to an employee's satisfaction within the department, the Appointing Authority or Department Head, as applicable, and/or designee must submit the completed grievance form to the Department of Human Resources Management, HR Operations Division, 141 Pryor Street SW, Suite 3030, Atlanta, GA 30303. This form must contain signatures of the supervisor and/or designee and grievant, and must indicate the specific resolution, deadlines for any actions to fully resolve the grievance, and date of closure. The employee must be provided a copy of the completed grievance form.
6. If the Appointing Authority or Department Head, as applicable, or his/her staff breach any condition of the agreed upon inter-department resolution within six (6) months of the grievance closure date, then the employee must inform the Appointing Authority or Department Head, as applicable, and/or designee in writing within five (5) working days of the alleged breach. The employee's notice must describe the alleged breach in detail and provide a date of the alleged breach. If the breach is not corrected within five (5) working days from the employee's notice, then within ten (10) working days from the date of the employee's notice, the employee may submit the completed grievance form that includes the resolution originally reached and the employee's notice of breach to the HR Operations Division. Any alleged breaches occurring more than six (6) months from the date of closure of the grievance should be treated as a new grievance. (See Breach of Grievance Resolution Form—FCGRF 007)
7. If the grievance is not resolved within the department, to the employee's satisfaction, and the employee desires to pursue the matter, the Appointing Authority or Department Head, as applicable, must submit the completed grievance to the Department of Human Resources Management, HR Operations Division, within 10 working days of reaching a decision of non-resolution. (See Non-Resolution of Grievance Form—FCGRF 006).

DEPARTMENT OF HUMAN RESOURCES MANAGEMENT

EMPLOYEE GRIEVANCE

EMPLOYEE GROUP GRIEVANCE ROSTER (FCGRF-003)

PERSONNEL POLICY 309-16

By signing my name to this form, I understand that I will be considered a participant in a Fulton County Employee Group Grievance and I forfeit my right to file an individual grievance on the same concern based upon the following issue and remedy requested (attach additional sheets if necessary):

Facts/ Issue

Requested Remedy

This is an issue that has unfavorably affected my personal employment within twenty (20) calendar days of filing this grievance or I have become aware of this issue through the exercise of reasonable diligence within twenty (20) calendar days of filing this grievance. I have read the entire grievance on the attached Fulton County grievance form and agree with the information contained in the grievance.

Print Employee Name	Phone Number	Employee Signature
Spokesperson:		

DEPARTMENT OF HUMAN RESOURCES MANAGEMENT

EMPLOYEE GRIEVANCE

REQUEST FOR DETERMINATION OF GRIEVABILITY (FCGRF-004)

PERSONNEL POLICY 309-16

Instructions: *Use this form to request a determination of grievability. This may be reviewed at any time after a grievance has been filed, but prior to a hearing before the Grievance Review Committee.*

Date of Request:	**Step #:**	**Case File #:**
Grievant's Name:	**Requestor's Name and Job Title:**	
Reason for Request and Date of Occurence: **Requestor's Signature:**		

DECISION OF CHIEF HUMAN RESOURCES OFFICER OR DESIGNEE

☐The matter **is** grievable ☐The matter **is not** grievable

Comments:

Signature of Chief Human Resources Officer or Designee:	**Date:**

DEPARTMENT OF HUMAN RESOURCES MANAGEMENT

EMPLOYEE GRIEVANCE

EXTENSION OF TIME FOR GRIEVANCE PROCEDURE (FCGRF-005)

PERSONNEL POLICY 309-16

Pursuant to the Grievance Procedure, the parties agree to extend the prescribed time period to allow for further investigation, findings and decisions in the grievances filed by (grievant name):_____on (date)_____.

Signature of Grievant/ Spokesperson:	**Date:**
Appointing Authority or Department Head:	**Date:**

Time limit requirements for employees and supervisors who request action on a grievance or departmental response to grievances as specified in this procedure may be extended by the County within 5 to 7 work days from receipt of the request. Extension of time forms shall be available from the HR Operations Division of the Department of Human Resources Management. Extensions shall not exceed more than 10 days at any given step of this procedure. The original of the extension of time form shall be attached to the grievance form, one copy shall be kept by the Appointing Authority, Department Head and/or designee, a copy shall be given to the employee and a copy forwarded to the Grievance Coordinator's office.

DEPARTMENT OF HUMAN RESOURCES MANAGEMENT

FULTON COUNTY

EMPLOYEE GRIEVANCE

NON-RESOLUTION OF GRIEVANCE (FCGRF-006)

PERSONNEL POLICY 309-16

Instructions: *Submit this form to the Department of Human Resources Management, HR Operations Division within 10 working days of reaching a decision of non-resolution.*

Department:	**Case File #:**	**Date of Grievance:**
Grievant's Name:	**Appointing Authority/ Designee:**	
Describe in detail the reason(s) for non-resolution: **Grievant's Signature:** **Date:** **Appointing Authority/ Designee's Signature:** **Date:**		

FULTON COUNTY

DEPARTMENT OF HUMAN RESOURCES MANAGEMENT

EMPLOYEE GRIEVANCE

BREACH OF GRIEVANCE RESOLUTION (FCGRF-007)

PERSONNEL POLICY 309-16

Instructions: *Use this form to inform the Appointing Authority or Department Head, as applicable, and/or designee of the alleged breach of any condition of the agreed upon inter-department resolution. If the breach is not corrected within 5 working days, submit this form, along with the completed grievance form (which includes the resolution originally reached and the employee's notice), to the HR Operations Division*.

Date of Breach:	Case File #:	Date of Grievance:
Grievant's Name:	Appointing Authority/ Designee:	
Describe in detail the alleged breach: Grievant's Signature: Date: Appointing Authority/ Designee's Signature: Date:		

DEPARTMENT OF HUMAN RESOURCES MANAGEMENT

GRIEVANCE APPEAL
REQUEST FORM (FCGRF-008)

PERSONNEL POLICY 300-16

Please check which applies: ☐ **Individual Grievance** ☐ **Group Grievance (Include list of participants)**

(Please note: Appeals can only be submitted for "frivolous" determinants)

Name of Grievant/Spokesperson:	**Contact Number:**	**Case File #:**
Position/Title:	**Date of Grievance Hearing (if applicable):**	
Department:	**Appointing Authority:**	

Step #1 Grievant/Spokesperson: Please provide a brief description of why you're appealing the Grievance Review Committee's decision. (Attach a copy of original grievance and order/letter from the GRC)

Signature of Grievant/Spokesperson:_____ **Date Signed:**_____

DECISION OF COUNTY MANAGER

Step #2 County Manager:
(to be reviewed within 5 business days)

☐ Based upon a thorough investigation and the documents attached, I uphold the decision of the Grievance Review Committee.

☐ I recommend this grievance be sent back to the Grievance Review Committee for a hearing. Additional comments or recommendations:

Signature of County Manager: _____ **Date Signed:** _____

Human Resources Management Dept. Use Only:	
Date Appeal Received:	**Date submitted to County Manager:**
Date Employee Notified (if Applicable):	**Date GRC Notified:**

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: EMPLOYEE RECOGNITION

DATE: January 1, 2017 Number: 310-16

I. Statement of the Policy

Fulton County seeks to recognize its employees for their continuous years of service, exemplary contributions to Fulton County and extra efforts that exceed normal job requirements. The County Manager and/or his designated staff shall develop, administer and modify a total rewards compensation system that encourages the County's employees to develop themselves professionally and maximize their potential. The County Manager is authorized to use both monetary and non-monetary means to provide incentives based on individual, group and/or departmental contributions and performance. The County Manager shall include adequate funds, when available, and a methodology for the total rewards compensation program in each annual budget presented for the Board of Commissioners' approval. The Board of Commissioners shall be provided with a year-end report on the success of the total rewards compensation system each year that such program is in force.

II. Background and Applicability

All current employees are eligible for Employee Recognition awards.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: EMPLOYEE RECOGNITION

DATE: November 1, 2018 Number: 310-16

I. Monetary and Non-Monetary Awards

A non-monetary award may be granted to recognize employees for continuous years of service, exemplary contributions to Fulton County and extra efforts that exceed normal job requirements. Non-monetary awards may be awarded by supervisors, Appointing Authorities or the County Manager. Monetary awards must be first approved by the County Manager.

Individual and group contributions may be recognized.

II. Wages and Other Recognition

Any award to an employee will not be used in place of paying wages due to an employee, such as overtime or compensatory time, and is not meant to replace other traditional methods of recognition, but rather to increase options in rewarding and reinforcing employee excellence.

III. Length of Service Awards

In accordance with the Time Away from Work Policy and Procedure (337-16), employees will be awarded administrative leave in recognition of their length of service to Fulton County upon achieving the following service milestones:

Years of Active Creditable Service	Administrative Leave Earned:
10 years	**2 hours**
15 years	**4 hours**
20 years	**8 hours**
25 years	**16 hours**
30 years	**24 hours**

35 years	**32 hours**
40 years	**40 hours**

IV. F.O.C.U.S. Award Program

The F.O.C.U.S. award program recognizes employees of Fulton County Government for their exemplary service. Selection for a F.O.C.U.S. Award indicates that an employee has made significant contributions during his or her tenure with Fulton County that have had a positive impact on citizens and/or operations. F.O.C.U.S. award honorees will be awarded administrative leave in recognition of their accomplishments as follows: quarterly award winners will receive eight (8) hours of administrative leave, and annual award winners will receive an additional eight (8) hours of administrative leave.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: EMPLOYMENT OF RELATIVES

DATE: January 1, 2017 Number: 311-16

I. Statement of the Policy

Fulton County discourages nepotism, but does not prohibit the hiring of qualified applicants who are relatives of current employees. Fulton County also encourages collegial relationships, but discourages relationships that could disrupt the work environment or lead to an actual or perceived conflict of interest.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains “at will”.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: EMPLOYMENT OF RELATIVES

DATE: January 1, 2017 Number: 311-16

I. Offer of employment to relative

Prior to extending an offer of employment to the relative of any current employee, an Appointing Authority must submit a written request for approval to the Chief Human Resources Officer. All requests for approval of the appointment of a relative must be accompanied by documentation that demonstrates that the relative is the person best qualified to perform the work required by the position. If the Chief Human Resources Officer disapproves of a request to appoint a relative, then the requesting Appointing Authority may appeal to the County Manager, whose decision will be final. Appointing Authorities are responsible for ensuring that this procedure is followed when hiring the relative of a current employee. Appointing Authorities who extend job offers to relatives of current employees without the approval of either the Chief Human Resources Officer or County Manager may be subject to disciplinary action by the County Manager.

II. Employment of relatives within the same department

Notwithstanding Section (1) above, no individual shall be hired, promoted or permitted to transfer into any position where the Appointing Authority, department head or someone who will be in the employee's direct chain of command is a relative. Pre-existing employment relationships falling within the purview of this paragraph will be permitted to continue; however, that exception does not apply to reemployment, promotions, demotions, reassignments, and lateral transfers that occur after the effective date of this Policy. Moreover, relatives shall not work for the same direct supervisor without the prior approval of the Chief Human Resources Officer. An employee must notify the Department of Human Resources Management in writing whenever a promotion, demotion, reassignment or lateral transfer of an employee would result in a violation of this paragraph.

III. Restrictions on supervisory relationships between relatives

No individual shall be hired, reinstated, reemployed, transferred, promoted, demoted or assigned to any position that is under the direct or indirect supervision or control of a relative. "Supervision" means the authority to direct, control, and/or participate, either directly or through chain of command, in decisions concerning or affecting the terms and conditions of an individual's employment. "Terms and conditions of employment" include but are not limited to appointment, salary, hours, shifts, transfers, assignments, leave approval, working conditions, performance evaluations, promotions, training, classification, retention, evaluation, demotion, discipline and all other job-related opportunities and privileges. An employee must notify the

Appointing Authority in writing whenever a promotion, demotion, reassignment or transfer of the employee would result in a violation of this paragraph.

IV. No influence by relatives

No employee shall initiate, participate in, or exert any influence on any personnel action which may directly affect the employment status of a relative. No employee shall select, advocate or recommend (either orally or in writing) a relative for appointment, employment, promotion, or advancement to any position with Fulton County. Referring a relative for consideration for appointment, employment, promotion, or advancement to a position (including forwarding or distributing resumes or applications on behalf of a relative) is also prohibited.

V. Disclosure required

All applicants for employment with Fulton County are required to disclose the names of any relatives currently employed by Fulton County on the application for employment. Should an Appointing Authority extend an offer of employment to a relative of a current employee, it is the responsibility of the applicant to fully disclose the relationship to the Appointing Authority before the offer of employment is accepted. The intentional failure to disclose a relative relationship constitutes a violation of this Policy and may be grounds for rescission of the offer of employment, non-selection and/or discipline, up to and including termination.

VI. Changes in status

It is the responsibility of every employee to keep his or her Appointing Authority informed of any changes relevant to the Employment of Relatives Policy and this procedure. Failure to timely report such changes may result in disciplinary action up to and including termination. Employees within the same department who become related through marriage shall notify their Appointing Authority in writing within five business days.

The Appointing Authority, in consultation with the Department of Human Resources Management, shall determine whether a supervisory relationship exists between the employees and, if appropriate, make such changes as are necessary to prevent and/or remedy any violations of this Policy. Both employees will be permitted to retain their positions within the department provided that one is not under the direct or indirect supervision of the other. If one employee is under direct or indirect supervision of the other, the Appointing Authority shall consult with the Department of Human Resources Management to identify alternative arrangements for reporting, evaluation, assessment, and supervision.

Such arrangements may include, but are not limited to, the transfer of supervisory authority, restructuring of job duties or reporting relationships, assignment to a new shift, or reassignment of one of the employees to another division within the department. When alternative arrangements within the department cannot be made or are not practical for business reasons, the matter shall be referred to the Chief Human Resources Officer who shall make every reasonable effort to facilitate the transfer of one of the employees to a comparable vacant position in another department. If a position in the same job classification is not available, the Chief Human Resources Officer may offer the employee a transfer to a vacant position in another classification for which the employee is qualified.

In the absence of an agreement which is satisfactory to all affected parties, the employee with the lower pay grade, or, if the employees are of the same grade, the employee with the least amount of active creditable service shall be transferred. All transfers are subject to approval by the Appointing Authority of the receiving department, who may, at his or her

discretion, choose to interview the employee referred for transfer. Any action that results in movement to a position assigned to a lower salary grade, that results in a reduction in salary or compensation shall not be considered disciplinary in nature and shall not be subject to appeal to the Personnel Board. Should the employee subject to transfer decline the offer to transfer to an available position, the Appointing Authority, in consultation with the Chief Human Resources Officer, is authorized to take appropriate action to resolve the violation of this Policy.

VII. Definitions

For purposes of this Personnel Regulation, "relative" is defined as an individual's father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, common-law spouse, domestic partner, grandchild, grandparent, father-in-law, mother-in law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, foster parent, foster brother, foster sister, fiancé, fiancée or legal guardian. The term "relative," as used in this policy, also includes relationships between individuals who are in a consensual romantic, sexual, dating or other intimate relationship, regardless of whether they are cohabitating.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: FITNESS FOR DUTY

DATE: January 1, 2017 Number: 312-16

I. Statement of the Policy

The County has a strong commitment to providing a safe work environment for its employees and ensuring that each employee is able to perform the essential functions of his or her position, with or without a reasonable accommodation. In addition, the County is committed to complying with relevant regulations and contractual obligations; protecting the health and safety of the County's employees, customers and the public; protecting and enhancing the County's reputation; minimizing the County's exposure to liability; and improving the County's productivity.

The County is committed to complying with all relevant regulations and statutes. If any portion of this policy is contrary to any applicable law, the County will abide by the applicable law. In the event that applicable state law regarding fitness for duty examinations is more restrictive than federal law, the more restrictive state law will apply. Disability-related accommodations will be provided in regard to fitness for duty situations in accordance with applicable law.

Employees of the County are expected to report for work fit for duty, and, in the event an employee appears unfit, action will be taken. The nature of that action should depend on the situation. Depending on the facts and circumstances, the employee may be removed from work, and/or given a drug or alcohol test, and/or sent for a job-related fitness for duty examination, and/or placed on Official Leave pending certification that they are safe to resume their job duties. The County's fitness for duty procedures are set forth in the accompanying Fitness for Duty Procedure. Fitness for Duty Evaluation should not be used as a substitute for standard disciplinary measures if discipline is appropriate due to behavior or performance problems that have occurred.

II. Background and Applicability

This Policy and accompanying Procedure shall apply to all Fulton County employees. This Policy and accompanying Procedure in no way give any employee a property interest in employment with Fulton County.

III. Definitions

- Fitness for Duty ("FFD") Evaluation is defined as an examination performed by a licensed physician, psychologist, psychiatrist or other appropriate health care provider that determines an employee's ability to perform the essential functions of his/her particular job and/or, if circumstances warrant, to evaluate accommodations related to a disability (as defined by law) and/or to determine whether the employee's disability poses a direct threat to the safety of the employee or others.

- Appointing Authority is defined as the person or persons authorized by law or delegated the authority to make appointments to fill positions, and who is the executive head of a department.

IV. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: FITNESS FOR DUTY

DATE: January 1, 2017 Number: 312-16

I. Responsibilities

Primary responsibility for fitness for duty rests with each employee. Employees are expected to inform their supervisors of any physical or mental impairment that is affecting their ability to work, including the use of medications that may impair their ability to work. In doing so, employees are not required to disclose a disability that they don't wish to disclose. Instead they should explain how their work safety or work performance is being affected by whatever circumstances exist. Only if employees wish to explain the nature of the disability or seek a reasonable accommodation should they discuss the disability.

Further, subject to applicable law, employees may be submitted to a fitness for duty examination if an observation of an employee's performance or behavior results in a concern regarding the individual's fitness to work that impacts the health and safety of themselves or others in the workplace. For example, a medical examination may be appropriate during employment under the following situations:

1. After observing signs or symptoms indicating that an employee may have a medical condition that impairs his or her ability to perform essential job functions and/or potentially poses a direct threat to the employee or others, which could include some or all of the following signs or symptoms:

- Complaints about behaviors or observed behaviors, involving on-duty conduct, including inappropriate behavior, threatened use of force, inappropriate verbal conduct, or any conduct suggesting an inability to effectively exercise self-control and self-discipline.
- An abrupt or negative change in customary behavior, resulting in an inability to effectively perform the essential functions of the position.
- Observed physical problems that are affecting the ability to perform the essential functions of the job, such as problems lifting, walking up stairs, focusing or talking in a manner that suggests unusual behavior or the

effect of a physical or psychological problem.

- Suicidal, homicidal or violent statements or behaviors, or personal expressions of mental instability.
- Unexplained and excessive drowsiness, tiredness, confusion, or hyperactivity.
- Change in behavioral patterns or inattention to personal hygiene or health that affect performance on the job or create problems in interacting with others.
- Inappropriate use of alcohol, medications, or other drugs, including symptoms of illegal drug use.
- Memory loss that affects performance on the job or creates problems in interacting with others.
- A pattern of conduct indicating a possible inability or decrease in ability to defuse tense situations, a tendency to escalate such situations or create confrontations.

2. After receiving reliable information from a credible third party that an employee may have a medical condition that poses a direct threat to the employee or others.

3. Following an employee's return from leave when the County has a reasonable belief the employee may pose a direct threat to his/her safety or the safety of others due to a medical condition.

4. As part of a uniform policy to require fitness for duty certification upon return from a leave of absence related to an employee's own health condition. Return from an FMLA leave will be done consistent with FMLA regulations, but in appropriate circumstances, a direct threat or other permitted medical analysis may be done where it is legitimate to so under the Americans with Disabilities Act or other applicable law.

What the County should do in regard to the above circumstances depends on the situation. Depending on the facts and circumstances, the employee may be removed from work, and/or given a drug or alcohol test, and/or a threat assessment may be appropriate, and/or the employee may be sent for a job-related fitness for duty examination, and/or the employee may be placed on Official Leave pending certification that he or she is safe to resume his or her job duties.

It is the responsibility of an employee's immediate supervisor to determine whether there is a need for requesting a Fitness for Duty evaluation, a drug or alcohol test or when there is a threat of imminent danger to the employee or others, which may warrant calling police services at 911. All such calls will be reported immediately to the appropriate Appointing Authority. If a supervisor needs assistance in evaluating a particular situation, he or she should contact the Office of the County Attorney or the Department of Human Resources Management's HR Policy Advisor.

II. Procedures

A. General Provisions

Required medical examinations will only elicit information necessary to determine whether the employee can perform the essential functions of the job with or without a reasonable accommodation and, in some circumstances, without posing a direct threat to himself/herself or others. The scope of any medical or fitness for duty examination will be limited to the employee's specific limitations or observed behaviors that affect the performance of essential job functions, raise the possibility of potential accommodations and/or pose a direct threat to the employee or others.

B. Request for Fitness for Duty Evaluation

1. When conditions warranting evaluation have been identified, the supervisor should, at any appropriate time, describe in a confidential written memorandum, the circumstance(s) that indicate that the employee's mental or physical fitness may be in question. Supervisors should describe how the employee's ability to perform essential job functions is affected or poses a direct threat by the observed behavior at work. Any written documents from the employee's treating physician(s), psychologist(s), psychiatrist or other qualified health care provider that the employee has provided should be attached to the memorandum and forwarded to the appropriate Appointing Authority (such documents should not, however, be sent to persons who have no legitimate need to know of such information). This material should be sent in a sealed envelope marked "CONFIDENTIAL MEDICAL INFORMATION".

2. The Appointing Authority shall forward to the Chief Human Resources Officer or his/her designee, in a sealed envelope marked "CONFIDENTIAL MEDICAL INFORMATION," the supervisor's memorandum and any attachments, along with a transmittal memorandum and a copy of the relevant job description.

3. The Chief Human Resources Officer or designee shall be responsible for the following actions:

- The Chief Human Resources Officer or designee shall review the package for completeness. Complete packages will be forwarded to the Director of Health and Wellness for a determination as to whether the circumstances warrant a Fitness for Duty Evaluation. A medical analysis will be conducted by the Director of Health and Wellness or designee. If the Director of Health and Wellness or designee concludes that an evaluation is needed, the Chief Human Resources Officer or designee shall coordinate the necessary arrangements for the evaluation.

- If the FFD evaluation request is not approved, the Chief Human Resources Officer shall notify the Appointing Authority and, where appropriate, the employee.

C. Notice to Employee of Fitness for Duty Evaluation Directive

1. Once the determination is made that an FFD evaluation is necessary, the Appointing Authority or his/her designee shall notify the employee in writing via certified mail or other appropriate means, that an FFD evaluation is required. The notification shall include reasons for the evaluation. To the degree reasonably possible, it should also specify the date, time and place of the evaluation. The employee may be required to sign a limited medical release for any information obtained during the FFD process at the first FFD appointment. An employee's refusal to sign the limited medical release may result in disciplinary action, up to and including dismissal. In most circumstances, the employee immediately shall be placed on Official Leave with pay pending the outcome of the evaluation.

2. The physician, psychologist, psychiatrist or other qualified health care provider conducting the evaluation shall be chosen by the Department of Human Resources Management. In some circumstances, the medical professional may have to consider or apply certain standards or qualifications, such as DOT-related fitness for duty situations. The evaluator should be familiar with Fitness for Duty evaluation procedures and testing protocols, and must be willing to submit her/his findings in writing. For all cases that involve a specialized field, such as law enforcement, the examining evaluator should have expertise in performing Fitness for Duty evaluations for employees working in the specialized field. The employee's Appointing Authority is responsible for advising the Chief Human Resources Officer or his/her designee of any special requirements or knowledge related to the employee's essential job functions. All costs associated with this evaluation shall be the responsibility of the County.

D. The Fitness for Duty Report

1. Contents of the report should include the following:

- A statement that indicates whether the employee is "Fit for Duty" or "Unfit for Duty" in his/her present job;
- a list of all tests/analyses conducted in the evaluation;
- an estimated length of time an employee may be found Unfit or Fit, and any professional recommendations for accommodations if the situation involves a disability; and
- an explanation of the specific reason(s) the evaluator reached his/her conclusion.

Note that additional information may need to be provided in the Report if the fitness for duty examination deals with a disability and accommodations should be considered or for purposes of determining whether a "direct threat" exists under the Americans with Disabilities Act.

2. The report from the physician, psychologist, psychiatrist or other qualified health care provider conducting the evaluation shall be sent directly to the Chief Human Resources Officer or his/her designee, who shall contact the Appointing Authority to discuss the results. The report will be placed in a sealed envelope marked "CONFIDENTIAL MEDICAL INFORMATION" and retained in the employee's separate and secure medical file located in the Department of Human Resources Management (this document should not be placed in a regular personnel file). This document may only be used or disclosed in legitimate and appropriate circumstances to the extent authorized or permitted by law.

The Appointing Authority or his/her designee shall notify the employee in writing via certified mail or by other appropriate immediate means, of the results of the evaluation. Depending upon the evaluation findings, one of the following actions will take place:

a. Employees who are found "Fit for Duty" shall resume normal job duties immediately

b. If the evaluation determines that the employee is "Unfit for Duty" and is unable to perform all of his/her essential job duties, the Appointing Authority's certified letter to the employee shall include the following, as applicable:

(i) An explanation that Family Medical Leave Act (FMLA) information and forms are enclosed and that the employee may be eligible and may choose to complete and return the forms to the FMLA leave Administrator or designee;

(ii) An explanation that the employee may request a leave of absence from his/her Appointing Authority in accordance with Fulton County policy;

(iii) An explanation that the employee may be eligible for one or more accommodations under the Americans with Disabilities Act (ADA), and that the employee may contact the Office of Diversity and Civil Rights Compliance (DCRC) for further assistance; and

(iv) An explanation that the employee may be eligible for Long-term Disability or Disability Retirement, and that the employee may contact the Finance Department for further assistance.

E. Confidentiality

1. The sealed Fitness for Duty report shall be placed in the employee's medical file located in the Department of Human Resources Management (such a report should not be placed in a regular personnel file).

2. The report and any information released to the Chief Human Resources Officer or his/her designee shall be confidential and shared only on a "need to know" basis with the Appointing Authority and other officials.

3. Due to the nature of Fitness for Duty Evaluations and the necessity to coordinate such evaluations with the requirements of the Americans with Disabilities Act, the Family Medical Leave Act, Workers' Compensation laws, and other laws, policies and procedures, it is understood that Fitness for Duty evaluation cases should

be treated on an individual basis and may involve consultation with the County Attorney's Office as needed.

F. Refusal to Undergo Fitness for Duty Evaluation.

An employee who refuses or attempts to delay to submit to a Fitness for Duty evaluation may be subject to disciplinary action up to and including dismissal.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: FLEXTIME AND COMPRESSED WORK WEEK

DATE: January 1, 2017 Number: 313-16

I. Statement of Policy

In an effort to foster a working environment that enhances productivity, reduces vehicle emissions, increases employee morale, and enhances recruitment and retention, this policy is intended to provide County employees an opportunity to vary their work schedules, while allowing departments to continue to provide services to citizens and other County departments in an efficient manner. These flex-time and compressed workweek options shall not reduce the level of service or the hours of operation of any County department. As such, having a flex-time/compressed workweek schedule is an employee privilege and not an employee right; it can be granted or revoked at the discretion of the Appointing Authority at any time. An employee may also voluntarily withdraw from the program. Any changes to a flex-time/compressed workweek arrangement must be approved in advance by the Appointing Authority.

