

**OXFORD MAYOR AND COUNCIL
WORK SESSION
MONDAY, OCTOBER 18, 2021 – 6:45 P.M.
VIA TELECONFERENCE
A G E N D A**

1. Mayor's Announcements
2. **Committee Reports** – The Trees, Parks and Recreation Board, Planning Commission, Downtown Development Authority, Sustainability Committee, and the Committee on Race will update the Council on their recent activities.
3. ***Authorize the City to Submit an Application for The Law Enforcement and First Responder Supplement Program** – This grant program is to provide a \$1,000 one-time pay supplement for full-time public safety officers and first responders, including law enforcement officers, emergency medical technicians, and firefighters. Public safety entities will apply on behalf of qualifying employees between October 1, 2021 and December 31, 2021.
4. ***Electric Cities of Georgia (ECG) Year End Settlement and Contract Payment Reimbursement Form for FY 21** – When ECG first spun off from MEAG Power in 2009, the 52 ECG members provided the ECG with startup funding for working capital. ECG is paying that funding back over time using net revenues received from third parties. Each fiscal year ECG determines what amount should be paid back to each member based on the initial 2009 contribution. This year, Oxford is due a payment of \$1,481.72 which may be dispersed as A) to our education, training, and development fund; B) Refunded via Check; or C) Refunded via credit on our ECG bill. In the past, Mr. Pepper took the refund via check.
5. ***Meeting Request with Representatives of the City Council and the DDA to Make Recommendations for a Downtown Development Action Plan** - Please see attachment for details.
6. ***Review of the Draft Employee Handbook – Human Resources Policies and Procedures**
7. **Other Business**
8. **Work Session Meeting Review** – Mayor Eady will review all the items discussed during the meeting.
9. **Executive Session**

*Attachments



OFFICE OF PLANNING AND BUDGET

Brian P. Kemp
Governor

Kelly Farr
Director

Georgia Public Safety Officials and First Responders Supplement Grant

Governor Kemp has announced a Public Safety Officials and First Responders Supplement Grant using funding from the American Rescue Plan Act. This program was established in recognition of the sacrifice and dedication public safety officers and first responders have shown in serving Georgians and their communities during the COVID-19 pandemic. The grant will provide a \$1,000 pay supplement for all eligible sworn law enforcement officials and first responders and a \$300 supplement for all active volunteer firefighters in Georgia serving during August of 2021.

Eligible organizations and eligible employees include:

- **Eligible Organizations:** State government agencies and authorities, municipal and county governments, and emergency medical services agencies licensed by the Department of Public Health.
- **Eligible Employees:** Employees of one of the above organizations serving full-time as a public safety official, first responder, or volunteer firefighter in a position requiring active certification as a law enforcement officer, jail officer, communications officer, firefighter, or emergency medical services personnel from the state from either the Georgia Peace Officer Standards and Training Council (POST), Georgia Firefighter Standards and Training Council (GFSTC), or Department of Public Health (DPH).

Employers will apply on behalf of employees within their jurisdiction or organization. Grant funds will be paid to the employer, and the employer will disburse payments to individuals through their payroll process. To receive the funds, employers must first sign a terms and conditions agreement with the state and then subsequently submit a payment request with documentation showing payroll information for eligible employees for the month of August 2021. Payment requests must be submitted through the Office of Planning and Budget's (OPB) GeorgiaGrants portal. Payroll information must show employee name, position title, active pay status, full time status, certification title and number, and reflect that the individual was an employee during the period between August 1 and August 31 of 2021. Payroll information must also show whether the department or entity contributes to the Old Age, Survivors, and Disability Insurance (OASDI) program or pays Medicare for its Federal Insurance Contributions Act (FICA) payroll taxes.

Primary contacts for organizations within the GeorgiaGrants system will receive the Terms and Agreements document via email. The email will be sent directly from the GeorgiaGrants system via AdobeSign from echo@echosign.com. Users should ensure this email is added as a safe sender in their email system to avoid servers routing it to junk or spam folder. Once your organization has signed the Terms and Agreements, users will be able to see the Law Enforcement and First Responder Supplement Grant as an approved grant within your account on the GeorgiaGrants portal and begin submitting requests for funding. Cities and counties are asked to submit a request for all law enforcement entities within their jurisdiction and should submit each department within their jurisdiction as a separate direct expense within their payment request.

The Office of Planning and Budget will work with the Georgia Municipal Association, Association of County Commissioners of Georgia, and the Department of Public Health to provide training and outreach sessions to eligible entities on the request submission process. Please review the OPB website at <https://opb.georgia.gov/law-enforcement-and-first-responders-supplement> for updates regarding this program.



Memorandum

Date: September 29, 2021
To: ECG Members
From: Sallie Coleman, Senior VP & CFO *SKC*
Re: Fiscal Year 2021 (FY21) Year-End Settlement (YES) and Contract Payment Reimbursement

At the September 22, 2021 Electric Cities of Georgia (ECG) Board Meeting, the ECG Board approved the FY21 Financial Audit, the related YES amounts and the Contract Payment reimbursement for each ECG Member.

The Final ECG FY21 YES total was \$362,590

ECG determined the FY21 YES as the amount of actual ECG revenue earned over expenses and allocated to Members based on their allocations for each service.

The ECG FY21 Contract Payment reimbursement was \$58,470

When ECG first spun off from MEAG Power in 2009, the 52 ECG members provided us with startup funding for working capital. The current Inter-Participant Contract requires ECG to pay that funding back over time using net revenues received from 3rd parties. Each fiscal year we determine that amount and allocate it ratably back to each Member based on the initial contributions in 2009. We refer to this payment as a Contract Payment reimbursement.

ECG Members will have three options for distribution of their FY21 YES and Contract Payment funds:

- 1) Allocation of the funds into a Member-specific Education, Training and Development Fund.
- 2) A refund check.
- 3) Credit to next succeeding ECG bill(s).

Each Member must make their individual choice as to which option they prefer, and remember, you may use any combination of options as long as the total equals 100% of your FY21 YES and Contract Payment.

Attached to this memo is your FY21 YES and Contract Payment Reimbursement Election Form. Please complete the form, have one of your Authorized Officials sign and date for approval and then return it via mail, fax or e-mail based on the information below at your earliest convenience and no later than **November 12, 2021**. As a default, ECG will issue refund checks for forms not received by the deadline.

Mail:
Electric Cities of Georgia
Attention: Sallie Coleman
1470 Riveredge Parkway NW
Atlanta, Georgia 30328

Fax:
770.450.8496

E-Mail:
scoleman@ecoga.org

I want to thank all ECG Members for your continued support of our services and the value they provide.

An Action Plan for Downtown Oxford

1. Assemble past and current plans for development, including but not limited to:
 - a. Oxford Master Plan Study and Special Projects by UGA Metropolitan Design Studio, 2012
 - b. Oxford Planning Workshop, by UGA Metropolitan Design Studio, 2006
 - c. Remembering, Re-visioning, and Recreating: Conceiving a Village Center, November 2007
 - d. Oxford Walkability, Connectivity, Identity by UGA Metropolitan Design and Preservation, Spring-Summer 2016
 - e. Oxford Comprehensive Plan
 - f. Oxford facilities Master Plan, Armentrout-Roebuck-Matheny Consulting, May 2004
 - g. Facilities Master Plan – Resident’s Input (September 16 and 30, 2002)
 - h. Oxford Pedestrian Connectivity Study, by UGA Metropolitan Design Studio, Spring 2013
 - i. Oxford Streetscapes Study, Eduardo Tapia, by UGA College of Environment and Design, Spring 2012
 - j. Town Center Streetscape Plan, 2012
 - k. Oxford Town Center Development Strategy, Northeast Georgia Regional Commission, 2014
 - l. Town Center Vision by Historical Concepts, 2019
 - m. East Clark Place by Historical Concepts, 2019
 - n. The Yarborough House Plans

2. Edit down the essence of these various plans and coalesce them into a coherent and self-supporting action plan which will create a manageable and set of tasks with a clearly defined timeline and responsible party.



EMPLOYEE HANDBOOK

HUMAN RESOURCES POLICIES AND PROCEDURES

Effective September 7, 2021

Commented [MB1]: Added to make it clear that this book constitutes the City's official HR policies and procedures.

Commented [MB2]: Revised revision date

WELCOME TO THE CITY OF OXFORD

As an employee of the City of Oxford, the importance of your contribution cannot be overstated. Our goal is to provide the finest quality services to the citizens of the City of Oxford, and to do this efficiently and effectively.

You are an important part of this process because your work directly influences the City's reputation and how the City is perceived by its residents, taxpayers and other branches and levels of government.

This employee handbook explains our human resources policies and benefits. To be responsive to the City's needs, changes or additions to this handbook may be made from time to time. You will be informed when these changes are made.

We are glad you have joined us and hope you will find your work to be both challenging and rewarding.

Sincerely,

David S. Eady, Mayor

Commented [MB3]: Revised Mayor name

City of Oxford Employee Handbook
TABLE OF CONTENTS

CHAPTER 1 - ADMINISTRATION

Purpose.....1
Authority1
Delegated Authority.....2
Administration of Policy.....3
Department Policies.....3
Revisions To Handbook.....3
Personnel Records.....3
Personnel Handbook.....4
Definitions.....4

CHAPTER 2 - OUR EMPLOYEE RELATIONS PHILOSOPHY

Diversity, Equity & Inclusion Policy.....8
Equal Employment Opportunity (EEO).....8
Workplace Discrimination & Harassment.....9
 Section 1: Policy Statement.....9
 Section 2: Discriminatory Harassment.....9
 Section 3: Sexual Harassment.....10
 Section 4: Complaint Procedure & Investigation.....11
 Section 5: Corrective Action.....11
Supervisor/Management Responsibility.....11
Employee Rights & Responsibilities.....12
Retaliation Prohibited.....12

CHAPTER 3 - YOUR PAY & PROGRESS

Position Classification.....13
Allocation of Positions.....13
Maintenance of Human Resources Staffing Plan.....14
Compensation.....14
Pay Increases.....15
Available Funding.....16
Documenting Time Worked.....17
Payday.....17
Payroll Deductions.....18
Garnishments/Levies.....18
Overtime.....18
On-Call Pay.....19
Holiday Pay.....19
Applications & Examinations Review.....20

Appointments to Classified Service Positions –	
Probationary and Temporary	21
Department Head Appointments.....	21
Probationary Period.....	21
Promotions, Demotions, & Transfers	22
Evaluation Period	23

CHAPTER 4 - YOUR EMPLOYMENT BENEFITS

Insurance Coverage	24
Retirement Plan.	24
COBRA.	24
Social Security.....	25
Uniforms and Equipment.....	25

CHAPTER 5 - TIME AWAY FROM WORK

General Provisions	26
Holidays.....	26
Annual (Vacation) Leave	27
Sick Leave.....	27
Bereavement Leave	28
Jury Duty.....	29
Civil Leave	29
Time Off to Vote.....	29
Military Leave	29
Family and Medical Leave Act (FMLA).....	30
Military Family Leave.....	31
Maternity Leave	32
Workers' Compensation.....	35
Temporary Disabilities Not Covered	
by Worker's Compensation	37
Extension of Medical Coverage	37
Leave of Absence without Pay	38
Absence without Leave	38
Administrative Leave	38
Notation of Leave or Absence Without Leave	38
Outside Employment	38
Pay During Severe Weather	39

CHAPTER 6 - ON THE JOB

Employee Performance Evaluation	40
Employee Development.....	40
Separation from Employment	41
Layoff Procedures.....	42

Corrective Discipline	43
Oral Reprimand	44
Written Reprimand	44
Suspension	44
Termination (Disciplinary Dismissal).....	45
Procedure for Handling Complaints And Grievances	
Not Involving Discrimination	47
Records, Reports, & Employee Files	48

CHAPTER 7 - WORKPLACE GUIDELINES

Work Schedule	49
Attendance	49
Lunch Breaks	49
Rest Periods / Breaks	49
Employment of Relatives (Nepotism)	50
Grooming and Dress.....	50
Care & Use of Property/Equipment	50
Use of Cell Phones or Similar Devices	51

CHAPTER 8 - STANDARDS OF CONDUCT

Overview	53
Good Housekeeping & Safety.....	53
Conflicts of Interests, Gifts, Entertainments, & Favors.....	53
Drug-Free Workplace	54
Smoking Policy	56
Workplace Violence Policy.....	56
No Solicitation.....	57
Employee References and Third-Party Inquiries	57

CHAPTER 9 - RISK MANAGEMENT & LOSS PREVENTION

Overview	59
----------------	----

CHAPTER 10 - SOCIAL MEDIA POLICY

General Guidelines for Personnel	60
Guidelines for Official City Social Media	
Sites and Content	61
Guidelines for Personal Social Media	
Sites and Content	62

EMPLOYEE ACKNOWLEDGEMENT	65
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City of Oxford Employee Handbook

CHAPTER 1 - ADMINISTRATION

PURPOSE

The City of Oxford, in order to provide an inclusive, equitable, and productive work environment, has established the City's Human Resources Policies and Procedures for City of Oxford employees. These Policies and Procedures have been enabled by an ordinance adopted by the Mayor and Council of the City of Oxford. The policies and procedures contained herein are enacted to further the following goals:

- To provide a uniform system of human resources administration throughout the City government;
- To ensure that recruitment is from a diverse, qualified group of candidates to increase diversity of thinking and perspectives;
- To ensure that selection, placement, promotion, retention, and separation of employees are not only based upon individual employees' qualifications and/or job performance, but are also in compliance with all applicable federal, state, and local laws;
- To assist City management in the development and implementation of sound management practices and procedures and to make effective, consistent use of human resources throughout the City;
- To promote better communication and understanding between City management, department heads, supervisors, and employees; and
- To ensure, protect, and clarify the rights and responsibilities of City employees.

AUTHORITY

The City of Oxford is governed by a Mayor and City Council. The Mayor is the Chief Executive Officer of the City. Management of the City's operations is delegated by the City of Oxford charter to the City Manager, who is the Chief Administrative Officer of the City.

With the exception of matters reserved by state law or the city charter to the City Council, the general and final authority for personnel administration rests with the City Manager. 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. The Mayor and the Council reserve the right to adopt, change, or terminate any policy at any time.

The City of Oxford's hierarchy of authority is illustrated in the organization chart on the following page.

Commented [MB4]: Changed title from "The Way We Work". Used this title for a different chapter.

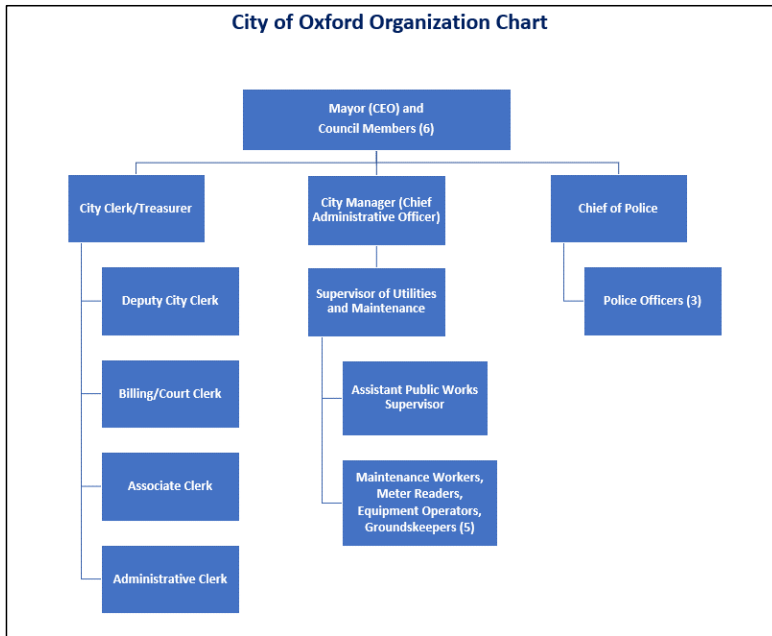
Commented [MB5]: Grammar adjustments.

Commented [MB6]: Added item about diversity

Commented [MB7]: Added this section to clarify administrative authority since City Manager position was created.

Commented [MB8]: Added organization chart

City of Oxford Employee Handbook



DELEGATED AUTHORITY

The City Manager may delegate authority to Department Heads in the following areas:

- Discipline or recommend discharge or release of employees pursuant to the procedures described in this handbook;
- Direct the work forces;
- Hire, assign, or transfer employees;
- Recommend the mission of specific departments;
- Determine the methods, means, and allocation/assignment of personnel needed to carry out the department's mission;
- Introduce new or improved methods or facilities or change such methods or facilities;
- Recommend work schedules and establish the methods and processes by which such work is performed;
- Require the performance of duties stated and intended in job descriptions, with the understanding that every duty is not always described;
- Recommend positions, reclassify positions, and/or the reassignment of employees to different positions with different classifications and/or pay; and
- Fiscal responsibility of the department.

Commented [MB9]: Added this section

City of Oxford Employee Handbook

ADMINISTRATION OF POLICY

Proper policy administration includes selecting goals and encouraging the discharge of duties above the minimum standards. The provisions of this Handbook create high standards of conduct so that training and performance can be aimed at the highest levels and may in appropriate cases, be the basis for internal discipline. This handbook provides general information about city policies, procedures, expectations, and benefits. The information in this handbook, however, cannot anticipate every situation or answer every question regarding your employment. Therefore, the policies set forth in this Handbook may not cover all situations. The City Manager shall make interpretive decisions for those situations that are not specifically covered by this handbook and may, in the best interest of city operations, override any provision in this handbook.

