



**CITY OF UNION CITY**  
**"The Progressive City"**

**EMPLOYEE HANDBOOK**

Dear Employee,

Congratulations and welcome to the City of Union City!

We are happy to have you on board, and we look forward to your new energy and ideas. These are exciting times at Union City, and I thank you for joining us in this important work. Here at Union City, we work hard day in and day out to provide stellar services, increased community amenities and great customer service to our residents. Each member of the Union City team has an important contribution to enact our vision to ensure fiscal stability and a high quality of life for our community. The experience you bring will play a vital role in our mutual success.

This employee handbook contains the key policies, goals, benefits and expectations that will help you in that work. The contents described in this handbook are intended to reflect our concern, not only for your well-being, but also for your personal growth and professional development. Please refer to it often, and do not hesitate to contact the Human Resources Department if you have questions about anything included here. We are here to support you, as you support our mission to rebuild, rebrand and revitalize our community.

I wish you success in your career with us and thank you for your dedication to supporting our great City.

**THIS IS YOUR UNION CITY...Welcome aboard!**

Lasonja Fillingame  
City of Union City, City Manager

## TABLE OF CONTENTS

|  |           |
|--|-----------|
| <b>DISCLAIMER – IMPORTANT NOTICE.....</b>                          | <b>1</b>  |
| <b>EQUAL EMPLOYMENT OPPORTUNITY POLICY .....</b>                   | <b>2</b>  |
| <b>THE AMERICANS WITH DISABILITIES ACT .....</b>                   | <b>2</b>  |
| <b>EMPLOYEE PRIVACY POLICY .....</b>                               | <b>3</b>  |
| <b>SMOKING POLICY .....</b>  | <b>3</b>  |
| <b>LIFE SAVER AWARD.....</b>                                       | <b>4</b>  |
| <b>DRESS CODE.....</b>   | <b>4</b>  |
| <b>RECYCLING.....</b>  | <b>4</b>  |
| <br>   |           |
| <b>CHAPTER 1 – ADMINISTRATION OF PERSONNEL RULES.....</b>          | <b>5</b>  |
| <b>MAYOR AND COUNCIL</b>   |           |
| <b>CITY MANAGER</b>  |           |
| <b>AMENDMENTS</b>  |           |
| <br>   |           |
| <b>CHAPTER 2 - ANTI-HARASSMENT POLICY .....</b>                    | <b>6</b>  |
| <b>POLICY</b>  |           |
| <b>HARASSMENT DEFINED</b>  |           |
| <b>RESPONSIBILITIES</b>  |           |
| <b>COMPLAINT AND INVESTIGATION PROCEDURES</b>                      |           |
| <b>CORRECTIVE/DISCIPLINARY ACTION</b>                              |           |
| <br>   |           |
| <b>CHAPTER 3 – NEPOTISM/ANTI-FRATERNIZATION .....</b>              | <b>9</b>  |
| <b>NEPOTISM</b>  |           |
| <b>FRATERNIZATION DISCOURAGED/PROHIBITED</b>                       |           |
| <b>DEFINITIONS</b>   |           |
| <br>   |           |
| <b>CHAPTER 4 – CATEGORIES OF EMPLOYMENT/BENEFITS ELIGIBILITY .</b> | <b>10</b> |
| <b>EXEMPT</b>  |           |
| <b>NON-EXEMPT</b>  |           |
| <b>REGULAR FULL-TIME</b>   |           |
| <b>REGULAR PART-TIME</b>   |           |
| <b>TEMPORARY EMPLOYEES</b>   |           |
| <br>   |           |
| <b>CHAPTER 5 – EMPLOYMENT; PROMOTION; DEMOTION; RESIGNATION;</b>   |           |
| <b>FILLING OF VACANCIES .....</b>                                  | <b>11</b> |
| <b>POLICY</b>  |           |
| <b>EXAMINATIONS</b>  |           |
| <b>PHYSICAL EXAMINATIONS</b>                                       |           |
| <b>FINAL SELECTION OF NEW EMPLOYEES</b>                            |           |
| <b>EMPLOYEE PROMOTION AND DEMOTION</b>                             |           |

**INTRODUCTORY PERIOD  
DEPARTMENTAL TRANSFERS  
RESIGNATION  
CITY PROPERTY**

**CHAPTER 6 – LEAVES OF ABSENCE .....14**  
**GENERAL POLICY**  
**VACATION LEAVE POLICY**  
**SICK LEAVE POLICY**  
**BEREAVEMENT (OR FUNERAL) LEAVE**  
**MILITARY LEAVE**  
**CIVIL LEAVE**  
**FAMILY AND MEDICAL LEAVE OF ABSENCE**  
**HOLIDAYS**  
**TIME OFF TO VOTE**

**CHAPTER 7 – OPEN DOOR POLICY .....26**

**CHAPTER 8 – GRIEVANCE POLICY .....27**  
**STATEMENT OF POLICY**  
**GENERAL**  
**DEFINITIONS**  
**PROCEDURE**  
**NON-GRIEVABLE CLAIMS**

**CHAPTER 9 – GUIDELINES FOR DISCIPLINARY ACTION.....30**  
**GENERAL**  
**GIFTS AND GRATUITIES POLICY**  
**RULES OF CONDUCT**  
**ATTENDANCE AND PUNCTUALITY**  
**PROGRESSIVE DISCIPLINE**

**CHAPTER 10 – DUAL EMPLOYMENT & CITY BOARD PARTICIPATION.....35**

**CHAPTER 11 – REDUCTION IN FORCE.....36**

**CHAPTER 12 – CLASSIFICATION, COMPENSATION PLAN, AND PAYROLL  
PRACTICES .....37**  
**CLASSIFICATION**  
**COMPENSATION**  
**OVERTIME**  
**PAY DEDUCTIONS**  
**PAYDAYS**  
**CHANGES IN PERSONAL INFORMATION**  
**PAY ADVANCE**  
**ADMINISTRATIVE PAY CORRECTIONS**

**REST AND MEAL PERIODS  
TIMEKEEPING  
WORK SCHEDULES**

**CHAPTER 13 – EMPLOYEE PERFORMANCE EVALUATION .....41**

**PURPOSE**

**EMPLOYEES SUBJECT TO EVALUATION**

**PERFORMANCE EVALUATION CONDUCTED BY SUPERVISOR**

**REVIEW BY DEPARTMENT DIRECTOR**

**CHAPTER 14 – BENEFITS PLAN .....42**

**PURPOSE**

**ADMINISTRATION OF BENEFITS PLAN**

**BENEFITS CONTINUATION/COBRA**

**WORKERS’ COMPENSATION**

**OTHER PAYROLL DEDUCTION PROGRAMS**

**HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT**

**CHAPTER 15 – RETIREMENT PLANS .....45**

**DEFINED CONTRIBUTION PLAN**

**DEFINED BENEFIT PLAN**

**CHAPTER 16 – WORKPLACE PRIVACY.....47**

**ACCESS TO PERSONNEL FILES**

**CHAPTER 17 – COMPUTER AND ELECTRONIC COMMUNICATIONS**

**POLICY.....48**

**GENERAL GUIDELINES**

**NO EXPECTATION OF PRIVACY**

**MONITORING OF COMPUTER AND ELECTRONIC COMMUNICATION**

**USAGE**

**MAINTAINING PROFESSIONALISM**

**INAPPROPRIATE USE**

**DISCLAIMER OF LIABILITY**

**MISUSE OF SOFTWARE**

**PASSWORD**

**VIRUS DETECTION**

**SOCIAL MEDIA**

**CHAPTER 18 – DRUG AND ALCOHOL POLICY .....52**

**PURPOSE**

**SCOPE**

**POLICY**

**PROHIBITED CONDUCT**

**RESPONSIBILITY**

**PRE-EMPLOYMENT DRUG TESTING**

**POST-ACCIDENT OR REASONABLE SUSPICION TESTING  
RANDOM DRUG AND ALCOHOL TESTING  
FOLLOW-UP TESTING**

**CHAPTER 19 – TRAVEL AND SUBSISTENCE ALLOWANCE POLICY.....58**

**APPROPRIATION**

**EXPENDITURE APPROVAL**

**SETTLEMENT OF DISPUTED REIMBURSEMENT CLAIMS**

**TRAVEL EXPENSES**

**NON-TRAVEL MEALS**

**SUBMISSION OF EXPENSES**

**CHAPTER 20 – SAFETY INFORMATION.....63**

**WORKPLACE VIOLENCE**

**WEAPONS IN THE WORKPLACE**

**CITY PROPERTY AND VEHICLES**

**SEATBELTS**

**CELL PHONES AND HANDHELD COMMUNICATION DEVICES**

**MOTOR VEHICLE RECORD CHECKS**

**REPORTING OF TRAFFIC INCIDENTS**

**USE OF CITY EQUIPMENT**

**EMERGENCY CLOSINGS**

**VISITORS IN THE WORKPLACE**

**APPENDIX**

**HANDBOOK AND POLICIES ACKNOWLEDGEMENT**

**HARASSMENT INCIDENT REPORT**

**DRUG AND ALCOHOL POLICY ACKNOWLEDGEMENT**

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

**EMPLOYEE LEAVE REQUEST FORM**

**VERIFICATION OF MILITARY DUTY**

**AMENDMENTS**

## DISCLAIMER – IMPORTANT NOTICE

This Employee Handbook contains various rules, policies, and procedures relating to employment with the City of Union City (the “City”). Many of the provisions are summaries of federal, state, and local laws. Such laws are subject to change from time to time and, in accordance with such changes, the City may find it necessary or advisable to alter its rules, policies, procedures and the provisions of this Employee Handbook at any time. To the extent this Handbook is inconsistent with any federal, state, or local laws, such laws will supersede the provisions in the Handbook. The City also retains the right to review, amend, modify, or terminate any of the policies set forth in this Handbook at any time. Further, certain job positions may have additional rules and requirements, which apply to those specific job duties. Each employee shall be subject to all rules and requirements which have been established regarding his/her position with the City. In the event of a conflict in any rules or requirements, the provisions as set forth in this Employee Handbook shall be deemed the controlling provision.

**NOTHING IN THIS HANDBOOK OR IN ANY OF THE CITY’S PERSONNEL POLICIES SHALL BE DEEMED TO CONSTITUTE A CONTRACT OF EMPLOYMENT AND ALL CITY EMPLOYEES ARE EMPLOYED “AT-WILL,” WHICH MEANS THAT EITHER THE EMPLOYEE OR THE CITY MAY TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME FOR ANY REASON, WITH OR WITHOUT CAUSE, AND WITH OR WITHOUT ADVANCE NOTICE. NO ONE OTHER THAN THE CITY MANAGER MAY MAKE ANY PROMISES OR ASSURANCES OR ENTER INTO ANY CONTRACT, WHETHER ORAL OR WRITTEN, THAT IN ANY WAY IS CONTRARY TO OR INCONSISTENT WITH THE LIMITATIONS SET FORTH HEREIN, AND ANY SUCH PROMISES, ASSURANCES, OR PURPORTED CONTRACTS MADE BY THE CITY MANAGER SHALL BE INVALID AND NOT BINDING ON THE CITY UNLESS ADOPTED, ENDORSED, AND AGREED TO IN WRITING BY THE CITY MANAGER AND MADE IN ACCORDANCE WITH THE AUTHORITY GRANTED TO THE CITY MANAGER TO ENTER INTO CONTRACTS ON BEHALF OF THE CITY.**

## **EQUAL EMPLOYMENT OPPORTUNITY POLICY**

In order to provide equal employment and advancement opportunities to all individuals and in accordance with the City of Union City's Equal Employment Policy, employment decisions at the City will be based on merit, qualifications, and abilities. The City does not discriminate in employment opportunities or practices on the basis of race, color, creed, religion, sex (including pregnancy), national origin, age, citizenship, disability, genetic information, or any other characteristic protected by law. In keeping with its commitment to equal employment opportunity, the City will not tolerate harassment, discrimination, or the unlawful treatment of employees based upon any of the protected classes listed above by anyone, including any supervisor, co-worker, vendor, client, or customer of the City, nor will the City tolerate discrimination against individuals because of their association with others who may fall into a protected category under the law. Further, the City does not tolerate retaliation against any individual engaged in legally-protected activity or against anyone with whom such individual associates.

If you have questions or concerns about any type of discrimination or harassment in the workplace, you are encouraged to bring these issues to the attention of your supervisor, higher-level department manager or Human Resources. Any employee or job applicant who feels that he/she has been subjected to discrimination or knows of its existence should report the information to Human Resources or the City Manager as soon as practicable. All reports will be investigated and appropriate action taken. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

## **THE AMERICANS WITH DISABILITIES ACT**

The City is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA"), as amended. It is the City's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability, record of disability, or perceived disability. Consistent with this policy of nondiscrimination, the City will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the City aware of his or her disability and provided that such accommodation does not constitute an undue hardship on the City.

Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact Human Resources. The City encourages individuals with disabilities to come forward and request reasonable accommodation when such an accommodation is necessary to the performance of the employee's essential job functions. The City may request reasonable information and documentation of the disability and need for accommodation. It is the responsibility of the employee with a disability to approach and request an accommodation they believe to be reasonable. Qualified individuals with disabilities needing or requesting

accommodation are expected to cooperate in a dialogue with the City in order to determine the nature of the disability, the need for accommodation, and whether accommodation options exist.

Accommodations will be determined on a case-by-case basis, and may include, but are not limited to, reallocation of non-essential job functions, reasonable modification of work schedule, obtaining or modifying equipment or devices, reassignment to another vacant position for which the employee is qualified, or a short-term leave of absence. There is no guarantee that the City will be able to accommodate every request. Essential job functions will not be eliminated as an accommodation, nor can the City lower standards and expectations as an accommodation. If more than one reasonable and effective accommodation exists, the City may choose between the accommodations to offer the one that best suits the needs of the City.

The City does not discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions and privileges of employment, nor does the City retaliate against any employee who requests an accommodation of a disability.

## **EMPLOYEE PRIVACY POLICY**

The City will take necessary steps to maintain policies and procedures concerning privacy of, and access to, protected personal information. If you obtain, by any means, information about another individual's identity, you are to keep it confidential, and if necessary, only provide the information to those who need to know, such as the immediate supervisor or City Manager, unless otherwise required by law. The information that is considered confidential are items such as social security numbers, credit card numbers, drivers' licenses, maiden names, home addresses, employees' and other individuals' personal information, bank account numbers, medical documentation, and other such information. The City Manager has delegated the privacy policy management to the Human Resources Administrator. Please notify that person if you are concerned about compromised information. You can be sued individually if you disseminate identity information inappropriately. You also may be disciplined, up to including immediate dismissal.

## **SMOKING POLICY**

The City is committed to providing a safe and healthy environment for our staff and customers. Based upon the issues presented by the use of tobacco, including smoke-less tobacco that give rise to public health concerns, all City buildings and vehicles are hereby declared to be tobacco free areas. Smoking around City buildings is restricted to designated smoking areas. No employee shall engage in conduct in violation of this policy. Smokers must maintain the cleanliness and safety of designated smoking areas.

## **LIFE SAVER AWARD**

The employees of the City of Union City earn the grateful appreciation of the City and its citizens every day. However, on some occasions, City employees perform acts of heroism that go above and beyond the call of duty.

City employees who save a life in the performance of their duties may be eligible for a "Life Saver Award." The Life Saver Award is a high honor, and requires verification by the Medical Director that a life was saved, review by legal, and approval of the City Manager. Public recognition and monetary awards may be associated with the Life Saver Award.

## **DRESS CODE**

Employees whose jobs require the use of uniforms and/or whose attire must meet prescribed safety standards must follow their departments' adopted standards.

All others are to dress in business appropriate attire for a professional office environment.

## **RECYCLING**

The City supports environmental awareness by encouraging recycling and waste management in its business practices and operating procedures. This support includes a commitment to the purchase, use, and disposal of products and materials in a manner that will best utilize natural resources and minimize any negative impact on the earth's environment.

Special recycling receptacles have been set up to promote the separation and collection of the following recyclable materials at Union City:

|                                |                      |                    |
|--------------------------------|----------------------|--------------------|
| computer paper                 | newspaper            | glass              |
| white high grade or bond paper | corrugated cardboard | plastic            |
| ledger paper                   | brown paper bags     | printer cartridges |
| mixed or colored paper         | aluminum             |                    |

## **CHAPTER 1 - ADMINISTRATION OF PERSONNEL RULES**

**This Personnel Handbook provides statements of policy and establishes required procedures relating to personnel administration that are necessary to effectively and efficiently manage city operations. It is issued by the City Manager under the authority of the City Council via City Ordinance.**

### **1. Mayor and Council**

The Mayor and Council by ordinance shall adopt rules and regulations to govern classification of positions, appointment, promotion, transfer, layoff or furlough, removal and discipline of employees, employee qualifications, terms and conditions of employment, retirement and benefits and other measures that promote the hiring and retaining of capable, diligent, and honest employees.

### **2. City Manager**

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

### **3. Amendments**

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

## **CHAPTER 2 – ANTI-HARASSMENT POLICY**

### **1. Policy**

The City is committed to providing a professional work environment that maintains employee equality, dignity and respect. In keeping with this commitment, the City strictly forbids discriminatory practices, including sexual harassment and other forms of harassment, as defined in this policy. Any harassment prohibited by this policy, whether verbal, physical or environmental is unacceptable and will not be tolerated whether it occurs in the workplace or at outside work-sponsored activities.

The City prohibits any verbal, physical or visual conduct, which could offend, intimidate or create a hostile working environment for any individual, on the basis of race, color, religion, national origin, gender, age, disability or any other characteristics protected by federal, state or local law. The City also specifically prohibits sexual harassment, which is defined in this policy as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature.

### **2. Harassment Defined**

Conduct prohibited in this policy will not be tolerated under any circumstances, including cases where the conduct is unwelcome, and/or:

- a. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
- c. The conduct is so severe or pervasive that it unreasonably interferes with the individual's performance or creates an intimidating, hostile or offensive working environment.

There is no way to delineate all conduct or behavior that may constitute harassment or sexual harassment. Some examples of the types of behavior that may constitute harassment include, but are not limited to, the following:

- a. Derogatory, vulgar, or graphic written or oral statements or jokes regarding race, color, religion, national origin, age, disability, gender, sexuality, sexual experience or any other characteristics protected by federal, state or local law;
- b. Unwelcome touching or physical assault;

- c. Sexual compliments, flirtations, advances, propositions, innuendoes, suggestions or jokes; or
- d. The display of offensive or sexually suggestive pictures or objects.

This policy applies to all City employees, managers, supervisors and other staff, whether related to conduct engaged in by fellow employees, supervisors, elected and appointed officials, or someone who is not directly related to the City, such as a vendor, consultant, client, customer or other City contact.

### **3. Responsibilities**

It shall be the joint responsibility of all managers and supervisors to ensure adherence to this policy. The City Manager will assist in the coordination and implementation of this policy. All supervisors and managers have the duty of ensuring that no individual or employee is subjected to sexual harassment or any other form of unlawful harassment, and of maintaining a workplace free of such harassment.

### **4. Complaint and Investigation Procedures**

The City requires employees to report all perceived incidents of harassment, regardless of the position of the alleged offender. Any employee who has a harassment complaint against a supervisor, co-worker, visitor, customer or other person, must bring the problem to the City's attention.

- a. If you believe that you have been harassed, you must immediately report the incident to the Department Head. Department's are required to immediately notify Human Resources of the complaint. If you are uncomfortable reporting the incident to the Department Head, if the Department Head is involved in the incident, or if you believe that your prior complaint was not properly addressed, you must report the incident directly to Human Resources. If you are uncomfortable reporting the incident to Human Resources, you must report the incident to the City Manager.
- b. The complaint will be thoroughly and promptly investigated in a professional manner. You will be notified of a decision or of the status of the investigation as soon as possible. There will be no discrimination or retaliation against any individual who files a harassment complaint, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven.
- c. Actions taken internally to investigate and resolve harassment complaints shall be conducted confidentially to the extent practicable and appropriate, and consistent with the Georgia Open Records Act, in order to protect the privacy of persons involved.

If a harassment complaint is directed against the City Manager, the complaint must be submitted to Human Resources and the Mayor and Council.

Employees are encouraged to report the complaint using the Harassment Incident Report form which is included in the Appendix of this Employee Handbook. The Harassment Incident Report form is also available through the Human Resources Department.

## **5. Corrective/Disciplinary Action**

If management concludes that a complaint of harassment has merit, appropriate action will be taken. Resolution for harassment includes, but is not limited to, an apology, transfer, direction to stop the offensive behavior, counseling or training, verbal or written warning, suspension with or without pay, demotion, or termination of employment. In the event that harassment or offensive behavior previously addressed reoccurs, it shall be reported immediately to the Human Resources Department or to the City Manager. Non-employees may be reported to the appropriate law enforcement agency and/or barred from the premises.

Retaliatory action against any individual or any employee seeking redress under this policy is prohibited and shall be regarded as a separate and distinct cause for complaint and discipline under this policy.

## **Chapter 3 – NEPOTISM/ANTI-FRATERNIZATION**

### **1. Nepotism**

Two (2) or more members of a family shall not be employed within the same department. If two (2) employees within the same department should become married, or enter into a similar civil union, one (1) employee will be required to resign from City service or, request a transfer to a vacant position in another department for which the employee is qualified.

### **2. Fraternization discouraged; prohibited**

- a. Fraternalization between employees is discouraged as having a high possibility of undesirable consequences or ramifications for both the employees involved and the City, including but not limited to perceived sexual harassment.
- b. Fraternalization between a department head or supervisor and an employee who he or she directly or indirectly supervises is expressly prohibited.

### **3. Definitions**

- a. For the purpose of this policy, the term “family” shall include spouse, mother, father, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandmother, grandfather, grandchild, uncle, aunt, nephew, niece, stepparent, stepchild or member of a family by the remarriage of a parent.
- b. For the purposes of this policy, the term “fraternization” shall mean interaction or contact between employees, whether isolated, occasional, or continuous, of a sexual, romantic, or otherwise intimate nature.

There shall be no exceptions to this policy except for those who have had written acknowledgement of the grandfathered status of their relationship from the City Manager prior to March 1, 2010.

## **CHAPTER 4 - CATEGORIES OF EMPLOYMENT/ BENEFITS ELIGIBILITY**

**All City employees are employed “at-will,” which means that either the employee or the City may terminate the employment relationship at any time for any reason, with or without cause, and with or without advance notice.**

### **1. Exempt**

Exempt employees include salaried employees who are not eligible for overtime as specified by the Fair Labor Standards Act (“FLSA”).

### **2. Non-Exempt**

Non-exempt employees include hourly employees who are eligible for overtime as specified by FLSA standards.

### **3. Regular Full-Time**

Regular full-time employees include employees who are hired for an indefinite period of time and who are employed to work thirty (30) hours or more per week in positions that require full-time staffing. These employees are generally eligible to receive all authorized City benefits.

### **4. Regular Part-Time**

Regular part-time employees include employees who are scheduled to work less than thirty (30) hours per week. Benefits are generally not offered to part-time employees, unless otherwise required by law.

### **5. Temporary Employees**

Temporary employees are those who are hired as interim replacements to temporarily supplement the work force or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all of Union City's other benefit programs, unless otherwise required by law.

## **CHAPTER 5 – EMPLOYMENT; PROMOTION; DEMOTION; RESIGNATION; FILLING OF VACANCIES**

### **1. Policy**

In order to effect full utilization of its available human resources, the City has established a policy to select the most qualified person for the task to be performed, with appropriate attention to such factors as educational and training background, previous experience, demonstrated skills, and character traits.

### **2. Examinations**

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

### **3. Physical Examinations**

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

Current employees may be required to take medical examinations to determine fitness for duty. Such examinations will be scheduled at reasonable times and intervals and performed at the City's expense.

### **4. Final Selection of New Employees**

The final selection of the person to fill each vacancy shall be made by the Department Director with the exception of their direct reports, which requires City Manager approval.

### **5. Employee Promotion and Demotion**

The City makes every effort to promote from within the City's current employees. In the event that a promoted employee fails to meet the required standards of performance for the new position within the six month introductory period, he/she may be restored to the position from which promoted or to a comparable position, or he/she may be terminated if, in the City Manager's sole discretion, reassignment is considered impractical.

A promotion is the filling of a vacancy on a competitive basis by the advancement of a regular employee. An employee who is promoted shall be required to serve an introductory period.

Employees are not eligible for promotions during their introductory period unless their Department Director and the City Manager agree that a move is warranted.

An employee who is promoted to a position shall receive a minimum of six (6) percent above the employee's previous rate or the minimum of the grade, whichever is greater. A Department Director may, with the approval of the City Manager, award an increase to a City approved market rate for the new position if the promoted employee has extraordinary ability or for such other special circumstances deemed in the best interest of the City. There is no increase in pay at the end of the introductory period.

An employee who is demoted to a position shall receive either, the maximum rate of the new grade or, a minimum of six (6) percent reduction of the employee's current rate, whichever is least and keeps the employee on the demoted grade.