II. Background and Applicability

All County employees, departments, and agencies may be considered for flex-time/compressed workweek options; however, not all employees will be eligible based on departmental operation or functional needs.

This policy applies to employees permitted to work a flex-time or a compressed work schedule. This policy does not apply to requests for a reasonable accommodation. Employees requesting to work a flex-time or a compressed work schedule as a reasonable accommodation should follow the County's procedures on requests for a reasonable accommodation.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: FLEXTIME AND COMPRESSED WORK WEEK

DATE: March 17, 2017 Number: 313-16

I Definitions

A. Flextime**:** Workday start and end times differ from that of the workgroup's standard work hours, but the same number of hours per day is maintained.

B. Compressed Workweek: Full-time options that allow employees to work longer days for part of a week or pay period in exchange for shorter days or a day off during that week or pay period.

C. Core Time Period: Established range of time when everyone must be at work with flexibility on either end of the workday. For example, core hours may be from 9:30 a.m. to 2:00 p.m., but employees may start as early as 7:00 a.m. or leave as late as 6:00 p.m.

II. Operating Guidelines

A. Regular office hours for most operations are 8:30 a.m. to 5:00 p.m. To ensure availability of personnel in all departments during these hours, each department must provide coverage during this time period by employees with necessary skills.

B. The department may cancel the program at any time and revert to the conventional 5-day/8-hours per day/40-hours per week schedule.

C. Those who abuse the policy may be removed from the program and scheduled to work a conventional 8:30 a.m. to 5:00 p.m. schedule.

D. It is the responsibility of each supervisor to ensure that the policy and operating guidelines are understood and are being met within the work unit. Supervisors are also responsible to ensure that exceptions to the normal workweek are recorded as they occur.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

E. Exceptions to the normal workday or week will be cleared with the supervisors as events occur. Leave, compensatory time or overtime will be accompanied by the normal request authorization and request forms.

F. Time reports will be processed in accordance with present procedures.

G. Eligibility for the program is determined by the Appointing Authority.

H. Once granted by the Appointing Authority, employees adopting flex-time or compressed work week schedules officially begin working such schedules at the beginning of a standard bi-weekly pay period.

I. Employees must submit requests for flex-time or compressed workweek options to their immediate supervisors in writing. Approval or denial of such requests shall also be made in writing. Denials shall state the basis upon which the employee's request has been denied.

J. Should the Appointing Authority revoke an employee's privilege to participate in the program, written notice shall be provided to the employee stating the reason for the revocation.

K. Whenever possible, changes to employee work schedules under this policy and procedure will be initiated with a minimum two-week notice.

III. Flextime Option: Operating Guidelines

A. <u>Requests to Work a Flex-time/Compressed Workweek Schedule</u>

1. After completion of the initial probationary period of employment for classified employees or six (6) months of continuous employment for unclassified employees, the County will consider requests to work flex-time/compressed workweek.

2. All requests to work a flex-time/compressed workweek must be in writing on the Flexible Work Arrangement Proposal Form (available on the County Employee Portal and submitted to the employee's Appointing Authority and the Department of Human Resources Management).

3. Upon receipt of an employee's request, the County may contact the employee for additional information/ask for an explanation of why the employee's job responsibilities are suitable for a flex-time/compressed workweek arrangement.

4. The County will consider requests to work flex-time/compressed workweek on a case-by-case basis taking into account the following factors: operational coverage; core work hours; and any other business reason. The County reserves the right to grant or deny requests in its sole discretion.

5. The County may require employees working flex-time/compressed workweek to report to work outside of their customary hours occasionally to attend meetings or for other business reasons.

6. The County may require employees on flex-time/compressed workweek arrangement to report to work during certain core business hours.

7. The County reserves the right to revoke approval for a flexible work schedule and require the employee to revert to normal work hours at any time.

B. Flexible Hours for Nonexempt Employees

1. Nonexempt employees whose requests to work Flexible Hours have been approved must:
   - Take all meal or rest breaks required by law and County policy.
   - Make up any missed work hours in the same workweek in which they are missed.

2. Nonexempt employees working Flexible Hours:
   - Continue to accrue vacation time, sick time or other paid time off in the same manner as under standard work hours.
   - Will be paid for all time worked, including payment of overtime for all hours worked in excess of 40 per workweek.

IV. Compressed Workweek Option: Operating Guidelines

A. The standard workweek is listed in Fulton County's Work Week, Work Period, and Pay Period Policy, with standard operating hours of 8:30 a.m. to 5:00 p.m.

B. Eligible employees who work a standard 5-day workweek (Wednesday to Tuesday) may request to work the following Compressed Work Schedule: working ten (10) hours over the course of four (4) working days in one workweek (the “4/10” option).

C. The County may designate separate non-standard workweeks for employees working a Compressed Work Schedule. If an employee has questions about which workweek applies to him or her, please contact the Appointing Authority.

D. No full-time employee will be permitted to work a Compressed Work Schedule during any week in which there is a paid County holiday.

E. If an employee, whose regularly scheduled workday on a Compressed Work Schedule is greater than eight (8) hours, takes vacation or sick time during a regularly scheduled workday, the employee's vacation or sick time balance will be deducted by the number of vacation or sick hours used, up to the number of hours in the employee's regularly scheduled workday.

F. Employees on a Compressed Work Schedule will be paid for any time spent on jury duty according to the County's Time Away from Work: Leaves & Holidays Policy and Procedure. Employees will not be paid for time spent on jury duty during their regularly scheduled day off.

V. Special Rules for Nonexempt Employees Working a Compressed Work Schedule

A. Any changes to an employee's Compressed Work Schedule must be approved in advance by a supervisor.

B. Nonexempt employees working on any Compressed Work Schedule:
- Continue to accrue vacation time, sick time or other paid time off in the same manner as under standard work hours.
- Will be paid for all time worked, including payment of overtime for all hours worked in excess of 40 per workweek.

C. Timekeeping: Nonexempt employees who are permitted to work flex-time/compressed workweek must comply with the County's applicable Timekeeping Policy and payroll practices. Employees must accurately record all working time within the County's official time and attendance software.

VI. Administration

The County expressly reserves the right to change, modify or delete the provisions of the Flexible Work Schedule Policy without notice.

Each Department is responsible for the administration of this policy with respect to the department's employees. If you have any questions regarding this policy or if you have questions about flexible work schedules that are not addressed in this policy, please contact the Department of Human Resources Management.

Flexible Work Arrangement Proposal Form

Name: _____ Date Submitted: _____

County Address: _____ County Phone: _____

Title: _____

Current Status Full Time or Part Time Exempt or Non Exempt

Department: _____

Supervisor: _____ Requested Start Date: _____

Type of Flexible Work Arrangement Being Proposed:

- ☐ Flexible Hours
- ☐ Telecommuting
- ☐ Compressed Work Week
- ☐ Other*

**** If your flexible work arrangement is other than those described above, please attach a description.***

Current and Proposed Work Schedule

(Please indicate location if it is not a County workplace, e.g., home on Thursdays)

Current Work Schedule

	Start-End Time	Total Hours	Location
Sunday			
Monday			
Tuesday			
Wednesday			
Thursday			
Friday			
Saturday			

Proposed Work Schedule

	Start-End Time	Total Hours	Location
Sunday			
Monday			
Tuesday			
Wednesday			
Thursday			
Friday			
Saturday			

Please answer the following questions and be specific as possible.

1. Describe the business rationale associated with your proposed flexible work arrangement.

2. Describe how you will accomplish your job under the proposal arrangement. Be specific.

3. Describe the solutions you propose to overcome any challenges presented by this arrangement.

4. Describe how regular communications will be handled.

5. Describe how and when your work will be reviewed and measured, and how your performance will be assessed. (The arrangement should support any goals or objectives you have set for the year.)

I understand that the County is not obligated to approve a proposal for a flexible work arrangement for any employee. The decision is at the discretion of my immediate supervisor. Flexible work schedules are subject to ongoing review and may be subject to termination at any time based on performance concerns or business needs. Generally, the supervisor or the employee should give at least 2 weeks' notice in advance of ending or changing an arrangement, business needs permitting. In some instances, a resumption of the original schedule may no longer be possible and alternatives should be identified.

_____ _____

Employee Signature Date Supervisor's Signature Date

- □ Request Approved
- □ Request Denied

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: IDENTIFICATION CARDS

DATE: January 1, 2017 Number: 314-16

I. Statement of the Policy

All County employees who are issued an identification card, must wear, and visibly display their identification card at all times while on Fulton County ("County") property or when conducting County business. This policy is intended to provide for the safety and security of County employees.

II. Background and Applicability

This policy generally applies to all employees of Fulton County, but does not apply to departments which currently require employees to hold an identification card such as Police, Sheriff, and Marshall.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: IDENTIFICATION CARDS

DATE: January 1, 2017 Number: 314-16

I. Definitions

A. Employee: For the purpose of this policy, employee shall refer to permanent, temporary full-time, part-time, and seasonal employees, including interns.

B. Identification ("ID") Card: The official County ID for all employees. The ID card will identify the employee's name, department, and position and include the employee's photo. New ID cards will be issued at no cost to new employees and employees who receive a lateral transfer, promotion, demotion, etc. to a different department or different classification.

C. Official Capacity: Includes any time while on County property as well as any time spent by an employee conducting business on behalf of Fulton County. This also includes wearing the ID card while operating any vehicle owned or leased by the County.

II. Visibility of Identification Cards

The identification card must be worn in a manner that shows the identification of an employee any time the employee enters a County building, during and after normal working hours. The identification card shall be visually inspected by proper authority upon request. County employees may use the identification card outside of Fulton County only for the purpose of identifying themselves as County employees. Security personnel will be responsible for monitoring personnel in the building and safeguarding property in Fulton County facilities to ensure the possession of proper identification cards.

III. Lost, Stolen or Damaged Identification Cards

If an employee's identification card is lost, stolen or damaged, the employee must immediately report the lost, stolen or damaged identification to their immediate

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

supervisor who shall immediately notify the Appointing Authority and the Fulton County Police Department with a request for issuance of a replacement identification card. A fee of no more than $10 may be assessed to replace all lost, stolen or damaged cards for replacement for non-public safety employees. ID cards that are replaced due to normal wear and tear and name change (due to marriage and gender transition) will not be assessed a charge. Checks or money orders made payable to Fulton County, Georgia are the only acceptable methods of payment

IV. Return of ID Cards

Prior to separation from the County, an employee must turn in their ID card to their supervisor. The department is then required to send the ID card to the Department of Human Resources Management. When an employee is suspended from work, Appointing Authorities should request employees to turn in their ID pending the employee's return to work.

V. Requirements

Because the policy and procedures described herein are intended to provide for the safety and security of County employees, all employees are expected to fully comply with the provisions of this policy. Any employee who is found to be in violation of this policy may be subject to disciplinary action.

Employees forgetting or misplacing their identification badge may be given a temporary badge to wear by their supervisor that clearly indicates their employment with the County and the department in which they work.

VI. Identification Card Holder Responsibilities

- Do not lend your ID to anyone.
- Do not allow unauthorized individuals into any secure area.
- Do not leave your ID on dash of vehicle or other locations where exposed to extreme temperatures.
- Do not fold, bend, pry open or mutilate your ID.
- Do not use your ID improperly.
- Do not leave your ID unattended.
- Do not duplicate your ID.
- Immediately notify your supervisor if your ID is no longer in your possession.
- Immediately notify your supervisor of any difficulties or problems with any ID.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: INTERNAL EQUITY IN PAY POLICY

DATE: February 15, 2017 Number: 315-16

I. Statement of Policy

Fulton County recognizes that salary adjustments may be warranted when similarly-situated employees performing similar work under similar working conditions within the same department are being paid at significantly different salary rates. Salary adjustments under this policy are not a right or benefit of employment and are contingent on various factors, including, but not limited to, budgetary limitations and fiscal projections.

II. Definition of Internal Equity Adjustment

Internal equity adjustment is defined as a salary adjustment for a similarly situated employee performing similar work under similar working conditions within the same department that requires a comparable level of knowledge, skill, or ability in order to resolve inequities. The fact that a salary adjustment is granted to one or more employees in the same department may not be used as the sole justification for additional internal equity salary requests. Other relevant factors to be considered include: budget effects; merit and length of service of the employee; market-based considerations; statutory protected class considerations; and pay compression or inversion in existing pay relationships within a department.

III. Eligibility

Normally, only those individuals who have employed in a position at least two (2) full calendar years shall be eligible for an internal equity salary adjustment. However, the Chief Human Resources Officer may consider length of employment on a case-by-case basis.

IV. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL POLICY AND PROCEDURE

SUBJECT: INTERNAL EQUITY IN PAY PROCEDURE

DATE: March 17, 2017 Number: 315-16

I. Amount

In the event an internal equity salary adjustment is requested by an Appointing Authority or Department Head on behalf of an eligible employee, the amount requested shall be supported by salary comparison data from within the employee's department, along with relevant salary comparison data from other Fulton County departments and/or other sources deemed relevant by the Personnel Department staff in consultation with the employing department.

II. Documentation Required

An internal equity increase request may only be initiated by the appropriate Appointing Authority and the Chief Human Resources Officer and shall be accompanied by:

1. Explanation of the inequity;
2. Position and salary comparisons within the employee's department that confirm an internal equity problem; and
3. Budget availability and funding source.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: INTERNSHIP PROGRAM

DATE: January 1, 2017 Number: 316-16

I. Statement of the Policy

The Fulton County Internship Program ("FCIP") supports internships with the County that provide growth and learning opportunities for full-time college and university students (undergraduate and graduate students).

FCIP internships are educational opportunities for student interns and may be paid or unpaid. Departments are encouraged to develop internships in conjunction with accredited colleges and universities that are academically-oriented for the benefit of the student interns. Student interns are encouraged to apply for County internships, which provide them with experience that furthers and enhances their education and training. The County's internships assist student interns in achieving their educational goals by giving them the opportunity to augment their classroom instruction with exposure to a real world setting. To the extent feasible, and in coordination with the student interns' schools, academic credit may be offered to student interns in connection with their FCIP internships.

A FCIP internship should correspond as closely as possible to the student intern's academic calendar, and should be for the appropriate amount of time necessary to provide the student intern with beneficial learning.

Each FCIP internship should be carefully crafted, developed, and monitored to ensure that a student intern's work does not result in the displacement of County employees, impair existing contracts for service, or fill a vacant position. Student interns are not, and cannot be used as, a supplemental workforce. Student interns are not included in or part of the County's career service system.

II. Applicability

The qualifications for participation in a FCIP internship will be determined by the applicable Department, but at a minimum must include current, active enrollment as a full-time student at an accredited college or university as a required qualification.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: INTERNSHIP PROGRAM

DATE: January 1, 2017 Number: 316-16

I. Defining the Internship

During their internships under the Fulton County Internship Program ("FCIP"), FCIP student interns will assist with and learn through a predetermined project closely related to their academic major that enhances their skills and abilities. Learning objectives will be developed as a Department considers a FCIP internship opportunity, and those objectives will be placed on the internship announcement. Student interns will be given structured assignments and coursework integrated with their school curriculums throughout their internships, coupled with hands-on or clinical supervision, evaluation, and feedback.

The Department should develop an internship for a student intern designed to provide that student intern with meaningful educational experiences applicable to his or her specific field of study. If possible, Departments should coordinate with accredited colleges and universities in crafting their FCIP internship. The Student Internship Development Worksheet can assist in identifying appropriate projects for the intern within the Department. Once the internship has been developed an internship description should be created noting the following information:

- Name and Location of Department Requesting Intern
- Functions of Department
- Summary of the Intern Project
- Intern's Role
- Educational & Experience Requirements (Minimum Qualifications)
- Skills, Training or Qualifications
- Duration and Time Commitment
- Learning Objectives
- Additional Information

A FCIP internship must correspond as closely as possible to the student intern's academic calendar, and should be for the appropriate amount of time necessary to provide the student intern with beneficial learning. For example, a FCIP internship may be of a semester-long duration. The duration and/or hours of a FCIP internship cannot be grossly excessive, and the supervisor or administrator of a FCIP internship should be mindful of and accommodate the student intern's academic commitments.

II. Obtaining Approval for the Internship

Once an internship description has been developed, the internship description must be approved by the Appointing Authority and forwarded for final approval to the Chief Human Resources Officer or his designee.

III. Selecting a Student Intern Candidate

Once approved, the Department of Human Resources Management will recruit candidates from accredited colleges and universities for the internship opportunity and will forward those candidates who satisfy the minimum qualifications to the applicable Department. Departments will utilize the County's normal selection methods to choose the student intern.

Before starting an FCIP internship, a potential student intern must sign a County acknowledgement form stating that the student intern (1) understands that the FCIP internship is unpaid, and that the student has no expectation of compensation for his or her participation in the FCIP internship, and (2) understands that his or her participation in the FCIP internship does not entitle the student intern to a paid job with the County at the conclusion of the FCIP internship.

IV. Student Intern Monitoring

Each Department must regularly review the duties performed by student interns to ensure that they are engaged in meeting their learning objectives. Each student intern must be assigned a supervisor/mentor who monitors the student intern on a daily basis and provides guidance and instruction to the student intern throughout his or her completion of the internship project. It is recommended that the student intern provide a presentation or complete a final project at the end of the internship (or at appropriate intervals) to demonstrate how the learning objectives were met, and for the supervisors/mentors to complete summative evaluations of the student intern.

V. Early Termination of Internship

Student interns may terminate their participation in a FCIP internship at any time, without reason or prior notice. However, if a student intern ends his or her participation in a FCIP internship, he or she may not receive academic credit (if available) for the internship, and the County will inform the student intern's school of the student intern's decision to end his or her participation in the FCIP internship.

The County may also end a student intern's participation in a FCIP internship early if the student intern engages in disruptive, unprofessional, or illegal behavior while participating in the internship. The County will inform the student intern's school of the County's decision to end the student intern's participation in the FCIP internship, and the student intern may not receive academic credit (if any) for the internship.

VI. Authority

This Program is developed under authority of Policy No. 316.

PERSONNEL BOARD
Fulton County Government Center
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Phone 404.613.6700 | Fax 404.893.6568

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FULTON COUNTY

DEPARTMENT OF HUMAN RESOURCES MANAGEMENT

Kenneth L. Hermon, Jr., PHR, IPMA-CP
Chief Human Resources Officer

Fulton County Government Internship Application Form

Application for session and year (check only one) for which you are applying:

A. Summer_____ (year) B. Fall_____ (year) C. Spring_____ (year)

Name: _____**Email:** _____
Last First MI

Current Address: _____ **Telephone:** (____) _____

(City, state, zip) _____

Permanent Address: _____ **Telephone:** (____) _____

(City, state, zip) _____

County Internships will be available at various locations throughout Fulton County. Please indicate any preferences and/or limitations you have on location:

_____

College/University: _____

Current Major/Career Strand: _____**Current Minor:** _____

Estimated Overall GPA: _____ **Credit Hours Completed (through last semester):** _____

Number of credit hours enrolled during current semester: _____

Anticipated Graduation Date: _____

If selected, will you receive Academic Credit for this Internship? Yes _____ **No** _____

Why do you want to participate in the County's Internship Program? What do you hope to learn or accomplish during your Internship?

_____
_____
_____
_____
_____
_____

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

Please check all skills in which you have an intermediate to advanced level proficiency:

_____ Web Design _____ Written Communications/Report Writing _____Graphic De sign
_____ Word Processing _____ Database Management _____ Spreadsheets
_____ Oral Presentations _____ Relationship Building _____ Instructing/Training

What are some of your other skills, abilities, or interests that are not listed above?

_____
_____
_____
_____

Please describe your participation in any extracurricular activities which may contribute to your effectiveness as an Intern. Be sure to include any leadership positions held:

_____
_____
_____
_____

Describe any work experiences you have had, either paid or volunteer, which you believe would be relevant to this internship:

_____
_____
_____
_____

_____ _____
Applicant Signature **Date**

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FULTON COUNTY

DEPARTMENT OF HUMAN RESOURCES MANAGEMENT

Kenneth L. Hermon, Jr., PHR, IPMA-CP
Chief Human Resources Officer

FULTON COUNTY GOVERNMENT

Student Internship Development Worksheet

Date: _____

Department: _____

Contact Person: _____Title:_____

Address: _____

City: _____ State: _____ ZIP:_____

Phone: _____Fax: _____ Email:_____

Interns must be currently enrolled full-time in an accredited college or university

Worksite Location: _____ # Interns: _____

College (Undergraduate) ___ College (Graduate School) ____

Semester: Fall: ____Spring: ___ Summer: ____

Intern Project Name:

_____

Intern Project Description:

_____

_____

_____

_____

Intern's Role Description:

_____

_____

_____

_____

Qualifications:

_____

_____

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DEPARTMENT OF HUMAN RESOURCES MANAGEMENT

Kenneth L. Hermon, Jr., PHR, IPMA-CP
Chief Human Resources Officer

Confidentiality Agreement
For Interns

Due to your potential access to confidential information during your internship with Fulton County, you, _____ [NAME OF INTERN] must review and sign this Confidentiality Agreement.

"Confidential information" means any information not generally known or available outside the County that is shared with you or available to you during your internship with Fulton County Confidential information may include, but is not limited to, the following: trade secrets, proprietary information, Fulton County employees', vendors', and/or residents' personal information (including, without limitation, actions, omissions, statements, or personally identifiable medical, family, financial, social, behavioral, or other personal or private information), methods, plans, documents, data, drawings, manuals, notebooks, reports, models, personnel files, payroll records, benefit documents, inventions, formulas, processes, software, information systems, contracts, negotiations, strategic planning, proposals, business alliances, and training materials.

In connection with being enrolled in Fulton County's internship program, you agree that you have read and understand the above definition of "confidential information." You agree that you will not at any time, both during and after your enrollment in the internship, exploit, use, communicate or disclose confidential information to any person, corporation, or entity without the prior written consent of Fulton County unless required to do so by applicable law or legal process.

Nothing contained in this Confidentiality Agreement shall be deemed to constitute or create an employment relationship between you and Fulton County.

_____ _____

Student Intern Date [NAME & TITLE], for Fulton County Date

PERSONNEL BOARD
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DEPARTMENT OF HUMAN RESOURCES MANAGEMENT

Kenneth L. Hermon, Jr., PHR, IPMA-CP
Chief Human Resources Officer

VOLUNTARY POST-INTERNSHIP SURVEY

We hope you enjoyed your learning experience with the Fulton County Government. So that we may learn from your experiences with us, we would appreciate your completing this post-internship survey. Survey responses provide valuable information the county can use for improving the learning experience of student interns.

Name		Supervisor/Mentor	
Department/Division		EIN	
Area of Study/Major		Dates of Internship	
School Level (circle one)	Undergraduate	Graduate	Post-graduate/Fellowship

Were the following reasons important in your decision to intern with the FCIP?	Yes	Somewhat	No
Desire to work in the public/government sector after graduation			
The FCIP's reputation as a good learning environment for interns			
Resume building			

Please describe your internship experience at your assigned Department including projects on which you participated and a description of typical daily activities performed _____

_____

_____

_____

Please tell us about your experience at your Department

	Strongly agree	Agree	Disagree	Strongly disagree
I was able to develop skills related to my area of educational study				
I understood the learning objectives of my internship				
I received feedback on progress toward meeting my learning objectives				
My supervisor/mentor was accessible and approachable				
My supervisor/mentor exhibited genuine interest in my development				
My supervisor/mentor provided learning opportunities				

Please describe how this internship complimented your educational learning objectives

_____

_____

_____

Thank you for completing this voluntary survey. Your responses are valued and appreciated.

Please send completed surveys to: FCIP@fultoncountyga.gov

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: LATERAL TRANSFERS

DATE: January 1, 2017 Number: 317-16

I. Statement of the Policy

It is the policy of Fulton County to permit employees to request a lateral transfer to another position in the same classification and pay grade in the same or different department. The transfer request will be considered subject to availability of open positions and the approval of all Appointing Authorities concerned.

II. Background and Applicability

This policy applies to all Fulton County employees.

III. Establishment and Enforcement of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: LATERAL TRANSFERS

DATE: January 1, 2017 Number: 317-16

I. Definition of Lateral Transfer

A lateral transfer is the appointment of an employee to another position in the same classification and/or pay grade in the same or a different department. Any employee may, at any time, request a lateral transfer from one department to another or from one position to another position within the employee's current department. All requests for lateral transfer should be made in writing to the HR Operations Manager, subject to final approval by the Chief Human Resources Officer. Requests for lateral transfer are subject to availability of open positions and the approval of both Appointing Authorities concerned.

II. Request for Lateral Transfer to Open Position

When the HR Operations Manager receives a request for a lateral transfer to an open position, the Department of Human Resources Management will then notify and seek to obtain the approval of the Appointing Authorit(ies) concerned. When a lateral transfer has been agreed upon, a mutually agreeable effective date shall be determined by the Appointing Authorities concerned. If an agreement cannot be reached, the Appointing Authorities shall inform the Chief Human Resources Officer and the Chief Human Resources Officer shall determine the effective date of the transfer.

III. Transfer Waiting List

Employees who wish to transfer may be placed on a Transfer List for vacancies in the applicable class or classes for which they are qualified. However, there is no guarantee of transfer once an employee is placed on the Transfer List.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

IV. Effect on Compensation

Absent unusual circumstances and subject to budget availability, a transfer under this policy will not result in a change in pay rate. However, in some instances, including, but not limited to, transfers resulting from a reductions in force, stipulated settlement agreements, consent of the employee, or reinstatement following a disciplinary proceeding, a change in pay rate may occur without violating this policy.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: MEALS AT COUNTY FACILITIES

DATE: January 1, 2017 Number: 318-16

I. Statement of the Policy

Where authorized by procedure, employees of certain Fulton County Departments may receive free meals at County facilities at Fulton County's expense during the course of their normal working time.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: MEALS AT COUNTY FACILITIES

DATE: March 14, 2020 Number: 318-16

I. Provision of Meals At County Expense

Personnel of the following Fulton County Departments may receive free meals at County facilities at Fulton County's expense during the course of their normal working time:

- Juvenile Court: security personnel in the Court's detention facility who are required to eat with the juveniles.
- Fulton County Jail: (i) "Friends of the Fulton County Jail" and (ii) Deputy Sheriffs assigned to the Jail.
- Department of Family and Children Services: members of the Department of Family and Children Services Board, but only during regular meetings of the Board held at County facilities.
- Essential Employees: staff in any Fulton County department who have been deemed "Essential" and who are required to be physically present at their worksite during an inclement weather or emergency event.

Grand Jury members in the Fulton County Courts are eligible to receive meals at County expense. Additionally, transfer officers from other jurisdictions, when performing their official duties, will be furnished meals at County expense.

II. Purchase of Meals Prepared At County Facilities

Employees not listed above are not authorized to receive free meals at County facilities. The meal prices at all County facilities will be determined by the vendors contracted to prepare meals at the facilities.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: NO SOLICITATION OR DISTRIBUTION OF LITERATURE

DATE: January 1, 2017 Number: 319-16

I. Statement of the Policy

This Policy is intended to ensure that only official County business is transacted in the County's work areas during employee work hours. In accordance with applicable law and except where prohibited by applicable law, Fulton County has established rules applicable to all employees and nonemployees that govern solicitation, distribution of written, solicitation material and access to Fulton County property.