The intent of this personnel policy handbook is compliance with all applicable federal and state law. In the event of a change in law or a conflict in federal or state law with the contents of this handbook, the federal and/or state law shall supersede the policies contained within this handbook.

DEPARTMENT POLICIES

- A. Department Policies and Procedures shall serve as supplements to these provisions. In the event of conflict in any section, the City of Oxford's Human Resources Policies & Procedures shall prevail.
- B. Department policies and procedures will be reduced to writing and reviewed by the City Manager for conformance to these provisions. Once approved, a copy should be given to the City Clerk.

REVISIONS TO HANDBOOK

This Handbook may be amended in whole or in part from time to time at the sole discretion of the City in order to maintain legal compliance, operative effectiveness, and desired workplace conditions. Amendments will be available to all employees upon adoption.

PERSONNEL RECORDS

A record of service will be managed by the City Clerk for every active employee. Service records for terminated employees shall be retained as required under all applicable record retention laws. An employee has the right to review and request copies of their personnel file. These requests will be facilitated by the City Clerk. Open records requests and confidentiality of personnel records will be managed as defined in the City's policies and the Georgia Open Records Act.

It is the responsibility of the employee to notify the City of any personal data changes, such as name, address, phone number, emergency contact information, change in beneficiaries, etc. Name changes will require legal documents as back-up, i.e. marriage certificate, divorce decree, etc.

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Commented [MB12]: Moved from Chapter 10 and modified language

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City of Oxford Employee Handbook

PERSONNEL HANDBOOK

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(a) **Scope**

The provisions of this Handbook apply to all employees of the City of Oxford, Georgia, both on and off duty, unless otherwise indicated, restricted by authority, or limited by law.

(b) **Not a Contract**

This handbook does not constitute a contract of employment or benefits. Nothing in this handbook should be construed as a guarantee of continued benefits from, or employment by, the City of Oxford.

(c) **Changes**

The City Manager reserves the authority to interpret and recommend changes to, any or all of the provisions of this handbook. Except in the case of emergency, employees will be given appropriate notice of any change.

(d) **Titles/Headings**

The use of titles or headings in this Handbook shall not govern, limit, modify, or affect the scope of meaning or intent of any provision.

(e) **Validity/Severability**

Any statement in a directive found to be illegal, incorrect, or inapplicable shall not affect the validity of the remaining contents.

(f) **Distribution**

Every city employee will have access to a copy of this handbook and copies of amendments and revisions as they are adopted.

(g) **Compliance**

All provisions of this Handbook are applicable to regular full-time, part-time, seasonal, and temporary employees, except where otherwise noted in the Handbook.

(h) **Official Copy**

An official copy of the City of Oxford, Georgia Human Resources Policies and Procedures containing the latest revisions is maintained by the City Clerk and can be found in the offices of such department.

DEFINITIONS

For the purpose of these policies and procedures, the following terms shall have the meanings respectively ascribed to them below, unless another meaning is specifically indicated.

1. **Administrative Leave.** This is paid leave for an employee who has been placed on such leave at the request of the Department Head and approved by the City Manager when such action is deemed to be in the best interest of the City.

City of Oxford Employee Handbook

2. **Appeal.** The right of an applicant or employee to appear before the City Council to be heard on matters of discrimination, unfair practices or other grievances of such person in the manner prescribed in these policies and procedures.
3. **Classification and Pay Plan.** The system of assigning jobs to classes and to appropriate pay grades based on the similarities of positions and market research.
4. **Classified Service.** The classified service consists of all positions included in the classification and pay plan with the exception of those positions specifically excluded by the Mayor and City Council.
5. **Continuous Service.** Continuous service is employment that is uninterrupted except for authorized leaves of absence, suspension, layoff, or separation due to a reduction in work force.
6. **Contract Employees.** Contract employees are individuals hired pursuant to an individual written employment contract which governs their employment relationship with the City. Contract employees must abide by the guidelines in this handbook except where such guidelines are expressly contradicted by the terms of their employment contract with the City. The benefits, if any, for which a Contract Employee is eligible, shall be spelled out in the terms of the employment contract.
7. **Demotion.** Demotion means a change in the rank of an employee from a position in one class to a position in another class having a lower minimum starting salary and less discretion and/or responsibility.
8. **Department Head.** The position with overall administrative responsibility for a department.
9. **Dismissal.** The termination of a regular employee for just cause.
10. **Eligible.** Regarding a person who has met all requirements for the position applied for to be employed by the City.
11. **Employee.** A person hired to a position in the City government for which he or she is compensated on a full-time or part-time basis.
12. **Grievance.** Any dispute concerning the interpretation or application of these human resources policies and procedures or any decision relative to any disciplinary action, dismissal, demotion or charge of discrimination.
13. **Lay-off.** The temporary or permanent separation of an employee from the classified service due to lack of work, lack of funds, abolishment of the position, or for other material changes in duties or organization.
14. **Legal Holidays.** Days that have been approved by Mayor & Council to be observed as official city holidays.

Commented [MB15]: Added the words, "temporary or permanent"

Commented [MB16]: Added this definition.

City of Oxford Employee Handbook

15. **Overtime.** Time worked in excess of the regular work schedule for the position in accordance with the Fair Labor Standards Act.
16. **Performance Evaluation.** A method of evaluating each employee on a periodic basis as to his or her performance on the job.
17. **Performance increase.** An increase in pay based on an employee's job performance.
18. **Probationary Employee.** An employee serving the first six (6) months of his or her employment, re-employment, or reinstatement to any position in the classified service. A probationary employee is not a regular employee until completion of the six-month probationary period. A law enforcement officer may serve on a probationary period for up to one year from the hire date (see the Police Department's Standard Operating Procedures Manual).
19. **Promotion.** A change in rank of an employee from a position in one class to a position in another class having a higher minimum salary and usually carrying a greater scope of discretion and responsibility. A promoted employee will serve a six-month evaluation period. During the evaluation period, if it is determined that the promoted employee is unable to perform the duties in the promoted position, he/she shall be transferred back to his/her former position, if available. If it is not available, he/she may apply and compete for any other vacant positions in the City. If he/she is unable to obtain another position in the City, he/she will be placed on the re-employment list for up to one year.
20. **Regular Fulltime Employee.** An employee who has completed the probationary period and works at least 30 hours per week.
21. **Regular Part-time Employee.** Employees of the City who are not temporary or hired on a contract basis and who regularly work fewer than thirty (30) hours per workweek are considered Regular Part-Time Employees. Regular Part-Time Employees are not eligible for employee benefits unless specifically noted.
22. **Reprimand.** A reprimand is a formal means of communicating to an employee that a problem exists and that it must be corrected.
23. **Resignation.** The termination of an employee at the employee's request.
24. **Salary Decrease.** A decrease in salary within the salary range prescribed for the class by the classification and pay plan.
25. **Salary Increase.** An increase in salary within the salary range prescribed for the class by the classification and pay plan.
26. **Suspension.** An enforced leave of absence for either a disciplinary purpose or a pending investigation of charges against an employee. A suspension may be with or without pay

Commented [MB17]: Added definition.

City of Oxford Employee Handbook

depending on the severity of the offense.

27. **Temporary Employee.** Individual who works with the City pursuant to an agreement with an employment agency and who is an employee of the agency and not the City. An individual hired for a specific period of time or until the completion of a particular project may also be defined as a temporary employee. Temporary Employees are not eligible for employee benefits unless specifically noted.

CHAPTER 2 – OUR EMPLOYEE RELATIONS PHILOSOPHY

DIVERSITY, EQUITY AND INCLUSION POLICY

The City of Oxford is committed to fostering, cultivating and preserving a culture of diversity, equity and inclusion.

Our employees are our most valuable asset we have. The collective sum of the individual differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities, and talent that our employees invest in their work represents a significant part of not only our culture, but our reputation and city's achievement as well.

We embrace and encourage our employees' differences in age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, veteran status, and other characteristics that make our employees unique.

The City of Oxford's diversity initiatives are applicable—but not limited—to our practices and policies on recruitment and selection; compensation and benefits; professional development and training; promotions; transfers; social and recreational programs; layoffs; terminations; and the ongoing development of a work environment built on the premise of gender and diversity equity that encourages and enforces:

- Respectful communication and cooperation between all employees.
- Teamwork and employee participation, permitting the representation of all groups and employee perspectives.
- Employer and employee contributions to the communities we serve to promote a greater understanding and respect for the diversity.

All employees of the City of Oxford have a responsibility to treat others with dignity and respect at all times. All employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all other city-sponsored and participative events. Any employee found to have exhibited any inappropriate conduct or behavior against others may be subject to disciplinary action.

Employees who believe they have been subjected to any kind of discrimination that conflicts with the company's diversity policy and initiatives should seek assistance from a supervisor or the City Manager.

EQUAL EMPLOYMENT OPPORTUNITY

The City of Oxford is an equal opportunity employer. Pursuant to Title VII of the Civil Rights Act of 1964, all applicants for positions and employees of the City shall be assured of fair and equitable treatment in all aspects of human resources administration, including training, promotion, compensation and disciplinary action, without regard to race, color, national origin,

Commented [MB18]: Added this section.

City of Oxford Employee Handbook

sex (including gender identification, or sexual orientation), age, disability, genetic information, pregnancy, or religious affiliation and with proper regard for their privacy and constitutional rights as citizens.

We will continue to direct our employment and human resources practices toward ensuring equal employment opportunity for everyone; therefore, we intend that all matters related to recruiting, hiring, training, compensation, benefits, promotion, transfers, layoffs, City-sponsored educational, social, and recreational programs, discipline, discharge, and all treatment on the job be free of discriminatory practices. Any employee or applicant who has questions or concerns about our practices is encouraged to contact the City Manager and follow the Grievance Procedure outlined in this handbook.

WORKPLACE DISCRIMINATION & HARASSMENT

Commented [MB19]: Change heading title and modified this section. Text provided by GMA.

SECTION 1: POLICY STATEMENT

It is the policy of the City of Oxford that harassment and discrimination of any kind will not be tolerated, and complainants will be protected from reprisal. Employees and non-employees are encouraged to come forward confidentially to discuss any situation that they deem inappropriate. The City of Oxford expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, disability, or veteran status. Improper interference with the ability of City of Oxford employees to perform their expected job duties is absolutely not tolerated.

SECTION 2: DISCRIMINATORY HARASSMENT

The EEOC's definition of harassment is unlawful harassment of verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, sexual preference or disability, or that of his/her relatives, friends, or employees, and that:

- A. has the purpose or effect of creating an intimidating, hostile, or offensive working environment;
- B. the purpose or effect of unreasonably interfering with an individual's work performance; or
- C. otherwise adversely affects an individual's employment opportunities.

All employees, supervisors, and elected officials/department heads are expected to avoid any behavior or conduct that could reasonably be interpreted as harassment. Any form of harassment related to an individual's race, color, national origin, religion, sex, gender, disability, age, veteran status, citizenship, sexual orientation, or other protected group status, is a violation of this Policy and will be treated as a disciplinary matter. For purposes of this Policy, the term "discriminatory harassment," shall be construed consistent with applicable law and may include, but is not limited to, any of the following:

City of Oxford Employee Handbook

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

SECTION 3: SEXUAL HARASSMENT

A. Definition

The Equal Employment Opportunity Commission (EEOC) defines sexual harassment as a form of sex discrimination that violate Title VII of the Civil Rights Act of 1964, including and not limited to, unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for an employment decision, and
3. Such conduct has the purpose or effect to interfere with an individual's work performance or creates a hostile or intimidating environment.

B. Quid Pro Quo

Quid Pro Quo literally means "this for that" and exists when submission to, or rejection of, such conduct is used as a basis for employment decisions such as raises or promotions or affects public services.

C. Hostile Environment

Hostile Environment includes any lewd sexual conduct, pictures, words, or touching that interferes with a person's job performance or creates an intimidating, offensive working or public service environment even if there are no occurrences of tangible or economic loss.

City of Oxford Employee Handbook

D. Prohibited Behavior

Behavior prohibited by this policy can include but is not limited to unwelcome sexual remarks or compliments, sexual jokes, sexual innuendo or propositions, sexually suggestive gestures or facial expressions, sexual remarks about a person's clothing or body, exhibiting sexually explicit publications or materials, kissing, touching, and sexual contact.

SECTION 4: COMPLAINT PROCEDURE & INVESTIGATION

If an employee feels that this policy has been violated, regardless of whether it is by a fellow worker, a supervisor, or a member of the general public, the employee should ask the offender to immediately stop the behavior. The employee will then report the incident(s) immediately to their immediate supervisor, Department Head, independent elected official or the City Manager. Any supervisor who receives a complaint related to harassing or offensive behavior or who has reason to believe that such behavior is occurring shall report these concerns to the City Manager or designee. At any point, the employee who feels they have been harassed, may go outside the chain of command or their department and go to the City Manager or his/her designee.

All reports of harassing or offensive behavior will be investigated promptly, fairly and discreetly. Investigatory procedures may vary from case to case depending upon the circumstances. The investigation will be conducted as confidentially as possible. All employees have a responsibility both to cooperate fully with the investigation and to keep the matter confidential whether the employee is the accused person, the complainant or merely a potential witness. Persons who are interviewed are prohibited from discussing the matter outside the course of the investigation with coworkers, friends or management. The City will keep the information it gathers as confidential as possible, consistent with state and federal laws and the needs of the investigation.

SECTION 5: CORRECTIVE ACTION

If management concludes that a complaint of harassment has merit, appropriate action will be taken. Resolutions can include, but not necessarily be limited to, an apology, a transfer, direction to stop the offensive behavior, counseling or training, verbal or written warning, suspension with or without pay or termination. In the event that harassment or offensive behavior reoccurs, it should immediately be reported to the City Manager or designee. Any employee found to be acting in a harassing manner will be subject to disciplinary action up to and including termination. Non-employees may be reported to the appropriate law enforcement agency and/or barred from the premises.

SUPERVISOR/MANAGEMENT RESPONSIBILITY

- A. It is the responsibility of each supervisor and Department Head of the City of Oxford to maintain a workplace free of sexual and other unlawful harassment. This duty includes discussing this policy with all employees and assuring them that they are not to endure insulting, degrading, or exploitative sexual or unlawful harassing treatment

City of Oxford Employee Handbook

in violation of this policy, and to immediately report perceived violations of the policy.

- B. Conduct of a harassing nature by a supervisor or Department Head is particularly unacceptable and will not be tolerated. Department Heads are strictly prohibited from making any employment decision, directly or indirectly, based upon submission to, or rejection of, a request for a sexual favor. Department Heads and supervisors are also strictly prohibited from engaging in any conduct that could reasonably be construed by another employee as threatening, offensive or intimidating so as to constitute a hostile working environment in violation of this policy. Any supervisor or Department Head who engages in such conduct shall be subject to disciplinary action, up to and including termination.

EMPLOYEE RIGHTS AND RESPONSIBILITIES

- A. No employee who, in good faith, exercises his/her right to make a complaint of sexual or other unlawful harassment will be subjected to any retaliatory act or incur any penalty or adverse consequence. Unlawful harassment in the workplace will not be tolerated and employees who believe they have experienced such harassment, or have witnessed the harassment of another, have an obligation to report such unlawful conduct immediately.
- B. Any employee who knowingly or recklessly makes a false statement during a sexual or other unlawful harassment investigation will be subject to disciplinary action, up to and including termination.
- C. Refusal to cooperate in an investigation of possible sexual or other unlawful harassment shall be considered insubordination.

RETALIATION PROHIBITED

Any supervisor, Department Head, or employee who retaliates against an individual or a witness for exercising his/her right to report sexual or other unlawful harassment shall be subject to severe disciplinary action, up to and including termination.

City of Oxford Employee Handbook

CHAPTER 3 – YOUR PAY AND PROGRESS

POSITION CLASSIFICATION

The City Manager shall be responsible for developing, maintaining and administering a position classification and pay plan covering all employees in the classified service of the City of Oxford, Georgia. Such plan shall be approved and amended by recommendation of the Mayor and City Council and shall constitute the official approved system of grouping positions into appropriate classes and pay scales.

For the purpose of this Section, the following words shall have the meanings respectively ascribed to them below.

- A. **To Allocate a Position.** Assigning the position to an appropriate class on the basis of the similarity of work performed and level of responsibility inherent in the position.
- B. **A Class.** A group of positions (or one [1] position) that:
 - (1) Has similar duties and responsibilities;
 - (2) Requires like qualifications; and
 - (3) Can be equitably compensated by the same salary range.
- C. **The Class Title.** The official designation or name of the class as stated in the job description. It shall be used on all employee records and actions. Different working or office titles may be used for purposes of internal administration.
- D. **A Position.** A group of currently assigned duties and responsibilities requiring the full or part-time employment of one person. A position may be occupied or vacant.
- E. **Reclassification.** The assignment of an existing position from one class to a different class due to a significant change in duties or responsibilities.