## **6. Introductory Period**

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. Union City uses this period to evaluate employee capabilities, work habits, and overall performance. At the end of this period of evaluation, employees will not receive an increase in pay.

**All new and rehired employees work on an introductory basis for the first 180 calendar days after their date of hire.** Employees who are promoted or transferred to a different classified position within Union City must complete a secondary introductory period of the same length with each reassignment to a new position. (Example: An administrative clerk applying for and being accepted for a Communications Operator position.) Any significant absence will automatically extend an introductory period by the length of the absence. If the City determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period. Any requests for extension of the introductory period will be placed in writing, designating the reason for the extension and the length of extension, and forwarded to the City Manager for approval.

Full-time City employees being promoted within their assigned classified position will not be required to serve a second introductory period: (Example: A Laborer I being promoted to a Laborer II within the same department.)

During the initial introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They may also be eligible for other benefits, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefits program for the details on eligibility requirements.

## **7. Departmental Transfers**

On occasion, employees may have an opportunity to transfer from one department within the City employment structure to another department.

Transfers from one department within the City employment structure to another may be allowed based on the employee's skills & ability, with the approval of the Department Directors, Human Resources, and the City Manager.

## **8. Resignation**

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

After receiving written notice of voluntary termination, the Department Director shall notify the Human Resources Department and schedule an exit interview for the employee.

Employees who miss work without notice and/or prior supervisory authorization will be terminated effective as of the last day worked as a voluntary termination (no call, no show) unless there are substantial mitigating circumstances.

An employee's final check will be a live check. If the employee wishes to have the check mailed he or she must contact Human Resources.

## **9. City Property**

All City property assigned to an employee must be returned in good, working condition.

## CHAPTER 6 – LEAVES OF ABSENCE

### 1. General Policy

- a. A regular full-time employee may be granted a leave of absence without pay at the discretion of the Department Director and the City Manager. An employee may also be placed on leave of absence status without application for up to 180 days, upon recommendation of a supervisor and approval of the Department Director and the City Manager. No annual or sick leave shall be accrued by an employee while on leave without pay status.
- b. Any request for a leave of absence without pay shall be submitted in writing by the employee to the employee's immediate supervisor stating the reason for requesting leave and the approximate length of time off the employee desires. Requests should be submitted as far in advance of the first day of leave as possible.
- c. Any unapproved leave of absence may result in dismissal.
- d. Employees may continue, at their expense, their group health and dental insurance coverage while on leave of absence without pay in accordance with the Consolidated Omnibus Budget Reconciliation Act ("COBRA").
- e. Employees must contact the City's Human Resources Department and the Finance Department to arrange for documentation and payment of insurance premiums. Employee and family coverage costs will be paid in advance on a monthly basis. If payment is not received before the first of the month or as otherwise prescribed by law, coverage will be terminated due to non-payment. Employees will have to wait until the next open enrollment period for new coverage unless there is a bona fide qualifying event.
- f. Employees shall contact the City's Human Resources Department prior to departure regarding benefits that will be affected while on an approved leave of absence without pay.
- g. When an employee is on leave for medical reasons, the City reserves the right to require a statement from the employee's attending physician to the effect that the employee is able to resume his/her normal duties with or without an accommodation before allowing the employee to return to work.

- h. New introductory employees are not eligible to apply for accrued time off until successful completion of the introductory period. Any sick leave exceptions will be at the discretion of the City Manager.

## **2. Vacation Leave Policy**

It is the policy of the City to provide paid vacation for its regular full time employees. Vacation days are earned on a monthly basis and credited on the first payroll of the month. Employees are not entitled to “cash out” accrued vacation leave unless retiring, voluntarily resigning with proper notice, or otherwise separating from the City in good standing.

An employee who resigns from employment with the City will be paid for accrued vacation leave hours up to 120 hours for regular full-time employees and 180 hours for Fire Service employees on twenty four (24) hour shifts, provided the employee has completed a minimum of 180 days of service, submitted a written notice at least two (2) weeks before his/her separation date, and worked during the entire notice period. If it is determined to be in the best interest of the City, the City Manager may grant the employee “pay in lieu of notice.”

An employee involuntarily terminated for disciplinary reasons will not be paid for accrued leave.

Regular full-time employees will continue to accrue vacation leave credits while on authorized paid vacation leave.

Vacation leave will not be advanced before accrual unless approved by the City Manager.

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

### **A. Eligibility**

New introductory employees will accrue but are not eligible to use vacation until successful completion of their introductory period.

Annual vacation leave is accrued and granted to regular full-time employees.

### **B. Accrual Rate for Employees**

All regular full-time City employees accrue vacation leave credits on the following basis, with the exception of employees working twenty-eight (28) day work cycles.

|  |                    |
|--|--------------------|
| 0 year through the end of 5 <sup>th</sup> year-                | 8 hours per month  |
| 6 <sup>th</sup> year through the end of 15 <sup>th</sup> year- | 12 hours per month |

16<sup>th</sup> year and over- 16 hours per month

Unused vacation leave may be accumulated by the regular full time employee from year to year, but such accumulation carried over to a new calendar year may never exceed 120 hours.

Fire Service employees on twenty four (24) hour shifts accrue vacation leave credits based on a twenty-eight (28) day work cycle:

0 year through the end of 5<sup>th</sup> year- 12 hours per month

6<sup>th</sup> year through 15<sup>th</sup> year- 18 hours per month

16<sup>th</sup> year and over- 24 hours per month

Unused vacation leave may be accumulated by the employee from year to year, but such accumulation carried over to a new calendar year may never exceed 180 hours.

No accrual shall be permitted for an employee 1) on leave without pay or 2) who has been suspended without pay for disciplinary purposes when such periods of absence are for full calendar months of absence (i.e., the 1st of March through March 31st).

### **C. Use and Scheduling of Vacation Leave**

Except in special circumstances, vacation leave should be authorized by the Department Director using the Employee Attendance Program or using an Employee Leave Request Form at least five (5) working days prior to the requested vacation date. Police Department employees must submit requests for vacation at least ten (10) working days prior to the requested vacation date. Special circumstances will be determined at the sole discretion of Department Directors.

When possible, employees will be allowed to take vacation at times most convenient to them, subject to staffing and scheduling needs as determined by the Department Director. However, in order to ensure continued smooth operation and maintenance of a high level of quality in the delivery of service to the citizens of Union City, the City reserves the right to limit the number of employees who may be absent from a given department at any one time. Where there is a conflict in the vacation choices of two (2) or more employees who cannot be spared at the same time, the Department Director will determine who will take leave.

Any employee who is terminated, resigns or retires or leaves the City for any reason cannot use vacation for any part of his/her notice period.

### **D. Charging of Vacation Leave Hour**

1. All City employees working the forty hour work schedule shall be charged eight (8) hours of vacation leave for each day of vacation absence.
2. Fire department employees working twenty-eight (28) day work cycles shall be charged twenty-four (24) hours of vacation leave for each day of vacation absence.
3. Vacation leave is used and charged in units of one (1) hour.
4. When a holiday occurs during the period an employee is on authorized vacation leave with pay, vacation shall not be charged for the holiday.

### **3. Sick Leave Policy**

#### **A. Accrual Rate for Employees**

Regular full time employees shall accrue sick leave with pay at the rate of eight (8) hours per month for 40-hour employees and twelve (12) hours per month for 56-hour employees. Accrual shall start upon the employee's date of employment. No accrual of sick leave shall be permitted for an employee on FMLA Leave, or who has been suspended for disciplinary purposes. There is no maximum accrual. Employees will not be paid for any accrued sick leave upon separation of employment for any reason.

#### **B. Use of Sick Leave**

1. It is the policy of the City to provide sick leave with pay for regular full-time employees. An employee eligible for sick leave with pay shall be granted such leave for reason of personal illness or injury, or illness of an employee's spouse, parent, grandparent, sibling or child, under the employee's direct care.
2. Sick leave may be used for appointments for medical or dental examinations or treatment when such appointments cannot be reasonably scheduled during non-working hours. Examination appointments must be approved at least one (1) work day in advance, by the supervisor or Department Director.
3. In order to be eligible for sick leave with pay, an employee must report to his/her supervisor at least thirty (30) minutes in advance of the scheduled starting time the reason for the absence. Police Department employees must report sick leave at least two (2) hours in advance of the scheduled shift starting time or in accordance with department policy. An employee who fails to so notify his/her supervisor may not be paid for the time taken.

4. If an employee has no available sick leave, then time requested will be leave without pay if approved.
5. An employee who is terminated, resigning, retiring or leaving the City for any reason cannot use sick leave for any part of his/her notice period, unless accompanied by a physician statement and approved by the City Manager.

**C. Charging of Sick Leave Hours**

1. Sick leave is used and charged in units of one (1) hour.
2. When a holiday occurs during the period an employee is on authorized sick leave with pay, sick leave shall not be charged for the holiday.
3. Employees should enter their sick leave requests into the Employee Time and Attendance system prior to use or upon their return to work.

**D. Line of Duty Injuries**

The City Manager may approve additional paid time off benefits for City employees injured in the line of duty.

**4. Bereavement (or Funeral) Leave**

Regular full time employees may be granted up to 24 hours of bereavement leave (leave of absence with pay) per occurrence, upon the death of a member of the employee's immediate family. Employees working a twenty-eight (28) day work cycle will be granted up to 36 hours of bereavement leave per occurrence, upon the death of a member of the employee's immediate family. The immediate family is defined for bereavement purposes as: parent, spouse, child, brother, sister, mother-in-law, father-in-law, grandparents, son-in-law, daughter in-law, grandchild, step-parents, and step-children.

An employee must request bereavement leave by contacting his/her supervisor before going on leave. The supervisor may require an employee to submit an obituary and other evidence of relationship to the deceased along with the request for bereavement leave or upon the employee's return to work.

There is no accrual of bereavement leave days and no payment for such leave upon separation from City employment. The granted hours do not have to be taken simultaneously.

**5. Military Leave**

Employees are entitled to military leave in accordance with state and federal law. An employee going on military leave should present a copy of his/her orders to the

Department Director as soon as received or fill out a Verification of Military Duty form. Continued benefits coverage is contingent on the employee paying all required benefits premiums. Employees on unpaid military leave will not accrue paid time off.

## **6. Civil Leave**

**Jury Duty:** All regular full-time employees selected for jury duty shall be entitled to receive leave with pay for the period of absence required for jury service. Such leave shall not be charged to vacation or sick leave earnings, except that on any day when such employee is excused from jury service he/she will be expected to report for duty at the employee's regular place of work or be charged vacation leave for time excused from jury duty. Likewise, any period of time for which an employee is excused from jury duty because of illness shall be charged to sick leave. An employee shall be entitled to all fees received as a juror. An employee may be required to present a statement from the court indicating jury service.

## **7. Family and Medical Leave of Absence**

### **A. Definition**

A family and/or medical leave of absence is defined as an approved absence available to eligible employees for up to twelve (12) weeks of unpaid leave (twenty-six (26) weeks for some military related leave) in any twelve (12) month period.

Under the Family Medical Leave Act (FMLA), the City provides unpaid medical leave of absences to eligible employees for the following qualifying circumstances:

1. For birth of a son or daughter, and to care for the newborn child;
2. For the placement with the employee of a son or daughter for adoption or foster care;
3. To care for an employee's spouse, son, daughter, or parent with a serious health condition;
4. A serious health condition that makes the employee unable to perform the functions of that employee's job;
5. Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on active duty (or notified of an impending call or order to active duty) in support of a contingency operation; and
6. To care for a covered service member with a serious injury or illness if the employee is a spouse, son, daughter, parent, or next of kin of the service member.

Eligible employees are normally granted leave for the period of up to a maximum of twelve (12) weeks of family and medical leave, or twenty-six (26) weeks for a covered service member's leave, in a rolling twelve (12) month period measured backwards from the date the employee's leave commences. Employee medical leave and short term disability run concurrently with FMLA approved leave. Under FMLA, the leave may be taken intermittently, or in entirety, provided that medical certification is provided and leave has been approved. Any combination of medical leave and family leave may not exceed this maximum limit.

**B. Substitution of Other Paid Leave**

An eligible employee may apply available accrued leave to all approved absences where all or a portion of their normal base salary would otherwise be unpaid.

**C. Eligibility**

To be eligible for leave, an employee must have been working for the City for at least twelve (12) months and must have worked at least one thousand two hundred fifty (1,250) hours during the twelve (12) month period prior to the request for leave. Exceptions may be made for employees having served on military duty.