II. No Abrogation or Abridgement or Rights

Nothing in this Policy abrogates or abridges the right of any employee to express his or her political opinions, vote, seek elected office, hold elected office or otherwise participate in politics outside of working time. However, Fulton County has a compelling interest in protecting its integrity, protecting its employees from political interference, preserving public confidence in government, and maintaining the efficiency of its employees. Therefore, Fulton County reserves the right to meet with any employee seeking or holding elected office so that the parties can mutually assess and address any potential or actual conflicts of interest.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: NO SOLICITATION OR DISTRIBUTION OF LITERATURE

DATE: January 1, 2017 Number: 319-16

I. Definitions

As used in this Policy and accompanying Procedure, "solicitation" shall include any undertaking by an individual, group or organization to promote the sale or use of a particular product or service, or a request for a contribution to or support for an individual or organization.

As used in this Policy and accompanying Procedure, "working time" includes all time for which an employee is paid and/or is scheduled to be performing services for Fulton County; it does not include break periods, meal periods, or periods in which an employee is not performing and is not scheduled to be performing services or work for Fulton County.

II. Guidelines

In accordance with applicable law and except where prohibited by law, Fulton County has established the following rules applicable to all employees and nonemployees that govern solicitation, distribution of written, solicitation material and access to Fulton County property:

- Employees may engage in solicitation activities, including political activities, only during nonworking times. No employee may engage in solicitation during his or her working time or during the working time of the employee or the employees at whom such activity is directed;

- Employees may distribute or circulate any written or printed solicitation material, including political literature, only in non-work areas, including the employee break room and parking lot, during nonworking times. No employee may distribute or circulate any written or printed solicitation material in work areas at any time, or during his or her working time or during the working time of the employee or employees at whom such activity is directed;

- Employees may not use or attempt to use their authority or influence to (i) interfere with or affect the result of a political election, nomination or referendum, or (ii) coerce, induce, or encourage as a condition of employment the making of a contribution, donation or loan to any political campaign, candidate or organization;

- Employees and non-employees are prohibited from utilizing County property, supplies, or equipment for the production of solicitation materials;

- Nonemployees are not permitted to solicit or to distribute written solicitation material for any unauthorized purpose on Fulton County property; and

- Off-duty employees are not permitted in work areas.

Strict compliance with these rules is required.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: OUTSIDE EMPLOYMENT

DATE: January 1, 2017 Number: 320-16

I. Statement of the Policy

Fulton County respects each employee's right to engage in activities outside of employment that are of a personal or private nature, to the extent that such activities do not create a conflict of interest as described in the Fulton County Code of Ethics or adversely affect the employee's ability to perform his or her job. Under certain circumstances; however, if an employee's personal conduct adversely affects his or her performance on the job or makes it impossible for him or her to carry out any or all of his or her job duties while at work, appropriate disciplinary action up to and including termination of employment may be appropriate.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: OUTSIDE EMPLOYMENT

DATE: March 17, 2017 Number: 320-16

Limitations on Outside Employment

An example of an activity that might adversely affect an employee's ability to perform his or her job duties is outside employment. While Fulton County does not prohibit employees from holding other jobs, the following types of outside employment are prohibited:

- Employment that conflicts with the employee's work schedule, duties and responsibilities or creates an actual or perceived conflict of interest;
- Employment that impairs or has a detrimental effect on the employee's work performance with Fulton County;
- Employment that requires employees to conduct work or related activities during working times or by using any of Fulton County's tools, materials or equipment (Note: The prohibition against the use of County tools, materials and equipment does not apply to sworn law enforcement personnel); and
- Employment that directly or indirectly competes with the business or the interests of Fulton County.

For the purposes of this policy, self-employment is considered outside employment. Outside employment of Fulton County's sworn law enforcement employees must be approved in advance in writing by the Appointing Authority concerned. Additionally, outside employment of employees of the Office of the Medical Examiner must be approved in advance in writing by the Appointing Authority and any hours missed as a result of the outside employment must be made up during the same week. For all others, outside employment must be approved in advance in writing by the Appointing Authority and Chief Human Resources Officer. For appointed positions that report to the County Manager, approval must come from the County Manager. Annual approval for outside employment is required.

Fulton County will not assume any responsibility for employees' outside employment. Specifically, Fulton County will not provide workers' compensation coverage or any other benefit for injuries occurring from, or arising out of, such outside employment.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: PAYMENT OF WAGES

DATE: January 1, 2017 Number: 321-16

I. Statement of Policy

The policy of Fulton County is to correctly compensate County employees for all time worked. Fulton County complies with all applicable laws, including the Fair Labor Standards Act, and will not allow any form of retaliation against individuals who make good faith reports of alleged violations of this policy, or who cooperate in an investigation by Fulton County, even if the reports do not reveal any errors or wrongdoing.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: PAYMENT OF WAGES

DATE: January 1, 2017 Number: 321-16

I. Pay Periods

All employees, with the exception of Commissioners and Judges, will be paid biweekly on every other Friday by check, pay card or direct deposit. The pay period begins on a Wednesday and ends on the Wednesday prior to the week of the Friday payday. If the regular payday falls on a recognized holiday, then employees will be paid on the official business day immediately preceding the regular payday. All Employees will have access to their check detail via the County's Employee Self Service (ESS) system.

II. Pay Check Deductions

Fulton County is required by state and federal laws to make certain deductions from an employee's paycheck each pay period. Such deductions typically include federal and state taxes and Social Security. Depending on the benefits an employee chooses, additional deductions may occur.

The pay of some nonexempt employees may be subject to deductions for items such as tools or uniforms. Such deductions will be made in accordance with state and federal law, and will require written authorization from the employee.

The amount of all deductions will be listed on the employee's pay stub.

III. Reporting Errors and Obtaining More Information

If any employee, exempt or nonexempt, has questions about deductions from his or her pay, believes he or she has been subjected to improper deductions, or believes that the amount paid does not accurately reflect the employee's total hours worked or salary, please contact your supervisor and/or the Department of Human Resources Management. Every report will be fully investigated, and Fulton County will provide the employee with any compensation to which the employee is entitled in a timely fashion.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: PERFORMANCE APPRAISALS

DATE: January 1, 2017 Number: 322-16

I. Statement of the Policy

The purpose of the Performance Appraisal Plan is to improve management of Fulton County resources, to improve communication with employees regarding various elements of their jobs and how they are performing with regard to each element, to maximize employee productivity, to determine the training needs of employees, and to provide information to employees, supervisors, and managers for use in making work-related or administrative decisions.

The Performance Appraisal Plan is a three-phase process. These phases are:

a. Performance Planning Conference
b. Progress Review Meetings, and
c. Performance Appraisal Conference

II. Background and Applicability

The Performance Appraisal Plan applies to all permanent County employees, both classified and unclassified.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains “at will”.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: PERFORMANCE APPRAISALS

DATE: January 1, 2017 Number: 322-16

I. Performance Appraisal Plan

Performance Appraisal Plans will be prepared for employees on an annual basis. The Plan will be prepared by the employee's Appointing Authority with input from other supervisors, if applicable.

Appointing Authorities should meet with each employee to review his/her Performance Appraisal Plan and to answer questions and provide any additional feedback requested. The employee should be given the opportunity to write any desired comments in the "employee comments" section of the Plan. The employee and Appointing Authority should both sign the Plan. If the employee refuses to sign, this should be noted in writing by the Appointing Authority on the review form. A copy of the final, signed Performance Appraisal Plan must be sent to the Department of Human Resources Management to be included in the employee's personnel file.

In the County's discretion, employees may also be required to submit to other review and performance appraisal processes, such as a 360 degree review.

II. Performance Improvement Plan

Classified employees who receive a "failing" or "needs improvement" rating must be put on a Performance Improvement Plan as set forth in Fulton County's Discipline for Classified Employees Policy. Unclassified employees who receive a "failing" or "needs improvement" rating may be put on a Performance Improvement Plan at the discretion of the Appointing Authority.

III. Appeal

Employees receiving a "failing" or "needs improvement" rating have the right to contact the HR Performance Unit within the Department of Human Resources Management to have their ratings reevaluated. All decisions of the HR performance unit are final and cannot be grieved to the Grievance Review Committee. Any classified

employee who is demoted or dismissed as the result of Performance reviews may file an appeal to the Personnel Board.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: PERSONNEL RECORDS AND RECORD KEEPING – ACCESS AND CONFIDENTIALITY

DATE: January 1, 2017 Number: 323-16

I. Statement of Policy

This policy regulates the access to and confidentiality of County employees' personnel records and record management, retention and storage of personnel records.

II. Access

Access to personnel records should be restricted to those whose job duties necessitate access and to those with designated authority to review the records, such as a supervisor, department head, or Personnel representative.

Unless necessitated by an employee's job duties, any request to review human resources records, including personnel records, disciplinary records, benefit program records, and medical records, should be submitted as an Open Records Act Request and treated as any other Open Records Act Request.

If an employee wishes to grant a designated representative access to the employee's human resources records, including personnel records, disciplinary records, benefit program records, and medical records, the designated representative must present a written authorization signed by the employee that clearly and specifically describes the records the representative may inspect or copy.

An employee or designated representative may inspect his/her own personnel records in the Department of Human Resources Management or elect to obtain a copy of such personnel records. Charges for compiling and copying personnel records may be assessed in accordance with the Open Records Act.

III. Confidentiality

Employees whose jobs provide access to personnel records shall follow the policies and procedures specific to their position for confidential information found in the personnel records and not release it to any person who does not have authorization to receive it. Employees shall not use confidential information of other employees for personal reasons.

IV. Categories of Personnel Records

The Chief Human Resources Officer and Department Head shall be responsible for the preparation, maintenance, security and disposition of any and all types of records and documents relating to personnel activities and functions regarding individual employees, including but not limited to the following categories:

1. Personnel folders for each employee (i.e., records related to personally-identifiable information, such as name, date of birth, home address, emergency contact, social security number, records covering employment, position classification, wage or salary, employee relations, performance management, training, organizational development, attendance and paid time-off usage, etc.)
2. Copies of payrolls and related correspondence
3. Classification and compensation
4. Salary rates and classes
5. Personnel transactions
6. Attendance and leave
7. Recruitment, examination and certification*
8. Appeals
9. Personnel Board minutes
10. Medical records' file (medical certifications, physician statements, and related information that describe the health and medical history or condition of an employee or an employee's family members)
11. Disciplinary records (e.g., written warnings, reprimands, notices of suspension, etc.) *
12. Performance Improvement Plans*
13. Communications regarding an employee's return to work from an extended leave*
14. Other (e.g., performance evaluations, etc.)

*Such records, if created by or submitted to the Department, should be forwarded to the Chief Human Resources Officer for inclusion in the Personnel File.

V. Personnel Record Management

The management and storage of all personnel records shall be conducted in accordance with approved County records retention standards and schedules.

VI. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

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FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: PERSONNEL RECORDS AND RECORD KEEPING – ACCESS AND CONFIDENTIALITY

DATE: February 1, 2018 Number: 323-16

I. Maintenance of Personnel Records

Each employee is responsible for notifying the Department of Human Resources Management in writing whenever changes occur to the following.

- Name
- Home Address
- Home or Cellular Telephone Numbers
- Persons to be notified in case of an emergency

II. Access to Personnel Files

An Appointing Authority considering an internal Fulton County applicant in a recruitment and selection process shall be permitted, upon request, to review the personnel file (excluding medical records) of the applicant following the first interview.

An employee or designated representative, by submitting an Open Records Request, may inspect his/her own personnel records in the Department of Human Resources Management or elect to obtain a copy of such personnel records. Charges for compiling and copying personnel records may be assessed in accordance with the Open Records Act.

III. Removal of Documents from Personnel File as a Condition of Settlement Agreement

In accordance with O.C.G.A. § 45-1-5, when an employee is disciplined and, as a condition of a settlement agreement, the personnel file of the employee is to be partially or totally purged, the employee's personnel records, including both the personnel file and any associated work history records, shall be clearly designated with a notation that

such records have been purged as a condition of a settlement agreement. Such notation shall be disclosed to any subsequent governmental entity seeking information as to a former employee's work history for the sole purpose of making a hiring decision.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: POSITIONS AND COMPENSATION

DATE: June 19, 2019 Number: 324-16

I. Statement of Policy

It is the policy of Fulton County to classify and compensate employees fairly and equitably in accordance with applicable Federal and State laws and Fulton County Policies and Procedures.

The Chief Human Resources Officer is responsible for the preparation and maintenance of a Position Classification Plan. A Position Classification Plan is to include a list of all classes within Fulton County, including classes that are on-range, set-rate, Classified and Unclassified. Whenever a new class is established or abolished, the Chief Human Resources Officer is to amend the Position Classification Plan accordingly. The Position Classification Plan and amendments thereto shall be submitted for approval to the County Manager and Board of Commissioners annually. Once approved by the County Manager and Board of Commissioners, the Chief Human Resources Officer is responsible for assigning all positions to one of the classes in the approved Position Classification Plan. The Chief Human Resources Officer may consider requests to reclassify specific positions.

The Chief Human Resources Officer is also responsible for creating a Compensation Plan that will include a salary range for all classes, except those identified as set-rate. For set-rate classes, the Compensation Plan should only indicate that the salaries for such classes are set-rate. For all other classes, the assigned salary range is to include a minimum, midpoint and maximum salary. The Chief Human Resources Officer is also responsible for presenting the Classification Plan for approval to the County Manager and the Board of Commissioners.

No employee shall be paid at a salary rate below the minimum or above the maximum of the salary range approved and established for the class in which the employee is currently serving. However, a resulting salary that exceeds the maximum of the salary range shall not prevent the implementation of a Cost of Living Adjustment (COLA) approved by the Board of Commissioners. Additionally, an incumbent

employee's salary rate shall not be reduced as a result of a new or changed salary range for his/her classification, except in the case of a reclassification.

II. Compensation Complaint Resolution and Non-Retaliation

It is the policy of Fulton County to correctly compensate its employees for all time worked. If an employee believes that he or she has not received all compensation owed, the employee must immediately report their concerns to their supervisor and/or the Chief Human Resources Officer and/or utilize the grievance procedure, if applicable. Fulton County strictly prohibits retaliation against any employee who makes a good faith complaint under this Policy.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: POSITIONS AND COMPENSATION

DATE: June 19, 2019 Number: 324-16

I. Definitions

A. Position Categories

All positions in Fulton County shall be allocated to one (1) of the following general categories:

1. Permanent Positions. A permanent position is one which has been established for an indefinite period. Permanent positions may be established either on a full-time or a reduced hour basis.

2. Temporary Positions. A temporary position is one which is not continuous in nature. Temporary appointments may be made for a special project(s) or other work of a temporary or transitory nature. Employees appointed to temporary positions may not work more than 29 hours per week, or in excess of 1500 hours per year.

3. Seasonal Positions. A seasonal position is either a full-time or part-time position for which the customary annual employment is six months or less and the period of employment begins each calendar year in approximately the same part of the year (e.g., summer or winter).

4. Part-time Positions. A part-time position is one that is continuous in nature. Employees appointed to part-time positions may not work more than 29 hours per week, or in excess of 130 hours per calendar month.

5. Fee Positions. A non-permanent, unclassified position with a maximum duration of two (2) years that is reserved for special projects of a time sensitive nature in highly specialized fields. While fee positions will not be assigned to a specific classification, employees appointed to fee positions may use working titles as necessary. The County Manager must approve the establishment and set the hourly rate of compensation of all fee

positions. Because fee positions, by definition, involve the performance of work requiring advanced knowledge in highly specialized fields, fee positions shall be classified as “exempt” for purposes of the Fair Labor Standards Act.

B. Grant Funded Positions

In addition to being assigned to one of the above general position categories, a position may also be designated as grant funded to identify the source of the funding for the position. A grant funded position is one that is established for a specific period of time not to exceed the scheduled termination date of the grant. This position will terminate by operation of law at the date of grant termination unless the Board of Commissioners provides appropriate funding to continue the program or position on or prior to the date of grant termination. Termination of a grant-funded position shall not be subject to any reduction in force policy.

II. Position Classification Plan

The Chief Human Resources Officer is responsible for the preparation and maintenance of a Position Classification Plan. A Position Classification Plan is to include a list of all classes within Fulton County, including classes that are on-range, set-rate, Classified and Unclassified. Whenever a new class is established or abolished as described below, the Chief Human Resources Officer is to amend the Position Classification Plan accordingly. The Position Classification Plan and amendments thereto shall be submitted for approval to the County Manager and Board of Commissioners. Once approved by the County Manager and Board of Commissioners, the Chief Human Resources Officer is responsible for assigning all positions to one of the classes in the approved Position Classification Plan.

A. Abolishment or Establishment of a New Classification

Requests to abolish a current class or establish a new class not already included on the current Position Classification Plan shall be forwarded to the Chief Human Resources Officer for consideration and approval. If a request to abolish or establish a classification is approved, the Position Classification Plan shall be updated accordingly as described in the paragraph above. This provision is intended to apply to classifications and is not intended to apply to the establishment or abolishment of a particular position, the latter of which is governed by internal Personnel and Finance procedures.

This provision is not intended to apply to elected positions, independent contractors and fee-paid individuals.

III. Pay Schedule and Compensation Plan

The Chief Human Resources Officer is responsible for creating the Compensation Plan that will include a salary range for all classes, except those identified as set-rate. For set-rate classes, the Compensation Plan should only indicate that the salaries for such classes are set-rate. For all other classes, the assigned salary range is to include a minimum, midpoint and maximum salary rate. The Chief Human Resources Officer is also responsible for presenting the Compensation Plan for approval to the County Manager and the Board of Commissioners.

No employee shall be paid at a salary rate below the minimum or above the maximum of the salary range approved and established for the class in which the employee is currently serving. However, a resulting salary that exceeds the maximum of the salary range shall not prevent the implementation of a Cost of Living Adjustment (COLA) approved by the Board of Commissioners. Additionally, an employee's salary rate shall not be reduced as a result of a new or changed salary range for his/her classification, except in the case of a reclassification as described in Section VII below.

A. Salary Range Changes

A salary range for any classification may be changed when requested by the Chief Human Resources Officer, after the completion of a salary study by the Department of Human Resources Management. Such a request shall be submitted to the County Manager and Board of Commissioners for approval. Once approved by the County Manager and Board of Commissioners, the salary rate of each employee assigned to the classification shall be adjusted upward by ten percent (10%) or to the minimum of the salary range, whichever is greater. While the salary range change shall apply to all positions within the affected class irrespective of department, it shall take effect only at the beginning of the fiscal budget year where there are multiple positions assigned to the affected class.

IV. Set-Rate Classification and Positions and Personal Staff of Elected Officials

A. Set Rate Classifications and Positions

A classification not assigned to an applicable salary range shall be considered a Set-Rate Classification. Unless already fixed by law, the Board of Commissioners shall set the salary for all classes that are not assigned a salary range or approve the changing of an on-range class to a set salary rate. A request to establish a set-rate class must be presented by the applicable Appointing Authority to the Chief Human Resources Officer if the set-rate salary will exceed the current salary range for the applicable class. The Chief Human Resources Officer shall in turn, submit the request to the Board of Commissioners for approval accompanied by the following: (a) a recommendation from the County Manager; (b) a budgetary analysis conducted by the Finance Department; (c) a recommendation from the Chief Human Resources Officer;

and (d) the results of a salary survey conducted by the Department of Human Resources Management. All requests and recommendations must be in writing and maintained by the Department of Human Resources Management for a minimum of 2 years.

B. Personal Staff of Elected Officials

The salaries of the members of the personal staff of an elected official may be set by the elected official at any amount within the applicable salary ranges for the staff members' classifications provided that funding is available within the elected official's recurring annual salary budget. This shall only apply to positions that are entirely County-funded, and not those that are merely County-supplemented. Moreover, all requests to hire personal staff shall be accompanied by a sworn notarized statement signed directly by the elected official, and not a designee, attesting that the individual meets the minimum qualifications of the position and that the elected official believes the individual and the position fit the definition of personal staff.

The ability to set the salaries of the members of their personal staff shall include the ability to pay personal staff a monetary bonus provided that adequate funding is available within the elected official's annual salary budget.

V. Entry Salary Rates

A. Salary Rate Determination

Subject to subsection (B) below, an Appointing Authority may offer a new employee an entry salary rate in accordance with the systematic method developed by the Chief Human Resources Officer for use in determining the placement of employees within a pay range.

Upon approval by the Chief Human Resources Officer, a new employee generally may be offered an entry salary rate up to the midpoint of the salary range for the position. A new employee appointed to a position in a professional, technical or scientific class, however, may be offered an entry salary rate up to the maximum rate of the salary range for the position. To obtain approval to offer an entry salary above the minimum rate, an Appointing Authority must submit a written request to the Chief Human Resources Officer. In recommending an entry salary rate above the minimum rate of the salary range for a position, an Appointing Authority shall consider an applicant's prior experience, education, unique competencies and other qualifications directly related to the position as well as internal budget constraints. Upon receipt of the Appointing Authority's recommendation, the Chief Human Resources Officer shall promptly conduct both a salary matrix analysis and an internal equity analysis to determine whether an above the minimum entry salary rate is justified. If the salary matrix supports the Appointing Authority's request, the Chief Human Resources Officer shall verify with the Finance Department that funding is available to fill the position at the requested rate. Appointing Authorities who extend job offers at salaries above the

minimum rate without the approval of the Chief Human Resources Officer may be subject to disciplinary action by the County Manager and the County may refuse to honor such offers. The Department of Human Resources Management shall maintain copies of the written request and the results of the salary matrix and internal equity analyses for a minimum of two (2) years.

B. Effect of New Employees Hired Above the Minimum of the Range

Whenever a new employee, excluding any employees hired in a set-rate position or as the member of the personal staff of elected officials, is hired into a department at a salary rate above the minimum of the applicable range and the department has one or more current employees who are employed in the same job class, the Department of Human Resources Management shall review the education, work experience, and performance evaluations of the other employees in the department who are in the same job class to determine if their qualifications meet and/or exceed those of the newly hired employee. The Department of Human Resources Management will provide notification to the Appointing Authority of its findings and if funding is not available to raise the salaries of employees in the same department employed in with the same job class, who possess comparable experience and qualifications as the newly hired employee, the Appointing Authority will not be permitted to offer a salary above the minimum of the salary range. If funding is available, the Appointing Authority shall work with the Finance Department to adjust the salaries of all other employees in the same department employed in with the same job class, who possess comparable experience and qualifications as the newly hired employee, upward to equal the salary paid to the newly hired employee. An employee must have not received an overall performance rating below “Satisfactory” or on his/her most recent performance evaluation and cannot have been on a Performance Improvement Plan within the last twenty-four (24) months to be eligible for a salary adjustment pursuant to this provision. Funding for these adjustments may be derived from accumulated salary savings, as approved by the County Manager.

VI. Pay Rates for Rehires

Former permanent Fulton County employees who: (a) left their employment in good standing; (b) who were not terminated from employment; (c) who have no disciplinary actions, including written warnings, written reprimands, demotions or suspensions within the twenty-four (24) months preceding their separation; and (d) who apply for reemployment to a position within the same pay grade within six (6) months from the date of their most recent separation from a permanent position shall be rehired at the same salary rate of the position held when separated, subject to budget availability. If a former employee is rehired into a position with a higher salary grade, the employee shall get the equivalent of either their salary at separation or the minimum of the salary range for the new position, whichever is greater and this shall not trigger the raising of salaries of incumbent employees. If a former employee is rehired into a position with a lower salary grade than the position previously held, adjustments to the employee’s previous salary will be made as follows: a 3% salary reduction for a

difference of one pay grade level; a 5.5% salary reduction for a difference of two pay grade levels; and an added 1.5% salary reduction for each additional pay grade level thereafter. The employee must meet current standards and eligibility requirements for the class in which the employee is rehired.

VII. Reclassification of a Position

Job positions may be reassigned to new or existing classes when substantial and permanent changes occur in the assigned duties of a position which may justify a reclassification.

A. Reclassification – General Provisions

Appointing Authorities may recommend that job positions be reassigned to new or existing classes when substantial and permanent changes occur in the assigned duties of a position which may justify a reclassification.

A reclassification which does not result in a change in the salary grade of a position is a title change. Upon approval of a title change, the salary of the reclassified employee shall remain the same. A reclassification that results in movement to a higher pay grade shall be processed in the same manner as a promotion. A reclassification that results in movement to a lower pay grade shall be processed in the same manner as a demotion, although such reclassification shall not be considered a “demotion” with respect to the Civil Service Act.

B. Requests to Reclassify

Subject to availability of funds within their departmental budget, Fulton County Appointing Authorities shall submit requests to reclassify an employee and/or a position to the Chief Human Resources Officer accompanied by an explanation detailing the basis for the request. The Board of Commissioners shall not be required to submit requests to reclassify employees or positions comprising their personal staff to the Chief Human Resources Officer.

C. Response to Requests to Reclassify

Step 1.

The Chief Human Resources Officer shall investigate the duties of the employee or the position. The Chief Human Resources Officer will review the organizational structure of the department and/or division in which the employee or position is assigned to ensure subordinate positions are not recommended for reclassification over the salary range for the supervisory positions(s). However, nothing in this policy precludes reconsideration of the appropriate pay ranges of the supervisory position(s) in order to submit the request for subordinate positions, if appropriate.

Step 2.

The Chief Human Resources Officer shall obtain an analysis from the Finance Department outlining the budgetary impact of the requested reclassification.

Step 3.

The Chief Human Resources Officer will determine if the position should be reassigned to a new classification. If approved by the Chief Human Resources Officer, the reclassification generally shall be effective retroactively to the beginning of the pay period immediately following completion of the Department of Human Resources Management's review of the employee's job duties and/or position. Any reclassification that results in movement to a lower pay grade, however, shall be effective on the first day of the pay period following its approval by the Chief Human Resources Officer.

VIII. Assignment of New Positions to Classifications and Salary Ranges

Subject to availability of funds within their departmental budget as verified by the Finance Department, Fulton County Appointing Authorities may submit requests to establish a new position to the Chief Human Resources Officer accompanied by an explanation detailing the basis for the request.

A. Response to Requests to Establish a New Position

Step 1.

The Chief Human Resources Officer shall investigate the prescribed duties of the proposed position. The Chief Human Resources Officer will review the organizational structure of the department and/or division in which the position is to be assigned to ensure the positions is assigned to an appropriate pay grade based on its hierarchy within the department and/or division.

Step 2.

The Chief Human Resources Officer will determine the appropriate classification for assignment of the new position.

IX. Pay of Department Head or Elected Official

Generally, no Department Head or Elected Official, with the exception of the Board of Commissioners, shall be paid at a salary rate that is lower than that which is authorized for any other employee in his/her department. However, a Department Head or Elected Official may be paid at a lower salary rate than an employee within his or her department, if the employee's higher salary rate is supported by salary survey data for the uniqueness of the skill set required for the employee's position.

X. Other Compensation Adjustments

A. Adjustments in Connection with Personnel Transactions:

An employee in a Set-Rate Classification/Position who is eligible for and accepts an appointment in an on-range position shall be placed at a pay rate within the range for the newly-assigned position in accordance with the systematic method developed by the Chief Human Resources Officer for use in determining the placement of employees within a pay range.