ALLOCATION OF POSITIONS

The City Manager shall be responsible for the initial allocation of every employee of the City to one of the classes and positions in the plan.

When a new position is established and approved by the Mayor and City Council, the Department Head involved shall complete a position description covering the duties and responsibilities of such new position. The City Clerk shall allocate the position to one of the classes and positions in the classification plan, unless a suitable class and position do not exist, in which case the City Manager shall recommend that the Mayor and City Council establish a new class and/or position. Upon the recommendation and approval of such new class and/or position by the Mayor and City Council, the City Manager shall allocate the new position to it.

If an employee has reason to believe that his or her position has been improperly allocated, such

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City of Oxford Employee Handbook

employee may, with the knowledge of the Department Head, request the City Manager to review the allocation of such position. Any such request must be submitted in writing and contain a statement of justification. If not resolved to the employee's satisfaction, the employee may appeal to the City Manager in the manner provided in this manual.

MAINTENANCE OF HUMAN RESOURCES STAFFING PLAN

Each time a vacancy occurs, the Department Head shall submit a description of the vacant position to the City Manager for a review of the allocation of the position. The City Manager may waive this requirement for cases in which he/she has determined that no material changes have occurred in the position description.

Each time a department or division under the jurisdiction of a Department Head is significantly reorganized, such Department Head shall submit to the City Clerk & City Manager new position descriptions for all affected positions.

The City Manager may require departments or employees to submit position descriptions on a periodic basis or at any time they have reason to believe that there has been a change in the duties and responsibilities of one (1) or more positions.

Each time a new position is established, a position description shall be written and incorporated into the existing plan. Likewise, an abolished position shall be deleted from the classification plan.

The job descriptions are descriptive and not restrictive. The use of a particular description as to duties, qualifications or other factors shall not be held to exclude others of similar kind or quality.

The City Clerk shall be responsible for maintaining an official copy of the Position Classification and Pay Plan. The official copy shall include a list of class titles and job descriptions, plus all amendments. A copy of the official plan shall be available for inspection by the public under reasonable conditions during regular business hours.

When there is a need for the establishment of new positions or the abolition of current positions, the City Manager shall submit findings and recommendations to the Mayor and City Council, which shall take such action as deemed appropriate.

COMPENSATION

The City of Oxford's compensation philosophy is to maintain a competitive pay structure for the purpose of recruiting and retaining an effective and efficient diverse workforce. The pay structure is designed to pay employees based on what their job is worth; ensure they appropriately move through the salary range for their classification; and recognize performance through merit pay, where applicable. The pay plan is designed to comply with federal and state law, including the Fair Labor Standards Act (FLSA). All aspects of the pay plan are contingent upon the availability of funds as determined in the sole discretion of the Mayor and City Council.

If an appointee to a particular position does not meet the minimum qualifications stated in the job

Commented [MB22]: Moved from Chapter 1

Commented [MB23]: Replaced first paragraph under Compensation. Text provided by GMA.

City of Oxford Employee Handbook

description or if certain classes of work require a formalized training period which is of unusual duration, and the needs of the City can best be met by placing an individual in a training capacity, the City Manager may designate such position as a "trainee" position. Appointment to a "trainee" position shall be at a salary range below the minimum rate established for the classification at a rate not more than ten percent (10%) below the minimum rate.

If an appointee exceeds the minimum qualifications for the position, such employee may be started at a rate up to Step D for the classification. Written approval of the City Manager is required in such instances.

If an employee to be appointed possesses special qualifications, or extenuating circumstances exist, the Department Head may recommend to the City Manager a rate higher than Step D for the classification. In such cases, the Mayor and City Council must grant final approval.

Pay for part-time and temporary employment in a position shall be equivalent to the hourly rate of pay for full-time employment in similar positions.

PAY INCREASES

Increases in pay for City employees shall be governed by the following principles:

- Any employee shall be initially employed for a probationary period of six months. When an employee successfully completes a period of probation, the employee shall receive a one-step increase. The employee's supervisor must provide a memorandum to the Deputy City Clerk authorizing this increase in pay.
- Each pay grade shall have a pay range with an entry rate and steps placed at two and one-half percent (2½%) intervals.
- After an employee reaches the maximum rate within a pay grade, such employee may only be entitled to across-the-board salary adjustments and merit payments in bonus form as a one-time adjustment.
- Each Department Head shall file an annual performance evaluation report on each employee within that department. This report shall become a permanent part of each employee's official file.
- In order for an employee to be eligible to be considered for a performance increase, the following are required:
 - A. **Performance-Based Increase** – this would be dependent on a satisfactory evaluation. Every employee would be eligible for a one step (2.5%) increase every two years on the employee's hiring anniversary date (starting after July 1, 2017). The employee must have two successive evaluations that are rated an overall 3 or better.

Commented [MB24]: Added as an employment incentive since the employee must wait two years for a performance-based increase.

City of Oxford Employee Handbook

Our grading system is:

Score	Performance Level
5	Performance is clearly and consistently outstanding. Demonstrates a very high degree of proficiency. Performance compares only with the best employees. Far exceed standards of normally expected performance.
4	Performance is at a very high level. Demonstrates unusual proficiency. Frequently exceed standard of normally expected performance.
3	Performance is satisfactory and consistently at a level expected of employees.
2	Performance is only marginally acceptable. Meets performance requirements only periodically or only in certain areas of this factor. Specific areas of performance improvement are indicated.
1	Performance is poor; clearly below the level of acceptability. Improvement is mandatory in nearly all aspects of this factor.

- B. **Cost of Living Increase** – The entire pay plan is increased by the amount of the cost-of-living increase approved by City Council as part of the annual budget process.
- C. **Step or Grade increases for certain certificates or certifications** – These increases must be approved by the City Manager – usually in advance. Examples include but are not limited to: Certified Municipal Clerk, Police Supervisor Certificate, EPD water distribution operator permit, Lineman certification. (No employee would be eligible for Option A and Option C in the same year.)

AVAILABLE FUNDING

Pay increases are dependent on City Council including sufficient funds in the annual budget to support the cost of living and/or the merit increases.

- In order to move to a higher pay grade, an employee must apply for a new position within a higher pay grade, be an incumbent in a position which has been reclassified to a higher pay grade or must be assigned to a position which includes eligibility for non-competitive increases based on tenure and/or other factors.
- Annually, the Mayor and City Council will consider increasing the salaries on all steps within all pay grades on an equal percentage basis. During budget hearings, the Mayor and City Council shall determine what percentage increase, if any, will be allotted for increases to employee salaries. The percentage for market adjustments (cost-of-living pay increases) will change the entry rate, steps, and maximum rate for each pay grade of the salary schedule.
- Performance increases may be granted upon the recommendation of the Department Head, administrative approval of the City Manager, and budgetary approval of the Mayor and City Council. Employees shall be eligible for performance increases biannually until the maximum pay rate for the classification has been reached.

Commented [MB25]: Added this provision to cover non-competitive promotions in the PD.

City of Oxford Employee Handbook

- Employees below the top step of their grade, whose work is exceptional, may be granted a special performance increase to the next step after serving at least three (3) months in the current step, upon the approval of the City Manager. Only one (1) special performance increase per twelve (12) month period may be granted. A special performance increase does not disqualify the employee from being considered for an annual performance-based and/or cost of living increase.

DOCUMENTING TIME WORKED

All hourly employees are required to punch a timecard for all hours worked unless circumstances prevent doing so and the Department Head approves. All absences (including vacation, illness, accidents, death in the family, etc.) should be reported on the employee's timecard. Hourly staff should also clock in and clock out for meal breaks. The timecard should be submitted to the employee's Department Head for approval with signature.

The Department Head should submit all timecards and time calculation sheets for his/her department to the Deputy Clerk or his/her designee in a timely manner. Any exception to any employee clocking in and clocking out should be noted by the supervisor by initialing the timecard and indicating why the exception was made.

An employee is not permitted to clock in or clock out for another employee. Clocking in/out for another employee could result in further disciplinary action up to and including termination for both employees.

Time is recorded in the payroll system in quarter-hour increments based on the time stamps recorded on timecards punched by employees.

- If a time stamp is seven minutes or less before the quarter hour, time is recorded in the system beginning with the next quarter hour.
- If a time stamp is seven minutes or less after the quarter hour, time is recorded in the system beginning with the previous quarter hour.
- If a time stamp is eight or more minutes before the quarter hour, time is recorded in the system beginning with the previous quarter hour.
- If a time stamp is eight or more minutes after the quarter hour, time is recorded in the system beginning with the next quarter hour.

PAYDAY

Upon the appointment of any employee to the classified service, the City Manager shall submit to the Deputy City Clerk or his/her designee, the City Clerk, and Department Head and such information as is necessary to certify the employment status, title or position, and salary or wage of such employee.

All City employees shall be paid every week. When a pay date falls on an official city holiday, employees will be paid on the date preceding the holiday. If there is an error in your paycheck, advise the Payroll Administrator immediately. Your check will not be given to another person unless you give prior authorization.

Each Department Head shall be responsible for immediately notifying the Deputy City Clerk or

Commented [MB26]: Changed header from "Recording Your Time Worked" to "Documenting Time Worked"

Commented [MB27]: Added this section.

Commented [MB28]: Changed from two weeks. We are paying every week.

City of Oxford Employee Handbook

his/her designee of any occurrences or actions taken which require an adjustment in the salary or wage of any employee or employees under the supervision of such Department Head. Upon the receipt of such notice, or upon the taking of any action by the Mayor and City Council that requires an adjustment in the salary or wage of any employee or employees, the Deputy City Clerk or his/her designee shall complete such payroll adjustments when appropriate.

Employees may be held liable for the return of salaries improperly, accidentally, or illegally paid to them.

PAYROLL DEDUCTIONS

Federal and state laws as well as court orders require us to make certain deductions from your earnings, including income withholding and social security taxes. No deductions, other than those legally required, will be made from your paycheck without your consent. Upon the request in writing of any employee, the City shall be authorized to provide for automatic payroll deductions for such employee, in such amount as the employee shall specify, for the purpose of contributing to personal savings plans, pensions or other personal financial investment plans.

The City shall also be authorized to provide for automatic payroll deductions for the employee's portion of insurance premiums for health, dental, vision, life and accidental death/dismemberment, and any other insurance options available to the employee which require a contribution from the employee.

GARNISHMENTS/LEVIES

Federal and state laws require the City to make deductions from your earnings to pay creditors who bring garnishment/levy proceedings against you. If a garnishment/levy action is initiated against the City, upon receipt of a garnishment/levy notice, the City Clerk will notify the employee that such action is forthcoming and advise the employee when the deduction will begin.

Commented [MB29]: Added Levies, removed language about conduct and disciplinary action

OVERTIME

In keeping with the provisions of the Fair Labor Standards Act, each Department Head shall have the responsibility of controlling overtime in each department. Overtime is neither desired nor expected on a regular basis. However, during peak periods when overtime becomes necessary, it should be distributed as equally as possible among qualified employees in the same classifications, department, and shift without regard to age, sex, color, creed, religion, national origin or disability.

Commented [MB30]: Replaced with language provided by GMA

- A. Overtime work shall be that work performed by an employee which exceeds the maximum number of hours constituting the established work period for the employee's position. The City of Oxford's designated work week begins Thursday morning at 12:00 a.m. and ends Wednesday night at 11:59 p.m. All overtime work shall be compensated in accordance with the Fair Labor Standards Act. There is no recognized overtime when a position involves executive, professional, or administrative personnel exemptions.
- B. Any overtime worked must have the prior approval of the Department Head. Employees required to work overtime will be compensated at 1 and ½ times the regular rate of pay,

City of Oxford Employee Handbook

provided that the work is of an unusual, unscheduled, or emergency nature and is approved by the Department Head.

- C. Sick leave, annual leave, on call pay, leave without pay, compensatory time used, or holidays not worked do not count as hours worked for purposes of overtime computations.
- D. Overtime work must be approved by and directed by the Department Head or the authorized representative of the Department Head prior to the time it is worked. Unapproved work performed during nonwork hours, including time prior to the start of the workday, during the lunch period, and after the workday has concluded, including taking work home, is prohibited without prior authorization.

ON-CALL PAY

The Public Works and Police Departments may designate non-exempt employees to be on-call to provide for after-hours service needs. Any on call policy shall be determined by the applicable Department Head with approval of the City Manager depending upon the needs of the individual department and appropriations in the fiscal budget.

A call back occurs when there is an emergency or after-hours service need for which an employee reports to work as a result of the call. When an employee works such hours, the employee shall record the hours worked. A call back does not include additional hours of work scheduled in advance.

- A. An employee responding to a call back will be paid the greater of two hours or the actual time worked on the call back assignment at their overtime rate.
- B. Travel time is included in the calculation of call back hours.
- C. Exempt employees are not eligible for call back compensation.
- D. If any employee is directed back to work on a call back, no vacation or sick time utilized during the same pay period will off-set the overtime payment.
- E. Time worked during the employee's normal lunch period is not eligible for on-call pay. If an employee is asked to work during the normal lunch period, the employee's supervisor must ensure that the employee is allowed to take time off for a meal later during the day in proportion to the amount of time worked during the lunch period.
- F. Such amounts will be paid as overtime regardless of the number of hours physically worked during the workweek.

HOLIDAY PAY

The following rules apply to pay for holidays:

- When an employee is required by the Department Head to work on a day designated by the City of Oxford as a city holiday, the employee will be paid at a rate of 1½ times the

Commented [MB31]: Replaced with language from GMA. Added conditions and FLSA requirement to take time off for meal.

Commented [MB32]: Revised to make compensation for holidays consistent with other local governments in the area. Changed title from Holiday Overtime to Holiday Pay.

City of Oxford Employee Handbook

normal pay rate for the number of hours worked and be paid eight hours at the normal pay rate for the holiday.

- The number of hours worked on a holiday are included in the calculation of total hours worked during the pay period for the purpose of calculating overtime pay. However, an employee is not required to work forty hours during the pay period to be paid at a rate of 1½ times the normal pay rate for hours worked on the holiday.
- When an employee's regularly scheduled day off falls on a day designated by the City of Oxford as a city holiday, the employee shall be paid eight hours at the normal pay rate for the holiday immediately, OR the employee may bank the holiday and take it at a later time. The Department Head must indicate the employee's choice on the timecard.
- Banked holiday time must be used within one year of accrual.
- If there is a banked holiday time balance of greater than zero, banked holiday time must be used before any annual leave is used.

APPLICATIONS AND EXAMINATIONS REVIEW

Except as otherwise provided below, all vacancies in the classified service shall be publicized by posting on the official bulletin board or in other places and by such other means as the City Manager deems advisable. The announcements shall specify the titles and starting salary of the vacant positions, qualification requirements, manner of making application and other pertinent information, and shall specify the date, time, and place of examinations (if required) for the positions. Applications will be posted and accepted for at least ten (10) days following the announcement by the Department Head.

All applicants for positions in the classified service of the City of Oxford shall submit an application with the Department Head. All applicants shall provide proof of citizenship or lawful presence in the United States as required by federal law. Such forms shall require information concerning training, experience, and other pertinent information, and shall be signed by the applicant. No person shall be employed by the City unless and until such person has submitted a signed application to the Department Head in a timely manner.

All positions in the classified service shall be open only to persons who meet such requirements as are listed on the public job announcement. Such requirements may include but are not limited to the following factors: experience, education, and training. Applicants considered for employment/rehire will be screened for illegal drugs and controlled substances as a part of the employment process. Applicants will also be subject to a complete background and reference check.

All applicants who are interviewed will be notified in writing by the Department once the position for which they applied has been filled.

Applications for current vacant positions being advertised shall be accepted during regular business hours and placed on file. Applications will be active for a period of ninety (90) days. Applicants must complete a new application for each announced position vacancy. The application(s) will be kept on file for two (2) years, or as otherwise dictated by the State of Georgia records retention guidelines.

Commented [MB33]: Moved section up from further back in the chapter. Moved paragraph about promotions outside the classified service to new section – Department Head Appointments. Removed paragraph about Human Resources Committee. Moved Promotional appointments paragraph to Promotions, Demotions, and Transfers section of this chapter.

City of Oxford Employee Handbook

The Department Head may reject an application which indicates that the applicant is deficient in any or all of the requirements as specified in the public announcement of the vacancy. An applicant may also be rejected for fraud or deception in the completion of the application, or if his or her past record of employment is determined to be unsatisfactory by the Department Head.

APPOINTMENTS TO CLASSIFIED SERVICE POSITIONS — PROBATIONARY AND TEMPORARY

All classified employees of the City shall be hired upon the recommendation of the appropriate Department Head and approval of the City Manager. When initially hired, city employees shall be assigned to one of the following types of appointment:

- A probationary appointment is an appointment to a position in the classified service. An employee serving a probationary period may be discharged at the discretion of the Department Head and shall not have the right to utilize the grievance and appeal procedure set forth in this policy. After the initial six (6) months of employment, they shall have grievance and appeal rights.
- A temporary appointment may be made to fill a position which is authorized and established for a specified period of time, when the work of a department requires the services of one (1) or more employees on a seasonal or intermittent basis, or in cases of emergency. Temporary appointments shall not exceed one-hundred and twenty (120) calendar days; however, extensions to such appointments may be granted by the Mayor and City Council.

A classified employee given an initial probationary appointment shall be given a regular appointment upon completion of the probationary period.