**D. Employment Restoration**

Any eligible employee who takes leave for a purpose permitted by the FMLA will be entitled upon return from such leave to be restored to the same position of employment as held when the leave began, or to be restored to a comparable position with equivalent employment benefits, pay, and other terms and conditions of employment.

An exception to the employment restoration provisions of the policy may be made if the employee on leave is a salaried employee and is among the highest paid ten percent (10%) of the City's employees, and restoring employment of the employee would result in substantial economic injury to the City.

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

**E. Basic Conditions of FMLA**

1. The City may require medical certification from the health care provider to support a request for leave for any employee's own serious health condition, or to care for a seriously ill child, spouse, or parent.
2. For the employee's personal medical leave, the certification must state that the employee is unable to perform the functions of his/her position because of a serious health condition.
4. For leave to care for a seriously ill child, spouse, or parent, the certification must state that the employee is needed to provide care.

5. At its discretion, the City may require a second medical opinion, and periodic recertification at its own expense. If the first and second medical opinions differ, the City, at its own expense, may require the opinion of a third health care provider, approved by both the City and the employee. This third opinion is binding.

If medically necessary for a serious health condition of the employee or his/her spouse, child, or parent, leave may be taken on an intermittent or reduced leave schedule. If leave is required on this basis, however, the City may require the employee to transfer temporarily to an alternative position that better accommodates recurring periods of absence or a part-time schedule, provided the position has equivalent pay and benefits.

If both spouses are employed by the City, they are entitled together to a total of twelve (12) weeks of leave (rather than twelve (12) weeks each) for the birth or placement of a child, or to care for a sick parent. Leave for the birth or placement of a child must take place within twelve (12) months after the event. Leave may begin prior to birth or adoption as circumstances dictate.

#### **F. Notification and Reporting Requirements**

When the need for leave can be planned, such as the birth or placement of a child, or scheduled medical treatment, the employee must provide reasonable prior notice and make efforts to schedule the leave to minimize disruption to City operations. In cases of illness, the employee will be required to report periodically on his/her leave status and intention to return to work.

#### **G. Status of Employee Benefits During Leave of Absence**

Any employee who is granted an approved leave of absence under the policy may continue his/her group insurance coverage by arranging to pay his/her portion of the premium contributions during the period of unpaid absence.

An employee will be required to continue to pay his/her share of group health benefit costs during a period of leave under the law. The failure to make timely premium payments may result in a loss of benefits.

If an employee elects not to return to work upon completion of an approved unpaid leave of absence, the City may recover from the employee the cost of any premiums paid to maintain the employee's coverage, unless the failure to return to work was for reasons beyond the employee's control. Benefit entitlement based upon length of service will be calculated as of the last paid work day prior to the start of the unpaid leave of absence.

An employee on leave will not lose any employment benefits accrued prior to the leave, unless a benefit is used by the employee during leave, such as accrued paid vacation.

An employee on leave accrues no additional seniority or employment benefits during any period of unpaid leave, except as required by law.

## **H. Procedures**

Employees must follow specific procedures to request a family or medical leave. These procedures are as follows:

Complete the request for family medical leave of absence form, which is available in the City's Human Resources Department.

The form must be signed by the employee and submitted to his/her Department Director. The Department Director will then submit the approved form to the City's Human Resources Department, with a copy to the City Finance Department. When possible, the form should be submitted by the employee thirty (30) days in advance of the effective date of the leave.

A combined leave policy form is to be completed by any employee who is requesting leave and whose spouse also works for the City.

An employee requesting leave must complete an insurance premium recovery authorization form, which is available in the City's Human Resources Department. This form certifies that an employee acknowledges the City's legal right to recover the cost of any premiums paid by the City to maintain the employee's coverage in group health benefits during any period of unpaid leave except under the following conditions:

- a. The continuation, recurrence, or onset of a serious health condition that entitles the employee to leave to care for a child, parent, or spouse with a serious health condition, or if the employee is unable to perform the functions of the position due to his/her own serious health condition; or
- b. Other conditions beyond the employee's control that prevent the employee from returning to work.

An employee requesting a family and medical leave of absence due to illness must complete a leave certification requirements form, which is available in the City's Human Resources Department.

- a. The employee must submit a completed request for family and medical leave of absence and a leave policy form.
- b. To request leave for the care of a child, parent, or spouse with a serious health condition, the employee must provide certification from the health care provider who is treating the child, parent, or spouse, including the following information:
  - 1) the date on which the condition commenced;
  - 2) the probable duration of the condition;
  - 3) the appropriate medical facts regarding the condition and an estimate of the time needed to care for the individual involved (including any recurring medical treatment); and

- 4) A statement that the condition warrants the health care provider's involvement.

To request leave due to an employee's serious health condition, the employee must provide certification from the health care provider who is treating his/her own serious health condition, regarding the following information:

- a. the date on which the condition commenced;
- b. the probable duration of the condition;
- c. the appropriate medical facts regarding the condition; and
- d. a statement that the employee is unable to perform the functions of his/her position due to his/her condition.

To request intermittent or a reduced leave schedule, the employee must provide the following additional information from the health care provider:

- a. For leave for the employee, the employee must provide a statement of medical necessity for his/her intermittent or reduced leave, the expected duration of the schedule, a listing of the dates of his/her planned medical treatment(s) and the duration of the treatment(s).
- b. For leave to care for a son, daughter, spouse or parent, the employee must provide a statement attesting to the necessity of intermittent or reduced leave for the employee to provide care or to assist in the person's recovery, and an estimate of the expected duration and schedule of his/her intermittent or reduced leave.

## **8. Holidays**

The City observes the following holidays:

New Year's Day  
Martin Luther King Day  
Memorial Day  
Independence Day  
Labor Day  
Veterans' Day  
Thanksgiving Day  
Day Following Thanksgiving  
Christmas Eve  
Christmas Day  
Floating Holiday

When a holiday falls on a Saturday, the preceding Friday shall be declared a holiday for City employees. When a holiday falls on a Sunday, the following Monday shall be declared a holiday for City employees.

A regular non-exempt full-time employee (40 hours) who is required to work on an official holiday shall be paid eight (8) hours of holiday pay plus hours worked.

Fire Department employees working twenty-eight day cycles will be paid for hours worked plus twelve (12) hour holiday pay.

An employee must work their regularly scheduled work day prior to the holiday and the regularly scheduled work day following the holiday to receive holiday pay, or apply for approved accrued vacation time.

## **9. Time Off to Vote**

- a. The City encourages employees to fulfill their civic responsibilities by participating in elections.
- b. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their nonworking hours, Union City will grant up to two hours of paid time off to vote.
- c. Employees should request time off to vote from their supervisor at least two working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift; whichever provides the least disruption to the normal work schedule. Employees must submit a voter's receipt on the first working day following the election to qualify for paid time off.
- d. Employees of the City of Union City are encouraged to exercise their right to vote; but no employee shall make use of City time or equipment to aid a political candidate, political party or political cause. Employees shall not use a City position to persuade, coerce or intimidate any person in the interest of a political candidate, party or cause.
- e. City employees shall not engage in any political campaign activities while on duty, while in the workplace, while in uniform, while wearing a City identification badge, or while using a City vehicle. This prohibited activity includes, but is not limited to, distributing information or soliciting contributions or services for any political party, political candidate, or organization while on duty. Also included in prohibited activities while on duty, while in the workplace, while in uniform, while wearing a City identification badge, or while using a City vehicle, is the public endorsement of a candidate such as making a public campaign speech or statement to the news media endorsing a candidate. Additionally, employees may not use City funds, supplies or equipment for such purposes.

Nothing contained in these policies shall be construed to restrict employees from holding membership in support of a political party, to vote as they choose, to express personal opinions on all political subjects and candidates, maintain political neutrality, or to attend political meetings during non-working hours.

## **CHAPTER 7 – OPEN DOOR POLICY**

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

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

In severe cases or when the complaint involves the immediate supervisor, employees may go directly to the appropriate senior department manager or to Human Resources.

## CHAPTER 8 – GRIEVANCE POLICY

### 1. Statement of Policy

The City recognizes that misunderstandings and dissatisfactions may arise between the City and its employees. The grievance procedure is a communications process developed by the City for the settlement of certain differences between the City and its employees pursuant to which employees may present grievances, free from coercion, interference, restraint, discrimination, or reprisal. The object of the process is to reach a fair and equitable decision in a timely manner. The employee and immediate supervisor should make an effort to resolve the grievance before initiating a formal process. Grievance procedures will be posted in a conspicuous location in each City Department.

### 2. General

A grievance is any complaint by a regular full-time or part-time employee who feels that the City has treated him or her unfairly, unlawfully, or in violation of established City policy with regard to any matter pertaining to his or her employment. Grievances may only be taken from identifiable facts. A general feeling of dissatisfaction with City employment is not grievable. The application of policy established by the Mayor and Council is a matter that cannot be grieved.

### 3. Definitions

- a. **Grievance**: A grievance is a claim initiated by a regular full-time or part-time employee alleging that the employee's employment or productivity has been adversely affected by unfair treatment, unsafe or unhealthy working conditions, erroneous or capricious application of Union City policies or procedures, or unlawful discrimination.
- b. **Work Day**: A work day is one twenty-four (24) hour period excluding Saturdays, Sundays, and official City recognized holidays.
- c. **Appeal**: An appeal is a formal review of an action or decision made by a Supervisor, Department Director, or City Manager.

### 4. Procedure

- a. An employee must present their grievance, in writing, to their immediate supervisor or Department Director, with a copy to Human Resources, within five (5) working days of the occurrence of the event being grieved, or within five (5) working days after becoming aware of the event being grieved. The written grievance statement must include the specific item being grieved and the specific relief desired by the employee. The immediate supervisor or Department Director, in consultation with Human Resources, will make a careful and thorough investigation into the facts

and circumstances of the grievance, determine if the claim submitted is grievable, and attempt to resolve the claim properly and fairly. The immediate supervisor or Department Director will inform the employee, in writing, of his or her decision within five (5) working days of receiving the employee's initial grievance.

- b. An employee who is dissatisfied with the decision of the immediate supervisor or Department Director may submit the grievance, in writing, to the City Manager within five (5) working days following the receipt of the decision by the immediate supervisor or Department Director. The City Manager will make a separate investigation into the matter and inform the employee, in writing, of his or her decision and reasoning within five (5) working days after receipt of the employee's grievance. The City Manager may extend the time for making a decision if additional information or investigation is needed. The written decision of the City Manager will be the final decision in the grievance process.
- c. For Department Directors and employees reporting directly to the City Manager, the City Manager will conduct the sole grievance hearing pursuant to the time limits prescribed in the grievance procedure.

**It is not necessary to follow the established grievance procedures for claims of discrimination or other unlawful harassment. These claims may be made directly to the City Manager or Human Resources Administrator.**

## **5. Non-Grievable Claims**

The following are examples of claims which may not be grieved. This list is not intended to be exhaustive.

- a. Issues which are pending or have been concluded by other administrative or judicial procedures.
- b. Scheduling or work assignments not resulting in demotion, salary reduction, or adverse action.
- c. The establishment of work standards, appearance, or work quality.
- d. Budget allocations, department organizations, or reorganizations.
- e. Workforce reductions.
- f. Salary scales.

- g. The selection of an individual to fill a position through appointment, promotion, or transfer, unless employee is alleging unlawful discrimination.
- h. The receipt of disciplinary action other than adverse action as defined in Chapter 9 of this Handbook.
- i. Any matter not in the jurisdiction or control of Union City.
- j. Internal security practices.
- k. Decisions, policies, practices, or ordinances made or passed by the governing authority or City Manager, which are not work related and which do not contradict these policies.

## **CHAPTER 9 – GUIDELINES FOR DISCIPLINARY ACTION**

### **1. General**

**Employees are at-will and may be disciplined or discharged with or without notice and with or without cause. Nothing in this policy is intended to create a property interest in employment.**

Documentation of all actions, including a description of the violation and the action taken will be made and placed in the employee's personnel record. Employees will be requested to sign copies of all documentation. The employee's signature indicates his/her receipt of the document but does not indicate agreement with the disciplinary action. If an employee refuses to sign, it will be so noted by the supervisor. Disciplinary action resulting in discharge/removal, suspension without pay, or demotion must be reviewed by Human Resources before implementation.

### **2. Gifts and Gratuities Policy**

In addition to the rules of conduct set forth in this Chapter and whether or not specifically prohibited by this Employee Handbook or any ordinance or regulation of the City, each employee of the City shall avoid any action which might result in or create the appearance of:

- a. Using public office for private gain;
- b. Giving preferential treatment to any person;
- c. Impeding government efficiency or economy;
- d. Losing complete independence or impartiality;
- e. Making a decision on behalf of the City outside of official channels; or
- f. Affecting adversely the confidence of the public in the integrity of City government.