An employee in a non-permanent position who is eligible for and accepts an appointment to a permanent position in an equal or higher classification shall be placed at a salary rate in accordance with the systematic method developed by the Chief Human Resources Officer for use in determining the placement of employees within a pay range.

An employee in a non-permanent position who is eligible for and accepts an appointment to a permanent position in a lower classification shall be permitted to negotiate a salary rate in accordance with the systematic method developed by the Chief Human Resources Officer for use in determining the placement of employees within a pay range.

B. Cost of Living Adjustments

Upon approval of the Board of Commissioners, general salary/cost of living adjustments (COLAs) may be granted to County employees on a County-wide, grade-wide or classification basis.

XI. Longevity Pay

Longevity pay may only continue for those employees who are receiving such pay on January 1, 2017. Said pay shall cease for such employees at such time they experience a break in service.

XII. Pay Cycles & Computation

Appointing Authorities shall certify on each payroll that all persons whose names appear thereon have been lawfully appointed and that they have actually worked the time for which they are being paid, or were on authorized leave with pay. Appointing Authorities shall further certify that such leave, if any, has been approved and reported on payrolls.

A. Pay Cycles

Fulton County employees will be paid bi-weekly during the calendar year; provided, however, that the County Manager may approve other pay cycles for designated departments where such cycles are necessary and justified by the nature of the department's operations.

B. Computation

Employees shall be paid their rate of pay in accordance with the Fulton County Pay Schedule and Compensation Plan. For payroll purposes, all employee pay shall be calculated as follows:

- For purposes of this policy, the Fulton County work week runs from 12:00 a.m. Wednesday to 12:00 a.m. the following Wednesday.

- All paid time for any purpose, including pay for time worked, vacations, holidays, sick leave, or any other paid category shall be calculated and reported electronically by Appointing Authorities in terms of "standard hours." Bi-weekly standard hours are determined by dividing 2080 annual standard hours by twenty-six (26), (2080 divided by 26 = 80). The standard hourly pay rate is determined by dividing the employee's annual pay rate by 2080 hours. The authorized annual rate is determined by multiplying the authorized bi-weekly rate by twenty-six.

- Paid time off shall be reported on payrolls in hours and minutes used. The standard weekly hours of forty (40) are determined by dividing 2080 annual standard hours by fifty-two (52), (2080 divided by 52 = 40), and the standard daily hours of eight (8) are determined by dividing forty (40) weekly standard hours by five (5), (40 divided by 5 = 8). If necessitated by operational standards and as required or allowed by the FLSA, and upon approval of the County Manager, Appointing Authorities may designate standard hours which differ from the above.

- Compensation for part-time, set-rate and hourly-paid employees shall be derived from their annual rates, converted to standard hours as provided in this section (2).

- Non-exempt employees who are absent from work in any non-paid status during any scheduled pay period shall have their pay reduced by the exact total hours and minutes resulting from such absences. Exempt employees are generally entitled to receive their full salary regardless of the number of hours worked within a work week, but their pay may be reduced while they are on non-paid FMLA leave (including intermittent leave), and for full day absences, provided the employee has no leave time available. In addition, pursuant to applicable law, Fulton County may reduce an exempt employee's salary for absences less than a full day given that exempt employees of Fulton County are paid according to a pay system established by a policy or practice pursuant to principles of public accountability, under which exempt employees accrue personal leave and sick leave and which requires Fulton County's employees' pay to be reduced or such employees to be placed on leave without pay for absences for personal reasons or because of illness or injury of less than one work-day when accrued leave is not used by an employee because:

(1) Permission for its use has not been sought or has been sought and denied;
(2) Accrued leave has been exhausted; or
(3) The employee chooses to use leave without pay.

- Deductions from the pay of an employee of a public agency for absences due to a budget-required furlough shall not disqualify the employee from being paid on a salary basis except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

- Additionally, any employee may have their salary reduced as a result of disciplinary actions in accordance with applicable law and Fulton County disciplinary policies and procedures.

C. Method of Payment

Employees are encouraged to sign up for payment by direct deposit by completing the required direct deposit election form. For employees who do not set up direct deposit of their wages to a bank account, they will receive their wages via pay card.

XIII. Payment of Compensation from Different Funds

Whenever part of the compensation of any position is paid from a different fund, or is derived from any agency outside the service of Fulton County, all such part payments shall be identified and deducted from the total amount payable for any period under the rate prescribed so that the total compensation received from all sources shall not exceed the salary rate prescribed for the position.

XIV. Compensation Complaint Resolution Procedure

It is the policy of Fulton County to correctly compensate its employees for all time worked. If an employee believes that he or she has not received all compensation owed, the employee must immediately report their concerns to their supervisor and/or the Chief Human Resources Officer and/or utilize the grievance procedure, if applicable.

XV. Salary Surveys

Every two to five years, the Chief Human Resources Officer shall conduct a salary survey for the purpose of determining whether Fulton County salaries have remained competitive with those paid by comparable jurisdictions or industries as determined by the Chief Human Resources Officer for similar work. The Chief Human Resources Officer shall formulate recommended adjustments based upon the survey findings. Such recommended adjustments shall be forwarded to the County Manager and Board of Commissioners for approval.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: PROMOTIONS

DATE: January 1, 2017 Number: 325-16

I. Statement of the Policy

It is the policy of Fulton County that employees may be promoted from one job classification or position to another job classification or position in accordance with Fulton County's policies and procedures.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: PROMOTIONS

DATE: February 1, 2018 Number: 325-16

I. Promotion Defined

A promotion is an appointment to a position in a classification with a higher pay grade.

II. Eligibility

An employee may be promoted while in any status if they have established current eligibility for the promotional position. Generally, promotional recruitment shall be open only to current County employees who have been employed at least six months prior to the posting of the job announcement. However, any recruitment that is also open to the general public shall not be subject to such a minimum service requirement.

III. Permanent or Temporary Promotions – Approval

An employee may be appointed to serve permanently or temporarily in a higher class upon the recommendation of the Appointing Authority and approval of the Chief Human Resources Officer, provided that the employee meets the eligibility requirements of such higher classification. A temporary promotional appointment shall not exceed one (1) year, but may be extended upon approval by the Chief Human Resources Officer. A temporary promotional appointment may be terminated at any time at the sole discretion of the Appointing Authority with or without cause. Once the temporarily promoted employee is no longer performing the duties of the higher classification, the employee shall be returned to his/her former classification and position and to the salary at which he/she would have been entitled had he/she remained in the position. Any employee who was in the Classified service immediately prior to working in an acting capacity or serving in an interim position shall retain such Classified status upon return to his/her former classification and position. Nothing in this paragraph shall prohibit an

Appointing Authority from terminating the employment of or otherwise disciplining any individual temporarily serving in a higher classification and position for any reason allowed under the Personal Policies and Procedures, including but not limited to reasons that are unrelated to the individual's job performance in the higher classification and position.

IV. Effect of Promotion on Compensation

Whenever an employee receives a temporary or permanent promotion, the employee's salary rate shall be adjusted upward by ten percent (10%) or to the minimum of the pay grade for the employee's new position, whichever is greater. An Appointing Authority may request a salary adjustment above the ten percent (10%) or the minimum of the pay grade when an employee who is promoted to a position in a professional, technical and scientific class possesses specialized training, skills, experience or an advanced or professional degree directly related to the work of the position. The Appointing Authority's request is subject to both approval of the Chief Human Resources Officer and budget availability. The Chief Human Resources Officer may develop a systematic method to be used for placement of such employees within a pay range.

The Chief Human Resources Officer may also develop a systematic method to be used for placement of employees within a pay range to address those circumstances in which an employee moves from a position assigned to a classification and compensation system adopted by certain department(s) to a position assigned to the classification and compensation system adopted by the Board of Commissioners.

The Department of Human Resources Management shall maintain copies of written requests for salary increases above the ten percent (10%) or the minimum of the pay grade and the decisions regarding the same for a minimum of three (3) years.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: RECOUPMENT OF MONIES OWED BY EMPLOYEES

DATE: January 1, 2017 Number: 326-16

I. Statement of Policy

Fulton County is expected and authorized to lawfully recoup money owed to the County by current and former employees, Board of Commissioners' appointees, and elected officials. Occasionally, an employee, appointee, or elected official may be paid money in error or may be obligated to reimburse the County for certain expenditures. Because the County is funded by public dollars, it is imperative that employees, appointees, or elected officials and the County make every effort to avoid and correct payroll errors and to refund and recoup monies not otherwise due to the recipient. This policy is not intended to replace other legal remedies available to the County. Rather, this policy is intended to add to lawful mechanisms for the recoupment of money owed to the County.

II. Background and Applicability

This policy is applicable to all current and former employees, Board of Commissioners' appointees, and elected officials of the County.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: RECOUPMENT OF MONIES OWED BY EMPLOYEES

DATE: January 1, 2017 Number: 326-16

I. When Recoupment is Warranted

The County is authorized to recoup monies from an employee in the following circumstances:

A. When, on account of an error by the County, an employee is paid or receives any sum of money not due to the employee (including but not limited to unearned compensation and reimbursements and pre-paid travel/training expenses to which the employee is not entitled) provided that within twelve (12) months of the overpayment, the employee receives notice of the error and the County's intention to recoup the overpayment.

(1) A nominal overpayment of one hundred dollars ($100.00) or less may be recouped at one time; and

(2) A significant overpayment of more than one hundred dollars ($100.00) should be recouped via multiple payments if possible unless the overpayment is being recouped from a vacation leave payout upon an employee's separation from employment.

B. When an employee fails to fulfill an obligation or commitment upon which receipt of a monetary bonus or other incentive payment has been conditioned.

C. When an employee fails to meet an obligation under an agreement resulting in entitlement to reimbursement for training or educational costs incurred by the County.

D. When the County, on account of an employee, incurs a non-refundable expense that is used or will be used for the employee's own personal use. (An example of such an expense would be when the County purchases

non-refundable, non-transferable airfare that the employee decides not to use for the intended County business purpose.)

II. Deductions

Absent a voluntary reimbursement by the employee, the County is authorized to recoup monies from an employee using voluntary and/or involuntary deductions from pay. In addition, the County may elect to use any of the following methods in lieu of or in combination with pay deductions:

- Deductions from accrued compensatory, holiday and/or vacation leave.
- Deductions from compensatory, holiday and/or vacation leave payouts.
- Deductions from future reimbursement and/or expense payment requests.

Any deduction from compensation for hours worked may not be taken to the extent it reduces the employee's pay below the minimum wage rate of pay or results in an exempt employee becoming non-exempt pursuant to the Fair Labor Standards Act ("FLSA").

If an employee separates from employment with a balance owed to the County, this policy does not foreclose other legal remedies available to the County for collection of said balance.

III. Elected Officials and Board of Commissioner Appointees

When, on account of an error by the County, an elected official or an appointee of the Board of Commissioners is paid compensation over and above the amount required by law, the County should make an arrangement for the individual to either a) immediately return the overpayment or b) deduct the overpayment from future compensation so that the individual's total compensation does not exceed the amount required by law.

When the County, on account of an individual, incurs a non-refundable expense that is used or will be used for the individual's own personal use (e.g., when the County purchases non-refundable, non-transferable airfare that the individual decides not to use for the intended County business purpose) or receives a reimbursement or pre-payment for an ineligible expense or an expense that cannot be reconciled, the County may deduct the value of the expense from future reimbursements and/or pre-payments for future expenses.

IV. Availability of Other Remedies

Notwithstanding these procedures, Fulton County reserves the right to use all available legal remedies to recoup money owed to the County.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: RECRUITMENT AND SELECTION

DATE: January 1, 2017 Number: 327-16

I. Statement of the Policy

It is the policy of Fulton County to recruit and select the best qualified applicants for employment with the County. All recruitment efforts and selection decisions will be made in accordance with Fulton County's Equal Employment Opportunity and Diversity and Inclusion Policies. The Personnel Director has the authority to implement a procedure to effectuate this policy.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: RECRUITMENT AND SELECTION

DATE: January 1, 2017 Number: 327-16

I. Recruitment for Open Positions

For purposes of the Recruitment and Selection Policy, a position is deemed to be open when: (1) the position is a newly-created position with no incumbent, or (2) in the case of an established position, when an Appointing Authority receives information that the position will be vacated by the incumbent on a particular date due to promotion, demotion, lateral transfer, retirement, voluntary or involuntary separation from employment, or other change in job status.

A. Open Positions

An Appointing Authority generally may initiate the recruitment and selection process for an established, funded position immediately upon receiving notice that the position will be vacated by the incumbent on a particular date due to promotion, demotion, transfer, retirement, voluntary or involuntary separation from employment, or other change in job status unless the Appointing Authority has obtained approval for creation of a parallel position pursuant to Fulton County policy. However, an Appointing Authority shall not initiate the recruitment and selection process to fill a vacancy that is created by the demotion, transfer or involuntary separation of a classified employee during the pendency of any related appeal to the Personnel Board. In such cases, the position shall remain frozen until the pending appeal is fully and finally resolved in accordance with the Appeals Policy and Procedure and applicable Georgia law. During the pendency of any appeal to the Personnel Board, the department may contact the Department of Human Resources Management to discuss options for addressing operational needs until the vacancy can be filled.

To fill an open position, the Appointing Authority must inform the Chief Human Resources Officer of the need to initiate the recruitment and selection process as set

These policies do not create a contract of employment. Employment for non-classified employees remains “at will”.

forth below, unless the position is for the personal staff of an elected official.

B. Procedures

When an Appointing Authority wishes to fill an open position, they may elect to first consider qualified employees on the Transfer List. If an Appointing Authority elects not to consider an employee on the Transfer List and needs recruitment services, he or she will notify the Chief Human Resources Officer in writing of the open position by preparing a Recruitment Requisition, which will include the following information: job title, class, position number and type of recruitment needed.

Upon receiving a Recruitment Requisition, the Chief Human Resources Officer or his/her designee has the authority to immediately open recruitment for any vacant position. The Department of Human Resources Management will partner with the Appointing Authority concerned to prepare an appropriate written recruitment announcement. The announcement will then be published and distributed within appropriate departments of Fulton County and to such other addresses and advertising media as may be deemed appropriate under the circumstances. If the recruitment is a promotional recruitment opportunity available only to employees of one department or a County-wide promotional recruitment, the publication and distribution of the announcement will be limited accordingly.

Announcements may provide for an application deadline or provide that the position will remain open for application until filled. Announcement will specify the position title, pay rate or pay range, essential duties, minimum qualifications, including any bona fide occupational requirements (including physical requirements), and other pertinent information.

With the exception of the personal staff of Elected Officials, no position may be filled until recruitment has been conducted by the Human Resources Operations Division of the Department of Human Resources Management, applications have been accepted, and a selection has been made by the Appointing Authority. Although open positions may be filled pursuant to the Lateral Transfer Policy, any lateral transfer request received by the Department of Human Resources Management after the announcement of a vacant position will only be approved after the completion of the recruitment process assuming no applicant was selected to fill the open vacant position.

II. Application and Selection

A. Employment Application

Applications for employment in any announced open position shall be submitted within the time limits specified in the applicable announcement by any person who

meets the minimum qualifications, standards and requirements of the position as specified in the announcement. Acceptance of applications after the closing date may be approved by the Chief Human Resources Officer or his/her designee whenever sufficient reason(s) exist(s). Applications shall be made under oath on forms prescribed by the Department of Human Resources Management and shall be completed in their entirety. An application must be completed in order to be eligible for employment with Fulton County.

B. Minimum Qualifications

No applicant for employment may be offered a position with Fulton County unless the applicant meets the minimum qualifications established for the position.

C. Veterans' Preference

Fulton County supports the hiring of veterans and will give preference to applicants who are veterans of the United States armed forces, as set forth in Fulton County's Veterans Preference Policy.

D. Lists and Certification

(i) List of Eligibles

A List of Eligibles will include applicants who meet the minimum qualifications for employment in an open position as determined by the Department of Human Resources Management. Applicants will remain on the List of Eligibles for a specific position for six (6) months, or one (1) year for Public Safety positions, counting from the date on which their eligibility was most recently established. A List of Eligibles will also include the following additional lists:

- <u>Recall List</u>
  Permanent Fulton County employees, who were laid off due to unavoidable emergency reductions in the work force; for example, lack of work, lack of funds, budgetary limitations, severe economic conditions, abolishment of positions due to reorganization or other similar valid reasons, as outlined by the Fulton County Reduction in Force policy. Recall employees will remain on the Recall List for one (1) year, counting from the date of their separation from Fulton County.

- <u>Promotional List for Public Safety Departments</u>
  Classified or Unclassified Fulton County employees who have established their promotional eligibility in accordance with laws and personnel regulations and who are seeking promotional employment in Public Safety Departments. Employees will remain on the Promotional List for one (1) year, counting from the date on

which eligibility was most recently established.

- Reemployment List
  Fulton County former employees who left employment in good standing, with permanent status, and who apply for reemployment within six (6) months from the date of their most recent separation from a permanent position. Separated employees will remain on the Reemployment List for six (6) months, counting from the date of their separation from Fulton County.

  Standing lists for a class, if any, must be exhausted before any additional recruitment may be conducted for that class.

(ii) Certification of Lists

The Chief Human Resources Officer or his/her designee is responsible for preparing and forwarding the List of Eligibles to the Appointing Authority for consideration. For all applicants, except those listed on the Recall and Reemployment Lists, the Chief Human Resources Officer or his/her designee will provide the Appointing Authority with job applications and other documents demonstrating each applicant's qualifications for the open position. For applicants appearing on the Recall and Reemployment Lists, the Chief Human Resources Officer will provide documents demonstrating each applicant's qualifications for the open position upon request by the Appointing Authority. Prior to certifying and forwarding the List of Eligibles, the Chief Human Resources Officer or his/her designee must ensure that candidates on the Lists of Eligibles for a particular open position meet the minimum qualifications for that position.

Preparation and certification of List of Eligibles will be made without regard to and without identification of applicants' race, color, religion, national origin, gender (including pregnancy), age, disability, sexual orientation, gender identity, or any other basis protected by applicable law.

(iii) Interviews and Selection

Upon receipt of a List of Eligibles, an Appointing Authority shall review the qualifications of the candidates appearing on the List and send written invitation(s) for interview(s) to a sufficient number of name(s) listed thereon to allow for selection. The Department of Human Resources Management will provide Appointing Authorities with sample written interview invitations or prepare and send the interview invitations on behalf of the Appointing Authorities, if requested.

It is the responsibility of the Appointing Authority to act promptly on the List of Eligibles furnished to them and to advise the Chief Human Resources Officer of their decisions and actions without undue delay.

Final hiring decisions and selection of eligible candidates from the List of Eligibles shall be made by the Appointing Authority concerned. Upon selection of an acceptable candidate for appointment from the List of Eligibles, the Appointing Authority shall submit the Selection Form to the Human Resources Operations Division indicating the name(s) of the candidate(s) selected and action taken for each candidate.

Once an applicant is selected for employment, that applicant's name will be removed immediately from any existing List of Eligibles. However, the name of any applicant selected for appointment to a temporary position shall remain on the List of Eligibles and the applicant shall remain eligible for consideration for appointment to a permanent position.

(iv) <u>Rejected Candidates</u>

Candidates listed on a List of Eligibles who were considered but not selected shall be appropriately annotated on the certificate by the Appointing Authority concerned and the List of Eligibles returned to the Department of Human Resources Management.

E. Satisfaction of licensing and certification requirements

Offers for employment may be conditioned upon the candidate's ability to provide an official school transcript or a copy of any certification, permit or license that has been designated as required by the job announcement, prior to the first day of employment in the position.

As a condition of continued employment, all employees of Fulton County must notify their respective Appointing Authority and the Chief Human Resources Officer in writing via hand delivery within five (5) calendar days of receipt of any notice of denial, suspension, revocation, and/or non-renewal of any license, permit, registration, and/or certification where such is required for performance of their job duties with Fulton County. Such notice of denial, suspension, revocation, and/or non-renewal may result from noncompliance with an order for child support as certified by the Georgia Department of Human Resources and ordered by a court or for any other good and sufficient reason deemed necessary by the issuing authority.

F. Post-Offer physical examination and health screening questionnaire

All candidates for public safety positions and those candidates who are required to possess and maintain a valid Commercial Driver's License (pursuant to the Uniform Commercial Driver's License Act set forth at Section 40-5-140 et seq. of the Official Code of Georgia Annotated, as amended) in order to perform their job duties, will be required, following acceptance of a conditional offer of employment with the County, to

undergo a routine physical profile examination and Tuberculosis screening test prior to employment, in accordance with federal and state law.

Bona fide occupational physical requirements for individual positions and classes, if any, shall be stated in class specifications. For those classifications where approved physical requirements exist, the findings of the Fulton County examining physician shall be final and conclusive.

The completed record of all post-offer physical profile examinations will be kept confidential and stored in a file maintained by the Department of Human Resources Management separate and apart from an employee's regular personnel file.

G. Employment eligibility verification

Fulton County is committed to complying with all immigration-related employment laws. Fulton County will not knowingly or intentionally hire or continue to employ individuals who lack work authorization. Successful candidates will be required to establish eligibility for employment as set forth in Fulton County's Employment Eligibility Verification Policy.

H. Background checks

Offers for employment may be conditioned upon successful completion of a background check as set forth in Fulton County's Criminal Background Check Policy. Background checks required by Fulton County will fully comply with the requirements of the Fair Credit Reporting Act ("FCRA"). Unfavorable results on a background check will not automatically disqualify a candidate for employment with the County, unless mandated by law. Rather, the final decision will rest with the Appointing Authority who will consider each case on its individual merits and circumstances.

I. Security questionnaire

A security questionnaire will be required for all Fulton County employees by Georgia State law. Failure to complete the required questionnaire within six (6) months from the date of employment will be grounds for termination of employment and/or legal action.

J. Employment of Relatives

Decisions regarding whether to employ an individual who is a relative of another Fulton County employee by blood or marriage will be made in accordance with Fulton County's Employment of Relatives Policy.

III. Other Appointments

A. Temporary Pending Recruitment (TPR)

If no standing List of Eligibles (excluding the Transfer List) exists for a given class, an Appointing Authority may recommend to the Chief Human Resources Officer that an individual who possesses the required qualifications for such class be given a Temporary Appointment Pending Recruitment (TPR). Active recruitment should begin within thirty (30) days of the TPR Appointment. Such TPR Appointments normally will not exceed six (6) months, during which period, active recruitment for the position(s) shall be announced and conducted for the purpose of establishing a List of Eligibles. Any individual serving in a TPR status shall be eligible to apply and compete for a Regular appointment in the specified class during such recruitment. TPR Appointments may be extended with approval of the Chief Human Resources Officer. The time requirements regarding initiating recruitment and term of the appointment will be extended if there is no permanent Appointing Authority over the particular position until such time a permanent Appointing Authority is appointed.

Any permanent employee who is assigned by TPR to work in an acting or Interim capacity whereby he/she performs the duties of a vacant existing higher classification and position outside of his/her regular classification/position, shall receive a pay rate of at least the minimum pay rate for the applicable position effective immediately upon assignment. An employee's salary may be adjusted in accordance with Section IV of the Fulton County Promotions Policy procedures. An employee promoted via TPR must meet the eligibility requirements for the higher class as designated by the Chief Human Resources Officer.

A TPR appointment may be terminated at any time by the Appointing Authority. For employees appointed to a promotional TPR assignment, upon completion of TPR appointment, an employee shall have the right to be returned to his/her former classification and position and revert to his/her previous pay grade and to the salary at which he/she would have been entitled had he/she remained in the position (including any pay rate increases which would have accrued). Any employee who was in the Classified service immediately prior to working in an acting capacity or serving in an interim position via TPR appointment shall retain such Classified status upon return to his/her former classification and position. If an employee in a TPR appointment commits an act that warrants termination based on the determination of the Appointing Authority, and is terminated for such act, the employee will lose any right to return to their prior position.

B. Part-Time Positions

An individual may be appointed to a maximum of two (2) part-time positions in the same department, provided that both positions are in the same category (Classified or Unclassified) and that the total work hours authorized do not exceed 29 hours per

week.

C. Work Test Appointments

(i) Any individual appointed to a position in the Classified Service as defined by the Fulton County Civil Service Act of 1982, as amended, may be given an initial Work Test appointment during which the individual shall be required to complete 90 calendar days of on-the-job training. The 90 day training period permits Department Heads, Appointing Authorities and supervisors to observe and evaluate the ability and willingness of the employee to carry out the duties of the position. It also allows the employee to evaluate the position and to determine if he or she is genuinely interested in making a long-term commitment to the job and Fulton County.

(ii) The 90 day training period requires the department to provide the employee adequate instruction, training and encouragement so that the employee has an opportunity to adjust to the job.

(iii) Upon successful completion of the 90 day training period, individuals will enter into a probationary period of employment as described in Section IV below. Only those employees who meet acceptable standards of work during the training period will be allowed to begin the probation period of employment.

(iv) The 90 day training period in no way alters the employee's position as an employee at will.

IV. Probationary Period for Classified Employees

Any individual appointed to a position in the Classified Service as defined by the Fulton County Civil Service Act of 1982, as amended, shall complete a probationary period of employment during which he or she must demonstrate to the satisfaction of the Appointing Authority the knowledge, ability, aptitude, and other necessary qualities to perform satisfactorily the duties of the position in which employed. The Chief Human Resources Officer may fix the length of the probationary period for any position at not less than six (6) nor more than eighteen (18) months. The probationary period will be the first six (6) months in a position unless the Chief Human Resources Officer designates a longer period of time.

Once an individual successfully completes the probationary period of employment in a classified position, he or she shall gain permanent status in that position. Permanent status grants the employee additional notice and appeal rights that are not required during probationary period of employment. During a probationary period of employment, an individual can be discharged without appeal rights if such action is determined appropriate by the Appointing Authority.

Following promotion into a classified position, an employee shall complete a probationary period of employment in the position. The probationary period shall be an essential part of the promotion process during which the employee must demonstrate the capability to perform the duties of his or her new position satisfactorily.

The probationary period generally shall be extended day for day by any time spent on paid leave pursuant to the Time Away for Work Policy and Procedure or in a non-pay status. Time spent in a non-pay status for ordered uniformed service (as defined in the Uniformed Services Employment and Reemployment Rights Act) shall not extend the probationary period, however.

It shall be the responsibility of the Appointing Authority to determine whether a probationary employee is to be granted permanent status. Permanent status is effective on the calendar date following completion of the probationary period of employment. An employee who is not transferred, demoted or separated prior to attaining eligibility for permanent status shall acquire permanent status. Permanent status shall not be granted to a probationary employee, however, prior to the acquisition and submission to the Appointing Authority of any required license or certificate.

If it is determined, prior to the completion of the probationary period, that the employee is not to be granted permanent status, the Appointing Authority may (1) demote the employee to a position equivalent to the last permanent status position held or (2) separate the employee from employment as provided in the Separations Policy and Procedure.