DEPARTMENT HEAD APPOINTMENTS

Positions to be filled by recruitment from outside the classified service shall be filled through a competitive process open to the public. This process may include, but shall not be limited to, ratings of training and experience; job-related tests; or any combination of these as determined by the City Manager. Factors such as education, job-related qualifications, and experience may be taken into account in making employment decisions. The City Manager may require the applicant to submit proof of education and military service or any other such documentation as is deemed necessary.

Internal promotion appointments of classified employees to Department Head shall be open to all employees who meet the training and experience requirements included in the position description or who have an equivalent combination of experience and training which provides the required knowledge, skills, and abilities.

Department Head appointments are subject to approval by the Oxford Mayor and City Council.

PROBATIONARY PERIOD

The probationary period shall be six (6) months in duration. During an employee's probationary period, the employee may be released by the Department Head and shall not have the right to appeal.

Commented [MB34]: Added clarification to header that this section applies to classified employees.

Commented [MB35]: Created new section from language previously under Applications and Examination Review.

City of Oxford Employee Handbook

If an employee is laid off during a probationary period and such person is subsequently reappointed in the same department, he or she may be given credit for the portion of the probationary period completed before the lay-off.

A Department Head may demote an employee during the probationary period. A written report of such demotion must be filed with the City Manager within three (3) days after the effective date of the demotion.

Within five (5) working days of the expiration of the employee's probationary period, the Department Head shall notify the City Manager in writing by memorandum of whether or not the employee has completed the probationary period.

PROMOTIONS, DEMOTIONS, AND TRANSFERS

Promotions may occur within a department or between departments. Promotional appointments shall be open to all employees who meet the training and experience requirements included in the position description and job announcement or who have an equivalent combination of experience and training which provides the required knowledge, skills and abilities.

Commented [MB36]: Language moved from Applications and Examination Review section.

At the time an employee is promoted to a previously established position in a classification with a higher pay range, or the employee's position is reclassified to a job with a higher pay range, a salary increase may be granted:

- (1) Up to ten percent (10%) above the employee's current salary; or
- (2) Up to the minimum of the new classification, whichever is greater.

An employee shall be promoted when:

- (1) The employee is transferred to a position classified in a higher pay range.
- (2) The employee's position is reclassified to a classification having a higher pay range.

An employee shall be demoted when:

- (1) The employee is placed in a different classification having a lower pay range.
- (2) The employee's position is reclassified to a classification having a lower pay range.

When an employee receives a demotion of the type stated in # (1) above, such employee's pay may remain unchanged or may be reduced at the discretion of the Department Head and City Manager.

In the case of an employee's position being reallocated to a lower classification, an employee's salary may not be reduced. The employee may be permitted to continue at the present rate of pay but shall not be entitled to a salary increase when the current salary exceeds the maximum for the newly assigned range.

The appropriate Department Head may, at any time, transfer an employee in the classified

City of Oxford Employee Handbook

service under his or her jurisdiction from one position to another in the same class in the same department. An intra-departmental transfer of an employee to a position in another class shall be made only with the approval of the City Manager and only between classes within the same pay range. The City Manager shall be notified of such changes in assignment.

A transfer of an employee from one department to another shall require the approval of both Department Heads concerned and the City Manager. Requests for such transfer shall show how the employee concerned meets the qualification requirements of the class to which the transfer is proposed. An employee who is transferred shall continue at the same rate of pay unless otherwise provided City Manager for review.

A reinstated employee shall be paid at a salary rate within the approved salary range for the position to which the employee is reinstated. The rate of salary at appointment shall be in accordance with the current approved pay scale.

EVALUATION PERIOD

When an employee is promoted to another position, he/she will serve a six-month evaluation period. During the evaluation period, if it is determined that the promoted employee is unable to perform the duties in the promoted position, he/she shall be demoted back to his/her former position, if available. If it is not available, he/she may apply and compete for any other vacant positions in the City. If he/she is unable to obtain another position in the City, he/she will be placed on the re-employment list for up to one year and shall be entitled to general re-employment rights in his/her former class.

CHAPTER 4 – YOUR EMPLOYMENT BENEFITS

It is the policy of the City of Oxford, to provide its employees with various insurance and retirement benefits. 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 their dependents. The plan is designed to enhance the attractiveness of working for the City and to aid the City's competitiveness in recruitment and retention efforts.

Eligibility for health insurance life and accidental death and dismemberment, short-term and long-term disability, and retirement benefits shall include regular full-time employees.

1. Employee contributions deducted via payroll will begin concurrent with employee eligibility.
2. Benefit eligibility will expire at the end of the last day of the month that the employee worked for the city.
3. All employees shall be covered by worker's compensation.

Commented [MB37]: Added language provided by GMA.

INSURANCE COVERAGE

All regular employees scheduled to work at least 30 hours per week are eligible to participate in the health care plan. Medical, dental, and vision benefits are available for the employee, spouse, and dependents. The City of Oxford pays for 95% of the premium cost for employees, and 70% of the premium cost for spouse and/or dependents.

Commented [MB38]: Renamed title from Health Care Coverage. Added information about the various types of coverage offered and the percentages paid by the employee.

The City of Oxford provides life and accidental death/dismemberment insurance in the amount of \$30,000 at no cost to full-time employees. Employees may purchase an additional \$30,000 of this insurance by paying the premium cost through automatic payroll deduction. The City also provides short-term and long-term disability insurance at no cost to full-time employees.

RETIREMENT PLAN

All regular full-time employees that work at least 40 hours per week may participate in the City's retirement plan. The City of Oxford enrolls all eligible employees in the Georgia Municipal Employees' Benefit System (GMEBS) retirement plan and contributes 4% of each employee's salary to the plan at no cost to the employee. Employees are offered the opportunity to contribute additional amounts toward their retirement plans on a voluntary basis, subject to annual limitations imposed by the Internal Revenue Service (IRS). Employees intending to retire should notify their Department Head of their intent to retire at least three months prior to the date of retirement. Department Heads intending to retire are required to notify the City Manager of their intent to retire at least six (6) months prior to the date of retirement.

Commented [MB39]: Rewrote this section to give details about Oxford's retirement plan. Moved Social Security language to separate section. Change 30 hours per week to 40 hours per week as required by our current plan.

COBRA

The Consolidated Omnibus Budget Reconciliation Act (COBRA) requires employer-sponsored group medical and dental plans to allow covered employees and their dependents to elect to have their current medical coverage continued at the employees' and dependents' expense, at group

City of Oxford Employee Handbook

rates, for up to 36 months following a qualifying loss of coverage. Qualified persons who must be permitted to continue group medical coverage are:

- A. an employee whose coverage terminates due to a reduction in work hours or termination of employment, other than termination due to gross misconduct;
- B. a spouse and dependent children who lose eligibility for coverage under the group plan as a result of: (1) divorce or legal separation; (2) the employee's death, termination of employment or reduction of work hours, or entitled to Medicare; (3) loss of dependent child status due to age or marriage.

Continuation is not available to persons who are covered under another group plan or eligible for Medicare.

Group health premium rates for individuals electing continuation are the same as for active employees and their dependents plus an administrative charge. Individuals electing continuation must pay the entire monthly premium amount in advance.

You will be notified by the City upon employment and at the time of a qualifying event as explained above. It is the employee's responsibility to keep the Deputy City Clerk or his/her designee informed of any address changes or other pertinent information regarding themselves and their dependents.

SOCIAL SECURITY

Social Security is more than a paycheck deduction. It offers financial security for you and your dependents. Although this is a federally established program, it is your contributions, along with the City's matching contributions, that pay for this benefit. For the duration of your employment, you and the City contribute funds to the federal government to support the Social Security Program. This program is intended to provide you with monthly checks and medical coverage once you reach retirement age.

UNIFORMS AND EQUIPMENT

Uniforms and equipment are provided for staff that perform outside work and for police officers based on the needs and duties of the position. The city- issued uniforms and equipment are to be returned upon separation from employment. The employee will be responsible for the cost of any uniforms and/or equipment if the uniforms are not returned by the employee's last day of employment with the City. The cost of the assigned uniforms and/or equipment not returned will be deducted from the employee's last paycheck.

Commented [MB40]: Added Equipment to title and body of paragraph. Added that the cost of items not returned will be deducted from last paycheck.

City of Oxford Employee Handbook

CHAPTER 5 – TIME AWAY FROM WORK

Commented [MB41]: Switched Chapter 5 and Chapter 6 placement in handbook.

The City of Oxford believes that employees should have the opportunity to enjoy time away from work to help balance their work and personal lives. City management recognizes that employees have diverse needs for time off from work. Because of this, the City has established leave practices to address work-life balance, as well as to protect the financial well-being of employees during certain absences from work. Employees are accountable and responsible for managing their own leave balances to allow for adequate reserves if there is a need to cover unanticipated events requiring time away from work.

Commented [MB42]: Added language provided by GMA.

GENERAL PROVISIONS

Except as provided otherwise in this chapter, the following apply to all paid leave benefits:

1. Approval of leave is subject to operational requirements of the department and any request for paid leave may be denied or rescheduled due to staffing needs;
2. Paid leave cannot be advanced;
3. All requests for leave must be submitted in writing with as much notice as possible;
4. Except for military leave, any employee in an unpaid leave status will not accrue paid time off. This will not, however, constitute a break in service for accrual rate purposes;
5. Non-exempt employees shall record paid leave in quarter hour increments;

HOLIDAYS

All full-time employees shall be eligible for paid time off for the following annual holidays as observed by the City of Oxford and other days as designated by specific action of the Mayor and City Council:

Commented [MB43]: Added Juneteenth and Veteran's Day holidays. Moved from end of chapter to beginning of chapter.

- (1) New Year's Day,
 - (2) Martin Luther King Jr.'s Birthday,
 - (3) Memorial Day,
 - (4) Juneteenth
 - (5) Independence Day,
 - (6) Labor Day,
 - (7) Veteran's Day
 - (8) Thanksgiving Day,
 - (9) The day after Thanksgiving,
 - (10) Christmas Eve,
 - (11) Christmas Day.
- A. Whenever a holiday falls on a Saturday, the preceding Friday shall be designated a substitute holiday and observed as the official holiday for that year. When the holiday falls on a Sunday, the following Monday shall be designated as the official holiday for that year. An employee who is not on approved leave and fails to report on his or her scheduled workday before or after a holiday shall not be paid for the holiday.

City of Oxford Employee Handbook

B. Holidays which occur during annual or sick leave shall not be charged against annual or sick leave. Full-time employees shall be paid eight (8) hours for holidays. Temporary employees will not be paid for holidays not worked.

ANNUAL (VACATION) LEAVE

Vacations are for the purpose of rejuvenating both physical and mental faculties, and all employees are urged to avail themselves of vacation periods. All full-time employees shall be entitled to earn and accrue annual leave. Regular part-time employees shall be entitled to annual leave in proportion to the number of hours worked. Temporary employees shall not be eligible for annual leave.

Regular full-time employees begin to accrue annual leave immediately upon employment. Part-time employees and employees under temporary or emergency appointments will not be granted annual leave under these policies.

Each regular full-time employee is entitled to annual leave as follows:

Years of Service	FULL-TIME Days accrued per year
0 – 5 years	13
6 – 15 years	16
16 – 25 years	19
Over 25 years	25

A request for annual leave shall be submitted to the employee's Department Head. Annual leave may be taken only after approval by the appropriate Department Head so that, insofar as practicable, the department can function without the hiring of additional temporary help.

Unused annual leave may be carried into the next calendar year. When an employee is separated from service, such employee shall be paid for all unused annual leave up to two hundred and forty (240) hours unless he or she fails to give proper notice of resignation. Unused bank holiday leave will not be paid to the employee upon separation.

SICK LEAVE

Sick leave shall be used only for the purposes hereinafter set out and shall not be used to supplement or as a substitute for holiday or vacation leave. Employees are eligible for sick leave with pay under the following circumstances:

1. Personal illness or physical incapacity and doctor or dentist appointments of the employee, employee's spouse or children living in the same household; or
2. Serious illness of spouse, children, or parent as defined in the Family and Medical Leave Act of 1993. (FMLA)

An employee may take up to three consecutive days of undocumented sick leave. After three

Commented [MB44]: Moved from end of chapter.

Commented [MB45]: Removed limit of 80 hours rollover per year. Increased payment of leave at separation to max of 240 from 160 hours because hours accrued per year exceeds 160 for long-term employees. Added sentence about banked holiday leave.

Commented [MB46]: Moved from end of chapter.

City of Oxford Employee Handbook

consecutive days of absence from employment, the employee may be asked to provide his/her supervisor with a written excuse from a doctor setting forth the reasons for the employee's absence. An employee shall also be required to produce a written excuse from a doctor setting forth a bona fide medical reason for the employee's absence if sick leave is taken on a day immediately before or after a vacation day or a holiday.

Excessive Absenteeism - The habitual or patterned use of sick leave, or leave without pay, not supported by competent medical evidence or other proof of necessity is considered excessive absenteeism. On a national average, employees experience 2 to 3 incidents of sick leave absence a year. Unsubstantiated absences in excess of the following rule of thumb may be an indication of excessive absenteeism (an incident is a single day or consecutive series of absences):

1. 2 incidents in three months.
2. 4 incidents in six months.
3. 6 incidents in one year.

The habitual or patterned use of sick leave, or leave without pay, and/or failure to call in when sick not supported by competent medical evidence or other proof of necessity is prohibited.

- | | |
|--------------|---|
| 1st offense: | Oral Reprimand |
| 2nd offense: | Written Reprimand |
| 3rd offense: | 1-day suspension without pay |
| 4th offense: | Further disciplinary action including and up to termination |

The employee shall report his/her absence from work to his/her direct supervisor or Department Head. Calling is preferred, but other forms of communication such as email or text messaging are acceptable if approved by the Department Head and as long as the employee receives an acknowledgement from the supervisor. If an acknowledgement is not received within fifteen (15) minutes, the employee should call the supervisor.

Commented [MB47]: Modified requirement to report absence through direct communication to supervisor.

Those employees entitled to accrue annual leave shall also be eligible to earn sick leave. Regular full-time employees begin to accrue sick leave immediately upon employment at the rate of one (1) day per month. A maximum of three hundred and twenty (320) hours of sick leave may be accumulated. When an employee is separated from the service, no payment shall be made for any unused sick leave.

Regular part-time employees shall be entitled to accrue sick leave in proportion to the number of hours worked. Temporary employees shall not be eligible to accrue sick leave.

BEREAVEMENT LEAVE

Employees may be granted up to three (3) working days of bereavement leave with pay upon death of a member of the employee's immediate family. Immediate family shall mean spouse, child, stepchild, father, stepfather, mother, stepmother, father-in-law, mother-in-law, brother, stepbrother, sister, stepsister, brother-in-law, sister-in-law, grandparents, step grandparents, grandchildren, step grandchildren, or any relative who resides in the employee's household.

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City of Oxford Employee Handbook

1. Employees must request bereavement leave by contacting their supervisor prior to the leave period.
2. There is no accumulation of bereavement leave and no payment upon separation from city employment. Hours do not have to be taken simultaneously.
3. The City may require verification of the request for the leave.
4. The pay for time off will be prorated for a part- time employee if the funeral occurs on a scheduled workday.

JURY DUTY

All regular full-time employees selected for jury duty shall be entitled to receive civil leave with pay for the period of absence. An employee shall not be entitled to fees received as a juror and should ask the court not to compensate them for being on jury duty. An employee may be required to present a statement from the court indicating jury service.

Commented [MB49]: Added section with language provided by GMA.

CIVIL LEAVE

All employees subpoenaed or ordered to attend court to appear as a witness or to testify in some official capacity on behalf of the City are considered to be working. Any fees paid for such services will be returned to the City. Employees who are subpoenaed, ordered to appear, or otherwise voluntarily participating in a Court appearance or judicial process other than as specifically identified herein shall not be entitled to leave with pay, but must take vacation leave.

Commented [MB50]: Updated section with language provided by GMA.

TIME OFF TO VOTE

Employees are permitted time off to vote in any municipal, county, state, or federal political party primary, general, or runoff election for which such employee is qualified and registered to vote on the day on which such election is held. The time taken off to vote must not exceed two hours. Time off to vote is permitted only if an employee's supervisor is informed at least one (1) working day in advance that an individual plans to take time off to vote. The City may specify the hours during which the employee may be absent from work to vote. If the polls open at least two (2) hours before the employee is scheduled to arrive at work or the polls close two (2) hours after the employee is scheduled to leave work, then time off to vote is not allowed.

Commented [MB51]: Removed that time off to vote is unpaid leave.

MILITARY LEAVE

1. Military leave is a period of unpaid leave due to an employee's service in the military forces of the United States. An employee who leaves the service of the City to join the military forces of the United States shall be placed on military leave without pay in accordance with conditions set forth in Federal and State Law. Such leave shall extend through a date not to exceed 90 days after the employee is relieved from their military service. Such employees shall be guaranteed to be reinstated to their previously vacated position provided they report to work for the City of Oxford within 90 days of the date of the employee's honorable discharge (as indicated on U. S. Dept. of Defense Form DD-214) and that the employee is physically and mentally capable of performing the essential functions of the position.