No employee shall solicit or accept rewards of any kind, whether direct or indirect, for the performance of duties, or request for gratuities, or use his or her job position to seek favors or preferential treatment of any kind. Further, an employee shall not accept gratuities of any kind, whether direct or indirect, in the course of his/her duties with the City, or from any person or entity where the relationship was established in the course of his/her duties with the City, with a value in excess of twenty five dollars (\$25.00) without the express written permission of the City Manager. Nothing in this section shall prohibit an employee from: (1) receiving any occasional food or beverage of nominal value, or (2) receiving any promotional item or items generally distributed to the general public

provided that the acceptance of such item or items will not influence his or her performance or failure to perform any official action.

### **3. Rules of Conduct**

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

- a. Failure or refusal to follow oral or written instructions;
- b. Inefficiency or lack of application in the performance of duties;
- c. Careless, negligent or improper use of City property or equipment or damage or destruction of City property;
- d. Conduct which endangers others or results in property damage;
- e. Failure to maintain satisfactory and/or harmonious working relationships with the public or fellow employees;
- f. Failure to report for duty at the assigned time and place;
- g. Unexcused absence;
- h. Creating or contributing to unsanitary conditions;
- i. Failure to obtain or maintain a current license or certificate required for performing the job;
- j. Failure to use safety equipment or to comply with safety rules;
- k. Gambling on City property or City work sites;
- l. Improper use of sick leave;
- m. Harassment or discrimination of any kind;
- n. Conduct unbecoming a City officer or employee. Any conduct which affects the employee's reputation or which reasonably could create concern on the part of citizens or fellow employees;
- o. Misappropriation of City funds;
- p. Falsification or misrepresentation of information in City records;
- q. Participation in any action that disrupts or disturbs the operation of the City or any segment of City government;

- r. Visiting or trespassing at the home of any City official or employee for the purpose of harassing or for the purpose of requesting discussion about job related matters;
- s. Committing an act that endangers the personal well being and/or property of others while on the job;
- t. Possession of unauthorized firearms or weapons on the job;
- u. Possession and/or use of, or being under the influence of alcohol, drugs or other intoxicants while on the job;
- v. Release of confidential information from official records without proper authority;
- w. Engaging in incompatible employment or other activities which creates a conflict of interest or gives the appearance of a conflict of interest;
- x. Using or attempting to use personal or political influence to secure promotion, leave of absence, transfer, change of pay rate, disciplinary action or in any manner related to one's work;
- y. Violating any of the provisions or regulations of this Employee Handbook;
- z. Violating department regulations by an employee of that department;
- aa. Violating an ordinance of the City or a law of the State of Georgia or a Federal Law.
- bb. Any other reason which, in the City's sole discretion, warrants disciplinary action.

#### **4. Attendance and Punctuality**

To maintain a safe and productive work environment, Union City expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on Union City. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence. If employee is absent the employee may be required to provide an excuse from a physician.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

## **5. Progressive Discipline**

### **A. Methods of Discipline**

The City advocates a progressive system of disciplinary action. Progressive discipline is a process in which disciplinary action is taken in degrees of increasing severity. An employee who violates established policies will be subject to disciplinary action.

Disciplinary action is intended to correct or modify recurring patterns of behavior which are detrimental to departmental or City operations. Such action should be initiated as soon after the behavior is observed as possible. Disciplinary action should also be undertaken in private meetings when possible. It is recognized that given the nature of Union City's operation it is not always possible to do this. However, every effort should be made to execute disciplinary action in a timely manner while respecting the integrity of the process.

### **B. Types of Action**

The following types of disciplinary action may be taken against employees violating established policies. These actions are normally to be taken in the sequence in which they appear. It is recognized that some violations are so severe as to require circumvention of the established sequence.

1. **Counseling/Verbal Reprimand:** The employee will be counseled or given a verbal reprimand for offenses which are less severe in nature but which require correction.
2. **Written Reprimand:** The employee will receive a written statement describing the problem and what must be done to correct it. The written reprimand will also contain a statement describing the probable consequences of not correcting the problem. The written reprimand will be given to the employee during a private meeting.
3. **Suspension without pay:** An employee may be suspended without pay for a violation of accepted policies governing performance and conduct. The suspension without pay shall not exceed thirty working days in one calendar year. Employees that serve suspensions without pay will not be authorized to make-up lost time during the pay period in which they serve the suspension by working extra hours or overtime.
4. **Demotion/Salary Reduction:** An employee may be moved to a lesser pay grade and be given a change in job duties and responsibilities or, an employee may be given a reduction in salary.

5. **Dismissal:** An employee may be terminated for disciplinary reasons when other alternatives have failed to solve the problem, or when the City determines that it is in the City's best interest to remove the employee from the workplace immediately and/or permanently. The Department Director will notify the Human Resources Department of the intended termination to schedule an exit interview.

An adverse action is an action taken by the Department Director that results in a disciplinary suspension without pay, a disciplinary salary reduction, a disciplinary demotion, or a disciplinary dismissal.

For adverse actions relating to Department Directors, the City Manager shall have the authority to discharge, remove or terminate Department Directors, when, in his or her judgment, it is in the best interest of the City. For Directors who are appointed, terminations will be based on the recommendation of the City Manager and approval of Mayor and City Council.

#### **C. Emergency Action**

The Department Director may take immediate action against an employee under emergency situations. The immediate action may be to suspend the employee with or without pay for a maximum of two weeks. If the employee is unable to communicate or respond, the employee will be placed on leave without pay until it is determined that the employee cannot return to work or until the employee can respond. Examples of emergency situations include: crimes of moral turpitude, commission of a felony, injurious or dangerous behavior, or damage to or destruction to public property.

#### **D. Appeals**

1. Non-appointed employees may file an appeal as a result of an adverse action taken against them.
2. An appellant must file an appeal, in writing, with the City Manager within five (5) working days of learning of the event or decision which adversely affects the employee. The appeal must contain a statement from the employee describing, in detail, the specific event or decision being appealed.
3. Both Union City and the appellant may represent themselves at the appeal hearing or choose to be represented by an attorney. Union City will not pay for legal representation of appellants.
4. The City Manager will, within five (5) working days of the appeal hearing, notify the appellant of the final decision. The decision of the City Manager is final.

## **CHAPTER 10 – DUAL EMPLOYMENT & CITY BOARD PARTICIPATION**

No full-time employee in City service shall accept outside employment, whether part-time, temporary or permanent, without prior written approval from the respective Department Director each new fiscal year. The request and approval must be in writing and included in the employee's personnel record. Each change in dual employment shall require separate approval. Approval shall not be granted when, in the City's sole opinion, such dual employment conflicts or interferes with, is likely to conflict or interfere with, or gives the appearance of a conflict with the employee's service to the City. In no event shall any City employee engage in any private business or activity while on duty.

In addition, both full-time and part-time employees in City service are prohibited from serving on any Board or Commission within Union City's government.

## **CHAPTER 11 – REDUCTION IN FORCE POLICY**

The City reserves the right to separate employees due to lack of work or funding. The determination of who is to be separated is within the sole discretion of the City Manager.

## **CHAPTER 12 – CLASSIFICATION, COMPENSATION PLAN, AND PAYROLL PRACTICES**

### **1. Classification**

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

### **2. Compensation**

The City Manager and Human Resources Administrator will establish policies to provide equal pay for equal work and to provide a pay range for each grade of positions which will enable the City to recruit and retain qualified employees as well as compete in the job market with other public employers.

### **3. Overtime**

Overtime work is work performed by a non-exempt employee which exceeds the regular work week (40 hours). Vacation, military, civil, education, sick, bereavement, family medical leave and holiday time taken shall not be considered as hours worked. Any additional work time exceeding the regular work week must be approved in advance by the supervisor or Department Director.

### **4. Pay Deductions**

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

#### **A. Deductions required by law:**

1. Income tax (federal, state and/or local);
2. Medicare/social security; and
3. Court or government ordered request (tax levy, garnishment, etc.)

#### **B. Deductions requested by employee (if applicable):**

1. Medical insurance premiums;
2. Dental insurance premiums;
3. Retirement plans contributions;
4. Flexible spending account contributions;
5. Checking/savings account deposits;
6. Voluntary insurance plans premiums; and
7. Other deductions authorized by the employee in writing.

Changes in authorized deductions may be made through the Human Resources Department and must be requested in writing. Employees are responsible for checking their paycheck stubs to assure that the proper deductions are being withheld for the benefits they have selected.

## **5. Paydays**

All employees are paid bi-weekly and payroll checks are distributed to each department on Thursday. Paychecks includes earnings for all work performed through the end of the previous payroll period. In the event that a regularly scheduled payday falls on a holiday, employees will receive paychecks on the last day of work before the holiday.

Employees are encouraged to have pay directly deposited into their bank accounts.

## **6. Changes in Personal Information**

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

- a. Name change;
- b. Address change;
- c. Beneficiary change;
- d. Change in marital status, number of children, and other information needed for benefits purposes.

The City is not responsible for any loss of benefits due to an employee's failure to report such changes. Employees should review their paycheck stubs to carefully ensure that deductions are correct.

## **7. Pay Advance**

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

## **8. Administrative Pay Corrections**

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

In the event that there is an error in your paycheck, you should promptly bring the discrepancy to your Department Director. In the event of an overpayment, the Payroll Department will work with you to determine a feasible repayment schedule.

## **9. Rest and Meal Periods**

Each workday, full-time employees are provided with two rest periods of 15 minutes in length. To the extent possible, rest periods will be in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted rest period time.

All full-time regular employees are provided with one meal period of 60 minutes in length each workday. Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time. Employees who believe they must work during lunch must receive advance approval from the employee's supervisor.

Public Safety positions are exempt from this policy.

## **10. Timekeeping**

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require Union City to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Non-exempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Non-exempt employees should report to work at their scheduled starting time and depart work at their scheduled stop time, unless they have received prior authorization from their supervisor to do otherwise.

It is the employee's responsibility to sign their time records to certify the accuracy of all time recorded. The supervisor will review and then approve the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes.

## **11. Work Schedules**

Work schedules for employees vary throughout our City. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands

may necessitate variations in starting and ending times as well as variations in the total hours that may be scheduled each day and week.

Flexible scheduling is available in some cases to allow employees to vary their start and end times each day. Flextime may be possible if a mutually agreed upon work schedule can be negotiated between the employee and supervisor. At no time shall an employee work extra hours in one work period and take flex time off in a subsequent work period. It should be noted that important factors such as staffing needs, the employee's job performance, and the responsibility of the job position, will be considered before approval will be granted. Employees should consult with their Department Director to request participation in the flextime program. All Flexible schedule changes must be approved by the Department Director and the City Manager.

## **CHAPTER 13 – EMPLOYEE PERFORMANCE EVALUATION**

### **1. Purpose**

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

- a. is used to establish specific goals which the employee should attain;
- b. is used to evaluate the employee's efforts in accomplishing the job; and
- c. may be used by the supervisor in determining eligibility for merit increases.

### **2. Employees Subject to Evaluation**

Performance evaluations are conducted for all regular full time and part time employees. Performance evaluations are conducted annually for the twelve (12) previous months. The performance evaluation shall be completed, reviewed with the employee and signed, and forwarded to the Human Resources Department to be included in the employee's personnel record.

Newly hired employees will be evaluated at 180 days from their hire date. Performance evaluations may be conducted at any other times that the City deems appropriate.

### **3. Performance Evaluation Conducted by Supervisor**

Evaluations are conducted by the immediate supervisors and discussed with the employee. After the performance evaluation has been discussed, the employee must sign the report indicating he/she has seen and discussed the evaluation with his/her supervisor. The employee's signature does not indicate agreement with the rating. If the employee refuses to sign, it will be so noted by the supervisor.

### **4. Review by Department Director**

The Department Director shall review all evaluations prior to the supervisor's discussion with the employee. He/she may make any comments upon the evaluation form.

## **CHAPTER 14 – BENEFITS PLAN**

### **1. Purpose**

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

### **2. Administration of Benefits Plan**

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

### **3. Benefits Continuation/COBRA**

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

- a. resignation, termination of employment, or death of an employee;
- b. a reduction in an employee's hours or a leave of absence;
- c. an employee's divorce or legal separation; or
- d. a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or qualified beneficiary pays the full cost of coverage at the City's group rates plus an administrative fee established by the City.

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

Generally, COBRA benefits are limited to a period of eighteen (18) months from the date of the qualifying event.