An employee shall be notified in writing of failure to attain permanent status. An Appointing Authority's decision not to grant an employee permanent status may not be appealed.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: REIMBURSEMENT FOR EVENING MEALS

DATE: January 1, 2017 Number: 328-16

I. Statement of the Policy

Fulton County will reimburse an employee up to a certain amount when official County business (such as public hearings or zoning board and planning board meetings) requires that the employee's regularly scheduled work day be extended and the employee pays for a meal at a commercial restaurant.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains “at will”.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: REIMBURSEMENT FOR EVENING MEALS

DATE: January 1, 2017 Number: 328-16

I. Reimbursement Parameters

Fulton County will reimburse an employee up to $15.00 per meal for evening meals when official County business (such as public hearings or zoning board and planning board meetings) requires that the employee's regularly scheduled work day be extended three hours or more and the employee pays for a meal at a commercial restaurant.

II. Procedure for Meal Reimbursement

A. The employee must submit a receipt for the cost of the evening meal to his or her department head.

B. The reimbursement request must include information related to the employee's official after-hours assignment.

C. The department head will determine whether to approve the reimbursement request.

D. After approval of the reimbursement by the department head, the department head will forward the request for reimbursement to the Finance Department for payment to the employee. The Finance Department is authorized to reimburse an employee for an approved evening meal, up to $15.00 per meal.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: RETENTION BONUS

DATE: January 1, 2017 Number: 329-16

I. Statement of Policy

Fulton County seeks to retain employees with unusually high or unique qualifications in positions that are critical to the operation of the County. A retention bonus (generally not to exceed twenty percent (20%) of an employee's base rate of pay) may be paid to a current County employee in a position that is critical to the mission of the County, if it is determined that: (1) the unusually high or unique qualifications of the employee, or a special need of the County for the employee's services, make it essential to retain the employee; and (2) that the employee would likely leave County service in the absence of a retention bonus. The County Manager, based on the recommendation of the Chief Human Resources Officer and upon verification of availability of funds within the applicable department's budget or other available funding sources, may authorize the head of a department to pay a retention bonus of an approved-upon amount or rate.

Retention bonuses are encouraged to retain employees within the County. The County Manager may offer a Retention Bonus to retain existing employees in roles, which are deemed to be in specialist or shortage areas.

II. Background and Applicability

This policy applies to all full-time employees of Fulton County and shall exclude part-time employees, elected officials, judges and contractors.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: RETENTION BONUS

DATE: September 1, 2018 Number: 329-16

I. Retention Bonus Considerations

The County Manager, based on the recommendation of the Chief Human Resources Officer and upon verification of availability of funds within the applicable department's budget or other available funding sources, may authorize an Appointing Authority to pay a retention bonus to an employee if:

A. The unusually high or unique qualifications of the employee or a special need of the agency for the employee's services makes it essential to retain the employee in his or her position;

B. The agency determines that, in the absence of a retention bonus, the employee would likely leave the County's service; and

C. The employee enters into a written service agreement with the agency to complete a period of service in the position (discussed below).

II. Retention Bonus Requirements

Payment of a retention bonus is contingent upon the employee entering into a written service agreement with the agency to complete a period of service, of at least twelve (12) months but not to exceed twenty-four (24) months, in a position.

III. Criteria in Determining the Amount of a Retention Bonus

The decision to offer a retention bonus, the amount of the bonus to be offered and all associated details relating to the Retention Bonus, such as requirements for obtaining a retention bonus, will be determined by the Department of Human Resources Management, the Finance Department (for funding approval only) and approved by the County Manager.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

The retention incentive rate may not exceed twenty percent (20%) of an employee's rate of base pay. With the recommendation of the Chief Human Resources Officer and approval of the County Manager, a request to exceed the existing caps may be submitted to the Board of Commissioners.

A Retention Bonus would normally be paid retrospectively at the end of a specific period(s) of unbroken service in a position or upon completion of a specific project.

A. The specific retention period will be a minimum of twelve (12) months but may not exceed twenty-four (24) months.

B. The retention bonus may also be paid on a bi-weekly basis during the specific period.

The continuation of a Retention Bonus is subject to the review of the Department of Human Resources Management, and the County reserves the right to not renew a Retention Bonus for an additional period (e.g. in the event that the County's position or the market changes). In the event the employee separates from the County or voluntarily departs the classification deemed to be a specialist or in a skills shortage, the following terms shall apply:

A. If the separation or departure date is within the specified period of service or prior to the completion of the specific project, the employee will forfeit their right to the Retention Bonus and the bonus will not be paid. If money toward the Retention Bonus has been paid to the employee, the employee, at the discretion of the County Manager, may have to return the monies paid toward the Retention Bonus.

B. If the separation or departure date occurs after the specified period of service or after completion of the specific project, the Retention Bonus will be paid.

IV. Salary Adjustment Following Completion of the Period of Service or Specific Project

No employee shall receive a retention bonus more than once while serving in the same position. Upon completion of the specific period of service or the specific project, however, the employee's base rate of pay for that position may be adjusted by the amount of the retention bonus, at the discretion of the County Manager and subject to the availability of funds within the departmental budget**.**

V. Clarification and Discretion

If clarification is required, an Appointing Authority Department Head, and/or employee should contact the Department of Human Resources Management and speak

to the HR Policy Advisor or the Chief Human Resources Officer. Please note that the application of the Employee Retention Policy may vary from time to time and that all related decisions are at the discretion of the County Manager, in consultation with the Chief Human Resources Officer.

Any Department Head or Appointing Authority, who extends an offer of a Retention Bonus to an employee prior to receiving approval from the County Manager will be subject to disciplinary action, up to and including dismissal.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: SEPARATIONS

DATE: January 1, 2017 Number: 330-16

I. Statement of Policy

The purpose of this policy is to achieve, codify and implement the provisions and intent of the Civil Service Act of 1982, as amended. This policy is effective upon its approval by the County Manager and Fulton County Board of Commissioners ("BOC") and shall have the force and effect of law, as delegated to Fulton County by the Georgia State Legislature in the Civil Service Act.

This policy governs personnel administration, transactions and procedures within Fulton County concerning employment separations, unless otherwise mandated by law.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: SEPARATIONS

DATE: March 17, 2017 Number: 330-16

I. Dismissal

Classified Employees: An Appointing Authority may dismiss any permanent Classified employee for cause, subject to the provisions of the County's Appeals Policy.

- Notice of dismissal shall be provided to the employee in writing and shall include notice of the charges against the permanent classified employee, the effective time and date of dismissal and an explanation of the reasons for dismissal. The notice, which shall offer the employee an opportunity to respond orally or in writing to the charges, shall be provided to the employee no less than 24 hours prior to the effective date and time of the dismissal. At a minimum, the notice must provide sufficient information for the employee to understand the factual basis for the dismissal and any allegations of misconduct made against the employee; however, notice of dismissal shall not be deemed deficient solely because the notice fails to cite or inaccurately cites the Discipline for Classified Employees Policy or Procedure.

Unclassified Employees: An Appointing Authority may dismiss any non-permanent or unclassified employee with or without cause. Written notice of the dismissal shall be provided to the employee to include the effective time and date of the action. Appointing Authorities are encouraged and it is recommended that they seek advice from the Department of Human Resources Management and/or Office of the County Attorney prior to the dismissal of any unclassified employee.

II. Resignation

An Appointing Authority may accept the written or verbal resignation of any employee at any time. An Appointing Authority must confirm in writing the receipt of the employee's resignation and acceptance of the employee's resignation. Upon accepting a written or verbal resignation, the Appointing Authority shall promptly notify the Chief Human Resources Officer, in writing, to include the effective date, the reason for the

resignation, if available, and other pertinent data. Acceptance of a resignation does not prevent an Appointing Authority from disciplining an employee prior to the effective date of the employee's resignation.

III. Abandonment of Position

Any employee who is absent from duty for four (4) or more consecutive work days or the equivalent at shift time without proper notification and authorization shall be deemed to have voluntarily terminated his/her position and shall be separated from the service unless the Appointing Authority acquires knowledge that an employee's leave may be for an FMLA–qualifying reason and/or the employee is unable to contact the County due to medical reasons. Permanent Classified employees shall have the right to appeal this action to the Personnel Board, as provided in the Appeals Policy and Procedure.

IV. Reduction in Force

This section shall apply to all permanent employees within the classified and unclassified service; however, termination of a grant-funded position shall not be subject to the RIF provisions.

A. <u>In General</u>

1. A reduction in force ("RIF") may be declared by the Board of Commissioners for the following reasons: lack of work, lack of funds, a reduction in operational needs, re-organization or when necessary to carry out the adopted County budget.

2. A RIF is not a disciplinary action and may not be used for the purpose of dismissing or demoting permanent status employees whose job performance is unacceptable. A RIF shall not be used to intentionally alter the demographics of a department or classification based on any legally protected trait or class.

3. Prior to initiating a RIF, the County will consider using other means, such as hiring freezes, reduction through attrition, reduced work weeks or other methods to lessen the negative impact of such action, unless the RIF is declared due to reorganization.

4. The Department of Human Resources Management will endeavor to place an employee who is being considered for RIF into an appropriate vacant position based upon experience and training without going through any recruitment process and without application of the Lateral Transfer Policy. The Chief Human Resources Officer has plenary authority to transfer employees subject to a RIF in an effort to promote continued employment with Fulton County and lessen the likelihood of separation. The Chief Human Resources Officer shall not transfer any employee into a position in a department that is headed by an elected official or constitutional officer without first

consulting with and/or receiving the consent of the elected official or constitutional officer to the transfer. The Chief Human Resources Officer is authorized to create a procedure and/or matrix for placement of employees; however, such procedure or matrix must include consideration of seniority. With respect to compensation for employees transferred under this provision, the Chief Human Resources Officer has discretion to set salaries using the normal demotion matrix or some other process subject to availability of funds. An Appointing Authority who obstructs this process and/or an employee who fails to report to a new assignment based on the RIF could be subject to discipline, up to and including dismissal.

B. <u>Process</u>

1. It shall be the responsibility of the Chief Human Resources Officer, upon recommendation of the Appointing Authority and as consistent with this procedure, to define the department, function, division, classification, agency, or any other logical grouping, within which the mechanics of the RIF are to apply.

2. Within each defined grouping as set forth in subsection (a) above, each affected class will be treated separately, and the Chief Human Resources Officer shall make every reasonable effort to place employees who have been declared excess or surplus to the needs of any department because of a RIF. If placement of such employees is impossible and layoffs become mandatory, then such employees shall be laid off in the following descending order of priority:

a. Layoff of non-permanent employees.

b. Layoff of permanent employees with the least amount of continuous County-wide seniority.

c. If seniority dates of permanent employees are identical, then layoff in order of relative efficiency, to be determined by written performance evaluations, appraisals and record of disciplinary actions covering a minimum period of twelve (12) months or longer.

d. If after considering the above, two or more employees are identical, then veterans shall be given preference over non-veterans for retention purposes.

e. If after considering the above, two or more employees are identical, then layoffs will occur in alphabetical order.

C. <u>Notice</u>

If no position is available for placement of an employee subject to the RIF, the Chief

Human Resources Officer, at least twenty-one (21) calendar days prior to the date of separation, shall notify in writing any permanent employees scheduled to be laid off. Employees laid off as a result of this provision will not be deemed to have been dismissed for disciplinary reasons, and therefore, will not have any right to appeal the dismissal to the Personnel Board or Grievance Review Committee.

At the conclusion of any RIF, the Chief Human Resources Officer shall submit a report to the Board of Commissioners concerning the outcome of the RIF.

D. Re-Employment Rights

Permanent employees who are separated as a result of a reduction in force shall be placed on a Recall List, as defined by the Fulton County Recruitment and Selection Policy, for a period of one year. Such employees will be given consideration for future vacancies for which they qualify, provided the position is of an equal or lower pay grade to the position or classification the employee held at the time of the RIF.

Salary rates for rehires shall be implemented consistent with the Positions and Compensation Policy and Procedure.

V. Administrative Separation without Prejudice

An employee who is unable to perform the essential job duties of his or her position because of a disability, as defined by the Americans with Disabilities Act (the "ADA"), may be separated administratively, without prejudice. An administrative separation without prejudice may be voluntary or involuntary.

An employee is eligible for administrative separation without prejudice if both of the following conditions are met:

1. The employee is unable to perform the essential job duties of his or her position due to a disabling illness, injury or condition; and

2. The employee is not eligible for leave pursuant to the Family and Medical Leave Act (FMLA) Policy and Procedure (104-16) or is ineligible or has refused to accept a reasonable accommodation offered pursuant to the ADA.

The Disability Affairs Unit of the Office of Diversity and Civil Rights Compliance (DCRC) will review medical documentation provided by the employee's medical provider to determine whether the employee has a medical condition or impairment that meets the definition of disability under the ADA.

An administrative separation without prejudice is not a disciplinary action and therefore may not be appealed to the Personnel Board. An administrative separation without prejudice also is not grievable.

Administrative separations without prejudice shall not adversely affect any payments or benefits to which such employees may be entitled under the Workers' Compensation Laws of the State of Georgia.

VI. Death

Appointing Authorities shall report promptly to the Chief Human Resources Officer the separation of any employee due to death and the date of such death.

VII. Break in Service

For purposes of implementing Georgia Act No. 302 and Georgia Act No. 303, enacted on May 7, 2013, "break in service" shall mean any separation from employment with Fulton County, whether voluntary or involuntary, and shall be limited to termination without reinstatement by the Personnel Board, retirement, resignation, administrative separation and/or separation resulting from a RIF. The break in service is effective immediately at the time of one of the above employment actions.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: SHERIFF'S OFFICE EXTRA PAY FOR ELIGIBLE SWORN PERSONNEL

DATE: August 16, 2017 Number: 331-16

I. Statement of Policy

The purpose of this policy is to provide all deputies and detention officers employed by the Sheriff's Office (who are assigned to the jail division and working at the jail and who are eligible under the Fair Labor Standards Act to accrue compensatory time) additional monetary payment to compensate such employees for the hours they are required to work and for attendance at briefings prior to the start of their scheduled shifts.

II. Background and Applicability

This Policy and Procedure shall apply to all sworn deputies and detention officers working for the Fulton County Sheriff's Office assigned to and working in the jail.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: SICK LEAVE ABUSE PREVENTION & INVESTIGATION

DATE: January 1, 2017 Number: 332-16

I. Sick Leave Abuse Prevention & Investigation Procedures

A. Responsible Use of Sick Leave

Sick leave is a privilege, and it is in the employee's best interest to manage their sick leave usage appropriately. It is a common misconception that just because an employee has a certain amount of sick leave hours accrued, the employee has the right to take those hours for any reason. Sick leave can only be used for specific reasons specified in this Procedure, including doctor's appointments, dental visits, and absences due to illness or injury. Employees are encouraged to carefully consider their use of sick leave. Failure to have a sufficient "bank" of accrued sick leave hours may result in unpaid leave. Employees are prohibited from engaging in outside employment while they are on sick leave.

The Chief Human Resources Officer or his or her designee is authorized to investigate an employee's record of sick leave or emergency leave (collectively referred to as "sick leave") usage when the employee has either a low sick leave balance or seems to have established a pattern of usage.

B. Investigation of Potential Sick Leave Abuse

Reasons and circumstances to inquire into or investigate sick leave use may include, but are not limited to, the following:

- Habitual use of sick leave in single or partial day increments, without valid or current medical documentation.

- Sick leave consistently taken on Monday, Thursday (four-day work week) or Friday (five-day work week).

- A pattern of using sick leave on the last scheduled work day before or first scheduled work day after a County holiday or a scheduled day off.
- A pattern of using sick leave to avoid working overtime or holiday work shifts.
- Sick leave consistently taken the same time of year.
- Sick leave taken after a vacation request was denied.
- Sick leave consistently taken when difficult assignments or projects are scheduled or due.
- Sick leave taken after discipline for a performance matter is issued.
- Sick leave consistently taken when supervisor is on vacation.
- Using 40 or more hours of unplanned sick leave during a quarter of a calendar year for two (2) or more consecutive quarters, without providing any medical documentation to support the absences.

Investigation Procedures:

1. The Appointing Authority or designee with the responsibility of granting sick leave will monitor sick leave usage and identify any detectable patterns or concerns related to sick leave usage. If concerns are identified, the matter will be referred to the Chief Human Resources Officer for further investigation.

2. The Chief Human Resources Officer will review the patterns or concerns related to sick leave usage identified by the Appointing Authority. Any known mitigating circumstances will be identified. Mitigating factors include, but are not limited to, leave taken under FMLA, medical/dental procedures or miscoded hours.

3. As appropriate, the Chief Human Resources Officer may initiate an investigation or inquiry into the use of sick leave, which may include a discussion with the employee.

4. After the investigation, the Chief Human Resources Officer will determine if there is reason to believe that the employee is abusing or misusing their sick leave accrual benefits.

5. If an abuse of sick leave is confirmed by the investigation, the employee will be informed in writing of the patterns and specific concerns identified. The employee may be required to provide medical documentation for any subsequent use of sick leave, for a determined period of time. The employee will be advised that his or her sick leave usage will continue to be monitored, and that continued absences that are not properly excused or protected may result in disciplinary action up to and including termination.

6. If there is no evidence that the sick leave is being abused, the employee will be informed.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: STANDARDS OF CONDUCT

DATE: January 1, 2017 Number: 333-16

I. Statement of the Policy

All employees of Fulton County are expected to perform their job duties to the best of their ability and in accordance with County expectations, to adhere to acceptable business and ethical principles in matters of personal conduct, and to exhibit a high degree of personal integrity and professionalism at all times. Failure to comply with these standards may constitute grounds for disciplinary action or dismissal.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: STANDARDS OF CONDUCT

DATE: January 1, 2017 Number: 333-16

Standards of Conduct

By way of example only, the following infractions fail to comply with Fulton County's standards of conduct:

1. Violation of Fulton County policies including, but not limited to the Code of Ethics, Equal Employment Opportunity and Prejudicial Acts and Workplace Violence and Anti-Bullying.

2. Failure to perform job duties and responsibilities in accordance with County expectations.

3. Falsifying or misrepresenting facts on any County documents or records.

4. Failure to comply with Fulton County's Timekeeping Policy, including falsifying employee time records, recording time for another employee or allowing another employee to record your time.

5. Aiding or assisting any person in gaining unauthorized entrance to County property.

6. Theft or unauthorized removal of County property or property of others while on County premises.

7. Destroying, defacing, or damaging property of the County or others while on County premises.

8. Fighting, horseplay, or willfully causing bodily harm on County premises.

9. Revealing confidential County information as defined in the Confidential Information Policy.

10. Possessing any weapon on County premises, unless required and permitted to do so as part of the employee's job duties (e.g., public safety and law enforcement personnel).

11. Possessing or using liquor, drugs, or other controlled substances at work, including during lunch or break periods, (except in accordance with a valid physician's prescription).

12. Reporting to work under the influence of alcohol or drugs.

13. Unlawful gambling or betting on County premises.

14. Intentional misuse of County provided internet access, including accessing, viewing or downloading any non-County related business information or material from any web site that is pornographic, obscene, or primarily devoted to sex or sexual imagery.

15. Misconduct involving offensive or objectionable words or actions (including fighting) directed toward coworkers, supervisors, customers, citizens or any other individual while performing work on behalf of the County.

16. Mistreating prisoners (including failure to exercise appropriate care while guarding prisoners), patients, employees, volunteers, contractors or citizens.

17. Engaging in threats or acts of workplace violence.

18. Negligence resulting in harm to others or loss of County property.

19. Engaging in illegal activities while at work or while conducting County business.

20. Criminal, immoral, or indecent conduct on Company premises.

21. Failure to comply with Fulton County's Attendance and Punctuality Policy, including failing to adhere to attendance or timekeeping regulations or to report for work at your scheduled time without appropriate notice.

22. Dishonesty.

23. Insubordination.

24. Sleeping while on duty.

25. Smoking in unauthorized areas.

26. Violation of traffic laws or causing an accident while operating a County vehicle.

27. Failure to report an accident or injury on the job as required by County policy.

28. Violation of safety rules.

29. Conviction in any court of record of a felony or non-felony offense involving a misdemeanor or violation of a local ordinance.

30. Misappropriation, mishandling or disregard of County property, including failure to deposit cash receipts in the proper depository, or the borrowing or lending of cash out of County funds.

31. Knowingly making a false statement or report in the course of employment.

32. Failure to cooperate with an internal investigation.

33. Any other improper conduct or performance which impairs or reflects adversely upon the integrity, efficiency, good order or operations of Fulton County Government.

This list is intended to be illustrative only. Fulton County expressly reserves the right to discipline employees for reasons not specifically listed in this policy. Fulton County also reserves the right to discharge unclassified employees with or without cause and with or without notice, for any reason provided only that it is not an unlawful reason.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: SUCCESSION PLANNING

DATE: January 1, 2017 Number: 334-16

I. Statement of Policy

It is the policy of Fulton County to assess the leadership needs of the County to ensure the selection of qualified leaders who are diverse and a good fit for the organization's mission and vision and have the skills needed by the organization.

The County has established a succession plan to provide continuity in leadership and avoid extended and costly vacancies in key positions. The County's succession plan is designed to identify and prepare candidates for leadership and supervisory positions that become vacant due to retirement, resignation, death or a shift in County initiatives.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: SUCCESSION PLANNING

DATE: January 1, 2017 Number: 334-16

I. Procedures

The Chief Human Resources Officer is responsible for development of Fulton County's succession plan and makes a report to the County Manager annually, which may be shared with the Board of Commissioners upon request.

A. Each October, the Chief Human Resources Officer will coordinate meetings with Appointing Authorities and other applicable management to:

- Review the team's succession plan.
- Identify key positions and incumbents targeted for succession planning. This should include an analysis of planned retirements, potential turnover, etc.
- Conduct an analysis of current employees to identify individuals who show the potential for progression into targeted positions and leadership within the County. Employees interested in pursuing leadership positions should have a discussion with their Appointing Authority about career advancement opportunities.
- Outline the actions taken in the previous six months to prepare identified individuals to assume a greater role of responsibility in the future, including training and skills development.

B. By the end of January of each year, for each department, the Appointing Authority and Chief Human Resources Officer will approve an outline of actions (such as training and skills development) that will be taken in the following twelve months to prepare individuals to assume a greater role of responsibility in the future.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

C. The Chief Human Resources Officer may periodically request updates from Appointing Authorities on the development process for each targeted candidate.

II. Consideration of County Employees & Commitment to Equal Employment Opportunity

The County's goal is to establish a succession plan that identifies critical positions, forecasts future vacancies in those positions, and identifies potential employees who would fill vacancies. The County seeks to identify the best-qualified candidates to fill open positions. It is the policy of the County to give its employees the opportunity to be considered for job openings either before or concurrent with the County's consideration of external candidates. The County attempts to follow this practice to the extent that it does not discriminate against any protected class under any applicable law and it fully comports with the County's Equal Employment Opportunity and Prejudicial Acts and Diversity and Inclusion Policies.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: TELECOMMUTING

DATE: May 20, 2020 Number: 335-16

I. Statement of the Policy

Fulton County supports programs and activities that complement the use of public and group transportation and embrace the goal of improving the quality of life for County employees and citizens. Accordingly, the County supports telecommuting as a viable workplace alternative to a traditional workplace and as a means of reducing overhead costs and improving the environment. The County will actively support telecommuting when it is reasonable and practical to do so and where operational needs will not be adversely affected.

Telecommuting is a cooperative arrangement between the County and an employee, based on the needs of the job, work group, and the County. Telecommuting is a privilege. The County has the right to deny the telecommuting option to individual employees and to review, modify or terminate a telecommuting arrangement at any time, for any reason or no reason at all.

II. Applicability

To be eligible, an employee's job duties must be of such a nature that neither the employee's physical presence at the work site nor regular face-to-face interaction with staff, visitors or the general public is a requirement of the employee's position.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Personnel Director and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: TELECOMMUTING

DATE: January 1, 2017 Number: 335-16

I. Telecommuting Defined

Telecommuting is working at home or at other off-site locations that are linked electronically (via computer, fax, etc.) to a central office or principal place of employment. Telecommuting does not include instances where a supervisor occasionally allows an employee to work at home on a temporary, irregular basis.

II. Eligibility Guidelines

Telecommuting is normally reserved for employees in exempt positions, since nonexempt positions require careful tracking of time worked to ensure that overtime policies are properly observed. Telecommuting is more challenging for nonexempt employees due to record keeping requirements that require recording of each workday showing when the employee begins and ends the workday as well as meal and break periods.

Management will consider several criteria when determining if an employee will be permitted to telecommute, including proven ability to perform, high job knowledge, ability to establish clear objectives, flexibility, ability to work independently, and dependability.

Management will also consider several criteria when determining if the nature of an employee's work lends itself to telecommuting, such as whether the job entails working alone or with equipment that can be kept at the alternative job site, whether the job has clearly defined tasks and objectives, whether the job is flexible, and whether the job has measurable work activities.

All requests should be treated equitably, regardless of the employee's reason for making the request. The following guidelines are applicable:

- In any work arrangement, employees will be expected to meet the same performance standards as otherwise required, and supervisor/managers will be expected to use the same performance review criteria that were previously applicable.

- Employees who propose a telecommuting agreement should ensure a safe and suitable workspace that is appropriately confidential and free of distractions and interruptions that may interfere with work. Where applicable, telecommuters will need to find ways to maintain a distinct separation between work activities and personal activities.

- All telecommuting work arrangements are subject to ongoing review and may be terminated at any time, by either party.

- All terms and conditions of employment with the County (e.g. duties, responsibilities, benefits, salary, etc.) remain unchanged as a result of the telecommuting arrangement.

III. Telecommuting Agreement

Any employee eligible for a telecommuting arrangement will be required to sign a Telecommuting Agreement. A Telecommuting Agreement is not a contract of employment. Either the employee or the County may terminate the employment relationship at any time with or without notice and/or cause. Any violation of the County's telecommuting policy or the individual Telecommuting Agreement may result in removal of the employee from the teleworking program and/or may result in other disciplinary action up to and including termination.

If the Telecommuting Agreement is terminated, employees are required to return promptly to the regular County workplace and schedule within four (4) working days. If they elect not to return as requested, and do not report to work within four (4) working days, they will be subject to disciplinary action and/or be considered to have voluntarily terminated their employment.

The County will not be held responsible for costs, damages, liabilities, or losses incurred by the teleworker resulting from or arising out of the Telecommuting Agreement.

IV. Americans with Disabilities Act

The County may consider telecommuting as a type of reasonable accommodation under the Americans with Disability Act ("ADA"), for qualified employees with disabilities. Consideration shall be made on a case-by-case basis and between the employee, the Appointing Authority and, the ADA Administrator or

designee in order to determine whether telecommuting may be a reasonable accommodation that would allow the employee to perform the essential duties of their job position. Regardless of whether a telecommuting arrangement is provided as a reasonable accommodation, all other criteria applicable to this policy will apply.

V. Responsibilities

A. Department Head/Manager or Supervisor:

1. Determine whether the employee is a good candidate for telecommuting. Consider factors such as, but not limited to, satisfactory performance and the ability to work independently.

2. Determine, with the Department of Human Resources Management, that the nature of work is suitable for performance from a remote site (e.g., need for confidentiality).

3. Evaluate and consider how the proposed arrangement will impact other employees or the department as a whole.

4. Approve County equipment for use at remote location.

B. Employee:

1. Ensure that County equipment and records in the off-site workspace are maintained in safe and secure conditions and are used primarily for County business.