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Time so served shall be considered as continuous employment with the City of Oxford. The returning employee shall also be entitled to any increase in salary (including market adjustment increases) or any advancement in grade which would normally be accorded to the incumbent of the position. In essence, the employee should be treated as if they had been

City of Oxford Employee Handbook

continuously employed with the City of Oxford.

2. In the event a position, vacated by a person entering the military service, as stated above, no longer exists at the time the qualified employee returns to work, such person shall be entitled to be re-employed in another position of the same status, class and pay in City service.
3. Employees will be given time off without loss of pay while on ordered State or Federal military duty including but not limited to attendance at a service school conducted by the military forces of the United States, and while going to or returning from such duty or school, for a total of 18 days or no more than 144 hours in any one calendar year. In the event the Governor of Georgia declares an emergency and orders an employee to State active duty as a member of the National Guard, such employee will be paid for a period not exceeding 30 days or 240 hours total in any one calendar year while on active duty.

Whenever such an employee is ordered to be on military duty or to attend a service school in excess of the amount of time which will be paid, the employee may use accrued annual leave for such absence or may take a personal leave of absence.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

This policy provides a general overview of employer/employee rights and obligations under the FMLA. Complete details can be found in the FMLA, 29CFR, Part 825, et seq.

Employees who are eligible for family and medical leave may take up to twelve (12) weeks of unpaid leave in a twelve (12) month period under the following circumstances:

- (1) the birth of a child to the employee;
- (2) the placement of a child with the employee for adoption or foster care;
- (3) in order to care for a family member (spouse, child, or parent) of the employee with a serious health condition;
- (4) when the employee has a serious health condition which renders the employee unable to perform the functions of his or her job; or
- (5) for a qualifying exigency due to a spouse, child or parent's active military duty. Covered exigencies include childcare and school activities; making financial and legal arrangements; counseling and recuperation; post- deployment activities; and other employer-approved events.

Note: For numbers 3 and 4 listed above, **Serious Health Condition** is when an employee is deemed to be receiving "continuing treatment" if there is a period of incapacity exceeding three consecutive days and the employee has twice visited a health care provider within 30 days of the beginning of the period of incapacity, or visited a provider once and is under a regimen of continuing treatment (the first in-person treatment must occur within seven days of the first day of incapacity). Serious health conditions do not include voluntary or cosmetic treatments which are not medically necessary.

The following conditions are generally not considered to be serious health conditions unless complications arise: the common cold, the flu, earaches, upset stomachs, minor

Commented [MB53]: Moved from beginning of chapter; made updates provided by GMA.

City of Oxford Employee Handbook

ulcers, headaches other than migraine, routine dental or orthodontia problems and periodontal disease are not considered serious health conditions. In addition to these conditions, an absence caused by an employee's abuse of a substance, rather than for treatment for the problem, does not qualify for FMLA leave and is not considered a serious illness.

MILITARY FAMILY LEAVE

Additionally, an eligible employee may take up to twenty-six (26) weeks of leave within a single twelve-month (12) period to care for a spouse, son, daughter, parent, or next of kin who is a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. This also includes caregiver leave to veterans with serious injuries or illnesses. More specifically, caregiver leave is available for veterans recuperating or receiving treatment for serious illnesses or injuries incurred or aggravated while on active duty in the Armed Forces, if they were members of the Armed Forces, National Guard, or Reserves at any time during the five (5)-year period before recuperation or treatment.

For the purposes of this policy the term "child" includes a biological child, an adopted or foster child, stepchild, or a legal ward, younger than 18 years of age, and shall also include a child 18 years of age or older who is incapable of self-care because of mental or physical disability. Further, a "parent" includes biological parents and persons standing in place of a biological parent ("in loco parentis") — court documentation may be required.

For purposes of military caregiver leave, next of kin is defined as the nearest blood relative other than the covered service member's spouse, parent, son or daughter in the following order: a) blood relative who has been granted legal custody; b) siblings; c) grandparents; d) aunts and uncles; and e) first cousins.

The one-year period is measured by looking at the twelve-month period immediately prior to the date on which leave is requested. Reduced or intermittent leave is available for the serious health condition of the employee or a family member when it is medically necessary. Employees on approved family or medical leave who accept other employment without the City's approval will be terminated. Upon a request for leave for one of the above reasons, the City may furnish the employee with more information about conditions and procedures for utilizing Family and Medical Leave.

Eligibility

To be eligible, an employee must have been employed by the City of Oxford for at least twelve (12) months and must have worked a minimum of 1,250 hours during the previous 12-month period. If the employee meets these criteria, they are entitled to 12 weeks of leave within a "rolling" twelve-month period.

Procedures

This policy is not a substitution for paid days off. You are required to use all accumulated paid days off (which may qualify for this type of leave) while you are on family or medical leave.

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City of Oxford Employee Handbook

In addition to absences covered by accrued annual and sick leave, it is important to note that other types of paid absences may also be counted against an individual's FMLA leave entitlement. Paid absences under workers' compensation may also count against an individual's FMLA entitlement in certain circumstances. To be counted against an individual's FMLA entitlement, workers' compensation absences must be based on a reason that would qualify for FMLA leave (the definition of serious health condition must apply). Time spent by the employee working in a temporary alternative assignment does not count against an employee's leave entitlement.

If the leave is foreseeable then the employee must provide the City with notice thirty (30) days in advance. If leave is not foreseeable, then notice should be given as soon as possible. Notice must be given to the City Clerk on the "Family and Medical Leave Request Form." An employee requesting leave for his or her own or a family member's serious health condition, must provide the City with proper medical certification. If you intend to take such leave, contact the City Clerk to get the appropriate request and certification forms. Within five (5) days of a leave request, the City of Oxford must notify employees if they are eligible for leave and give those eligible a written notice of their FMLA Rights and Responsibilities.

After a leave request is approved, the City Clerk must notify the employee within five (5) business days if the leave will be designated as FMLA leave.

MATERNITY LEAVE

In accordance with the Family Medical Leave Act of 1993, eligible employees shall be granted up to 12 weeks of leave for the birth or adoption of a child. Leave shall also be granted for the placement of a foster child with an employee.

A female employee who is incapacitated due to pregnancy and/or related symptoms may use accumulated sick and annual leave. When all paid leave is exhausted, the employee may request approval to be placed on leave without pay (LWOP).

Where the requested leave is not medically necessary, the employee must use accumulated annual leave. After all annual leave is exhausted, the remainder of the 12-week period shall normally be granted as leave without pay (LWOP).

An employee requesting leave upon the birth or adoption of a child should give a minimum of thirty (30) days written notice to his/her supervisor. If the employee is unable to provide such notice, they should provide such notice as soon as practicable.

If both spouses are employed by the City of Oxford, the total amount of leave that may be taken under Family Medical Leave due to the birth or adoption of a child is 12 weeks (not 24 weeks). Documentation specifying how leave will be taken must be given to each employee's department with the certification form.

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City of Oxford Employee Handbook

Medical Certification

Certification for an employee's serious medical condition must include a statement that the employee is unable to perform the functions of his or her position. Certification for leave to care for a family member with a serious medical condition must include an estimate of the amount of time the employee is needed to care for that family member. Both types of certifications must include (a) the date on which the serious health condition commenced; (b) the probable duration of the condition; and (c) the appropriate medical facts within the knowledge of the health care provider about the condition. The City may require a second medical opinion, at its own expense. If the first and second opinions differ, the City, again at its own expense, may require the binding opinion of a third health care provider, approved jointly by the employee and the City. The City may also require periodic recertification. Certification forms must be completed and returned to the City Clerk fifteen (15) days after the request unless circumstances make this impossible. The City may directly contact an employee's healthcare providers to authenticate and clarify medical certification. Only the City Manager or City Clerk may make this contact, not an employee's direct supervisor.

A medical statement from a certified physician releasing the employee to return to work including restrictions must be provided by the employee to the Department Head before the employee is authorized to return to work. The medical statement must indicate if there are any restrictions on the employee's ability to fully perform the functions of his/her position.

Benefits under Family Medical Leave

Employees will not lose any employment benefits or seniority accrued before the date on which leave commenced. Employees who take family or medical leave will generally be restored to the same or an equivalent position upon their return to work. Employees who take family or medical leave will continue to be responsible for paying their portion of health insurance premiums. The City Clerk will provide information on how this payment can be arranged. Failure to make timely payments may result in a cancellation of the insurance coverage. Generally, when an employee does not return to work within or at the end of any leave period and remain at work for at least 30 days, the employee will be required to repay the portion of the insurance premium which was paid by the City during the unpaid portion of the leave. If the health insurance lapsed while the employee is on FMLA leave for failure to pay their premium, when the employee returns to work, the City must reinstate the insurance.

An employee who fails to obtain approval for a leave without pay (LWOP) following the expiration of the 12-week period of family medical leave may be terminated. The Department Head must submit a request to fill the position to the City Administrator. Upon notice by the City Administrator, the employee will be notified in writing of the expiration of the 12-week period of family medical leave and subsequent termination.

Intermittent or Reduced Leave

- A. An employee may take leave intermittently (a few days or a few hours at a time) or on a reduced leave schedule to care for an immediate family member with a serious health condition or because of a serious health condition of the employee when medically necessary.

City of Oxford Employee Handbook

- i. Medically Necessary. There must be a medical need for the leave and a determination that the leave can best be accomplished through an intermittent or reduced leave schedule.
 - ii. The employee may be required to transfer temporarily to a position with equivalent pay and benefits that better accommodates recurring periods of leave when the leave is planned based on scheduled medical treatment.
- B. An employee may take leave intermittently or on a reduced leave schedule for birth or placement for adoption or foster care of a child only with the City Manager's prior approval.
- C. For eligible part-time employees and those who work variable hours, the family and medical leave entitlement is calculated on a pro rata basis. A weekly average of the hours worked over the twelve work weeks prior to the beginning of the leave should be used for calculating the employee's normal workweek. Employees must have been employed by the City of Oxford for at least twelve (12) months and must have worked a minimum of 1,250 hours during the previous 12-month period to qualify.

Effect on Benefits

- A. An employee granted leave under this policy will continue to be covered under the City of Oxford employee health/dental insurance, life insurance plan, and other applicable programs under the same conditions as coverage would have been provided if he/she had been continuously employed during the leave period. This means that the City will continue to pay the costs of such benefits as when the employee was in active pay status. In the case of family health coverage, the employee will be responsible for payment of the employee's premium share as outlined below.
- B. Employee contributions for family health coverage will be required either through payroll deduction or by direct payment to the City of Oxford. The employee will be advised in writing at the beginning of the leave period as to the amount and method of payment. Employee contribution amounts are subject to any change in rates that occur while the employee is on leave.
- C. If an employee's contribution is more than thirty (30) days late, the City of Oxford may terminate the employee's insurance coverage.
- D. If the City pays the employee contributions missed by the employee while on leave, the employee will be required to reimburse the City for delinquent payments upon his or her return from leave.
- E. If the employee fails to return from unpaid family/medical leave for reasons other than (1) the continuation of a serious health condition of the employee or a covered family member, or (2) circumstances beyond the employee's control (certification required within thirty (30) days of failure to return for either reason), the City may seek reimbursement from the

City of Oxford Employee Handbook

employee for the portion of the premiums paid on behalf of that employee (also known as the employer contribution) during the period of leave.

- F. Nothing in this Section will be construed to entitle any restored employee to:
- a. The accrual of any employment benefits during any period of leave; and,
 - b. Any right benefit or position of employment other than a right, benefit, or position to which the employee would have been entitled had the employee not taken leave.

Job Protection

- A. If the employee is not determined to be a "key employee," as defined by the Family Medical Leave Act, and returns to work within twelve (12) work weeks following a family/medical leave, he/she will be reinstated to his or her former position or an equivalent position with equivalent pay, benefits, status and authority.
- B. The employee's restoration rights are the same as they would have been had the employee not been on leave. Thus, if the employee's position would have been eliminated or the employee would have been terminated but for the leave, the employee would not have the right to be reinstated upon return from leave.
- C. If the employee fails to return within twelve (12) work weeks following a family/medical leave, the employee will be reinstated to his or her same or similar position, only if available, in accordance with applicable laws. If the employee's same or similar position is not available, the employee may be terminated.

Responsibilities

The Department Head is responsible for informing subordinate employees of this policy through the distribution of this directive. An employee is responsible for complying with the policies and procedures outlined in this procedural directive.

WORKERS' COMPENSATION

It is the intent of the City of Oxford to comply with the provisions of the Worker's Compensation Laws of the State of Georgia. All City of Oxford employees who are injured on the job are protected by the Georgia Worker's Compensation Act. The provisions of this act are the exclusive remedy for employees injured on the job and provide benefits and procedures for obtaining benefits for occupational injuries and diseases arising out of and in the course of an employee's employment with the City of Oxford.

Section 1: General Provisions

- a. **Definition**
"Injury" shall be defined as provided for in O.C.G.A. § 34-9-1.
- b. **Responsibility**

Commented [MB56]: Added detail including procedures.

City of Oxford Employee Handbook

Worker's compensation can be a very complex environment if proper procedures are not followed. Specific responsibilities lie with the Human Resources department, all supervisors and the employee.

(a) City Clerk

The City Clerk is responsible for the management of the City's worker's compensation program in accordance with the provisions of the Georgia Worker's Compensation Act and other Federal, state, or local regulations. The City Clerk is responsible for timely submission of the First Report of Injury form to the State and for all other Worker's Compensation records, files and reports. The City Clerk will, in accordance with the law and applicable City policies and procedures, determine the continuing employment status of employees who are out of work on Worker's Compensation. An employee out of work on Worker's Compensation who does not return to work when released to do so by a qualified physician may be terminated.

(b) Supervisors

City of Oxford's supervisors are responsible for assuring their employees report all on-the-job injuries to them immediately or as soon as possible following the occurrence of the injury. Supervisors will ensure that a written report of the injury is completed and turned into the Department Head who will then forward it to the City Clerk within the twenty-four-hour time period.

(c) Employees

All City of Oxford employees are required to report all on-the-job injuries to their supervisor immediately, when possible, but in all cases no later than twenty-four (24) hours after the occurrence of the injury. The employee is obligated to cooperate with the worker's compensation program directives and activities and any fraudulent activity will be grounds for termination.

Section 2: Procedures

(a) An employee injured on the job must report the injury to their supervisor immediately, on the forms prepared and provided by the City Clerk.

(b) The employee's supervisor must follow the appropriate procedures prescribed for reporting the injury which includes completion of the First Report of Injury form and the Supervisor and Employee Statement forms.

(c) Treatment of the injury shall be provided at one of the designated medical facilities that are posted at each work site and the employee must select a doctor from the approved panel of physicians provided by the city. In an emergency, the employee may receive medical care from any doctor until the emergency is over, then the employee must obtain treatment from a doctor on the City's approved panel of physicians. The City reserves the right to refuse payment of

City of Oxford Employee Handbook

medical services for any employee examined by a physician not listed on its approved panel of physicians.

- (d) An employee injured by an accident arising out of or in the course of employment shall not be charged for any absence from duty due to the injury on the day of the injury.
- (e) An employee injured by an accident on the job will be required to take a post-accident drug test within four (4) hours of the accident, or as soon as possible if more than four (4) hours.
- (f) There is a seven-calendar-day waiting period before worker's compensation benefits are due. The seven-day waiting period includes those days the employee would not have worked even if there had been no injury. The employee is eligible to receive medical benefits during the seven-day waiting period. Beginning with the first day after an on-the-job injury and continuing through the seventh day following the injury, the injured employee may elect to be compensated by using their available sick or vacation balance. However, if the disability lasts for 21 consecutive days, compensation is retroactive for the first seven days. The first seven days of disability are not reimbursable unless the employee is disabled more than the 21 consecutive days. If the employee is reimbursed from the state for the initial seven-day period, he/she will be responsible for returning that money to the City.
- (g) Beginning with the eighth day following the injury, the employee will be compensated with the statutory worker's compensation rate of $66 \frac{2}{3}$ of weekly salary up to the maximum prevailing rate required by the Worker's Compensation Law. The employee may continue using their available balance of sick or vacation time to supplement the worker's compensation benefit.
- (h) During the first six months of a job-related injury, the employee's position will be secure and the affected department may use temporary employment if the budget allows.
- (i) If the employee is unable to return to their regular position, the city may require the employee to perform a light duty assignment that is approved by the assigned physician until a time the employee can return to work on an unrestricted basis. The City has no obligation to create a light duty assignment if work is not available.
- (j) Worker's compensation leave must run concurrent with Family Medical Leave.

TEMPORARY DISABILITIES NOT COVERED BY WORKERS' COMPENSATION

An employee who becomes temporarily disabled shall be allowed to exhaust his or her accrued sick and vacation leave. After all sick and vacation leave have been used, further extension of leave (either with or without pay) must be specifically authorized by the Mayor and City Council upon recommendation of the Department Head and the City Manager.

EXTENSION OF MEDICAL COVERAGE

Extension of medical insurance coverage for employees injured on the job and not covered by Workers' Compensation Insurance may be granted by the Mayor and Council for up to ninety (90) days.