#### **4. Workers' Compensation**

An employee who is eligible for workers' compensation due to a job related injury, is entitled to sixty-six and two-thirds (66 2/3) of his/her gross wages while he/she is disabled up to a maximum weekly compensation set by law. The first seven (7) days of disability are not reimbursable unless the employee is disabled more than fourteen (14) days. If the employee is disabled more than fourteen (14) days, the first seven (7) days are usually paid at the end of the disability period. The employee will be paid directly from the workers compensation carrier.

#### **5. Other Payroll Deduction Programs**

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

#### **6. Health Insurance Portability and Accountability Act**

The City protects the privacy and confidentiality of protected health information ("PHI") whenever it is used by City representatives. The private and confidential use of such information will be the responsibility of all individuals with job duties requiring access to PHI in the course of their jobs.

PHI refers to individually identifiable health information received by the City's group health plans and/or received by a health care provider, health plan or health care clearinghouse that relates to past or present health of an individual or for payment of health care claims. PHI includes, but is not limited to, medical conditions, health status, claims experience, medical histories, physical examinations, genetic information and evidence of disability.

Annually or as necessary, the City performs enrollment, changes in enrollment and payroll deductions, provides assistance in claims problem resolution and explanation of benefits issues, and assists in coordination of benefits with other providers. Some or all of these activities may require the use or transmission of PHI. Thus, all information related to these processes will be maintained in confidence. Employees will not disclose PHI from these processes for employment-related actions, except as provided by administrative procedures approved by the Human Resources Department. General rules follow:

- A. Disclosures that do not qualify as PHI-protected disclosures include:
  - 1. Disclosure of PHI to the individual to whom the PHI belongs;
  - 2. Requests by providers for treatment and/or payment;
  - 3. Disclosures requested to be made to authorized parties by the individual PHI holder;
  - 4. Disclosures to government agencies for reporting or enforcement purposes;
  - 5. Disclosures to workers' compensation providers and those authorized by the workers' compensation providers.
- B. Information regarding whether an individual is covered by a plan for claims processing purposes may be disclosed.
- C. Information external to the health plan is not considered PHI if the information is being furnished for claims processing purposes involving workers' compensation and/or short-term or long-term disability and medical information received to verify ADA or FMLA status.

Personnel record and disclosures of PHI will be maintained for a period of six (6) years as required by federal law, unless a state law requires a longer retention period.

The Human Resources Department bears the responsibility of ensuring the City's compliance with the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"). Any questions or issues regarding HIPAA should be addressed to the Human Resources Department.

# CHAPTER 15 – RETIREMENT PLANS

## 1. Defined Contribution Plan

Eligible employees can elect to contribute to a defined benefit 457(b) plan up to the federally authorized legal contribution limit per calendar year. The City will match the employee's 457(b) plan contribution on a percent by percent basis as follows:

- 100% match on all contributions up to 2.0%
- 75% match on all contributions from 2.1% to 4.0%
- 50% match on all contributions from 4.1% to 10.0%

The City's match will be made into a 401(a) plan.

The employee shall have the ability to direct his/her contribution and the City's match into the investment choices offered by the external defined contribution plan administrator.

Contributions made by the employee into the 457(b) shall be vested immediately upon the employee's eligibility date for benefits and shall be portable based upon regulations defined in the City's plan document and guidelines defined by the IRS.

The match provided by the City in to the 401(a) plan shall be vested according to the following schedule and shall be portable once matching payments have vested based upon regulations defined in the City's plan document and guidelines defined by the IRS.

|                          |    |    |    |      |
|--------------------------|----|----|----|------|
| Years of Vesting Service | 0  | 1  | 2  | 3    |
| Vested Percentage        | 0% | 0% | 0% | 100% |

Regular, full-time employees working 40 or more hours per week and regular public safety employees working 165 hours to 212 hours during a 28-day cycle are eligible to participate in the defined contribution plan on the first day of the first pay period of the month following one full month of service.

## 2. Defined Benefit Plan

In addition to the defined contribution plan above, the City of Union City has adopted an employee retirement plan that will provide monthly benefits for eligible, retired employees. The retirement plan is designed to supplement the employee's Social Security benefits and their personal savings (including the City's defined contribution plans) by providing additional income at retirement. Union City pays the entire cost for this employee retirement plan.

The Union City Retirement Plan is managed by the Georgia Municipal Employees Benefit System (GMEBS), with day-to-day administration by the Georgia Municipal Association (GMA). Regular, full-time employees may participate in the retirement plan

immediately upon employment with Union City. Retirement age and required years of service will be as prescribed in the official retirement plan at the time of the employee's retirement date.

As approved by City Council, Union City employees who retire after March 19, 1996 will be granted life insurance coverage into retirement. This life insurance policy for qualified retired employees will be furnished and paid for by the City. The amount of life insurance coverage will be \$20,000.

## **CHAPTER 16 – WORKPLACE PRIVACY**

The workplace is intended to be a place of work. An important part of the work is communications and record keeping. No employee is at work twenty-four (24) hours a day, seven (7) days a week, and there are times when management needs access to communications or records maintained by employees in their individual workplaces. Each employee must understand that personal items and personal communications received and/or stored on City premises or City equipment are not entitled to a guarantee of privacy.

The City reserves the right to search City property and documents in employee desks, lockers, file cabinets, and other areas that are a part of an individual's workspace.

The City provides electronic and telephonic communication and, when necessary, computers to employees. Although assigned to the employee, these items belong to the City. Similarly, any computer files created on any City equipment belong to the City. Unauthorized programs and files may not be used on City computers without the written permission of the City Manager. The City reserves the right to review voice mail, electronic mail, computer files, and other electronic information generated by or stored in the City's electronic systems.

### **Access to Personnel Files**

The City maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, résumé, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of Union City, and access to the information they contain is restricted. Generally, only management personnel of the City who have a legitimate reason to review information in a file are allowed to do so, unless otherwise authorized by law.

Employees who wish to review their own file should contact Human Resources. With reasonable advance notice, employees may review their own personnel file in Union City offices and in the presence of an individual appointed by Union City to maintain the files.

## **CHAPTER 17 - COMPUTER AND ELECTRONIC COMMUNICATIONS POLICY**

This policy governs the use of the City's computer and electronic communications systems, which includes telephone, smart phone, voice mail, fax machines, Internet, electronic mail (e-mail), and other computer usage. City employees and other users are encouraged to use the City's computer and electronic communications systems to assist them in performing their work responsibilities effectively, efficiently, and at the highest level. E-mail and the Internet are the newest communication tools. Users are to use e-mail and the Internet as they would any other type of City communications tools. The Union City Police Department maintains a business network for authorized employees to access GCIC NCIC files.

### **1. General Guidelines**

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

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

Personal use of the computer and electronic communications systems is a privilege that may be revoked at any time.

### **2. No Expectation of Privacy**

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

### **3. Monitoring of Computer and Electronic Communication Usage**

The City has the right to monitor any and all aspects of its computer and electronic communications systems, including, but not limited to, monitoring sites visited by users on the Internet, reviewing material downloaded or uploaded by users to the Internet, and reviewing e-mail sent and received by users. Such monitoring may be conducted without

prior notice. Use of the City's computer and electronic communications systems shall constitute consent to such monitoring.

#### **4. Maintaining Professionalism**

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

#### **5. Inappropriate Use**

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

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

- a. sending chain letters;
- b. sending copies of documents, messages, software, or other materials in violation of copyright laws;
- c. compromising the integrity of the City and its business in any way; and
- d. "moonlighting" or the advertisement of personal business.

#### **6. Disclaimer of Liability**

The City is not responsible for material viewed or downloaded by users from the Internet. Users are cautioned that included among the massive amount of information on the Internet is offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid coming into contact with some of this material on the Internet, even when performing innocuous search requests. In addition, having an e-mail address on the Internet may lead to receipt of unsolicited e-mail containing offensive content. Users accessing the Internet do so at their own risk.

## **7. Misuse of Software**

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

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

Users who become aware of any misuse of software or violation of copyright law should immediately report the incident to the IT Administrator.

## **8. Password**

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

## **9. Virus Detection**

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

## **10. Social Media**

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

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

Any employee publishing statements or images detrimental to the City's mission, goals, public policies, or operational procedures (such as tax policy; zoning regulations; and fire, police and other City department deployment strategies) in any form of media which is exposed to public view (including comments, messages, photos, video, or other media) may be subject to disciplinary action.

Once something is posted online, one can never completely retrieve it from the media or control its circulation. If such media publications come to the attention of the City, all policies and procedures will apply. It is not the intent of the City to be the "internet police"; however, the City cannot ignore what comes to its attention via routine investigative processes or what is otherwise brought forth for its review.

Social media activities must not interfere with work commitments.

Violations of this policy may result in disciplinary action, up to and including termination.

## CHAPTER 18 – DRUG AND ALCOHOL POLICY

### 1. Purpose

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

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

The City is concerned with the health, safety and well being of all employees and provides at no charge an Employee Assistance Program (EAP). FEI Behavioral Health is the City provider, contact information: 1-800-824-4372 or [www.feieap.com](http://www.feieap.com).

### 2. Scope

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

### 3. Policy

The use of alcohol, illegal drugs, or other controlled substances for which the employee has no valid prescription is prohibited. The City retains complete discretion to take whatever actions are necessary to protect the health and safety of all its employees.

All newly hired employees of the City will be tested for the use of illegal drugs or controlled substances prior to their first day of employment. Testing will be conducted at the City’s designated screening facility. All City employees are subject to testing for the use of illegal drugs or controlled substances under the following circumstances:

- a. Post-accident;
- b. Reasonable Suspicion; and
- c. On a random basis for employees working in safety sensitive positions.

The City will review test results. In the event that an employee produces a positive test result, the City will take action as it deems appropriate. For all personnel, this may include one or more of the following:

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

Any prospective employee for any City position who produces a positive drug test result will be immediately disqualified from consideration for employment.

#### **4. Prohibited Conduct**

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

- a. Reporting for work under the influence of drugs or alcohol;
- b. Selling, purchasing, possessing, or transporting of any illegal intoxicant;
- c. Tampering with or altering a drug or alcohol test result, or otherwise attempting to create a false negative result;
- d. Failing to promptly and fully disclose all felony convictions, plea bargains, and parole/probation terms that involve buying, selling, transporting, manufacturing, cultivating, possessing, or consuming any controlled substance. Disclosures must be made directly to a manager or supervisor and the disclosure requirement will apply to all convictions and plea bargains that occur after the effective date of this Policy and all parole/probationary terms that are finalized after the effective date of this Policy; and/or
- e. Being convicted of driving under the influence (“DUI”) or driving while intoxicated (“DWI”) while operating a City-owned, leased, or rented vehicle or while driving a personal vehicle while on City-related business.

An employee using any prescribed medication or controlled substance as part of a medical treatment program must immediately report this treatment to his/her supervisor if the medication may impair job performance. Although the use of medications or controlled substances as part of a prescribed medical treatment program is not grounds for disciplinary action, failure to report the use of such medication will subject employees to disciplinary action, including potential termination. If there is a question regarding an

employee's ability to safely perform assigned duties, clearance from a physician may be required.

The City reserves the right to conduct searches of property, vehicles, or equipment owned or leased by the City at any time or place. The City also reserves the right to conduct searches on any other City property in possession of or assigned to an employee when, in the City's view, there is reasonable cause to believe that an employee is buying, selling, transporting, or otherwise in possession of intoxicants or controlled substances. Refusal to submit to or cooperate with such a search may result in immediate discipline up to and including discharge.

## **5. Responsibility**

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

## **6. Pre-Employment Drug Testing**

All candidates for hire will be tested for illegal use of drugs as part of the employment selection process, except where prohibited by federal or state law. The City will pay for the drug test and select the physician conducting this test, and employees will be tested for illegal drugs, including, but not limited to:

- a. Amphetamines;
- b. Cannabinoids (marijuana);
- c. Cocaine;
- d. Opiates; and
- e. Phencyclidide (PCP).

Offers of employment may be made contingent upon the applicant producing a negative drug test.

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

A positive test result will eliminate the applicant from consideration for current employment, unless the candidate can clearly and efficiently demonstrate that he/she has tested positive because of prescribed medication usage. The applicant also will be

eliminated from consideration for current employment for tampering with or altering test results or attempting to create a false negative result. If an individual produces a negative dilute, he/she will be allowed one (1) re-test, upon which he/she must produce a negative result. Individuals re-testing due to a negative dilute must re-test the next day possible, first thing in the morning, and avoid excess fluids before testing.