2. Ensure County records are available to the department when requested. Employee should consult with department management to clarify any system back-up requirements if work is saved on a system other than the department's server.

3. Nonexempt employees must log their actual hours worked via the County's official Time and Attendance System Non Exempt employees must "check-in" with the supervisor or designated person by phone or by email at the beginning and ending of each telecommuting work day. All employees must notify the supervisor (or designee) when leaving the telecommuting site during regular, scheduled working hours.

4. Nonexempt employees must obtain approval from supervisors in advance of working any overtime.

5. Alert the department head if external circumstances are likely to interfere with performance under the telecommuting arrangement.

6. Ensure that customer/organizational needs take precedence over the telecommuting schedule.

C. Employee and Supervisor:

1. Provide time recording systems to record telecommuting hours.

2. Determine how work will be assigned and performance measured.

3. Determine the working hours on telecommuting days.

4. Prevent the arrangement from burdening the employee's co-workers.

5. Ensure that the employee is readily available, and has adequate means of communication during specific working hours.

6. Arrange for the employee to come to the primary work site when necessary, regardless of the telecommuting schedule.

D. Information Systems Technology (IT) Department:

IT will be the focal point for coordinating telecommuting activities.

Telecommuting Agreement

Name:

Title:

Current Status:

□ Full Time
□ Part Time
□ Exempt
□ Nonexempt

Department:

Supervisor/Manager's Name:

This Agreement specifies the conditions applicable to an arrangement for performing work at an alternate workplace on a regular basis. The agreement begins on _____ and continues until _____. The agreement can be terminated with at least 4 days' written notice by either party (timeline is subject to management discretion). I understand that all obligations, responsibilities, terms and conditions of employment with the County remain unchanged, except those obligations and responsibilities specifically addressed in this Agreement.

I. Proposed Work Schedule

A. Department—Days and hours when the employee is normally expected to be on the work-on site are:

	MON	TUE	WED	THUR	FRI	SAT	SUN
Hours							
Time In/Out							

B. The alternate workplace is located at:
_____.

C. Alternate Workplace—Days and hours when the employee will normally work off-site.

	MON	TUE	WED	THUR	FRI	SAT	SUN
Hours							
Time In/Out							

II. Duties/Assignments

I recognize that the supervisor reserves the right to assign work as necessary at any workplace. _____ (initial)

Duties and assignments authorized to be performed at this alternate workplace are:
_____
_____
_____

III. Communication

I recognize that effective communication is essential for this arrangement to be successful and I agree to remain accessible during designated work hours, and understand that management retains the right to modify this Agreement on a temporary basis as a result of business necessity. The following methods of communicating are agreed upon (specific who [include back-up and emergency contacts], when, how often, during what time frames, and how (phone, fax, face-to-face, etc.):
_____
_____

IV. Space/Equipment/Records

- □ I agree to use County owned records, and materials for purposes of County business only, and to protect them against unauthorized or accidental access, use, modification, destruction, loss, theft, or disclosure. I understand that although I may be permitted to use the County-owned equipment for incidental personal use, such use shall not interfere with the business use of the equipment.
- □ I agree to report to the supervisor instances of loss, damage, or unauthorized access at the earliest opportunity.
- □ I agree to return County equipment, records and materials within 5 days after the termination of this agreement.
- □ I understand that all equipment, records and materials provided by the County shall remain the property of the County.

Regarding space and equipment purchase, set-up, and maintenance, the following is agreed upon: The County will provide the employee with a computer, cell phone and remote access.

V. Safe Working Environment

- □ I agree to maintain a safe and secure work environment.
- □ I agree to allow the County access to assess safety and security, upon reasonable notice.
- □ I agree to report any work-related injuries to the supervisor at the earliest opportunity.

- □ I agree to hold the County harmless for injury to others in the alternate workplace.

VI. Other

I understand that Fulton County is not obligated to approve a proposal for a telecommuting work agreement for any employee. The decision is at the discretion of my department head/supervisor/manager. This agreement and work schedule are subject to ongoing review and may be subject to modification or termination at any time based on performance concerns or business needs. Generally, business needs permitting, the supervisor/manager or the employee should give at least 4 days' notice in advance of ending or changing an arrangement.

I hereby affirm by my signature that I have read this Telecommuting Agreement, and understand, agree to, and will abide by all of its provisions.

_____	_____
Employee Signature	Date
_____	_____
Supervisor Signature	Date
_____	_____
Department Head (or designee) Signature	Date
_____	_____
Chief Human Resources Officer	Date

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: TESTING FOR ALCOHOL MISUSE AND USE OF CONTROLLED SUBSTANCES BY EMPLOYEES OPERATING COMMERCIAL MOTOR VEHICLES

DATE: January 1, 2017 Number: 336-16

I. Statement of the Policy

The Fulton County Board of Commissioners finds that the misuse of alcohol and the use of controlled substances by employees who operate commercial motor vehicles on behalf of Fulton County pose a substantial risk to the health, safety and welfare of employees and members of the general public. Fulton County has a compelling interest in protecting its employees and the public from such risks by ensuring that employees who operate commercial motor vehicles are free from the debilitating physical and mental influences of alcohol and controlled substances which adversely affect an individual's perception of space and time, motor skills, memory and the ability to exercise sound judgment under safety-sensitive conditions. Accordingly, Fulton County has adopted this Policy on Alcohol Misuse and the Use of Controlled Substances for the following purposes:

A. To protect the health, safety and welfare of county employees and members of the general public;

B. To implement the requirements of federal regulations set forth at 49 C.F.R. Part 382 relating to operators of commercial motor vehicles; and,

C. To help prevent accidents and injuries which may result from the misuse of alcohol or use of controlled substances by employees who operate commercial motor vehicles on behalf of Fulton County.

II. Background and Applicability

The misuse of alcohol and the use of controlled substances testing required by this Policy shall apply to all employees of Fulton County and applicants for employment who, necessary to the performance of their job responsibilities, are required to possess and maintain a valid commercial driver's license pursuant to the Uniform Commercial

Driver's License Act set forth at Section 40-5-140 *et seq*. of the Official Code of Georgia Annotated, as amended.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: TESTING FOR ALCOHOL MISUSE AND USE OF CONTROLLED SUBSTANCES BY EMPLOYEES OPERATING COMMERCIAL MOTOR VEHICLES

DATE: January 1, 2017 Number: 336-16

I. Definitions

As used in this Policy, the following terms shall refer to:

A. Alcohol: the intoxicating agent in beverage alcohol, ethyl alcohol and any other low molecular weight alcohols, including methyl and isopropyl alcohol.

B. Applicant: any person preliminarily approved for hire, promotion, or transfer into a position requiring the operation of a commercial motor vehicle and the possession and maintenance of a license in accordance with the Uniform Commercial Driver's License Act set forth at Section 40-5-140 *et seq*. of the Official Code of Georgia Annotated, as amended.

C. Commercial motor vehicle: a motor vehicle designed or used to transport passengers or property:

(1) If the vehicle has a gross vehicle weight rating of 26,001 or more pounds or such lesser rating as determined by federal regulation;

(2) If the vehicle is designed to transport 16 or more passengers, including the driver; or

(3) If the vehicle is transporting hazardous materials and is required to be placarded in accordance with the Hazardous Materials Regulations prescribed by the United States Department of Transportation, 49 C.F.R. Part 172, subpart F; provided, however, that for the purposes of this Policy, no agricultural vehicle, military vehicle operated by military personnel, recreational vehicle, or fire-fighting or emergency equipment vehicle shall be considered a commercial vehicle

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

D. Controlled substance: cocaine, marijuana, opiates, amphetamines, and phencyclidine (aka PCP).

E. Driver: any employee of Fulton County who operates a commercial motor vehicle on behalf of Fulton County.

F. Medical review officer: a licensed physician (i.e., medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the testing requirements of this Policy who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his or her medical history and any other relevant biomedical information.

G. Misuse of alcohol: any use of alcohol which results in a condition or test result in violation of the terms of this Policy.

H. Performing a safety-sensitive function: a driver is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform any safety-sensitive function.

I. Refuse to submit to an alcohol or controlled substances test: that a driver:

(1) Fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing in accordance with the provisions of this Policy;

(2) Fails to provide adequate urine for testing without a valid medical explanation after he or she has received notice of the requirement for urine testing in accordance with the provisions of the Policy; or

(3) Engages in conduct that obstructs the testing process.

J. Safety-sensitive function: operating, driving, standing ready to operate or drive, being in immediate control of, loading, unloading, supervising or assisting in the loading or unloading of a commercial motor vehicle.

K. Substance abuse professional: a licensed physician (medical doctor or doctor of osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor, certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission, having knowledge of and clinical experience in the diagnosis and treatment of disorders related to alcohol and controlled substances.

L. Use of alcohol: to consume any beverage, mixture, or preparation, including any medication, containing alcohol.

M. Use of controlled substances means to possess physically or within one's body any controlled substance in violation of the terms of this Policy.

II. Required Testing

A. Pre-employment Testing

(1) Prior to the first time a driver performs any safety-sensitive function on behalf of Fulton County, the driver shall undergo testing for the misuse of alcohol and for the use of controlled substances, and shall not be allowed to perform any safety-sensitive function unless such testing indicates a blood alcohol concentration of less than 0.04 and, from the medical review officer, a verified negative result for the use of controlled substances.

(2) There are no exceptions for pre-employment alcohol and controlled substance testing.

B. Random Testing

(1) All drivers performing safety-sensitive functions on behalf of Fulton County shall be subject to random testing for the misuse of alcohol and the use of controlled substances. The dates of such testing shall be unannounced and shall be spread reasonably throughout the calendar year.

(2) The selection of drivers for random alcohol and controlled substances testing shall be made by a scientifically valid method, such as a random number table of a computer-based random number generator that is matched with drivers' Social Security numbers, payroll identification numbers, or other comparable identifying numbers. Under the selection process used, each driver shall have an equal chance of being tested each time selections are made.

(3) Upon notification that he or she has been selected for testing, the driver shall proceed immediately to the designated test site, or shall proceed as soon as possible if currently in the process of performing a safety-sensitive function.

(4) A driver shall only be tested for alcohol while the driver is performing safety-sensitive functions, just before the driver is to

perform safety-sensitive functions, or just after the driver has ceased performing safety-sensitive functions.

(5) There shall be selected during each calendar year a sufficient number of drivers for testing so that the number of tests administered shall be no less than 25% of the total number of drivers for alcohol testing, and no less than 50% of the total number of drivers for controlled substances testing.

C. Reasonable Suspicion Testing

(1) Fulton County may require a driver to submit to testing when Fulton County has reasonable suspicion to believe that the driver is in violation of the terms of this Policy.

(2) Fulton County's reasonable suspicion must be based upon specific, contemporaneous and articulable observations by the driver's Appointing Authority, Department Head or other departmental supervisor concerning the appearance, behavior, speech, or body odors of the driver. The observations may include indications of the chronic and withdrawal effects of controlled substances.

(3) The required observations for reasonable suspicion testing must be made by an Appointing Authority, Department Head or supervisor who is trained in accordance with this Policy. A written record shall be made of the observations leading to an alcohol or controlled substances reasonable suspicion test that is signed by the Appointing Authority, Department Head or supervisor who made the observations within 24 hours of the observed behavior, or before the results of the alcohol or controlled substances tests are released, whichever is earlier.

(4) Testing required under this section shall not be conducted by the same individual who makes the determination that reasonable suspicion testing is warranted.

(5) Alcohol testing warranted under this section must be conducted within two (2) hours of the determination that testing is warranted.

D. Post-accident Testing

(1) As soon as practicable following an accident involving a commercial motor vehicle, each surviving driver shall be tested for alcohol and controlled substances, if the accident resulted in the

loss of human life or the surviving driver received a citation for a moving traffic violation in connection with the accident.

(2) Alcohol testing required by this section should be conducted within two (2) hours following the accident; provided, however, such testing shall not be conducted more than eight (8) hours following the accident.

(3) Controlled substance testing required by this section must be conducted within thirty-two (32) hours following the accident.

(4) A driver who is subject to post-accident testing shall remain readily available for such testing; otherwise, the driver may be deemed to have refused to submit to the testing. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

E. Return-to-Duty Testing.

(1) No driver found in violation of this Policy for the misuse of alcohol shall be allowed to resume the performance of any safety-sensitive function unless and until the driver shall have been tested for alcohol and the results of such testing indicates a blood alcohol concentration of less than 0.02.

(2) No driver found in violation of this Policy for the use of controlled substances shall be allowed to resume the performance of any safety-sensitive function unless and until the driver has been tested for the use of controlled substances and the results of such testing from the medical review officer indicates a verified negative result.

F. Follow-up Testing.

Following a determination by a substance abuse professional that a driver needs assistance in resolving problems associated with alcohol or controlled substances, the driver shall be subject to unannounced follow-up testing in accordance with this Policy and the substance abuse professional's follow-up testing plan.

G. Testing Procedures.

The misuse of alcohol and use of controlled substances testing required by this Policy shall be conducted in accordance with the provisions of 49 C.F.R. Part 40.

H. Test Results, Record Retention and Confidentiality.

Records of the misuse of alcohol and use of controlled substances testing required by this Policy shall be maintained in accordance with 49 C.F.R. § 382.401 *et seq*.

III. Prohibited Conduct

The misuse of alcohol as defined by this Policy is prohibited.

The use of controlled substances as defined by this Policy is prohibited.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having a blood alcohol concentration (BAC) of 0.04 or greater.

No driver shall be on duty or operate a commercial motor vehicle while in the possession of alcohol. No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions when the driver uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle. Drivers are required to inform both their supervisor and their Appointing Authority or other Department Head of any therapeutic drug use.

No driver shall use alcohol, use any controlled substance, or improperly use any prescribed mediation while performing any safety-sensitive function.

No driver shall perform safety-sensitive functions within four hours after using alcohol.

No driver required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.

No driver shall refuse to submit to the testing requirements of this Policy. Fulton County will not permit a driver who refuses to submit to the testing requirements of this Policy to perform or continue to perform safety-sensitive functions.

IV. Violation of Policy

A. Violations by Applicants

Applicants found in violation of the terms of this Policy will not be employed by Fulton County at the time the violation is discovered and will not be considered for employment until six (6) months following the time the violation is discovered.

B. Violations by Drivers

(1) Drivers found in violation of the terms of this Policy shall be subject to Fulton County's disciplinary procedures.

(2) No driver shall perform any safety sensitive function on behalf of Fulton County while in violation of the terms of this Policy.

(3) No driver who has been removed from the performance of safety-sensitive functions due to a violation of the terms of this Policy shall be permitted to perform safety-sensitive functions on behalf of Fulton County again unless the driver obtains the assistance of a substance abuse professional as provided for herein; provided, however, nothing in this Policy shall create a right to continued employment or employee assistance which is not independently assured by other sources of law, Fulton County's Policies, or Employee Assistance Plan of Fulton County.

(4) No driver tested under the provisions of this Policy who is found to have a blood alcohol concentration of 0.02 or greater but less than 0.04 shall be required to seek the assistance of a substance abuse professional, nor shall the driver be subject to the follow-up testing requirements of this Policy; provided, however, no such driver shall be allowed to perform or continue to perform any safety-sensitive function on behalf of Fulton county for at least twenty-four (24) hours following administration of the test, and the driver shall be subject to Fulton County's disciplinary procedures.

V. Notice of Policy and Provision of Educational Materials

A. Generally

(1) Each department having employees subject to this Policy shall provide educational materials that explain this Policy's

requirements and the procedures to be followed in meeting those requirements.

(2) A copy of these educational materials shall be distributed to each driver prior to the start of alcohol and controlled substances testing under this Policy and to each driver subsequently hired, promoted, or transferred into a position requiring driving of a commercial motor vehicle.

(3) Written notice of the availability of these materials shall also be provided to representatives of any applicable employee organization.

B. Content

The educational materials to be made available to drivers shall include, at a minimum, the following:

(1) The identity of the person designated to answer driver questions about the testing requirements and procedures;

(2) The categories of drivers who are subject to the testing provisions of this Policy;

(3) Sufficient information about the safety-sensitive functions performed by those drivers to make clear what period of the work day the driver is required to be in compliance;

(4) Specific information concerning driver conduct that is prohibited by this Policy;

(5) The circumstances under which a driver may be tested;

(6) The procedures that will be used to test for the presence of alcohol and controlled substances, to protect the driver and the integrity of the testing processes, to safeguard the validity of the test results and to ensure that the results are attributed to the correct driver;

(7) The requirement that a driver submit to alcohol and controlled substances tests administered in accordance with this Policy;

(8) An explanation of what constitutes a refusal to submit to an alcohol or controlled substances test and the attendant consequences;

(9) The consequences for drivers found to have violated this Policy, including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures under this Policy;

(10) The consequences for drivers found to have a blood alcohol concentration of 0.02 or greater but less than 0.04; and,

(11) Information concerning the effects of alcohol and controlled substances use on an individual's health, work and personal life; signs and symptoms of an alcohol or a controlled substances problem; and the available methods of intervening when an alcohol or a controlled substances problem is suspected, including confrontation, referral to any employee assistance program and/or referral to management.

C. Acknowledgement of Receipt

The appropriate department shall ensure that each of its drivers signs and dates a statement certifying that he or she has received a copy of the educational materials described in this section. The department shall maintain the original of the signed receipt and must provide a copy of the receipt to the driver.

VI. Training

All Appointing Authorities, Department Heads and supervisors who supervise drivers shall receive at least 60 minutes of training on alcohol misuse plus at least an additional 60 minutes of training on controlled substances use. This training will be used to determine whether reasonable suspicion exists to require a driver to undergo testing under this Policy. This training shall cover the physical, behavioral, speech and performance indicators of probable alcohol misuse and use of controlled substances.

VII. Referral, Evaluation and Treatment

A. Referral

Each driver who has engaged in conduct prohibited by the terms of this Policy shall be advised by the appropriate Appointing Authority or Department Head of the resources available to the driver in evaluating and resolving problems associated with the misuse of alcohol and the use of controlled substances, including the names, addresses and telephone numbers of substance abuse professionals and counseling and treatment programs.

B. Evaluation and Rehabilitation

(1) Before a driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by this Policy, the driver must be evaluated by a substance abuse professional who shall determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and controlled substances use, and the driver must successfully comply with the substance abuse professional's evaluation recommendations.

(2) Before a driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by this Policy, the driver must undergo a return-to-duty alcohol test in accordance with this Policy, if the conduct involved alcohol, with a result indicating an blood alcohol concentration of less than 0.02 and/or a controlled substances test, in accordance with this Policy, with a verified negative result, if the conduct involved the use of controlled substances.

(3) Evaluation and rehabilitation may be provided by Fulton County, by a substance abuse professional under contract with Fulton County, or by a substance abuse professional not affiliated with Fulton County. The choice of substance abuse professional and assignment of costs shall be made in accordance with the Personnel Policies and Employee Assistance Plan of Fulton County.

C. Exception for Applicants

The requirements of this Section V with respect to referral, evaluation and treatment/rehabilitation do not apply to applicants who refuse to submit to a pre-employment alcohol or controlled substances test, have a pre-employment alcohol test with a result indicating a blood alcohol concentration of 0.04 or greater, and/or a controlled substances test with a verified positive test result.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: TIME AWAY FROM WORK: LEAVES

DATE: March 7, 2018 Number: 337-16

I. Statement of the Policy

Fulton County recognizes that employees benefit from time away from work for a variety of reasons—all of which contribute towards a positive work-life balance for our employees. Therefore, it shall be the policy of Fulton County to provide time off—both paid and unpaid—to eligible employees for the following purposes:

- Holidays;
- Vacation;
- Sick Leave;
- Emergency Leave / Bereavement Leave;
- Injury Leave;
- Family and Medical Leave;
- Military Leave;
- Official Leave;
- Leave Without Pay;
- Court Leave (Jury and Witness Duty Leave);
- Voting Leave;
- Parental Leave;

- Volunteer Activity Leave;
- Election Worker Leave; and
- Administrative Leave

II. **Definitions**

"Vacation Leave" is paid time off provided to eligible employees to rest or engage in recreational or other personal activities.

"Sick Leave" entitles an eligible employee to receive his or her regular rate of pay during absences related to or resulting from the employee's illness, injury, or exposure to contagious disease which incapacitates him/her from performance of duties or the employee's receipt of medical or dental care or consultation.

"Military Leave" is an authorized absence from work that may be taken when an employee is engaged in training or other duties ordered by the Governor, the Department of Defense, the Department of the Army, the Department of the Air Force, the Department of the Navy, the Department of the Treasury, or any other department or agency of the government of the United States having authority to issue lawful orders requiring military service.

"Emergency Leave / Bereavement Leave" is an authorized absence from work due to a life threatening illness or death in an employee's immediate family.

"Injury Leave" is an authorized absence from work resulting from an employment related injury that has been designated a catastrophic injury pursuant to State Worker's Compensation Law.

"Family and Medical Leave" is an authorized absence from work provided to eligible employees for specified family and medical reasons in accordance with federal law.

"Official Leave" is paid time off provided to employees for the purpose of transacting official County business including attendance at meetings or brief courses of instruction related to the employee's assigned duties and deemed to be in the best interest of Fulton County.

“Leave Without Pay” is an approved unpaid absence from work.

“Court Leave” is paid time off provided to employees who are called for jury duty or who are subpoenaed to appear, attend, testify or otherwise participate in any court, administrative or other legal proceedings as a witness except when an employee is a party in a personal lawsuit or other legal proceeding.

“Voting Leave” is paid time off provided to employees to vote in state, national, and local elections.

“Parental Leave” is paid time off provided to eligible employees who become parents through birth, adoption or foster care placement.

“Volunteer Activity Leave” paid time off from work provided to employees to participate in school or community volunteer activities.

“Election Worker Leave” is paid time off from work provided to employees to work as election poll workers for elections conducted by the Fulton County Registration and Elections Department.

“Administrative Leave” is an authorized absence from duty without loss of pay or charge to accrued leave.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: TIME AWAY FROM WORK: LEAVES

DATE: April 1, 2018 Number: 337-16

I. Categories of Leave

A. Holidays

(1) Holiday Pay

Permanent full-time employees whose regularly scheduled work day falls on a holiday but who are not required to work on a holiday will receive eight hours of regular pay. When an employee's officially scheduled "off time" falls on a County holiday, the employee will be granted eight (8) hours of straight time banked as holiday leave (1.0), accrued during the pay period in which the holiday occurs.

To be eligible for holiday pay, an employee must have been in a pay status on the employee's regularly scheduled work days immediately before and immediately after the holiday. "Pay status" is defined as either working on the regularly scheduled work day or being on approved paid leave.

(2) Compensation for employees required to work holidays

Nothing in this policy prohibits any Appointing Authority from requiring the services of any number of employees in their respective departments to work on any given holiday when needed for County operations. Employees who work on a County holiday will receive their regular rate of pay for all hours worked. In addition, any employee who works on a County holiday will receive holiday leave time banked as "holiday earned" at a rate of 1.0 for each hour actually worked on the holiday.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

(3) Employees on leave of absence

Employees who are on a continuous unpaid leave of absence are not eligible to receive holiday pay.

B. Vacation

(1) Eligibility and Accrual

Earned vacation leave may be authorized for all permanent employees (Classified and Unclassified) including appointed Department Heads and all employees of Constitutional Officers (such as the Sheriff, District Attorney, Clerk of Superior Court, and Solicitor General), except those who may be specifically exempt. Eligible employees earn and accrue vacation leave based upon active creditable service, at the rates specified below. Vacation leave does not accrue during unpaid leaves of absence or other periods of inactive service.

Vacation leave may be accumulated to a maximum number of hours; provided, however, that any accrued vacation leave in excess of that amount may be added to earned/accrued sick leave balances. Eligible employees who are in a pay status for less than one full bi-weekly pay period will have their vacation accrual prorated accordingly, based upon the actual number of hours to be paid during that pay period.

Vacation Accrual Rates

Years of Active Creditable Service	80 Hour Employee	85 Hour Employee	106 Hour Employee
EOD - 3 years	4.37 hours per pay period	4.54 hours per pay period	6.55 hours per pay period
3 – 8 years	5.33 hours per pay period	5.53 hours per pay period	8.18 hours per pay period
8 years and over	6.28 hours per pay period	6.52 hours per pay period	9.42 hours per pay period
Maximum Accrual	360 hours	382 hours	540 hours

(2) Taking Vacation

Earned vacation leave may be taken upon approval by an employee's Appointing Authority or designated supervisor and may be used for rest, relaxation, or engagement in recreational activities and/or other personal interests, including educational pursuits or to run for Public Office. Employees may take vacation in one minute increments. Vacation time off will be granted at the convenience of the employee, whenever possible; provided, however, that primary consideration must be given to the maintenance of

adequate staff to perform required services at all times. Employees should direct all requests for use of vacation time to their immediate supervisor.

Any vacation time requested by an employee and approved by the Appointing Authority will be charged against accrued compensatory leave balances, if available, before any accrued vacation leave balanced are charged.

Appointing Authorities/Department Heads have the discretion to adopt supplemental procedures regarding the scheduling of Vacation Leave to address issues that are not included in this Procedure, including prohibiting employees from using earned vacation leave until they have worked some minimum amount of time in a permanent position.

(3) Vacation Pay

Employees will receive pay for earned vacation at their regular rate of pay at the time the vacation is taken. Time taken as vacation is not counted for the purpose of calculating an employee's overtime hours of work or overtime premiums during a particular work week. Accrued but unused vacation benefits will be paid upon termination of employment up to the maximum hours of accrual set forth above. Such vacation benefits will be paid at the employee's regular rate of pay at the time of termination of employment. For employees on FMLA leave, vacation leave will run concurrently with FMLA leave consistent with the applicable rules of this policy and the FMLA policy.

C. Sick Leave

(1) Eligibility and Accrual

Earned sick leave may be authorized for all permanent employees (Classified and Unclassified) including appointed Department Heads and all employees of Constitutional Officers (such as the Sheriff, District Attorney, Clerk of Superior Court, and Solicitor General), except those who may be specifically exempt. Eligible employees earn and accrue sick leave based upon active creditable service, at the rates specified below. These amounts are in addition to any excess vacation time that is carried over to the sick leave balance. Sick leave does not accrue during unpaid leaves of absence or other periods of inactive service.

Eligible employees who are in a pay status for less than one full bi-weekly pay period will have their sick leave accrual prorated, based upon the actual number of hours to be paid during that pay period.

Sick Leave Accrual Rates

80 Hour Employee	85 Hour Employee	106 Hour Employee
3 hours, 42 minutes per pay period	3.55 hours per pay period	5.33 hours per pay period

(2) Taking Sick Leave

Upon approval, an employee may utilize sick leave because of personal illness, convalescence, non-occupational injury, exposure to contagious disease that might endanger the health of others, dental or vision treatment, preventive medical care, and for personal emergencies justifying emergency leave. Fulton County will not tolerate abuse or misuse of sick-leave. Additionally, employees are prohibited from engaging in outside employment while they are on sick leave.

In accordance with the Georgia Family Care Act, any employee who accrues sick leave is entitled to use up to a total of 5 days of accrued sick leave per calendar year for the care of an immediate family member. For purposes of this paragraph, "immediate family member" shall mean an employee's child, spouse, grandchild, grandparent, parent or any dependent as reflected on the employee's most recent tax return. Any leave taken for this purpose shall also count toward an employee's annual allotment of emergency leave.