City of Oxford Employee Handbook

LEAVE OF ABSENCE WITHOUT PAY

Employees may receive a leave of absence without pay for good and sufficient personal reasons, and provided that no significant disruption to the City's activities will result. Each case will be considered individually. Requests for a leave of absence must be submitted in writing to the City Manager and Department Head. A granted leave will be without compensation and benefits. Employees on leave without pay may be required to make contributions for health, life insurance and retirement benefits. Employees on leave without pay will not lose any employment benefits or seniority accrued before the date on which leave commenced. An unpaid personal leave of absence, if approved, will be granted for a maximum of 30 days. Extension of the leave of absence may be granted upon the City Manager, Mayor, and Council approval.

Requests for a leave of absence for other than military leave or FMLA leave should be made with the full understanding that while we will make every effort to have a comparable position with comparable pay for you when you return from leave, we cannot guarantee that your same position will be available upon your return.

Reinstatement will be dependent upon an available opening for which you are qualified. If you do not report to work at the end of your personal leave of absence, you will be assumed to have voluntarily resigned.

ABSENCE WITHOUT LEAVE

An absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by a specific grant of leave of absence under the provisions of these regulations shall be deemed to be an absence without leave. Any such absence shall be without pay and may be cause for disciplinary action, up to and including termination.

ADMINISTRATIVE LEAVE

An employee may be placed on administrative leave with pay at the discretion of the Department Head and approval of the City Manager when such action is deemed to be in the best interest of the City.

NOTATION OF LEAVE OR ABSENCE WITHOUT LEAVE

When an employee has taken leave of any kind or is absent without leave, his or her Department Head shall make a notation on the timecard or attendance sheet, giving specific information covering type of leave, dates, hours, and other pertinent data.

OUTSIDE EMPLOYMENT

The work of the City will take precedence over other occupational interests of employees. All outside employment for salaries, wages, other compensation or commission and all self-employment must be submitted for approval in writing to the appropriate Department Head & City Manager. The request will be reviewed for conflict-of-interest issues. The City has the right to expect that outside employment will not affect employee performance, attendance or any other condition of employment with the City. Employees accepting outside employment without approval or conflicting outside employment, or who experience performance issues as a result of outside employment will be subject to disciplinary action up to and including termination. Outside work cannot be performed on the City's time and must not interfere at any time with an

City of Oxford Employee Handbook

employee's ability to perform his or her work with maximum effectiveness and efficiency. The City Manager will notify the Mayor in writing, not later than two (2) workdays after approval. Employees shall not use city-owned vehicles or equipment in the performance of duties related to outside employment.

PAY DURING SEVERE WEATHER

The decision of what is a prudent response to a severe weather situation on a government-wide basis is to be made by the City Manager. Department Heads are responsible for determining and notifying employees of their critical workforce job status. Critical workforce employees include the City Manager, all Department Heads, and all sworn Police Officers, and any other employee designated by the City Manager. Critical workforce employees are required to report to work promptly when instructed by the City Manager.

Non-critical employees will receive administrative leave with pay if the office is closed or the employee is unable to get to the office and is unable to telecommute. If an employee is not sure what he/she should do during inclement weather, the employee should call his/her Department Head for clarification and/or call City Hall at 770-786-7004.

The City Manager has the discretion to allow individuals to telecommute in the event the office is inaccessible due to severe weather. Employees may be considered on an individual basis for their telecommute eligibility during severe weather. A primary consideration for administering telecommuting in the city is that it does not interfere with services provided to the public during business hours. An employee's work must be of a nature that face-to-face interaction with other employees, external customers, or project workgroups is minimal, and the employee's tasks can be performed successfully away from the office. Telecommuting agreements are entered into for the good of the City and the services provided. It is important that consistent communications be maintained by telecommuting employees. Telecommuters shall be available at their remote locations by telephone and/or e-mail to management and other City staff during agreed-upon work hours.

Commented [MB57]: Changed this policy to allow administrative leave in this situation.

Commented [MB58]: Adding telecommuting language provided by GMA.

City of Oxford Employee Handbook

CHAPTER 6 – ON THE JOB

EMPLOYEE PERFORMANCE EVALUATION

The purpose of the performance evaluation shall be primarily to inform employees of how well they are performing their work and how they can improve their work performance. Such performance evaluation may also be used in determining merit raises or bonuses, as a basis for training, promotion, demotion, transfer or dismissal, and for such other purposes as set forth in these policies.

All employees except temporary workers shall be evaluated annually. An employee shall not be eligible for a merit pay raise until the performance evaluation form has been completely processed.

Evaluations shall be prepared by the Department Head of each employee and reviewed by the City Manager. A Department Head who is leaving the position shall be required to submit performance evaluation forms on all the employees under his or her supervision who have not been evaluated within the previous six (6) month period.

The Department Head shall discuss each performance evaluation with the employee being evaluated. If an employee disagrees with statement(s) in an evaluation, such employee may submit, within ten (10) days following the conference with his or her Department Head, a written statement which shall be attached to the evaluation form.

Performance evaluations shall be confidential and shall be made available only to the employee that was evaluated, the employee's Department Head, the City Manager, and the Mayor and City Council upon request.

EMPLOYEE DEVELOPMENT

The City Manager shall be responsible for fostering and promoting in-service training of employees for the purpose of improving the quality of service and to assist employees in preparing themselves for advancement.

Department Heads shall encourage necessary and recommended in- service training for employees of their departments and shall recommend to the City Manager the scheduling of such training as a component of employees' responsibilities. Reports shall be made to the Mayor and City Council of training accomplishments of employees.

Employees shall receive their regular pay while on training assignments approved by the Department Head and City Manager. The City will pay approved training expenses such as tuition, fees, textbooks, room and board, and other necessary costs. Employees are responsible for submitting statements of expenses to the Deputy City Clerk or his/her designee for payment.

Travel expenses on public transportation or by private vehicle incurred during approved training or while on other City business will be paid at rates established by the City Manager in accordance with government standards. For reimbursement, employees must submit to the Deputy City Clerk or his/her designee a statement of expenses including travel, meals, lodging,

Commented [MB59]: Removed requirement to evaluate employees at time of separation. We are conducting exit interviews instead.

Commented [MB60]: Moved from "Time Away From Work" chapter

City of Oxford Employee Handbook

and other appropriate costs incurred, with appropriate receipts. A maximum of forty-five dollars (\$45.00) per day for meal expenses will be reimbursed.

SEPARATION FROM EMPLOYMENT

Separations and/or terminations from positions in the classified service shall be designated as one of the following:

Resignation

An employee shall submit written notice of resignation to the Department Head at least fourteen (14) calendar days in advance of the date of resignation. Immediately upon receipt of such notice of resignation, the Department Head shall forward the same to the City Manager. Failure to comply with this rule shall be entered on the service record of the employee.

Abandonment of job

An employee not on authorized leave of absence who fails to report for work for three (3) consecutive days may be terminated from the service of the City for job abandonment. Any employee terminated for job abandonment shall have the right of appeal.

Lay-off/reduction in force

Any involuntary separation not related to an employee's conduct shall constitute a lay-off or reduction in force. Any employee may be laid off because of shortage of funds or work, abolishment of the position, material changes in the duties or organization, or related reasons beyond the employer's or the employee's control which do not reflect dissatisfaction with the service of the employee. The duties previously performed by any laid-off employee may be reassigned to other employees holding positions in appropriate classes.

Inability to perform

If an employee suffers from a physical or mental disability which prevents him or her from performing the essential functions of the position, even with reasonable accommodation, the employee is subject to termination for inability to perform the job. The employee will cooperate with the employer to determine the limitations imposed by the disability and to design accommodation for the essential functions of the job. Termination due to an inability to perform essential functions shall be subject to the Grievance and Appeal Procedure.

Loss of a job requirement

Any employee who is unable to perform the essential functions of his or her job adequately because of loss of a necessary license or other necessary requirement shall be separated by lay-off without pay from employment in that position until such license or requirement is reinstated.

Dismissal or discharge

Dismissals shall constitute discharges or separations for just cause and shall be governed by the provisions of these Policies and Procedures as hereinafter set forth.

Retirement

The retirement of an employee shall consist of the voluntary separation of an employee who has

City of Oxford Employee Handbook

met the requirements of age and length of service under the laws governing any applicable pension fund of which such employee may be a member.

Death

Separation shall be effective as of the date of the death of the employee. All compensation, including annual leave pay, due to such employee, as of the effective date of separation, shall be paid to the beneficiary of the employee, the surviving spouse of such employee, or to the estate of such employee, as may be determined by law or by the applicable executed documents in the official employee file of said employee.

LAYOFF PROCEDURES

Whenever the lay-off of any employee shall become necessary due to budget constraints, the Mayor and City Council shall notify the Department Head at least thirty (30) calendar days in advance of the intended action of the necessity for such lay-off and the reasons, therefore. The Department Head shall thereupon furnish to the City Manager the names and job titles of the employees to be laid off and the order in which such lay-off shall be affected.

Should it become necessary to reduce the number of employees within a given class in any department, such employees shall be laid off on the basis of the following three (3) factors to be weighted equally: length of service in class, length of service with the City, and job performance. If an employee believes that an error has been made in determining lay-off order, he or she may request an administrative review by the City Manager.

Should a Department Head determine that the retention of a certain employee is essential to the effective operation of the department because of the fact that such employee possesses special skills or abilities, and should the Department Head wish to retain such employee in preference to another with a higher rating, then the Department Head shall submit a written request to the City Manager. Such notification shall set forth in detail the specific skills and abilities possessed by the employee and the reasons why such employee is essential to the effective operation of the department. With the approval of the Mayor and City Council, the individual may be retained.

Regular employees to be laid off shall be notified in writing by the City Manager at least fourteen (14) calendar days prior to the effective date of the lay-off.

Any regular employee scheduled to be laid off shall have the right to be demoted to a lower classification, provided that a vacancy exists, and such employee is qualified to fill the position in the lower classification.

Former employees who were separated from the City service by lay-off and desire to be considered for reemployment with the City will be placed on the reemployment list. Such persons may remain on the reemployment list for a period not to exceed one (1) year. Former employees will be listed by seniority in terms of service and will be offered reemployment for the first vacancy that becomes available in the same classification in which they were employed at the time of separation. All employees appointed to a position in this manner will serve the stated probationary period for that position.

City of Oxford Employee Handbook

If the employee does not complete the probationary period, he or she will be separated from the City service without the right of appeal. A person on the reemployment list may voluntarily accept a position at a lower classification level than his or her former position. If a person placed on the reemployment list does not accept the first offer for reemployment in a position having the same classification as the one held at the time of separation, he or she will be removed from the reemployment list. Such persons will no longer have guarantee of reemployment rights when a vacancy occurs but may be considered for reemployment on the same basis as other applicants.

The pre-termination hearing procedures as outlined in this manual apply to abandonment of job, inability to perform the essential functions of the position, loss of a job requirement necessary to perform the essential functions of the position, and dismissal or discharge as defined in this Section of these policies and procedures.

CORRECTIVE DISCIPLINE

Effective supervision and good employee relations should reduce to a minimum those instances necessitating disciplinary action. The establishment of rules and regulations and the imposition of disciplinary action for a violation thereof are not intended to restrict the rights of any employee but are for the purpose of ensuring the rights of all and for securing cooperation and orderliness throughout the classified service. The severity of the disciplinary action imposed should be related to the gravity of the offense, the employee's record of disciplinary action, and the disciplinary action imposed in similar cases. Any disciplinary action imposed shall be for just cause. The City will not allow discrimination against any employee because of race, color, religion, sex (including, gender identification, sexual orientation, pregnancy), age, national origin, disability, genetic information, or political affiliation.

The following actions shall constitute just cause for disciplinary action, but the imposition of disciplinary action shall not be limited to the offenses set forth:

1. The conviction of a felony, or of a misdemeanor involving moral turpitude.
2. Excessive absenteeism.
3. Absence without leave, or failure to report after the expiration of a leave of absence.
4. Excessive tardiness.
5. Abuse of sick leave.
6. Insubordination or serious breach of proper discipline.
7. Inefficiency or incompetency.
8. Abuse or theft of City property.
9. The borrowing of City equipment for personal use without prior official permission.
10. The loss of a job requirement, such as the loss of a necessary license, which prevents the adequate performance of the essential functions of the position.
11. The willful making of false statements to supervisors, officials, the public, boards, commissions, or agencies.
12. The violation of City ordinances, administrative regulations, departmental rules, or these handbook policies and procedures.
13. The consumption, sale, or possession of alcoholic beverages and/or illegal substances while at work, or being intoxicated on the job, or being otherwise affected on the job because of the prior use of an illegal substance or alcoholic beverage.

Commented [MB61]: Changed "rules and regulations" to "handbook policies and procedures".

Commented [MB62]: Added "or alcoholic beverage" at end of sentence.

City of Oxford Employee Handbook

14. The discovery of a false statement in an application.
15. Acceptance of gratuities in conflict with state law or City ordinance.
16. Political activity in conflict with City Ordinances.
17. Engaging in offensive conduct or using offensive language toward the public, a supervisor or fellow employees.
18. Harassment on the basis of race, color, sex, religion, national origin, citizenship, age, or disability.
19. Refusal to submit to drug testing.
20. Failure to successfully pass drug testing.
21. Refusal to participate in a workplace investigation.

Commented [MB63]: Added #21

A Department Head, subject to the employee's right of appeal as provided in this manual, shall have the following alternatives when disciplining an employee.

ORAL REPRIMAND

An oral reprimand is a progressive disciplinary measure which may be issued for an incident, action, or behavior which does not warrant more severe disciplinary action. In the oral reprimand, the supervisor will verbally and privately explain to the employee that he or she is being reprimanded, describe the problem, and indicate what must be done to correct the problem.

WRITTEN REPRIMAND

Where the incident, action, or behavior of the employee is such as not to initially warrant a more severe type of disciplinary action, a written reprimand may be issued for first or second offenses, including but not limited to unauthorized absence from duty (for less than three [3] days), abuse of sick leave privileges, frequent unexcused tardiness, inattention to duty, insubordination, improper conduct, or loss or destruction of City property. Written reprimands shall be issued by the Department Head to the affected employee, and a copy of same shall be forwarded to the City Manager and filed in the official file of such employee.

SUSPENSION

A Department Head may suspend without pay any employee under his or her supervision for a period of not less than one (1) nor more than ten (10) working days. The dates of suspension must be imposed on scheduled workdays.

Commented [MB64]: Removed part about Department Heads suspending FLSA exempt employees because there are no FLSA exempt employees under Department Heads.

A written statement specifically setting forth the reasons for such action and the length of time and dates of such suspension shall be furnished by the Department Head to the affected employee. A copy of the statement shall be sent to the City Manager and filed in the official file of such employee within one (1) working day of the effective date of the action.

Commented [MB65]: Changed from "coincide with the employee's official work week," because a suspension may run in more than one work week.

Commented [MB66]: Added "and dates"

An employee may be suspended for a period longer than ten (10) working days upon the express approval of the Mayor. A written statement shall be furnished by the City Manager to the affected employee within one (1) working day of the Mayor's decision advising the employee of the length and dates of the suspension.

Commented [MB67]: Added "and dates"

When an employee has been accused of serious misconduct or criminal behavior, the employee

City of Oxford Employee Handbook

may be suspended with pay for a period of five (5) working days, during which the City Manager will conduct an investigation to determine whether the serious misconduct or criminal behavior will affect the employee's job performance and/or whether it is the basis for disciplinary action, and shall advise the Mayor of his or her findings. If the Mayor determines that an employee's return to work would not be in the best interest of the City, the employee will be given notice of his or her proposed indefinite suspension without pay, including the reasons for the suspension, and the employee will be given an opportunity to respond to the Mayor concerning those reasons. After the employee has had an opportunity to respond, the Mayor will issue a decision on the indefinite suspension.

For just cause, a Department Head may reduce the salary of a regular employee within the range provided in the pay plan or demote the employee to a lower-graded position. The Department Head shall take such action after consultation with the City Manager, and approval by the Mayor.

TERMINATION (DISCIPLINARY DISMISSAL)

The following list includes some of the reasons for disciplinary action. This list is provided for information purposes. It is not exhaustive and is not intended to cover all situations in which disciplinary actions may be taken. The City retains the sole discretion to determine when disciplinary action, up to and including termination, is appropriate.

1. Failure to perform at an acceptable level of competence.
2. Violation of City ordinances, policies or departmental rules.
3. Excessive absenteeism.
4. Discourteous treatment of the public or other employees.
5. Leaving the job or work area without permission of his/her supervisor.
6. The use of abusive or threatening language toward subordinates, other employees or the public.
7. Unauthorized use of City property or vehicles.
8. Falsification of a job application or other City records.
9. Insubordination — refusal to perform assigned work or comply with written or oral instructions by a supervisor or refusal to participate in a workplace investigation by a supervisor.
10. Misconduct — a forbidden act; a dereliction of duty; unlawful behavior or improper or wrong behavior.
11. Conviction of a felony or a crime involving moral turpitude.
12. Conduct reflecting discredit on the City or department.
13. Falsification or destruction of official records or documents or use of official position for personal benefit, profit, or advantage, or for other improper reasons.
14. Violation of the City's Drug and Alcohol policy.
15. Violation of the City's Unlawful Harassment policy.
16. Stealing — misappropriation of private or City property.
17. Possession of firearms or other dangerous weapons by unauthorized personnel while on duty.
18. Using obscene language, engaging in obscene conduct.
19. Sleeping on the job.