In the event that an applicant cannot produce a urine sample, a hair test may be administered. If a hair test cannot be administered, a blood test may be administered.

If a drug test is positive, the testing agent will contact the candidate directly to ask a series of questions to determine if the candidate is taking any legally prescribed medication that could have contributed to the positive result. If the candidate claims he/she does have a valid medical explanation, the medical review officer (MRO) will give the candidate seventy-two (72) hours to submit the necessary documentation before releasing the results of the test to the City's Human Resources Department. If the candidate is able to provide the needed documentation and it is determined by the MRO to be valid, the result will be reversed and reported to the Human Resources Department as a negative result. If the candidate is unable to provide the MRO with the needed documentation within seventy-two (72) hours, the result will be released to the Human Resources Department as a positive result, and the candidate will be eliminated from consideration for current employment.

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

## **7. Post-Accident or Reasonable Suspicion Testing**

All employees will be required to immediately submit to alcohol and/or drug testing whenever there is a reasonable suspicion that the employee has been using drugs or alcohol before reporting to work or returning from breaks.

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

- a. An employee has caused or contributed to an on-the-job accident resulting in observable property damage estimated by City management to be in excess of one thousand dollars (\$1,000.00);
- b. The occurrence of an on-the-job personal injury that may, in the opinion of City management, require medical attention or loss of work time;
- c. An employee has been involved in an accident in a City vehicle of any kind in which any involved driver is eligible to be cited for a violation of law, and/or either vehicle is damaged;

- d. Observable symptoms of drug or alcohol use by a reliable individual, such as direct observation of drug use, the smell of drugs or alcohol emanating from an employee's personal belongings, or the physical symptoms of drug or alcohol consumption, including, but not limited to slurred speech, the smell of alcohol on a person's breath, loss of balance, disorientation, bloodshot eyes, and dilated pupils;
- e. One or more reports that an employee has been using drugs or alcohol in the workplace;
- f. Evidence that an employee tampered with a previous drug test or has submitted a specimen and the temperature measurement indicated possible adulteration or substitution.

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

When testing is ordered as a result of an accident, the employee will be removed from duty and placed on leave with pay pending the receipt of results. A refusal to submit to testing will result in immediate discharge.

Because of the potential impact on public health and the safety of other City employees, when an employee tests positive in a confirmatory test for a controlled substance, or is found to be under the influence of alcohol during post-accident or reasonable suspicion testing, the employee will be terminated immediately.

## **8. Random Drug and Alcohol Testing**

All employees working in safety sensitive positions with the City will be subject to unannounced random testing for the presence of drugs and alcohol. Employees who are absent from their jobs for any reason when randomly selected to be tested will be advised, upon their return to duty, to report for testing immediately, provided they return to work less than ten (10) calendar days after random selection. Employees who are selected while off work for ten (10) days or more after selection will have their names placed back into the random selection pool.

Employees producing test results that are positive for any illegal drug or other controlled substance for which the employee has no valid prescription will be terminated immediately.

All employees who produce a positive test result with alcohol will be subject to disciplinary action. To facilitate such testing, employees' identifying data is placed in a testing pool from which a random selection is made. The selection is computer generated to ensure the most random distribution possible.

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

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

If a Department Director is selected to test, the Human Resources Department will contact the City Manager who will then notify the Department Director that he/she has been selected. Once a Department Director has been notified that he/she has been selected, he/she is required to test within three (3) hours of the time he/she is notified. The Department Director must take the Chain of Custody Form, provided by the Human Resources Department, to the testing facility.

Employees are allowed to continue working pending the results of a random test. If the testing facility notifies the City that an employee has produced a confirmed positive sample, the Human Resources Department will contact the appropriate manager or personnel with the results.

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

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

## **9. Follow-up Testing**

Follow-up testing is required for any employee who involuntarily entered into Employee Assistance Program (EAP) or rehabilitation program because of a positive confirmed test result. When follow-up testing is conducted, the frequency of such testing shall be a minimum of at least once a year for a two year period, after completion of the EAP or the rehabilitation program. Advance notice of the testing shall not be given to the employee.

## **CHAPTER 19 - TRAVEL AND SUBSISTENCE ALLOWANCE POLICY**

This section provides guidance on authorized expenditures for all departments under the authority of the Mayor and City Council. This section shall cover those costs incurred for travel and meal expenses by any elected official, City employee, or board member who travels on City-related business. Operating guidelines and procedures for procuring travel and meal expenses shall be issued under separate cover(s) as they do not constitute or necessitate City Council approval.

### **1. Appropriation**

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

### **2. Expenditure Approval**

All expenditures relating to travel and meals shall be processed consistently with procurement/purchasing guidelines. Once the Finance Department receives the proper documentation from the incurring departments, the execution of payment shall occur. The Finance Department shall only process transactions for payment based upon the proper approval for the dollar amount of the expenditure, including adequate documentation, received either electronically or in writing.

### **3. Settlement of Disputed Reimbursement Claims**

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

### **4. Travel Expenses**

The City shall reimburse/pay expenses incurred by elected officials and employees for travel relating to official business of the City. Official business shall be deemed that which has been approved prior to the expenditure being incurred on a City travel authorization form. Travel authorization forms are required for any travel exceeding fifty (50) miles of the employee's place of work.

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

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

- B. Transportation: Approved modes of transportation include vehicle, air, rail, taxi and public transportation. The method selected by the traveler shall be subject to the most economically feasible, taking into consideration the value of time. If a City vehicle is available, it should be used in lieu of a personal vehicle. Generally, the City will not reimburse for the use of a personal vehicle within ten (10) miles of an employee's official headquarters and/or residence.
- C. Mileage: Miles traveled in personal vehicles shall be reimbursed at the rate designated by the IRS. Mileage shall be calculated using the employee's place of work as the origination point, so long as the employee reported to work prior to departing to the destination. In the event the employee does not report to work prior to traveling to the destination, mileage shall be reimbursed from the employee's origin, less his/her normal commute to the workplace. Expenses associated with employee's vehicles such as fuel, oil, tires, etc. (deemed normal wear and tear) shall not be subject to reimbursement and will be the responsibility of the traveler. Miles traveled in City-owned vehicles shall not be subject to reimbursement to the traveler. However, expenses associated with the travel in City vehicles such as fuel, oil, tires, etc. shall be the responsibility of the City, and necessary purchases should follow normal purchasing guidelines and processes. Privately owned Vehicle (POV) mileage reimbursement rates are available at <http://www.gsa.gov/mileage>.
- D. Rental Cars: Expenses associated with rental cars, i.e. rental expense and fuel, will be paid at cost, as long as receipts are provided. Employees

shall rent mid-size or smaller vehicles, or an appropriate vehicle size based upon the number of employees needing transportation. Expenses associated with exceeding this car class will be the responsibility of the traveler. Employees should decline additional insurance coverage offered by rental car companies since the City's insurance coverage is applicable to car rentals.

- E. Air/Rail: Transportation provided by major airlines or railroads shall be paid at cost to the traveler. Travel will be limited to coach/economy classes of service. In the event the traveler chooses a class higher than coach/economy (business or first class) or to extend the trip and change departure or arrival dates, the difference of the expense shall be the responsibility of the traveler. Any reduction in the expense associated with transportation costs as a result of extended or modified travel dates for personal benefit shall not be provided back to the traveler.
- F. Taxi/Shuttle: Expenses associated with local transportation will be deemed eligible expenses as long as receipts are provided with point to point explanations for this mode of transportation. Such documentation should accompany receipts.
- F. Meals/incidentals: Expenses associated with meals (breakfast, lunch and dinner) and incidentals (snacks, tips, miscellaneous) shall be administered on a per diem basis by the City. Per Diem amounts will be derived from the U.S. General Services Administration (GSA), which can be found at: <http://www.gsa.gov>. Per Diem will be advanced to the employee prior to travel. Receipts will not be required on incidental or meal expenses. Overages of meal expenses will be the responsibility of the employee, while any savings may be retained by the employee.

Alcoholic beverages are not allowable reimbursable expenses, and will not be reimbursed pursuant to the City's personnel policies. Expenses incurred for meals when travel has not included overnight stay shall be reimbursed under Section 5 of this policy.

- G. Program/Seminar/Conference Fees: Charges relating to the traveler's attendance at the particular event (training, conference, seminar, etc.) shall be paid by the corresponding department, subject to the provisions identified for expenditures in the City's expenditure and purchasing policies.
- H. Telephone/Long Distance: Telephone, fax, long-distance, Internet, and communication expenses (including postage) shall be reimbursed when relating to the traveler's employment. Expenses for business communication shall be limited to ten dollars (\$10.00) per day.

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

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

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

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

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

## **5. Non-Travel Meals**

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

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

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

## **6. Submission of Expenses**

All expenses relating to travel shall be submitted to the Finance Department no later than ten (10) days after return from the trip. Non-travel meals shall be submitted no later than seven (7) days from the date of occurrence. Travel expenses will be reimbursed based on approved Employee Travel Expense Statements with appropriate supporting documentation. Employees can obtain a Travel Advance/Reimbursement Report form from the Finance Department.

Receipts are required for:

- a. Lodging
- b. Air/rail fare
- c. Car rentals
- d. Taxi/Shuttle service
- e. Telephone, fax, long-distance, Internet, and communication expenses (including postage)-limited to \$10 per day; and
- f. Laundry/dry cleaning (if eligible for reimbursement)
- g. Non-travel Meals

Receipts are not required for:

- a. Mileage
- b. Travel meals/incidentals covered by per diem

## **CHAPTER 20 - SAFETY INFORMATION**

### **1. Workplace Violence**

The City provides a safe workplace for its employees. To ensure a safe workplace, the City will not tolerate any threat or act of violence by or towards any employee, including but not limited to:

- Causing physical injury to another person;
- Threats of violence;
- Fighting;
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Abusive and/or profane language;
- Intimidating or threatening gestures or body postures that reflect possible violence or a threat of violence;
- Acts motivated by, or related to, sexual harassment or domestic violence; and
- Intentionally damaging City property or the property of another person.

Violence or the threat of violence, by or against any City employee or any other person will result serious disciplinary action, up to and including termination.

All employees are expected to immediately report any potentially dangerous situation to a supervisor or Human Resources. When an employee observes or becomes aware of an act of violence, actual or threatened, including verbal or physical confrontation or assault at work, the employee shall call 911 and immediately report the incident to a supervisor.

### **2. Weapons in the Workplace**

**This policy does not apply to employees who work under the supervision of the Chief of Police or who are issued a firearm for use during City employment.**

#### **A. Prohibited Conduct**

- 1) To maintain a safe working environment for all employees and citizens, no employee shall carry, possess, or transport a firearm, while on-duty or otherwise acting in the course of his or her employment, including inside any City government building, on the grounds of any City property, and inside a City vehicle.
- 2) Employees who are off-duty or otherwise not acting in the course of his or her City employment shall not wear any other article of clothing that identifies him or her as an employee of the City while carrying, possessing, or transporting a firearm. The purpose of this

prohibition is to prevent misunderstandings or confusion among members of the general public as to the identity, position, authority, duties, or responsibilities of an off-duty employee of the City and to make clear that such an employee is not carrying, possessing, or transporting the firearm in the course of his or her employment.

**B. Exceptions to Prohibited Conduct**

- 1) Employees with a valid weapons carry license may keep a firearm in a personal vehicle that is parked in a City parking facility, as long as the firearm is kept in a locked compartment, locked container, or in a locked firearms rack.
- 2) Employees may possess a firearm for personal protection while traveling out of town on City business (more than 50 miles) provided that, if the weapon is one for which State law requires a license, said employee holds such license.
- 3) In his or her sole discretion, the City Manager shall be authorized to grant a temporary or limited exemption to an employee, in writing, upon a showing of good cause or other appropriate circumstances, provided that such exemption does not place the employee in violation of federal or state law.

**C. Reporting Violations; Investigations; Disciplinary Action:**

- 1) Any employee with reason to believe that a co-worker is in violation of this policy shall be expected and required to report same to a supervisor.
- 2) Reports of violations of this policy may be investigated, which investigation may require employees to allow the investigator access to their desks, lockers, purses, briefcases, bags, backpacks, etc. in the event there exists a justifiable suspicion that such search may produce evidence of such a violation.
- 3) Any employee found to be in violation of this policy shall be subject to disciplinary action, up to and including termination of employment.

This policy shall be construed and applied in a manner fully consistent with the United States Constitution, the Constitution of the State of Georgia, and HB 60 (2014).

### **3. City Property and Vehicles**

Only authorized employees of the City may use City vehicles and equipment. If a City vehicle incurs any damage while under the care of a particular employee, that employee will be responsible for reporting the damage immediately.