Employees should direct requests for sick leave known in advance (such as a request for time off to attend a medical appointment) to their immediate supervisor. An employee who is unable to report to work because of an injury or illness must notify his or her supervisor prior to the scheduled starting time or as soon as practical consistent with the Attendance and Punctuality Policy. Employees should refer to the call in requirements set forth in the County's Attendance and Punctuality Policy and any supplemental time and attendance procedures developed by their department.

For absences of any duration due to illness or injury not connected with employment, an Appointing Authority may request an employee present a physician's note justifying the employee's absence from work. Failure to present a physician's note or medical excuse when requested may be grounds for discipline including termination. Fulton County reserves the right to require that an employee present a return to work release from an employee's health care provider at the time the employee returns to work except in cases of an employee's return from intermittent FMLA leave. Sick leave of any duration which begins after submission of a resignation or after notification of termination may be charged against accrued vacation leave, holiday leave, or in the absence thereof, to leave without pay (LWOP). Sick leave shall not be taken after the last day on duty when an employee is being separated, unless the employee is in the process of

separating due to a disability.

Employees with potentially FMLA-qualifying conditions or situations should review the Family and Medical Leave Act Policy and apply for leave, if applicable.

(3) Sick Leave Pay

Eligible employees will receive pay for accrued sick leave at their regular rate of pay at the time the sick leave is utilized. Time taken as sick leave is not counted for the purpose of calculating an employee's overtime hours of work or overtime premiums during a particular work week. Accrued sick leave carries over from year to year. Employees are not compensated for unused sick leave at the end of employment with the County or at any other time. This prohibition does not apply, however, to the pay out of accrued sick leave to an employee's estate upon the employee's death. For employees on FMLA leave, sick leave will run concurrently with FMLA leave consistent with the applicable rules of this policy, the FMLA policy and applicable law. Misuse of sick leave will be addressed as a disciplinary issue consistent with the County's Attendance and Punctuality Policy, and may be investigated in accordance with the County's Sick Leave Abuse Prevention & Investigation Procedures.

D. Emergency/Bereavement Leave

(1) Eligibility

Employees who are entitled to sick leave will be granted up to three days of paid bereavement leave in the event of the death of an immediate family member (and up to five days for the death of an immediate family member who resides outside the state of Georgia) and may be granted emergency leave not to exceed 120 hours per calendar year (85 hour employees are entitled to 127 hours and 106 hour employees are entitled to 180 hours) chargeable against sick leave and vacation leave, in that order, in cases of bona fide emergencies involving an immediate family member or for bereavement. If an employee has no accrued leave, emergency leave may be granted in the form of leave without pay.

(a) For purposes of this section pertaining to Emergency and Bereavement Leave, immediate family members are defined as follows:

- Spouse (including same sex spouses and common law spouses)
- Child (natural or adopted), step-child, grandchild, great-grandchild
- Brother, sister, half-brother, half-sister, step-brother, step-sister
- Parent, Grandparent, Great-grandparent, Step-parent
- Brother or sister of your mother or father (uncle, aunt)
- Son or daughter of your brother or sister (nephew, niece)

- Father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law
- Foster Child
- Legal Ward

(2) Taking Emergency Leave

Emergency Leave may be taken for the following reasons:

- The serious illness of a member of the employee's immediate family, whether or not such member is physically residing in the employee's household or elsewhere, where such illness requires the employee's personal care and attendance as determined by the circumstances in each case,

- To accompanying an elderly relative to routine medical appointments or other professional services related to their care, such as interviewing nursing homes or group homes; and/or

- For the enforced medical quarantine of the employee in accordance with community health laws or regulations.

Employees who are required to care for a parent, spouse or child with a serious health condition should review Fulton County's Family and Medical Leave Act Policy and apply for FMLA leave, if applicable. If an employee is approved for FMLA leave, emergency leave will run concurrently with FMLA leave.

Verification may be required to substantiate periods of absence of any duration of emergency leave upon request of the Appointing Authority concerned. Disciplinary action may be taken if it is discovered than an employee has fraudulently requested leave under this paragraph.

(3) Taking Bereavement Leave

In accordance with Paragraph (D)(1) above, paid time off will be granted to an employee who suffers the loss of an immediate family member. This time off with pay is intended to allow for participation in events related to the death and funeral (*i.e*., making funeral arrangements, settling family affairs, attending the funeral or memorial service, and for bereavement), and is not to be granted if no such participation occurs.

An employee may take additional time away from work as emergency leave in accordance with paragraph (D)(1) above. Under no circumstances shall an employee use more than 120 total hours of emergency and/or bereavement leave in any calendar year.

Upon request of the Appointing Authority concerned, verification may be required to substantiate periods of absence of any duration of bereavement leave. Examples of acceptable documentation include, but are not limited to, a copy of the obituary, the funeral program or a copy of the decedent's death certificate. Failure to provide the required documentation upon request will result in the employee's time away from work being charged as sick, compensatory and/or vacation leave in lieu of bereavement leave. Disciplinary action also may be taken if it is discovered than an employee has fraudulently requested leave under this paragraph.

E. Injury Leave

Injury leave may be granted to Fulton County employees only in cases where an employee's injury has been designated a catastrophic injury as defined by State Worker's Compensation Law. Injuries must arise out of and in the course of employment as defined by law. Injury Leave may be granted only upon written recommendation of the Appointing Authority, as reviewed by the Chief Human Resources Officer and approved by the County Manager. Any injury leave extending beyond thirty (30) calendar days must also be approved by the Board of Commissioners. A physician's certificate must be furnished for all injury leave requests. If injury leave is approved, an employee may utilize their paid accrued leave or remain on leave without pay for the duration of the approved Injury Leave.

F. Family and Medical Leave

Fulton County will grant family and medical leave in accordance with the requirements of the Family and Medical Leave Act of 1993, as set forth in Fulton County's Family and Medical Leave Act (FMLA) Policy.

G. Military Leave

Fulton County will grant military leave in accordance with the requirements of the Uniformed Services Employment and Reemployment Rights Act, commonly referred to as "USERRA" and Georgia law.

(1) Military Leave under Federal Law - USERRA

Federal law provides employees with the right to take leave in order to serve in the military. At the federal level, military leave rights are governed by the Uniformed Services Employment and Reemployment Rights Act, commonly referred to as "USERRA." Employees' rights under USERRA are summarized below.

(a) Eligibility for Leave

Fulton County employees serving in the "uniformed services" are covered by USERRA. The "uniformed services" are defined as the Army, Navy, Marine Corps, Air Force, Coast Guard, Army National Guard, Air National Guard, Commissioned Corps of

the Public Health Service and any other category of persons designated by the President of the United States in time of war or national emergency. The uniformed services also include participants in the National Disaster Medical System when activated to provide assistance in response to a public health emergency, to be present for a short period of time when there is a risk of a public health emergency, or when they are participants in authorized training.

"Service" consists of performing any of the following on a voluntary or involuntary basis: active duty, active duty for training, initial active duty, inactive duty training, full time National Guard duty, absence from work for an examination to determine fitness for such duty, and absence for performing funeral honors duty. Total military leave time may not exceed five cumulative years during employment, except in the following defined circumstances:

- An employee serves in excess of five years to fulfill an initial period of obligated service;
- An employee is unable to obtain orders of release through no fault of his or her own;
- Required drills and annual training and other training duty certified by the military to be necessary for professional development or skill training/retraining; or
- Service performed during time of war or National Emergency or for other critical missions/contingencies/military requirements.

An employee who is separated as a result of exceeding the five year service limit under this provision will not be deemed to have been dismissed for disciplinary reasons and therefore will not have any right to appeal the dismissal to the Personnel Board or Grievance Review Committee.

(b) Notice of Leave

Advance notice of leave is required, preferably in writing, unless giving of notice is impossible or unreasonable, or notice is prohibited by military necessity (which is defined by the United States Department of Defense). When notice is required, employees must provide their Appointing Authority with as much advance notice as possible of any anticipated leave of absence for military service. Employees are encouraged to provide official documentation of military duty, such as military orders, prior to activation.

(c) Compensation and Benefits During Leave

In compliance with state law, County employees (excluding those employed on a temporary basis) taking military leave will be paid their full salary or other compensation

as a public employee for any and all periods of absence while engaged in the performance of ordered military duty and while going to and returning from such duty, not exceeding a total of 18 days in any one federal fiscal year (October 1 – September 30); however, in the event the Governor declares an emergency and orders any public officer or employee to ordered military duty as a member of the National Guard, any such officer or employee, while performing such duty, shall be paid his or her salary or other compensation as a public officer or employee for a period not exceeding 30 days in any one federal fiscal year. Accrued, unused vacation, holiday pay, and sick leave will then be paid during unpaid military leave at the employee's request. In addition, employees may request payment of any accrued, unused compensatory time, which request will be granted by the Appointing Authority. After 30 days of continuous military leave, employees may elect to continue their health plan coverage at their own expense, for up to 24 months or during the remaining period of service, whichever is shorter.

An employee shall be required to submit proof of ordered military duty to receive pay while on military leave.

Vacation and leave benefits continue to accrue during a military leave of absence only up to 18 days (i.e., 144 hours). An employee returning from military leave is entitled to any unused, accrued vacation and sick leave benefits the employee had at the time the military leave began minus any vacation and/or sick leave benefits the employee chose to use during the leave. Upon reinstatement, the employee will begin to accrue vacation and sick leave benefits at the rate he or she would have attained if no military leave had been taken.

(d) Reinstatement

In order to be eligible for reinstatement, an employee must have provided advance notice of the need for military leave (where required); must have completed his or her service on a basis that is not dishonorable or otherwise prohibited under USERRA, and must not have exceed the five year cumulative limit on periods of service as defined by USERRA.

Employees whose military service will be for fewer than 31 days must report to back to work at the beginning of the first full, regularly scheduled work day following completion of service, after allowing for a period of safe travel home and eight hours of rest.

Employees whose military service will be for more than 30 days, but fewer than 181 days must apply for re-employment within 14 days after completing service. Employees whose service is greater than 180 days must apply for re-employment within 90 days after completing service.

The deadlines to report to work or apply for reemployment can be extended up to two years to accommodate a period during which a person was hospitalized for or

convalescing from an injury or illness that occurred or was aggravated during a period of military service.

As with other leaves of absence, failure to return to work or to reapply within applicable time limits may result in loss of reemployment rights. Full details regarding reinstatement are available from the Department of Human Resources Management. In general, an employee returning from military leave will be re-employed in the position and seniority level that the employee would have attained had there been no military leave of absence. If necessary, Fulton County will provide training to assist the employee in the transition back to the workforce.

Eligible employees returning from leave will not be discharged except for cause during the following time periods as applicable:

- 180 days after the employee's date of reemployment if his or her most recent period of uniformed service was more than 30 days but less than 181 days; or for
- One year after the date of reemployment if the employee's most recent period of uniformed service was more than 180 days.

An employee who fails to report to work within the time limits noted above will be treated as any other employee who has missed work.

Prior to reinstatement, an employee, who has not already done so, will be required to submit a copy of his or her completion of military assignment orders that specify the dates and/or duration of ordered military duty.

(2) Military Leave under Georgia Law

In addition to employees' rights under USERRA, pursuant to Georgia law, regular full-time or part-time employees, including members of the Georgia National Guard and the state militia or reserves, are entitled a leave of absence for military duty. Eligible employees, who provide a certificate of military service completion, are qualified for the job and apply for reinstatement within 90 days after being relieved from military service will be restored to the same employment position or to a position of like seniority, status and pay. An exception may arise if Fulton County's circumstances change such that it is impossible or unreasonable to provide reinstatement following the leave of absence.

Non-temporary employees who must leave for up to six months in a four year period to participate in assemblies or annual training, or to attend service schools conducted by the United States armed forces, are also entitled to reinstatement to their previous position, provided they are still qualified for the position and they apply for reemployment within 10 days after completion of the temporary period of service.

Eligible employees who are reinstated following a leave of absence will not be discharged without cause for one year following reinstatement.

Employees should contact a Department of Human Resources Management representative for more information about Military Leave.

(a) Compensation and Benefits During Leave

In compliance with federal and state law, County employees (excluding those employed on a temporary basis) taking military leave will be paid their full salary or other compensation as a public employee for any and all periods of absence while engaged in the performance of ordered military duty and while going to and returning from such duty, not exceeding a total of 18 days in any one federal fiscal year (October 1 – September 30); however, in the event the Governor declares an emergency and orders any public officer or employee to ordered military duty as a member of the National Guard, any such officer or employee, while performing such duty, shall be paid his or her salary or other compensation as a public officer or employee for a period not exceeding 30 days in any one federal fiscal year. Vacation and leave benefits continue to accrue during a military leave of absence only up to 18 days (i.e., 144 hours).

An employee shall be required to submit a copy of his or her orders to active military duty to receive pay while on military leave.

H. Official Leave

Upon approval by an Appointing Authority, employees may be granted official leave with pay for the purpose of transacting official County business, to include attendance at meetings or brief courses of instruction directly related to their assigned duties and deemed to be in the best interest of the County. Official leave shall be granted independently of other categories of leave specified in this procedure and shall not accrue. Such leave shall be counted as active creditable service and shall be substantiated by appropriate documentation.

I. Leave of Absence Without Pay (LWOP)

Unless otherwise permitted in the Fulton County Policies and Procedures, a leave of absence without pay for medical reasons must be requested and approved though the ADA accommodation process as set forth in Fulton County's Americans with Disabilities Act - Reasonable Accommodation Policy and Procedure (No. 100-16).

J. Court Leave (Jury and Witness Duty Leave)

Fulton County encourages employees to serve on jury or witness duty when called. Employees are entitled to court leave without loss of pay or time for all days during which he/she shall be subpoenaed by any court, federal, state or political subdivision thereof, to serve as a juror or witness. Employees on court leave shall be entitled to retain all remuneration received for such service, in addition to their regular pay. Court leave shall

be granted independently of other categories of leave specified in this policy and will not accrue. Court leave will be counted as active, creditable service.

Employees are not entitled to leave under this procedure for legal proceedings in which the employee is a party to the litigation. Similarly, employees who are absent from work because of a court order or judicial process due to being charged with a crime are not entitled to leave.

Employees must notify their Appointing Authority of the need for time off for jury or witness duty upon receipt of a subpoena, notice or summons from the court, and should provide their Appointing Authority with a copy of such documentation.

Employees may be required to provide verification of jury duty or witness service from the court clerk. Any employee on jury or witness duty is expected to report or return to work for the remainder of the work schedule when dismissed from jury or witness duty.

Under no circumstances will employees be terminated, threatened, coerced, or penalized because they request or take leave in accordance with this policy.

K. Voting Leave

Fulton County encourages all employees to fulfill their civic responsibilities and to vote in official public elections. Fulton County complies with all applicable state and municipal voting time laws.

Generally, working hours are such that an employee will have ample time to cast a vote before or after the work shift. If employees do not have sufficient time to vote, however, that employee should discuss the matter with their immediate supervisor.

In accordance with O.C.G.A. §21-2-404, any employee who has less than two hours outside of working hours to vote while the polls are open may take up to two hours off from work, without loss of pay to vote. Any additional time off will be without pay for nonexempt employees.

Employees must provide reasonable advance notice of the need for time off to vote so that the time off can be scheduled to minimize disruption to normal work schedules.

Proof of having actually voted may be required.

L. Parental Leave

Permanent employees who have been employed by Fulton County for at least 180 consecutive calendar days are eligible for paid parental leave as set forth in the Paid Parental Leave Policy and Procedure (205-16).

M. Administrative Leave

An employee may be placed on paid administrative leave for the following purposes:

1. During the investigation of any alleged improper act by an employee which may result in formal disciplinary action(s) and/or when the retention of the employee on an active duty status may be detrimental to the interests of the County or injurious to the employee, his/her fellow workers or the general public. Generally, an employee will not be placed on administrative leave for any period longer than is necessary for the department to determine the appropriate disciplinary action, if any, to be taken. In accordance with the Discipline for Classified Employees Policy and Procedure (305-16), no classified employee shall be placed on Administrative Leave pending an investigation of alleged improper conduct for longer than ten working days.

2. As a non-monetary bonus award to an employee to recognize outstanding performance. A bonus award in the form of administrative leave may not exceed five working days or shifts in a calendar year. Any administrative leave awarded as a non-monetary bonus must be used within a year of the date granted.

3. As a non-monetary bonus award to recognize long term service of County employees who earn length of service awards.

In addition, Administrative Leave shall be any paid leave authorized by the County Manager, Appointing Authority or Department Head which is not otherwise specifically delineated in the Time Away from Work Policy and/or this Procedure.

N. Volunteer Activity Leave

Permanent employees shall be permitted to take up to twenty-four (24) hours of paid leave per calendar year to participate in eligible volunteer activities. Such leave time shall not be chargeable to an employee's sick, vacation, compensatory or holiday leave accruals. Volunteer Activity Leave hours do not accrue and unused leave will not roll over to the next calendar year. Rather, eligible employees may use Volunteer Activity Leave for qualifying absences that occur during their regular scheduled work hours, up to a total of twenty-four (24) hours in any calendar year. Volunteer Activity carries no cash value if unused, and employees will receive no payout of unused Volunteer Activity Leave upon separation from the County.

Eligible activities include, but are not limited to, the following school or community volunteer activities:

1. Voluntary service as part of an organized service project sponsored by a community, national or other service organization (e.g., Habitat for Humanity);

2. Participation in community service programs that meet child, elder, or human needs. For example, delivering meals to the elderly or to needy community citizens through an organization such as Meals on Wheels;

3. Attending non-profit boards and committee meetings (e.g., Boy Scouts/Girl Scouts, Big Brother/Big Sister, American Red Cross, 100 Black Men, etc.);

4. Participation in activities directly related to non-profit fundraising (e.g., set up/take down, registration, answering phones, recruiting/organizing/training volunteers); and

5. Participation in activities directly related to student achievement and academic support of the employee's child, step-child, foster-child, or other child for whom the employee has legal custody. Covered activities range from nursery and pre-school programs through higher education and include, but are not limited to the following:

    a. Attendance at Parent/Teacher conferences;
    b. Participation in classroom activities, such as reading to a class or presenting on career day;
    c. Proctoring examinations
    d. Attendance at award and recognition ceremonies or graduation exercises;
    e. Participation in field day activities;
    f. Chaperoning field trips;
    g. Attendance at open house functions; and
    h. Interviewing for a new school.

Use of Volunteer Activity Leave for any political purpose or agenda is prohibited. Volunteer Activity Leave is not intended and may not be used for the following activities:

- Organizations whose primary purpose is to influence political campaigns on behalf of or against any candidate, political party, or political action committee;
- Participation in rallies, marches, or other events with a political agenda;
- Involvement in schools for attendance at social or sporting events;
- Faith-based religious gatherings;
- Participation in fraternal organizations, social clubs, labor organizations, or athletic/recreational clubs;

- Participation in a run, marathon, golf tournament, or other recreational activity, even if the goal is to raise funds for charitable goals and services; or
- In place of annual or sick leave.

Solicitation for charities or organizations in the workplace will not be permitted in accordance with the County's No-Solicitation or-Distribution of Literature Policy and Procedure.

Employees must receive approval from their supervisors prior to using Volunteer Activity Leave. Supervisors may require written verification from an official of the service organization for use of Volunteer Activity Leave. If the leave is used for school-related activities, written verification should be from a school administrator or teacher.

Departments have discretion to approve or deny requests for leave based on operational needs, or other reasons, such as conduct, attendance, or unsatisfactory work performance. The Appointing Authority or Department Head should ensure that denials are applied consistently for all similarly situated employees.

Departments may determine that it is not possible to release certain employees under this Policy and Procedure, such as employees in direct care or public safety positions, due to staffing requirements. When adequate, capable back-up staff is readily available, or if it is possible to adjust employees' schedules, employees' requests should be granted. If they are unable to grant Volunteer Activity Leave requests, departments should inform affected employees as soon as possible after the decisions are made.

Employees cannot be paid for more than 24 hours of Volunteer Activity Leave in a calendar year regardless of transfer from one department to another. Each department is responsible for conducting due diligence to ensure an employee has not exhausted Volunteer Activity Leave prior to approving the paid leave.

O. Election Poll Workers Leave

An employee shall be entitled to election poll workers leave without loss of pay or time for all time during which he/she is working as an election poll worker for any election conducted by the Fulton County Registration and Elections Department. Employees on election poll workers leave shall be entitled to retain all remuneration received for such service as set forth in the Preparation of Election Payrolls and Payment to Election Employees Policy and Procedure (308-16), in addition to their regular pay. Election poll workers leave shall be granted independently of other categories of leave specified in these regulations and shall not accrue.

Election poll workers leave shall be counted as active creditable service and requires prior approval by the employee's Appointing Authority.

P. Leave Administration, Approval Process & Reporting

The Chief Human Resources Officer shall be responsible for the administration and enforcement of leave regulations and related procedures and for the maintenance of an official master record of all leave accruals, usage and balances. Requests for leaves of absence in all categories shall be submitted by an employee through normal channels of supervision to the employee's Appointing Authority. Appointing Authorities shall be responsible for adherence to approved leave policies in their respective areas of responsibility. Approval and scheduling of leave time for an employee shall be the responsibility of that employee's Appointing Authority.

All approved leave time in any category whatsoever shall be certified by Appointing Authorities and reported directly in terms of hours for the preceding pay period. Time sheets, leave slips, and related documentation such as military orders, subpoenas, medical certifications and letters of authorization shall be retained by Fulton County in a file separate from the employee's personnel file after such absences have been approved and reported on payrolls. In particular, all documents containing medical information will be maintained by the Chief Human Resources Officer in a separate file for each employee that is not part of their personnel file. Such records will be retained for at least three (3) years in addition to the current year.

No paid leave shall be approved or reported in excess of current accrued leave balances as reflected in official leave records.

Periodic internal and external audits of the leave records in each department may be scheduled and conducted to ensure that all leave policies are being properly followed and enforced.

Q. Transfer of Leave Between Employees

(1) Transfer of leave between employees will be permitted when the receiving employee has exhausted all categories of accrued leave and is unable to work for the employee's own personal health reasons.

(2) Only compensatory time, vacation leave and holiday leave can be transferred into a recipient's sick leave balance. Transferred leave must be in whole hours only.

(3) Transfer of hours is limited to two hundred forty (240) hours per calendar year. All transfer requests must be accompanied by an original physician's statement indicating that leave is needed for medical reasons and specifying the amount of leave needed. An employee will not be allowed to receive more donated leave than the physician's statement has indicated is needed to cover the employee's absence.

(4) The donor employee must retain a minimum vacation leave balance of eighty

(80) hours.

(5) Once processed by Department of Human Resources Management staff, transfer of hours is final and cannot be reversed.

(6) Copy of a completed transfer form must be submitted to each employee's Appointing Authority for payroll purposes.

(7) An employee using transferred leave will not accrue vacation leave.

R. Payment of Leave Upon Death

An employee who dies while in the County service shall have paid to his/her estate executor the value of all unused accrued leave balances for vacation leave, sick leave, compensatory leave and/or holiday leave.

S. Miscellaneous Leave Provisions

(1) Leave for Rehires

Sick leave balances shall be restored for those employees who are reemployed in a permanent position within six (6) months of their most recent separation from a permanent classified or unclassified position. Employees who are reemployed within one (1) year of their most recent separation from a Fulton County permanent classified/unclassified position shall be entitled to the bridging of service time for vacation accrual rates.

(2) Transfer from one Department or Job to Another

(a) An employee transferring from one department to another shall be credited with all accrued leave in all accruable categories with no change in current accrual rate unless tied to creditable years of service.

(b) When an employee who accrues leave accepts an appointment in a position which does not accrue leave, the employee will be paid his/her accumulated vacation, and/or holiday leave at the time of accepting the new appointment. In these instances, accrued sick leave balances will be forfeited in the same manner as for other employees who are separated. However, sick leave balances will be frozen and held in reserve for computation of pension and retirement benefits at the time of retirement. All accrued compensatory time will be paid out.

(3) Accrual of Vacation & Sick Leave While on Paid Leave

Subject to the provisions of the Time Away from Work Policy and Procedure, vacation and sick leave shall continue to accrue while eligible employees are on paid

leave.

(4) Paid Time Off for Blood Donors

Paid time off shall be granted to blood donors at the rate of 4.0 hours for each such donation, chargeable as “Other Leave,” to be taken at the convenience of the Appointing Authority concerned within six months of receipt.

(5) Indebtedness to Fulton County

Whenever an employee is indebted to the County, the amount of such indebtedness may be deducted from compensation due and/or from accrued compensatory, vacation leave, as allowed by applicable law.

(6) Adjustment to Active Creditable Service

With the exception of FMLA leave, all leave without pay in excess of 240 consecutive hours shall result in an adjustment to an employee's active creditable service, unless otherwise prohibited by law.

(7) Adjustments to Leave Records upon Change in Circumstances

When an illness occurs during an approved vacation or other accruable leave period, appropriate adjustments to the employee’s leave records (*e.g.*, changing leave time from vacation to sick leave) may be made as necessary by the employee’s Appointing Authority upon the employee’s return to work.

(8) Adjustment in Pay Rate upon Return from Paid Leave

An employee in a paid leave status will receive, as appropriate, any and all pay rate adjustments which may have occurred during the employee’s absence upon the employee’s return to work from paid leave.

(9) Time for Crediting & Taking Accrued Leave

Leave shall not be credited or taken in any category until after the end of the accrual period during which it is earned.

T. Requirements for Paid Leave

Any employee who uses any paid leave for medical appointments or recurring treatment may be required to submit reports of attendance at such appointments.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: TIMEKEEPING

DATE: January 1, 2017 Number: 338-16

I. Statement of the Policy

It is the policy of Fulton County to properly compensate employees for all time worked. Nonexempt employees must accurately record the time they work each day. Nonexempt employees may not work "off the clock," meaning they may not perform any work for Fulton County that they do not record in the County's timekeeping system, and Fulton County will not tolerate any "off the clock" work. Nonexempt employees must report all time worked and not work any time that is not authorized by their supervisors. Employees who have questions about when or how many hours they are expected to work should contact their supervisor and/or the Department of Human Resources Management.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: TIMEKEEPING

DATE: January 1, 2017 Number: 338-16

It is the policy of Fulton County to properly compensate employees for all time worked.

I. Nonexempt Employees

Employees will be paid for all time worked.

Employees who are classified as nonexempt must accurately record the time they work each day, including arrival, departure, meal, and break times. Employees are to record their time by clocking in and out on the County's electronic timekeeping system. If an employee forgets to clock in or out, the employee must immediately notify their supervisor, complete a Timesheet Adjustment form, and return the signed and completed form to their supervisor. Employees will be paid for all time worked; however, repeated instances of failing to properly clock in and out may result in disciplinary action.

When employees receive their paychecks, they should verify immediately that their working time was recorded accurately and that they were paid correctly for all hours worked. If an employee believes that his or her paycheck is not accurate, the employee must immediately inform his or her supervisor and/or the Department of Human Resources Management.

Nonexempt employees may not work "off the clock," meaning they may not perform any work for Fulton County that they do not record in the County's timekeeping system, and Fulton County will not tolerate any "off the clock" work. Nonexempt employees must report all time worked and not work any time that is not authorized by their supervisors. Employees who have questions about when or how many hours they are expected to work should contact their supervisor and/or the Department of Human Resources Management.