Commented [MB68]: Added "or refusal to participate in a workplace investigation by a supervisor."

City of Oxford Employee Handbook

20. Use, possession and/or distribution of an illegal controlled substance in violation of the city's Drug Free Workplace Policy (see Chapter 8 – Standards of Conduct).
21. Refusal to submit to drug testing.
22. Failure to successfully pass drug testing.
23. Any action that is detrimental to the City.
24. Failure to report an accident in which an employee was involved while operating any city vehicles or equipment.
25. Theft, making false statements, or intentionally giving misleading information to supervisors, officials or the public.
26. Fighting or attempting to injure another employee.

Commented [MB69]: Added "an illegal" because not all controlled substances are illegal.

Commented [MB70]: Added for clarity.

Commented [MB71]: Added, "while operating any city vehicles or equipment."

The employee shall be furnished notice of dismissal in writing, stating the reason(s) for dismissal. It is recognized there will be occasions when immediate dismissal is necessary. A review of such action by the City Manager and employee's Department Head must be completed as soon as possible.

A written statement specifically setting forth the reasons for any such action shall be furnished by the Department Head to the affected employee, and a copy of the statement shall be forwarded to the City Manager and filed in the official employee file within one (1) working day of the effective date of the action.

When a regular employee is charged with misconduct that serves as just cause for dismissal, the Department Head shall place the employee on a three (3) day, paid administrative suspension with a recommendation for dismissal. A written statement specifically setting forth the reasons for suspension with a recommendation for dismissal shall be furnished by the Department Head proposing the dismissal to the affected employee, and a copy of the recommendation shall be furnished to the City Manager within one (1) working day of the effective date of the action.

The City Manager shall ensure that a written notice of the charges has been furnished to the affected employee and shall conduct an investigation as to the charges and make the findings available immediately to the Mayor. Within three (3) working days of the affected employee being notified of the charges, the Mayor shall hold a conference at which the employee shall be authorized to present information which is pertinent to the charges on his or her behalf. The Mayor shall render a decision on the proposal for dismissal based on all of the relevant information. The City Manager shall advise the employee of his or her right to appeal the decision under the grievance procedure.

Any written notification submitted to a regular employee who is being subjected to disciplinary action shall set forth the right of the employee to appeal such action to the City Council. Oral and written reprimands are not grievable/appealable actions.

Any and all property of the City of Oxford which is in the possession of an employee who is separated from employment shall be immediately returned to the appropriate department by that employee on his or her final day of employment. The Department Head of such employee is responsible for collecting said property from said employee.

City of Oxford Employee Handbook

PROCEDURE FOR HANDLING COMPLAINTS AND GRIEVANCES NOT INVOLVING DISCRIMINATION

City employee grievances/appeals should receive prompt consideration and equitable resolution. Wherever possible, grievances/appeals should be resolved or adjusted informally, and both supervisors and employees shall be expected to make every effort to do so. With respect to those grievances/appeals which cannot be so resolved, employees shall be entitled to process the grievances/appeals as hereinafter provided.

These procedures governing the processing of grievances and providing the right of appeal are established for the purpose of eliminating or correcting justifiable complaints or dissatisfaction of regular employees.

Any regular employee in the classified service who has been demoted, suspended, dismissed, or subjected to any other type of disciplinary action (except oral or written reprimand), or who is aggrieved as a result of the interpretation and application of these rules and regulations, and any regular employee who has been subjected to any alleged discriminatory action that is prohibited by federal law, shall have the right to utilize the grievance and appeal procedure hereinafter set forth.

- A. A formal grievance/appeal shall not be initiated unless and until the employee has discussed the reason for the grievance/appeal with their Department Head. Such discussion shall be held within ten (10) working days after the occurrence or within ten (10) working days after the employee becomes aware of the occurrence of a grievable/appealable matter.
- B. Should the employee not be satisfied with the decision of the Department Head, the employee, within five (5) working days, shall state the grievance/appeal in writing to the City Manager setting forth the reasons for the appeal. The City Manager shall make appropriate inquiries, consider all facts surrounding the action, and make every effort to resolve the appeal to the satisfaction of the Department Head and the employee. If not resolved, the City Manager shall forward the entire file and investigation to the Mayor for a decision on merits.

Should no decision resulting in the settlement of the grievance/appeal be reached within ten (10) working days after the filing of the written grievance/appeal, the employee, within five (5) working days, may appeal to the City Council. Such appeal shall be submitted through the City Manager and shall be accompanied by all of the facts and information concerned with the grievance/appeal as well as any written responses of the Department Head. The City Council shall, within ten (10) working days after the receipt of an appeal, hold a hearing upon same and consider the action complained of in the grievance/appeal.

- A. Whenever possible, the hearing shall be scheduled during normal working hours and employees, supervisors, and their representatives and witnesses shall have the right to appear before the Council for the purpose of presenting facts, information, and relevant evidence. All hearings conducted by the City Council shall be in accordance with Title 50, Chapter 14 Official Code of Georgia Annotated.
- B. At the hearing before the City Council, technical rules of evidence shall not apply. All

City of Oxford Employee Handbook

testimony before the Council shall be under oath or affirmation. Any member of the Council shall have the power to administer oaths and call witnesses and may compel the production of relevant books, records, and documents.

- C. A copy of the decision of the City Council shall be given to the affected employee and the Department Head of same, within three (3) working days following the completion of the hearing.

The failure of supervisory employees to follow the steps outlined above shall result in conferring upon the employee the right automatically to proceed to the next step in the grievance/appeals procedure. The failure of the employee to follow the steps outlined above may result in the dismissal of the grievance/appeal at any step.

In those cases where dismissal of an employee is involved, the City Manager shall immediately notify the affected employee that, if requested, a hearing before the City Council will be set up and held within ten (10) working days of the action taken. At all such hearings, the Department Head shall be required to appear and explain the reasons for the dismissal.

No punitive, discriminatory, or adverse action shall be taken against any employee on account of the filing of a grievance or an appeal.

RECORDS, REPORTS, AND EMPLOYEE FILES

All appointments, separations, and other employee transactions shall be recorded on paper and in the City's electronic payroll maintenance system. A separate file folder shall be prepared and maintained for each employee and shall contain the original or a copy of all pertinent documents.

Commented [MB72]: Added/revised due to changes in procedures.

Information relative to employees and former employees shall be available for public inspection at reasonable times and in accordance with Title 50, Chapter 18 Official Code of Georgia Annotated.

Employee service records shall be kept in accordance with state and federal regulations after termination of employment. Such records may be kept in their original form or in any other duplicate form the City Clerk deems appropriate.

Regular attendance reports shall be prepared and submitted by each Department Head in the form designated by the City Clerk.

City of Oxford Employee Handbook

CHAPTER 7 – WORKPLACE GUIDELINES

WORK SCHEDULE

The established work week and the hours of work shall be determined in accordance with the needs of the City and the reasonable needs of the public. The work schedule for each department shall be established by the Department Head with approval from the City Manager. Any change in an employee’s work schedule must be agreed to in writing by the Department Head and the employee prior to implementation. In addition, the City Manager must approve any change in an employee’s work schedule to ensure there is no conflict with statutory/regulatory requirements or City policy.

Commented [MB73]: Modified/clarified language

ATTENDANCE

Each employee is important to his/her department and the City. It is essential that employees report for work on a punctual basis. It should be recognized that absence affects our overall efficiency and places additional requirements on fellow employees.

Each Department Head shall be responsible for the attendance of all persons in his or her department. The City Clerk shall keep complete attendance and other records on each employee, including annual leave, sick leave, overtime, and others.

All employees are expected to report for work no later than the beginning of their assigned work period. If an employee is unable to report to work by this time, the employee must notify their supervisor by this time of their inability to report or their expected time they are able to report.

Commented [MB74]: Added language.

Continued tardiness or other patterns of irregular attendance will be handled in a progressive disciplinary manner. Additionally, attendance is considered a measure of dependability and is taken into consideration in the selection of employees for transfer or promotion.

LUNCH BREAKS

Lunch breaks for full-time City Administrative staff & Public Works staff will be one (1) hour in length. In compliance with the Fair Labor Standards Act, mealtime during a shift is not considered compensable time, unless the employee is required to respond to calls during the mealtime. Non-exempt police officers are considered “on-call,” and will be paid for all time listed on their timecard even if a meal is part of that time.

Commented [MB75]: Amended language provided by GMA.

To assure that rest periods accomplish the intended purposes, they may not:

- be accumulated from day to day or added together to create a prolonged break.
- be foregone to make up for lost time during an absence or tardiness.
- be used at the beginning or end of the work schedule or added to the scheduled meal period.
- be counted toward overtime and/or compensatory time and may not be accrued or carried over.

REST PERIODS/BREAKS

In the interest of employee health and work efficiency, rest periods may be provided for purposes of rest, relaxation, refreshment, and attention to personal needs. Employees must receive approval from their Department Head before taking a rest period/break.

City of Oxford Employee Handbook

To assure that rest periods accomplish the intended purposes, they may not:

- be accumulated from day to day or added together to create a prolonged break.
- be foregone to make up for lost time during an absence or tardiness.
- be used at the beginning or end of the work schedule or added to the scheduled meal period.
- may not be counted toward overtime and/or compensatory time and may not be accrued or carried over.

EMPLOYMENT OF RELATIVES (NEPOTISM)

The policy of the City of Oxford is that no Department Head, Mayor or member of the City Council, or City Manager shall appoint or employ to any regular classified position in the City any person who is a member of the immediate or extended family of a current City of Oxford employee. The employment of relatives is prohibited by the City. For this nepotism policy, "relative," is defined as spouse, mother, father, stepmother, stepfather, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, stepson, stepdaughter, brother, brother-in-law, sister, sister-in-law, half-brother, half-sister, grandchild, grandparent, and grandparents of spouse. This section does not apply to persons employed by the City prior to February 1, 2011.

GROOMING AND DRESS

Every employee has some contact with the public and, therefore, represents the City in his or her appearance as well as their actions. The properly attired and groomed individual helps to create a favorable image for the City. Moreover, the individual who is concerned about their appearance is perceived by the public as showing a greater concern about the quality of their work. It is the policy of the City of Oxford that every employee shall maintain the highest standards of personal cleanliness and grooming. Employees will present a neat, professional, business-like appearance at all times during regular working hours.

The following clothing is not appropriate attire: halters, tank tops, jeans with holes, low neckline front or back, flip flops, and bedroom slippers or clothing that has words, pictures, scenes, etc., that would be disruptive to the work environment.

Unless otherwise announced by your Department Head, administrative employees may wear casual attire which is clean, neat and presentable on Friday. Casual attire includes jeans, t-shirts, and tennis shoes. Any other casual day attire will be designated at the Department Head's discretion.

Each Department Head may specify certain additional requirements regarding appropriate dress and personal appearance. While the Department Head may add to this directive, they may not allow less than this directive states unless there is a specific reason for an employee not to be well-groomed. It is the Department Head's responsibility to see that this directive is followed. For any official public presentation, either to City Council or other groups, more formal attire is appropriate such as assigned City uniform or business attire.

CARE AND USE OF PROPERTY/EQUIPMENT

The City Manager shall review and approve a list of affected employees for use of a take home

Commented [MB76]: Added language and modified existing language. Some modifications provided by GMA.

Commented [MB77]: Moved from after "Attendance" section

City of Oxford Employee Handbook

vehicle for on-call reporting to duty. The personal use by an employee of a take-home vehicle is a taxable benefit under the Internal Revenue Code. The city is required to value the personal use of a take-home vehicle and tax accordingly using an approved valuation method allowed by the IRS. Employees are permitted to use assigned vehicles during off-duty hours only for those activities that are consistent with the duties and responsibilities of their position. This includes but is not limited to commuting to and from work, attending educational or training classes, civic or community appearances / meetings, and while on call for any other related duties and responsibilities.

During vacations and/or extended time away, the vehicle must be returned to the departmental parking lot for safekeeping. Any employee residing outside of the boundaries of the City of Oxford may only take his/her vehicle home after receiving permission from the City Manager. The City Manager may delegate this responsibility to a Department Head having employees with on-call status. No employee will be authorized to take his/her vehicle home if the actual road miles from this office/department to the employee's residence are more than twenty-five (25) miles.

Employees will be held accountable to the Mayor and Council for improper or negligent use of, or willful damage to City property, City-owned equipment, vehicles, and materials. Department Heads are held accountable for damage to City property assigned to their departments. For further information regarding vehicle usage and safety, refer to the City of Oxford Safety Manual.

USE OF CELL PHONES OR SIMILAR DEVICES

Cell phone includes a cellular telephone, push to talk, laptop, netbook or similar device.

Cell phone use includes receiving or placing calls, text messaging, surfing the internet, receiving or responding to e-mail, checking for phone messages, or any other purposes.

Use While Driving

An employee who uses a personal or company-supplied device or vehicle while in the performance of duties as an employee of the City of Oxford is prohibited from using a cell phone or other electronic device while driving, except in accordance with State laws regarding hands-free use of such devices.

Commented [MB78]: Added "personal or"

Commented [MB79]: Added "while in the performance of duties as an employee of the City of Oxford,"

Commented [MB80]: Added "or other electronic device". Removed several sentences from paragraph that seemed unnecessary.

General Use at Work

While at work, employees are expected to exercise the same discretion in using personal cellular phones as they use with city phones. Excessive personal calls during the workhours, regardless of the phone used, can interfere with productivity and be distracting to others. Employees should restrict personal calls during work hours and use personal cell phones only during breaks or lunch breaks in non-working areas. Employees should ensure that their family and friends are instructed of this policy. The City is not liable for personal cell phones brought into the workplace.

The use of a personal cell phone while at work including receiving or placing calls, text messaging, surfing the internet, receiving or responding to emails, and the like, may present a hazard or distraction to the user and/or coworkers. This policy is meant to ensure that cell phone

City of Oxford Employee Handbook

use while at work is safe and does not disrupt business operations. Unless otherwise authorized, the use of personal cell phones is strongly discouraged.

City of Oxford Employee Handbook

CHAPTER 8 – STANDARDS OF CONDUCT

The employees of the City of Oxford are hereby enjoined to act in ways which will uphold the trust that citizens place in them as employees, and more specifically strive to be:

- Honest and above board in all our conversations, writings, and actions;
- Fair and even-handed in dealing with citizens and fellow employees;
- Committed to the highest standards of excellence and quality of service;
- A wise user of City resources so as to do as much as we can with what we are provided;
- Courteous and helpful, thus polishing the image of our City with whomever we come in contact;

By adhering to these five (5) tenets, we will win the full faith and confidence of all of our citizens. Although the standards set forth increase the responsibilities of the Department Heads in supervising their subordinates, the standards are not intended to define the limit of departmental responsibility in this area, nor do they limit the circumstances under which a department may act to remove, demote, reassign, or otherwise discipline any employee whose conduct is unacceptable.

GOOD HOUSEKEEPING AND SAFETY

Good housekeeping not only improves the appearance of our workplace, but it also helps prevent fires, accidents and personal injuries. Clear work areas, machines and floors also enable us to maintain a high standard of quality and efficiency in our work.

At the end of the workday, please straighten your work area, secure confidential materials and turn off any lights at your workstation.

The City makes every reasonable effort to provide and maintain safe working conditions and information regarding chemical hazards. You are expected to cooperate by working in a safe manner and encouraging others to work in a safe manner to prevent accidents. You have a special obligation to immediately report any unsafe condition that might result in an accident to you, your coworkers or the public. All such reports should be given to the Department Head and the City Manager. Failure to comply with the City's Safety Manual and /or failure to wear safety protective equipment could result in further disciplinary action up to and including termination.

Security of City premises is a responsibility shared by all employees. City property and personal property should be safeguarded by the exercise of prudence and caution at all times. When leaving work, check your work area to make sure that City and personal property are appropriately secured.

CONFLICTS OF INTEREST, GIFTS, ENTERTAINMENTS, AND FAVORS

City employees are prohibited from accepting gifts, gratuities, favors, entertainments, loans, or anything else of monetary value arising out of their duties as City employees, from any person who has or will obtain contractual or other business with the City, as well as those who conduct operations that are regulated by the City.

City of Oxford Employee Handbook

Exceptions to this policy are awards presented for meritorious public contributions or achievements given through charitable, religious, professional, or non-profit social or recreational organizations.

All City employees are prohibited from having direct or indirect financial interests or transactions that result from information obtained through City employment or because of their City title and position.

All City employees are prohibited from using information obtained directly or indirectly through their employment to further their private interests if such information has not been made available to the general public.

Employees will be held accountable to the Mayor and Council for improper or negligent use of City-owned equipment, to include vehicles, and materials or willful damage to City property. Department Heads are held accountable for damage to City property assigned to their departments. For further information regarding vehicle usage and safety, refer to the Vehicle Safety Manual.

DRUG-FREE WORKPLACE

The City of Oxford has developed a policy to maintain a drug-free workplace and comply with the requirements of the Drug-Free Workplace Act of 1988.

The following substances are covered by this policy:

1. Alcoholic beverages of any kind,
2. Controlled or illegal drugs or substances, which include all forms of narcotics, hallucinogens, depressants, and stimulants, and other drugs whose use, possession, or transfer is restricted or prohibited by law.