Any employee whose duties include the operation of City vehicles and who is cited for DUI, DWI, or for any other serious driving violation will be considered to have an unacceptable driving record and his or her continued employment will be subject to review.

An employee cited for a driving or on-the-road violation shall report it immediately to his/her supervisor. The supervisor and Department Director shall make a determination whether the employee is to be permitted to continue to have the use of a City vehicle. If the employee is found guilty of such a violation, the employee will be responsible for paying any fine or penalty incurred and will be subject to discipline, up to and including immediate termination. Likewise, employees required to operate any vehicle in the course of performing work for the City may be subject to discipline, including immediate termination, if he/she is involved in an off-duty DUI, traffic citation, or accident that may indicate unfitness to safely operate a vehicle.

Any employee found to be at fault in an accident while operating a city asset will be responsible for a portion of the deductible up to the full amount. Incidents will be counted using a rolling twelve month period.

First incident – 1/4 Deductable  
Second incident – Half Deductable  
Third incident - Termination

Smoking or drinking alcoholic beverages is prohibited in a City-owned vehicle. Violation of this rule will result in disciplinary action, up to and including immediate termination.

### **4. Seatbelts**

All employees must wear a seatbelt while driving or riding in any vehicle, either personal or City-owned, at all times while performing City business. Furthermore, the City encourages all of its employees to wear seatbelts at all times, as required by state law. During special operations Union City Police may be exempted from this policy.

## **5. Cell Phones and Handheld Communication Devices**

Employees shall not use hand held cell phones while operating motorized equipment and/or driving a vehicle in the course of City business. Should an employee need to make a business call while driving, he/she should locate a lawfully designated area to park and make the call or use a hands-free speaking device such as a speakerphone/earpiece. During special operations Union City Police may be exempted from this policy.

## **6. Motor Vehicle Record Checks**

To ensure that employees who drive vehicles in the course of their job duties maintain valid driver's licenses, the City will check motor vehicle records ("MVR") of all applicants prior to making offers of employment, and all current employees at least once each year. As part of the hiring process, applicants will be required to sign a written consent form allowing the City to check their MVR at any time prior to or during their employment. All employees that are subject to driving a city vehicle must have a valid driver's license. If an employee's license is misplaced, suspended, or revoked, the employee must notify his or her supervisor immediately.

## **7. Reporting of Traffic Incidents**

An employee who drives a vehicle as any part of his/her job with the City is required to report to his/her supervisor any citations, DUI violations, or accidents ("incidents") that he/she receives at any time after he/she becomes employed. Failure to report such incidents within forty-eight (48) hours of occurrence (i.e., accident or receipt of citation, not conviction on the charges) may result in discipline up to and including immediate discharge.

If an employee is involved in a traffic incident while operating a city vehicle, the employee should immediately contact the local law enforcement/emergency services provider. When the vehicle accident occurs outside the City Limits of the City of Union City, the employee should also immediately notify the City of Union City Police Department. A Union City Police traffic investigator will be dispatched to investigate. In all cases the City of Union City Police Department will conduct the Internal Affairs Investigation of the accident.

## **8. Use of City Equipment**

Equipment essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance and follow all operating instructions, standards and guidelines.

Employees are required to notify the supervisor of any equipment, machines or tools that appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible

injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in disciplinary action, up to and including termination of employment.

## **9. Emergency Closings**

At times, emergencies such as severe weather, fires, power failures, or snow and ice, can disrupt operations. In extreme cases, these circumstances may require the closing of a work facility as determined by the City Manager. Department Directors will notify their employees of any closings. When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid.

**During inclement weather, essential staff will report to work as directed by the Department Director. Should an essential employee fail to report to work, it will be considered unpaid time. Any exceptions will be at the discretion of the Department Director. Any pre-authorized leave during inclement weather will be granted.**

## **10. Visitors in the Workplace**

To provide for the safety and security of employees and the facilities at the City, only authorized visitors are allowed in the workplace. All visitors should enter Union City facilities at the main entrance of the respective department. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors. If an unauthorized individual is observed on Union City's premises, employees should immediately notify their supervisor.

## **APPENDIX**

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

**CITY OF UNION CITY**  
**EMPLOYEE HANDBOOK AND POLICIES**  
**EMPLOYEE ACKNOWLEDGEMENT**

The Employee Handbook describes important information about employment with the City of Union City (the "City"). I understand that I should consult the City's Human Resources Representative regarding any questions not answered in the Employee Handbook.

I have read, understand, and agree to comply with all terms of the City of Union City Employee Handbook. I further understand that this Employee Handbook may be revised, expanded, or otherwise modified at any time, and that it is my responsibility to ensure that I am familiar with the current City of Union City Employee Handbook at all times. I further understand and acknowledge that I am expected to comply with the current revision of each policy regardless of whether or not I have signed for the policy or any modification thereof.

The Employee Handbook contains various rules, policies, and procedures relating to employment with the City. Many of the provisions are summaries of federal, state, and municipal laws. Such laws are subject to change from time to time and, in accordance with such changes, the City may find it necessary or advisable to alter its rules, policies, procedures and the provisions of the Employee Handbook at any time.

**NOTHING IN THE EMPLOYEE HANDBOOK OR IN ANY OF THE CITY'S PERSONNEL POLICIES SHALL BE DEEMED TO CONSTITUTE A CONTRACT OF EMPLOYMENT AND ALL EMPLOYEES OF THE CITY ARE EMPLOYEES-AT-WILL WHO MAY QUIT AT ANY TIME FOR ANY REASON AND WHO MAY BE TERMINATED AT ANY TIME FOR ANY OR NO REASON. NO ONE OTHER THAN THE CITY MANAGER MAY MAKE ANY PROMISES OR ASSURANCES OR ENTER INTO ANY CONTRACT, WHETHER ORAL OR WRITTEN, THAT IN ANY WAY IS CONTRARY TO OR INCONSISTENT WITH THE LIMITATIONS SET FORTH HEREIN, AND ANY SUCH PROMISES, ASSURANCES, OR PURPORTED CONTRACTS SHALL BE INVALID AND NOT BINDING ON THE CITY UNLESS ADOPTED, ENDORSED, AND AGREED TO IN WRITING BY THE CITY MANAGER.**

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Employee's Signature

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Date

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Printed Name

**CITY OF UNION CITY**  
**HARASSMENT INCIDENT REPORT**

Name of Complainant: \_\_\_\_\_

Date of Report: \_\_\_\_\_

Date of Incident(s): \_\_\_\_\_

Name or description of person who engaged in harassment:

\_\_\_\_\_  
\_\_\_\_\_

Description of Incident (use an additional sheet if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Names of Witnesses: \_\_\_\_\_

\_\_\_\_\_

Names of people who say the same person has harassed them at another time:

\_\_\_\_\_

If harassment is found to have occurred, what action do you want to have taken?

\_\_\_\_\_

Signature of Complainant:

\_\_\_\_\_

\_\_\_\_\_

Copy received by City official:

\_\_\_\_\_

\_\_\_\_\_

Title

Signature

\_\_\_\_\_

Date

**CITY OF UNION CITY**  
**DRUG AND ALCOHOL POLICY**  
**EMPLOYEE ACKNOWLEDGEMENT**

*The City of Union City is committed to the provision of a safe and healthy workplace. To that end, the attached Drug and Alcohol Policy has been developed, and is effective upon employment. Please review the attached Policy and complete the acknowledgement below.*

I, \_\_\_\_\_ (Print Full Name), have received and read the City of Union City Drug and Alcohol Policy (the "Policy"), outlining the intent and expectations of the City with respect to the use of illegal drugs and alcohol.

By my signature below I acknowledge, understand, accept, and agree to comply with the provisions of the Policy. If at any time I have questions or concerns related to the Policy, I understand that it is my responsibility to contact my direct supervisor or the Human Resources Department.

I understand that the Policy does not constitute a contract for employment and should not be deemed as such.

Acknowledged:

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

# CITY OF UNION CITY

## CONSENT AND AUTHORIZATION FOR ALCOHOL/DRUG TESTING

Due to the health and safety risks of alcohol and drug abuse, applicants selected for employment by the City of Union City (the "City") will be required to undergo alcohol/drug testing. I understand that, as a condition of employment, the City's Substance Abuse Policy requires drug urine tests of applicants selected for employment and employees for the purpose of evaluating suitability for employment and to ensure compliance with the City's Substance Abuse Policy. A negative test result indicating that an applicant is free of drugs will not guarantee employment. Any applicant not willing to comply with this requirement may simply withdraw themselves from the application process prior to completing this form.

I hereby give my permission for the City's third party alcohol and drug testing administrators and agents to obtain a urine and/or breath specimen from me now. I further give my permission for the City to take an alcohol or drug test from me any time during my employment, including post-accident situations when an additional consent may be impractical or unobtainable. I also understand that this is not a diagnostic examination designed to detect hidden or latent diseases, but is instead for the purpose of predicting job performance effectiveness, regulatory compliance and possible safety risks to the City, and to me, which might arise as a result of such employment.

I understand that a positive test result will disqualify me from consideration for employment, or at a later time may result in denial of workers' compensation claims or may even result in my termination from employment. I fully understand and accept the condition that any false answers or willful omissions made by me will be sufficient grounds for my discharge, irrespective of when the false answers or omissions are discovered.

I understand that all drug testing will be conducted at a Department of Human and Health Services ("DHHS") certified laboratory or alcohol tests will be obtained by a trained Breath Alcohol Technician ("BAT") using Evidentiary Breath Testing equipment approved by the National Highway Traffic Safety Administration ("NHTSA"). I authorize the release of my test results to the Substance Abuse Policy Administrator of the City.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Employee/Applicant (Print)                      Social Security #                      Date of Birth

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Signature of Employee/Applicant                      Date

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Witness Signature                      Date

**CITY OF UNION CITY**  
**EMPLOYEE LEAVE REQUEST FORM**

**Today's Date:** \_\_\_\_\_

**Employee Name:** \_\_\_\_\_

**Employee ID:** \_\_\_\_\_

**Type of Leave:**

- Vacation
- Sick
- Approved Leave Without Pay
- Jury Duty
- Military Leave (*attach orders or complete a Military Verification Form*)

**Requested Date(s):** \_\_\_\_\_ **Return Date:** \_\_\_\_\_

**If only hours are being taken, indicate # of hours requested:** \_\_\_\_\_

**Employee Signature:** \_\_\_\_\_

---

Approved       Denied

**Supervisor Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

*\*Retain a copy for your records and forward to Human Resources.*

# CITY OF UNION CITY

## VERIFICATION OF MILITARY DUTY

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### Section I: Employee

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I, \_\_\_\_\_, hereby request military leave for the date(s) listed below. I request to use the following leave plan, in the order listed below:

(Please check all that apply):

- Annual Leave                       Approved Leave Without Pay (ALWOP)

\_\_\_\_\_  
Employee's Social Security Number

\_\_\_\_\_  
Employee's ID #

My signature below certifies that I understand it is my responsibility to forward my military orders to the Human Resources. Failure to do so may result in payroll processing delays.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

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|   |   |                          |   |
|---|---|--------------------------|---|
|  | <b>City of Union City</b><br>Human Resources Department               |                          | Users:<br>All Union City<br>Departments |
|   | <b>Policy and Procedure Manual</b><br><b>Replacement Access Cards</b> |                          | Page:<br>Page 1 of 1                    |
| Section:  | Subject:<br>Replacement of Access Cards                               | Revision Date:<br>7-9-15 | Effective:<br>8-1-15                    |

**Scope**

The scope of this policy is to address the issuance of Replacement Access Cards to employees of the City of Union City.

**Policy**

It is the Policy of the City of Union City to issue the initial Access Cards to all employees needing necessary access to city building. The City will issue the initial access card to all necessary employees, however, replacement cards must be purchased by the employee.

Replacement Cards costs will be \$8.10 and may be paid via Cash or Check made payable to the City of Union City.

**Procedure**

Users may obtain replacement access cards by contacting the HR Department.

The HR Administrator will provide the IT Department with the necessary information to obtain a new card.

HR Department will contact the employee once the card is ready for pick up.

Employee will submit payment to the Human Resources prior to obtaining the replacement card.

**Approved by City Council July 21, 2015**

**Policy:**

**Approved:**

\_\_\_\_\_  
**Administrative Review Complete**

\_\_\_\_\_  
**LaSonja Fillingame, City Manager**  
**Date: July 23, 2015**

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**New Employee Acknowledgement**

Employee's Name (Print) \_\_\_\_\_

Employee's Signature \_\_\_\_\_

Date: \_\_\_\_\_