It is a violation of Fulton County's policy for anyone (including a supervisor or manager) to instruct or encourage another employee to work "off the clock," to

incorrectly report hours worked, or to alter another employee's time records. If any employee is directed or encouraged to work off-the-clock, to incorrectly report hours worked, or to alter another employee's time records, he or she should report the incident immediately to the Appointing Authority and/or the Department of Human Resources Management. Supervisors who violate this policy may be subject to disciplinary action including termination.

II. Exempt Employees

Employees who are classified as exempt must record absences from work for reasons such as leaves of absence, sick leave or vacation.

Exempt employees are paid on a salary basis. This means the employee regularly receives a predetermined amount of compensation each pay period, which cannot be reduced because of variations in the quality or quantity of the employee's work. In general, an exempt employee will receive his or her salary for any week in which the employee performs any work, regardless of the number of days or hours worked. However, an exempt employee will not be paid for days not worked in the following circumstances:

- When an exempt employee takes one or more full days off for personal reasons other than sickness or disability, the employee will not be paid for such day(s) of absence, but the employee may use available vacation or compensatory time to make up for the reduction in salary;

- When an exempt employee takes one or more full days off from work due to sickness or disability, the employee will not be paid for such day(s) of absence, but the employee may use available sick time to make up for the reduction in salary;

- When an exempt employee works only part of the week during his or her first and last week with Fulton County, the employee will be paid only for the days actually worked; and

- When an exempt employee takes unpaid leave under the Family and Medical Leave Act or corresponding laws, Fulton County will not pay for such days/hours of absence, unless the employee has accrued vacation, sick or compensatory time to cover said absence.

- Fulton County may require an exempt employee to use available vacation or sick time, as a replacement for salary, when the employee takes less than a full-day off from work. Pursuant to applicable law, Fulton County may reduce an exempt employee's salary for absences less than a full day given that exempt employees of Fulton County are paid according to a pay system established by a policy or practice pursuant to principles of public accountability, under which exempt employees accrue personal leave and sick leave and which requires

Fulton County's employees' pay to be reduced or such employees to be placed on leave without pay for absences for personal reasons or because of illness or injury of less than one work-day when accrued leave is not used by an employee because:

(1) Permission for its use has not been sought or has been sought and denied;
(2) Accrued leave has been exhausted; or
(3) The employee chooses to use leave without pay.

- Deductions from the pay of an employee of a public agency for absences due to a budget-required furlough shall not disqualify the employee from being paid on a salary basis except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

- An exempt employee's salary will not be reduced when the employee works part of a week and misses part of a week due to service as a juror or witness or in the military or for lack of work.

III. Generally Applicable Provisions

Any employee may have their salary reduced as a result of disciplinary actions in accordance with applicable law and Fulton County disciplinary policies and procedures.

It is Fulton County's policy to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA) and applicable state law. Fulton County prohibits any deductions from pay that violate the FLSA or applicable state law.

If an exempt employee believes that an improper deduction has been made to his or her salary, the employee should immediately report this information to the Appointing Authority and/or the Chief Human Resources Officer. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: VETERANS' PREFERENCE

DATE: January 1, 2017 Number: 339-16

I. Statement of the Policy

Fulton County will give preference to an applicant's status as a veteran of the armed forces of the United States through the extension of an invitation to interview, provided that the veteran meets all of the knowledge, skills, and eligibility requirements of the job. Veterans' preference provides for hiring preference on initial appointment only. Employees with veterans' preference compete equally with all other candidates for subsequent transfer and promotional opportunities.

II. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: VETERANS' PREFERENCE

DATE: January 1, 2017 Number: 339-16

I. Eligibility

A. Any veteran who has served on active duty as a member of the armed forces of the United States for a period of more than 180 days, not counting service under an initial period of active duty for training under the six-months' reserve or National Guard programs, any portion of which service occurred during a period of armed conflict in which any branch of the armed forces of the United States engaged, whether under United States command or otherwise, and who was honorably discharged therefrom.

B. Notwithstanding the 180 day minimum active duty requirement of subsection (a), preference will also be granted to any member of the National Guard or armed forces reserve who served on active duty for any length of time during any portion of the time the armed forces of the United States were engaged in Operation Desert Shield or Operation Desert Storm if such service occurred in an area of imminent danger as defined by the United States Department of Defense as follows:

"Area of imminent danger" means:

- The Persian Gulf;
- The Red Sea;
- The Gulf of Oman;
- The portion of the Arabian Sea that lies north of 10 degrees north latitude and west of 68 degrees east longitude;
- The Gulf of Aden; and
- The total land area of Saudi Arabia, Kuwait, Iraq, Yemen, Oman, Bahrain, Qatar, and the United Arab Emirates.

II. Preference Awarded

Qualifying veterans will be given preference in the form of a guaranteed invitation to interview for any position to which they applied and have been found to have met the knowledge, skills, and eligibility requirements of the position by placement on a List of Eligibles. Veterans preference provides for hiring preference on initial appointment

only. Employees with veterans preference compete equally with all other candidates for subsequent transfer and promotional opportunities. In addition to preference in initial hiring, employees with veterans preference have higher retention standing than others for reduction-in-force purposes.

III. How to Claim Veterans' Preference

If you are applying for a job with Fulton County, during the application process, you will be given an opportunity to indicate your status as a Veteran or Disabled Veteran on the employment application. You will also need to provide a copy of your discharge papers (DD-214) in support of a claim for veterans' preference.

Nothing in this Policy guarantees that a veteran will be selected for any position with Fulton County.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: WORKERS' COMPENSATION POLICY

DATE: January 1, 2017 Number: 340-16

I. Statement of Policy

It shall be the policy of Fulton County to provide medical care and indemnity compensation to employees injured or disabled on the job or who may suffer an occupational illness. The availability of injury related leave and compensability of any claim and/or occupational illness shall be in accordance with the Georgia Workers Compensation Act and Fulton County Board of Commissioners approved policy.

II. Background and Applicability

This policy shall apply to all Fulton County employees, officers, directors, agencies and departments. This policy shall not apply to Fulton County retirees and/or independent contractors.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: WORKERS' COMPENSATION

DATE: February 1, 2018 Number: 340-16

I. Background

Fulton County maintains a self-funded Workers' Compensation Plan which is administered and managed by the County's Risk Management - Workers Compensation Division (Finance Department). County employees injured and/or disabled as a result of a work related accident/illness are eligible for benefits under the Fulton County Workers' Compensation Plan. An employee's injury or illness must be in accordance with the general requirements for coverage under the County's Self- Funded Workers Compensation Plan.

II. General Requirements

The general requirements for an employee's injury/illness to be covered under the County's Workers Compensation Plan are: (1) the injury must be the result of an accident; (2) the accident must occur while the employee is in the course and scope of his or her employment; and (3) the accident must arise out of his or her employment. Only injuries/illnesses that arise out of and in the course of an employee's employment and that result from work-related hazards or dangers in the workplace will be covered. No Workers' Compensation benefits shall be provided for an injury or death due to the employee's willful misconduct, or for an injury or death due to intoxication by alcohol, or being under the influence of marijuana or a controlled substance, except as the same may have been lawfully prescribed by a physician for such employee and taken in accordance with such prescription.

III. Employee Reporting Requirements

Any Fulton County employee who may be injured or disabled on the job, or who is exposed to or suffers an occupational illness of any kind, is required to immediately report such incident or condition to his or her immediate supervisor, an agent, or an authorized representative of supervision. The initial report may be made orally, however a completed Workers Compensation Occupational Injury Report must be submitted to the Workers Compensation Division (Risk Management/Workers Compensation Division), within 48 hours after the accident, injury or illness. <u>Failure to submit timely reports may endanger or delay payments to the affected employee.</u>

IV. Notice to Controvert

A claim that fails to satisfy the requirements for coverage under the County's Workers Compensation Plan will be rejected. The employee will be provided with a copy of the "Notice to Controvert," which will also be filed with the State Board of Workers' Compensation. A Notice to Controvert shall provide the employee with notice that the County will not voluntarily commence benefits or authorize certain medical expenses.

V. Responsibilities

A. Supervisors

It shall be the responsibility of all supervisors to immediately investigate and report, in writing through their normal channels of authority, any accident, employee injury or suspected occupational illness involving an employee under his or her direct supervision. Supervisor shall inform the Workers Compensation Division, at the time of the incident, whether the injured individual is a County retiree or independent contractor. The Workers Compensation Occupational Injury Report form must be completed and signed by the affected employee and his or her immediate supervisor and department head. The injury reporting form is available in all departments and on the County Portal.

If at the time of the accident/incident an affected employee is unable to complete the injury reporting form, his or her immediate supervisor shall continue to be required to submit the injury report to the Workers Compensation Division within the designated timeframe.

B. Finance Department

1. Workers Compensation staff are responsible for processing all paperwork, reporting required claims information to the State Workers' Compensation Board, approval of medical treatment, and coordination of employee return-to-work (Modified Duty) activities with the affected employee's supervisor and/or department head.

2. Payroll information must be submitted, in a timely manner, to the Workers Compensation Division to ensure the affected employee receives an indemnity payment at the same time as he or she would normally receive their regular payroll check. It shall be the sole responsibility of the affected employee's user department to immediately notify the Workers Compensation Division when an employee is off from work due to a work related incident or injury.

3. The Workers Compensation Supervisor is authorized by this policy to resolve and facilitate the payment of employee indemnity

compensation and medical bills. Any payment or award other than for indemnity compensation or medical bills, which is authorized in this policy, shall require the prior review and approval by the Fulton County Risk Manager. The finance Department (Accounts Payable Division) is responsible for issuing checks based on the information transmitted, as described in this Paragraph.

4. Workers Compensation Division is responsible for providing each department with an employee injury report which will identify their respective workers compensation claims and claim cost.

C. Employees

All employees are responsible for adhering to the above-stated workers compensation procedures and subsequent to each doctor visit, updating his or her immediate supervisor as to his or her medical condition and workers compensation return-to-work status.

VI. Post-Accident/Injury Procedures

A. Posted Panel of Physicians: Employees are eligible for claims consideration for treatment rendered by those medical providers listed on the County's Panel of Physicians. An exception would involve medical treatment provided by a physician as the direct result of a referral from a medical provider listed on the Panel of Physicians. The County's Panel of Physicians will be conspicuously posted in common areas within County buildings and facilities including, but not limited to, designated employee break rooms/kitchens and network copy machine areas. Employees can contact the Workers Compensation Division for details and additional information regarding the Posted Panel of Physicians.

B. Medical Transportation: In the event of an emergency, it shall be the acceptable practice to request trained medical assistance, via the calling of emergency 911, to attend to the affected employee. An emergency shall be defined as an unforeseen occurrence or combination of circumstances which calls for immediate action or remedy—pressing necessity or exigency. The payment and/or reimbursement of medical transportation (ambulance) expense will only be acceptable for payment under the County's Workers Compensation Plan in cases where the medical responder and/or EMT deemed it necessary to transport the affected employee.

C. Dire Emergencies: In an emergency situation, an employee injured on the job may receive medical treatment at any medical facility. However, if

he or she is not hospitalized, upon release from the emergency treatment facility, the employee must be seen at one of the Panel of Physicians medical facilities prior to the start of his or her next regularly scheduled work shift.

D. Billing: Necessary billing to the County for services rendered will be sent to the Workers Compensation Division by the authorized treatment facility. The physician or nurse in charge at the medical facilities should be informed by the employee that he or she is a Fulton County employee, so that such employee will not be billed personally for services rendered. In a non-emergency situation, the affected employee should contact the Workers Compensation staff prior to his or her visit to a facility listed on the Panel of Physicians. This practice will allow a representative from the Workers Compensation staff to contact the applicable medical facility in order to authorize treatment and insure timely services are provided.

E. Reimbursement: Employees will be reimbursed for qualified out of pocket expenses where work related injuries are covered under the County's Workers Compensation Plan. Employees will be reimbursed for mileage to and from authorized doctors, hospitals, etc. Employees will also be reimbursed for required prescriptions, medical aids, etc., as prescribed by an authorized treating physician and paid for by the employee. Mileage forms are available from the Workers Compensation staff. The mileage rate for Workers Compensation Reimbursement is set by the State Workers Compensation Board.

F. Post-Accident Drug and Alcohol Testing

Notwithstanding anything contained herein to the contrary, any employee may be required to submit to a drug and/or alcohol test in the event he or she is involved in a work-place accident in which one or more of the following occurs: (1) the accident involves a fatality; (2) the accident involves an injury to any person requiring treatment away from the scene of the accident; or (3) as a result of the accident, the employee receives a citation for any violation of state or local law.

Any employee subject to post-accident drug and/or alcohol testing based on the factors above must refrain from consuming alcohol for eight hours following the accident or until he or she submits to a drug and alcohol test, whichever comes first. The employee must remain available for testing, and if he or she is not, his or her lack of availability will be considered as a refusal to take the test. An employee's failure to adhere to the requirements of this section will result in the same consequences as if the employee had submitted to the test and the result was positive.

In addition to alcohol, a post-accident test may test for drugs. Any drug testing may test for the presence of controlled substances referred to or identified in Schedules I-V of O.C.G.A. §§ 16-23-25 through 16-13-29 and Schedules I-V of 21 C.F.R. Part 1308, as amended.

No drug or alcohol test results may be used as evidence in a criminal action against the employee except by order of a court of competent jurisdiction. However, a positive drug or alcohol test may subject the employee to disciplinary action for violation of other Fulton County policies and procedures and/or may result in a rejection of a claim for Workers Compensation benefits. A refusal to submit to testing will result in the same consequences as if the employee had submitted to the test and the result was positive. Any post-accident drug and/or alcohol test shall comply with the privacy and confidentiality procedures set forth in Personnel Procedure Number 336-16.

Nothing contained herein should be construed to delay any necessary medical attention for injured people following an accident, or to prohibit an employee or any other person from seeking appropriate medical or other assistance.

VII. Injury Leave and Lost Time

A. Injury Leave: Injury leave may be granted to Fulton County Affected Employees only in cases where the employee's injury has been designated a catastrophic injury, as defined by State Worker's Compensation Law. Injuries must arise out of and in the course of employment as defined by law. Injury Leave may be granted only upon written recommendation of the Appointing Authority, reviewed by the Personnel Director, and approved by the County Manager. Any injury leave extending beyond thirty (30) calendar days must also be approved by the Board of Commissioners. A physician's certificate must be furnished for all injury leave requests. If Injury Leave is approved, an employee may utilize their paid accrued leave or remain on leave without pay for the duration of the approved Injury Leave.

B. Compensable Injuries: shall be handled in the fallowing manner: As per the State Workers Compensation Act, an employer is not required to pay indemnity benefits (wages) for the first seven days of lost time. The employee shall be required to select the method of leave to be used to provide his or her compensation for the first seven (7) days of lost time. The employee may elect to use either leave without pay (LWOP) or his or her available leave. After the first seven days, the employee shall choose

one of the following: (1) using available leave that totals full salary; or (2) receiving Workers Compensation benefits only, which would total approximately two-thirds of his or her average weekly wage, not to exceed the maximum Workers Compensation indemnity benefits as governed by the State Board of Workers' Compensation. The Workers' Compensation Occupational Injury Report shall reflect the employee's selection.

Where an employee's available leave is selected, his or her Workers Compensation indemnity benefits shall begin after all leave is exhausted. Time expended for authorized doctors' appointments not to exceed two hours shall be absorbed by the employee's user department. Authorized doctors' appointments in excess of two hours for special tests will also be absorbed by the user department.

All time away from work due to a job-related injury must be authorized in writing from one of the approved treating facilities or from their referrals. All excuses will have an arrival and departure time to allow the department to monitor the actual time an employee is at the authorized treating facility.

Departments will send time sheets/records with attached authorized medical excuses to the Workers Compensation Division, to the attention of the Workers Compensation Supervisor. Employees must note on the time sheet/record under Injury/WC, the hours used due to a medical appointment. Medical Time (MT) should be noted beside the hours used as a result of a compensable job related injury. Employees must have a doctor's excuse from an authorized treating facility to accompany each MT notation on the time sheet/record; otherwise, the leave will be charged to his or her personal leave time or leave without pay.

An employee who is treated by an authorized treating physician prior to/or after the employee's work day or on the employee's off day is not entitled to compensatory time.

C. Second Job: An employee who is injured on the job while employed by Fulton County, and who is placed on a "no" work or "limited" work status by the authorized treating physician, shall not work a second job.

D. Treatment of Choice: Nothing in this Procedure shall abridge the right of an employee to seek medical attention at any facility of his or her choosing. The employee shall however be personally responsible for the payment of any charge resulting from the medical treatment provided. The County shall not be financially responsible for any unauthorized treatment.

E. Treatment No-Show: Failure by an employee to report for a scheduled doctor's appointment may result in the loss of his or her workers

compensation benefits. It is the responsibility of the employee to pay for any charges for a no-show office visit. Employees' refusal to accept and/or cooperate with doctors' recommended rehabilitation can result in the suspension or reduction of compensation benefits.

F. Post-Doctor Visit Updates: Employees shall update his or her supervisor and the Workers Compensation Division as to his or her work status following each doctor's visit.

VIII. Return to Work (Modified/Transitional Duty)

A. Limited and Regular Duty: Immediately upon an employee's release by his or her authorized treating physician to return to work, whether to limited or regular duty, it shall be his or her "sole" responsibility to notify his or her immediate supervisor and the Workers Compensation Division. Contact and emergency information for the Workers Compensation Division is provided on the Notice to all County Employees (posted Panel of Physicians).

B. Modified/Transitional Duty: In cases where an employee is released to return to work, with work limitations, his or her authorized treating physician will be provided and required to complete a Modified/Transitional Duty "Physician's Approval Form." This document will provide specific details regarding the employee's work limitations, projected time frame for release to regular duty and any physician's comments. Upon approval by the authorized treating physician, the employee will be notified by his or her supervisor that a temporary modified/transition duty position is available and the date and time on which he or she is expected to return to work.

Modified/Transitional Duty is designed to provide "temporary work assignments" for employees released by their authorized treating physician, for return to work with specific work limitations. These modified/transitional duty positions are temporary and will not "transition" into full-time, permanent positions. Employees on modified/transitional duty shall be assigned and perform specific duties in compliance with all work restrictions established by his or her authorized treating physician. An employee's refusal of "Suitable Employment" in a temporary modified/transitional duty position can result in the suspension or reduction of his or her compensation benefits.

FULTON COUNTY

PERSONNEL POLICY

SUBJECT: WORKPLACE VIOLENCE AND ANTI-BULLYING

DATE: January 1, 2017 Number: 341-16

I. Statement of Policy

The County is committed to providing all employees with a healthy and safe work environment. The County seeks to provide a work environment that minimizes workplace violence and bullying. Violence in the workplace poses a threat to the safety of employees and the public and affects employee morale and productivity. All employees are responsible for minimizing workplace violence. The procedures that accompany this policy are designed to minimize the threat of violence in the workplace, without restricting appropriate public access to County employees and facilities, and provide guidelines for responding promptly and effectively to workplace violence.

The County will not tolerate acts and behaviors that are likely to result in workplace violence and bullying. The County will also ensure that procedures exist to allow complaints of workplace violence and bullying to be dealt with and resolved within the County, without limiting any person's entitlement to pursue resolution of their complaint with the relevant statutory authority.

II. Background and Applicability

This policy applies to all Fulton County officials, employees, volunteers and contractors. It applies during normal working hours, at work related or sponsored functions, and while traveling on work related business.

III. Establishment and Implementation of Procedure

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.

FULTON COUNTY

PERSONNEL PROCEDURE

SUBJECT: WORKPLACE VIOLENCE AND ANTI-BULLYING

DATE: January 1, 2017 Number: 341-16

I. Overview and Definitions

The County will not tolerate acts and behaviors that are likely to result in workplace violence and bullying, which may include, but are not limited to, abusive language, hitting or shoving, threats of bodily harm, threats or violence arising out of sexual or racial harassment, brandishing of an object which may be used as a weapon, insubordination, the sending of threatening, harassing or abusive e-mail and faxes, using the workplace to violate protective orders, and stalking.

Other terms relevant to the County's Workplace Violence and Anti-Violence policy and implementing procedures include the following:

A. Threats of Violence: Actions or words that could be construed by a reasonable person as expressing an intent to cause another individual physical harm. Such behavior may be verbal or non-verbal, and may include intimidation, harassment, and/or coercion.

B. Acts of Violence: Any act of violence as established by the criminal laws of the State of Georgia, Fulton County, or any city therein, including but not limited to, assault, battery and stalking.

C. Workplace Violence: Any intentional act that inflicts, attempts to inflict, or threatens to inflict bodily harm on another person or that inflicts, attempts to inflict, or threatens to inflict, damage to property, whether committed by a County employee or by anyone else and which occurs in a County workplace, at a County site location or while an employee is engaged in County business.

D. Workplace: All County property and any other locations where County employees are performing their job duties.

E. Bullying: Unwelcome or unreasonable behavior that demeans, intimidates or humiliates people either as individuals or as a group. Bullying behavior is often persistent and part of a pattern, but it can also occur as a single incident. It is usually carried out by an individual but can also be an aspect of group behavior. Examples:

- Verbal Communication- abusive and offensive language; insults; teasing; spreading rumors and innuendos; unreasonable criticism; and trivializing of work and achievements

- Manipulating the work environment- isolating people from normal work interaction; excessive demands; and setting impossible deadlines

- Psychological manipulation- unfairly blaming for mistakes; setting people up for failure; deliberate exclusion; practical jokes; belittling or disregarding opinions or suggestions; criticizing in public

F. Mobbing: A particular type of bullying behavior carried out by a group rather than by an individual. Mobbing is the bullying or social isolation of a person through collective unjustified accusations, humiliation, general harassment or emotional abuse. Although it is a group behavior, specific incidents such as an insult or a practical joke may be carried out by an individual as part of mobbing behavior.

II. Reporting and Investigating

All employees shall promptly report workplace violence or bullying to their supervisors and/or Appointing Authority in accordance with the County's procedures. In an emergency situation, employees may report workplace violence to supervisory or managerial level employees other than their own supervisors. Upon receipt of a report of workplace violence or bullying, the supervisor and/or Appointing Authority shall immediately refer the matter to the Chief Human Resources Officer for investigation. In addition, where it is an employee's supervisor or Appointing Authority who has engaged in threatening, violent, intimidating or other abusive behavior, the employee does not have to report the behavior to their immediate supervisor or go through their supervisory chain of command. Rather, in such a circumstance, an employee is specifically authorized to bypass his/her supervisor (and supervisory chain of command) and report such conduct or behavior directly to the Chief Human Resources Officer.

It is the Chief Human Resource Officer's responsibility to oversee the investigation of all reported incidents involving workplace abuse, intimidation, or violence and report findings to the Appointing Authority (or his/her designee) who shall take immediate action as appropriate. Such investigation shall commence as soon as practicable and supervisors and Appointing Authorities are required to take reasonable steps to protect

the alleged victim(s), including, but not limited to, separation of the alleged perpetrator(s) and victim(s).

III. Victim(s) of Violence and Bullying

Any employee who feels he or she has been victimized by bullying and/or workplace violence is encouraged to report the matter to his or her supervisor or Appointing Authority or to the Department of Human Resources Management. Where appropriate, an investigation will be undertaken and disciplinary measures will be taken as necessary by the Appointing Authority or his or her designee.

IV. Disciplinary Action

Disciplinary action for violations of this policy and procedure shall be taken by the violator's Appointing Authority pursuant to the Discipline for Classified Employees Policy and Procedure (305-16), Article 13, D. Violations of this policy and procedure rising to the level of criminal acts shall be turned over to the proper law enforcement agency. In addition, violations of this policy may cause the violator to be immediately removed from the workplace.

While the County encourages all employees to raise any concern(s) under this policy and procedure, the County also recognizes that intentional or malicious false allegations can have a serious effect on innocent people. Any individual who knowingly falsely accuses another of a violation will be disciplined in accordance with the County Policies and Procedures up to, and including, dismissal.

FULTON COUNTY GOVERNMENT
GUIDEBOOK

DEFINITIONS

DEFINITIONS

1. "Appointment" for purposes of this Manual is defined as the designation of an individual for employment in a specific position.

2. "Appointing Authority" for purposes of this Manual is defined as the person or persons authorized by law or delegated the authority to make appointments to fill positions, and who is the executive head of a department.

3. "Bonus" for purposes of this Manual refers to a monetary payment or award given to an employee to recognize performance or educational accomplishments or as an incentive to retain critical staff members in the employ of Fulton County. Bonus pay is compensation over and above the amount of pay specified as a base salary or hourly rate of pay, and does not increase an employee's base rate of pay.

4. "Classified Employees" for purposes of this Manual refers to those employees occupying positions in the "classified service" as defined and identified by the Fulton County Civil Service Act, as amended.

5. "County" for purposes of this Manual means Fulton County, Georgia.

6. "Department Head" or "Agency Head" for purposes of this Manual are used interchangeably, and are defined as the person or persons holding the position, whether by appointment or election, with overall administrative responsibility for a County Department or Agency.

7. "Employee" for purposes of this Manual is defined as any individual who holds a budgeted position with Fulton County Government. Although the term "Employee" does not include elected officials or constitutional officers, it generally includes individuals employed within the offices or departments headed by elected officials and constitutional officers unless specifically otherwise exempted by a Policy or Procedure.

8. "Exempt Employee" for purposes of this Manual is defined as an employee who is specifically exempt from the overtime compensation provisions of the Fair Labor Standards Act (29 U.S.C. §§ 201 et seq.).

9. "Non-exempt Employee" for purposes of this Manual is defined as an employee who is entitled to minimum wage and overtime compensation (or compensatory time in lieu thereof) pursuant to the provisions of the Fair Labor Standards Act (29 U.S.C. §§ 201 et seq.).

10. "Personal staff of elected officials" for purposes of this Manual is defined as any person who is chosen, appointed and/or hired by a person elected to public office for Fulton County ("elected official") to be on such elected official's personal staff and who is directly supervised and personally accountable to only that elected official. The term "Personal staff" includes any person who serves the elected official on the policymaking level or as an immediate advisor with respect to the exercise of the constitutional or legal powers of the office occupied by the elected official. The term "Personal staff of elected officials" does not include employees whose positions are in the Classified Service.

11. "Unclassified Employees" for purposes of this Manual refers to those employees occupying positions in the "unclassified service" as defined and identified by the Fulton County Civil Service Act, as amended.

Please note that specific policies and procedures contained in this Manual may include additional definitions.

FULTON COUNTY

ALL PEOPLE ARE SAFE
ALL PEOPLE ARE HEALTHY
ALL PEOPLE HAVE ECONOMIC OPPORTUNITY
ALL PEOPLE ARE SELF-SUFFICIENT
ALL PEOPLE TRUST THAT GOVERNMENT IS EFFICIENT, EFFECTIVE AND FISCALLY SOUND
ALL PEOPLE ARE CULTURALLY AND RECREATIONALLY ENRICHED

IMPACT • SERVICE • EFFICIENCY
fulton county
1st in 3
ENGAGED PEOPLE

EFFECTIVE JANUARY 1, 2017
UPDATED MAY 2020