Exceptions

Drugs prescribed by a physician, dentist, or other person licensed by the state or federal government to prescribe or dispense controlled substances or drugs used in accordance with their instructions are not otherwise subject to the restrictions of this policy. Each employee is obligated to inform his or her immediate supervisor, or Department Head in the absence of the supervisor, of the use of any medications that may cause drowsiness or other side effects and impair the employee's ability to perform essential job functions.

Prohibited Activities

The following activities are prohibited while an employee is on City premises or otherwise engaged in City business:

1. The manufacture, possession use, sale, distribution, dispensation, receipt, or transportation of any controlled substance or illegal drug.
2. The possession or consumption of alcoholic beverages.

Commented [MB81]: Moved sentence that states employees are prohibited from using substances, etc., to Prohibited Activities #5

City of Oxford Employee Handbook

3. Being under the influence of alcohol, illegal drugs, or substances in any manner during official City business, whether or not consumed on City premises and whether or not consumed outside of working hours.
4. Performing City duties while under the influence of alcohol or controlled and/or illegal substances or drugs regardless of whether the employee is on or off the premises of the City.
5. Using substances, drugs, or medication (including over-the counter medications) that cause drowsiness or other side effects that may impair an employee's capability to perform his or her job properly and safely.

An employee who engages in such behavior will be subject to disciplinary action, up to and including immediate termination, or, as a condition of continued employment, may be required to participate in and successfully complete drug or alcohol abuse counseling or a rehabilitation program.

Off-premises Use

The following actions, even when not occurring on City premises, while performing City business, or during working hours, are considered to endanger the City's reputation for honesty, integrity, and safety:

1. Indictment or conviction for criminal offenses related to the manufacture, possession, use, sale, distribution, dispensation, receipt, or transportation of any controlled substances or illegal drugs.
2. Any other actions involving alcohol or controlled or illegal drugs or substances that, in the opinion of management, endanger the City's reputation for honesty, integrity, and safety.

An employee who engages in these activities may be subject to disciplinary action, up to and including immediate termination. Employees who are convicted of controlled substance-related violations or criminal alcohol offenses under state or federal law or who plead guilty or nolo contendere (i.e., no contest) to such charges, must inform the City in writing within five days of the conviction or plea. Failure to do so will result in disciplinary action, up to and including termination from employment.

The City understands the importance of providing information concerning the locations of available drug counseling and rehabilitation. Accordingly, any employee who wishes to receive information about counseling and/or rehabilitation may request the information from the City Clerk.

Upon recommendation of the Department Head and concurrence of the City Manager, the City shall require employees to undergo appropriate tests designed to detect the presence of alcohol and/or drugs (i.e., blood test, urinalysis or hair analysis) where it has reason to believe that an employee may be under the influence of, or impaired by alcohol and/or drugs.

Commented [MB82]: Added "or criminal alcohol offenses"

Commented [MB83]: Removed reference to Employee Assistance Program. We do not currently offer this. We maintain lists of resources that we can refer individuals to for specific issues when needed.

City of Oxford Employee Handbook

The City may also require such tests whenever necessary to protect the safety and health of its employees. For example, all employees involved in accidents occurring during the performance of City business or on City property that result in injuries requiring medical treatment to themselves or others or damage to property shall be subject to undergoing a drug test at the City's expense.

After an offer of employment has been extended to a City job applicant, post-offer drug/alcohol testing (at the City's expense) will be required. Failure to successfully pass such testing will be grounds for withdrawing the offer of employment.

Employees whose job duties require them to operate a Commercial Motor Vehicle (CMV) are subject to annual drug testing pursuant the Rules and Regulations of the Federal Motor Carrier Safety Administration (FMCSA).

Commented [MB84]: Added per federal requirements. We need to implement this ASAP.

Consent to submit to such tests as the City may require constitutes an initial and continuing condition of employment. Refusal to consent to a test when such test is required will result in disciplinary action, up to and including termination. All drug and alcohol testing will be conducted in accordance with applicable federal, state, and local directives.

Commented [MB85]: Added "initial and continuing"

SMOKING POLICY

The Mayor and City Council have adopted a policy that no smoking will be allowed in any buildings, structures, or vehicles owned or operated by the City. Employees smoking or possessing a burning tobacco weed or other plant product or any lighted or burning pipe, cigar, cigarette of any kind or smoking equipment or device in a building, structure owned by the City will be subject to disciplinary action up to and including termination.

WORKPLACE VIOLENCE POLICY

Because of concern for employee safety, the City of Oxford prohibits the transport of firearms or deadly weapons onto City-owned property. Only officers who are authorized to carry firearms in their jobs are exempt from this policy.

Commented [MB86]: Replaced "into the workplace" with "onto City-owned property"

An employee found to be harboring a firearm or deadly weapon or indicating to others he/she has a concealed deadly weapon or firearm on the job, should immediately be reported to a Department Head. At no time does a Department Head have the right to grant permission for an employee to bring a firearm or deadly weapon into the workplace.

The Department Head, at his/her discretion, shall either confront the employee him/herself or seek assistance from the appropriate law enforcement agency in confronting the employee about having a deadly weapon or firearm in the workplace. The City Manager must be contacted at this point. Employees are required to open their desks, lockers, and bags, and empty their pockets if a reasonable suspicion is brought forth that they may be harboring a firearm or deadly weapon.

The City of Oxford does not allow an employee to use intimidation, verbal or implied threats, violence, or the threat of violence against any individual during the course of his/her work.

Work disturbances caused by persons not employed by the City of Oxford but occurring on the

City of Oxford Employee Handbook

city's work sites will be reported immediately to a Department Head and the appropriate law enforcement agency. The appropriate law enforcement agency will conduct an investigation and make criminal charges when appropriate. If the disturbance is determined to be the result of a domestic or a personal situation, the City Manager is to be notified.

Work disturbances resulting from domestic or personal situations can result in disciplinary action being taken against the employee, especially severe or ongoing disturbances that affect the City of Oxford's environment. The employee will take all reasonable and precautionary steps to prevent these disturbances. These steps may include, but are not limited to, seeking counseling or a court order restraining the non-employee from coming to or being at the city's work sites.

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

NO SOLICITATION

To avoid disruption of city business, the following rules apply to solicitation and distribution of literature on the City of Oxford property. No employee in the classified service shall engage in political activities at the workplace or during business hours.

Persons employed by the city may not solicit or distribute literature on City of Oxford property at any time for any purpose. Use of city mail, e-mail, and mailing lists for anything other than official city business is prohibited. Solicitation of city employees from any vendors or contractors is prohibited.

Commented [MB87]: Replaced previous language allowing solicitation at certain times and at certain places

EMPLOYEE REFERENCES AND THIRD-PARTY INQUIRIES

The City Clerk will release information concerning former City employees as follows:

- *Telephone reference inquiries.* The caller will be informed that he or she must submit the request in writing to the attention of the City Clerk. Verbal requests about a former employee will not receive a response.
- *Written reference inquiries.* Only the following information regarding former employees will be provided:
 - Dates of the employee's employment with the City;
 - The employee's official position title; and
 - Verification of the employee's final salary or rate of pay.
- *Credit reporting agencies.* In response to requests by third-party credit reporting agencies, the request *must* be put in writing to the attention of the City Clerk; information will only be given if the former employee has signed and provided an authorization to release such information.

The City Clerk may release information concerning current City employees as follows:

- *Reference inquiries.* Only dates of employment with the City, official position title, insurance coverage, and current salary or rate of pay will be provided over the phone. Other requests must be submitted in writing along with a *signed authorization* from the employee.
- *Credit reporting agencies.* In response to a request by third-party credit reporting agencies, the request *must* be put in writing and mailed or faxed to the attention of the City Clerk; information will only be given if the employee has signed and provided an

City of Oxford Employee Handbook

authorization to release such information.

The City will comply with subpoenas, court orders, and all other valid legal requests for information as required by law (including requests falling under the *Georgia Open Records Act* or its amendments). Legal documents should be forwarded immediately upon receipt to the City Clerk for review and handling. Upon the advice of the City's legal counsel, the City Clerk will release the required information about a former or current City employee. Requests made under the *Georgia Open Records Act* or its amendments will receive a response regarding the City's ability to either comply with or deny the request within three (3) business days.

CHAPTER 9 – RISK MANAGEMENT & LOSS PREVENTION

The City of Oxford recognizes that municipal government, with its full range of services, can be a high-risk operation. The City is dedicated to effectively managing those risks and will attempt to prevent losses and create a safer workplace for employees in every City department. The Mayor, Council, and City Manager strongly support a City-wide safety and loss control program.

The City Manager is responsible for ensuring that the City's overall risk management/loss prevention program is administered. The City Department Heads are charged with the responsibility for implementing and monitoring the program in their respective departments and will be held accountable for the preventable losses which occur in their departments. The City Clerk is responsible for designating an administrative employee to become certified and perform as a Safety Coordinator for the City.

Commented [MB88]: Clarified delegation of responsibility for various roles.

Every City employee has a responsibility to:

1. Exercise due care in the course of his or her work to prevent injuries to themselves, fellow workers, and the general public as well as to prevent damage to the City and private property;
2. Maintain an alert and business-like demeanor at all times while in the workplace and/or during the performance of City duties;
3. Report all accidents, regardless of how trivial, to his or her Department Head as soon as the accident or injury occurs or is observed;
4. Avoid engaging in horseplay or practical jokes while in the workplace or on City business;
5. Maintain work areas which are clean and orderly;
6. Report all unsafe conditions immediately to his or her immediate supervisor or Department Head;
7. Obey all safety rules and regulations; if any doubt exists about the safety of a particular job activity, he or she shall immediately stop and get instructions or assistance from the immediate supervisor or his or her designee before continuing work;
8. Wear prescribed protective clothing and use designated safety equipment;
9. Operate only machinery or equipment for which he or she is trained and authorized to use;
10. Use the proper tools and equipment for the specific job to be performed;
11. Learn to lift and handle materials properly so as to avoid back and other injuries;
12. Dress safely and sensibly in a manner which is appropriate to the nature of work to be performed;
13. Take an active part in the City safety program;
14. Inform his or her supervisor when taking medication which might impair physical or mental alertness or affect his or her ability to safely perform the job;
15. Cooperate in all loss and safety violation investigations.

City of Oxford Employee Handbook

CHAPTER 10 – SOCIAL MEDIA POLICY

Commented [MB89]: Replaced “Internet and Electronic Mail” chapter with this language provided by GMA.

Social media websites provide an opportunity for individuals to interact with people throughout the world. Given the multitude of concerns (legal, political, and ethical) raised by social networking (Facebook, Twitter, etc.) this policy establishes prudent and acceptable practices regarding usage of social networking by City of Oxford officials and employees. Additionally, this policy identifies specific guidelines and standards that personnel, defined as City employees or appointed board members for purposes of this policy, must adhere to when utilizing social media websites.

While the City of Oxford encourages its personnel to enjoy and make good use of their off-duty time, certain activities on the part of its personnel may become a problem if they have the effect of: impairing the work of any official or employee; harassing, demeaning, or creating a hostile working environment; disrupting the smooth and orderly flow of work; or harming the goodwill and reputation of the City among its citizens or in the community. For these reasons, the City reminds its personnel that the following guidelines apply in their use of social media, both on and off duty.

Under this policy, the City disavows, and is not responsible for, any sites, posts, opinions, or content not coordinated through and approved by the City Manager or his/her designee. If City personnel post data purporting or implying to be on behalf of the City while using a social media site without the approval of the City Manager or his/her designee, the City is not responsible for that content. Such content is not to be construed as reflecting the views or opinions of the Mayor, City Council or other City management. The City is not responsible for archiving such content in accordance with applicable records retention schedules or providing copies in accordance with the Georgia Open Records Act. Furthermore, the absence of explicit reference to a particular site does not limit the extent of the application of this policy. If you are uncertain as to the propriety of a post, opinion or other content, consult your department head before proceeding.

GENERAL GUIDELINES FOR PERSONNEL

1. While on duty, the use of City equipment or internet service by personnel must be limited to work-related tasks. Social media activities should never interfere with work commitments.
2. No personnel may post online content as a representative of the City, or on the City’s behalf, without the City Manager or his/her designee’s approval.
3. If discussing City-related issues, but not posting online content as an approved representative of the City or on the City’s behalf, all personnel must make it clear that they are speaking for themselves, and not on behalf of the City by displaying a disclaimer that states: “This is my own opinion and not necessarily an opinion or position held by the City of Oxford, the Mayor or the City Council.”
4. Personnel who choose to maintain or participate in social media or social networking platforms while off-duty shall conduct themselves with professionalism and in such a manner

City of Oxford Employee Handbook

that will not reflect negatively upon the City. Be aware of your City of Oxford association in online social networks. If you identify yourself as a City of Oxford employee or have a public facing position for which your City of Oxford association is known to the general public, ensure your online profile and related content (even if it is of a personal and not an official nature) is consistent with how you wish to present yourself as a City of Oxford professional, appropriate with the public trust associated with your position.

GUIDELINES FOR OFFICIAL CITY SOCIAL MEDIA SITES AND CONTENT

1. All City-sanctioned social media sites shall be maintained by the City Manager or his/her designee. Any content to be posted on City-sanctioned social media sites must meet the approval of the City Manager or his/her designee before it is posted.
2. All personnel that engage in social media activities on the City's behalf and all City-sanctioned social media sites shall adhere to applicable federal, state and local laws, regulations and policies, including the Georgia Open Records Act and the records retention schedules issued by the Georgia Archives. All content must be managed, stored and retrieved to comply with these laws.
3. All online content posted by a representative of the City or on the City's behalf, shall clearly indicate that it is subject to the records retention schedules issued by the Georgia Archives and public disclosure pursuant to the Georgia Open Records Act. All City-sanctioned social media sites shall clearly indicate that any articles and any other content posted or submitted for posting are subject to the aforementioned records retention schedules and public disclosure. Note, for purposes of this policy each individual posting does not need the aforementioned disclaimer when such disclaimer is clearly posted on a social network site that contains the disclaimer in a readily accessible area of the site.
4. The following types of content shall not be posted by a representative of the City or to a City-sanctioned social media site:
 - a. Comments not topically related to the particular site or blog article being commented upon;
 - b. Profane language or content;
 - c. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
 - d. Sexual content or links to sexual content;
 - e. Conduct or encouragement of illegal activity;
 - f. Information that may tend to compromise the safety or security of the public or public systems; or

City of Oxford Employee Handbook

- g. Content that violates a legal ownership interest of any other party.

Any content removed from a City social media site will be maintained in accordance with the Georgia Open Records Act.

- 5. Content submitted for posting on a City-sanctioned social media site that is deemed unsuitable for posting by the City Manager or his/her designee because it violates criteria in the preceding item (Item 4, above) of this policy, shall be retained pursuant to the applicable records retention schedules along with a description of the reason the specific content is deemed unsuitable for posting. Where hyperlinks are used on a City-sanctioned social media site, the site shall include a disclaimer which states: "The City does not guarantee the authenticity, accuracy, appropriateness or security of the link, website, or content linked hereto."
- 6. All data transmitted, received, accessed, or stored by the City of Oxford network systems or a third-party vendor (cloud), remains the property of the City of Oxford.

The City of Oxford reserves the right to access or audit this information in accordance with local, state and federal laws. Additionally, in the event an employee is no longer a City of Oxford employee or doing work with the City of Oxford, the City of Oxford retains the ownership to all work-related data and login information that was created to perpetuate business for the City of Oxford (i.e., passwords, usernames, customer lists created for City of Oxford business, Twitter handles created for the City of Oxford business). The employee is hereby notified that passwords and usernames are administrative identifications and do not create an expectation of privacy in the event of a routine audit, public record request, lawsuit, or internal investigation.

- 7. The City Manager or his/her designee will maintain a listing of all employees authorized to post on all City social media sites. Personnel are not allowed to create City of Oxford websites without approval of the City Manager or his/her designee.

GUIDELINES FOR PERSONAL SOCIAL MEDIA SITES AND CONTENT

- 1. "Guidelines for Personal Social Media Sites and Content," of this Social Networking Policy shall apply to all officials, appointed board members and employees in the performance of their official duties for or on behalf of the City of Oxford unless otherwise noted.
- 2. Use common sense when using personal social media sites. Remember that what you write is public, may be public for a long time, and has the propensity to spread to large audiences. Personnel should refrain from posting information that they would not want their supervisor or other employees to read or that they would be embarrassed to see in the newspaper or on television. The City expects its employees to be truthful, courteous, and respectful toward supervisors, co-workers, citizens, customers, and other persons associated with the City. Personnel shall not engage in name-calling or personal attacks or other such demeaning behavior.

City of Oxford Employee Handbook

3. Personnel may use social media on their own time and using their own equipment and may use social media to express their thoughts or ideas as long as they do not negatively impact the City of Oxford's policies or business. To ensure the City of Oxford's safety, operational fluidity, and public trust, the list below provides guidelines on prohibited conduct on an official's, board member's, or employee's personal social media site. The list is not meant to be an exhaustive list of all prohibited conduct for personal social media use, but rather a guideline on forms of speech that are not protected under the First Amendment or allowed by the City of Oxford:
 - Hate speech or libelous speech as such is defined by local, state or federal law;
 - Sexually harassing speech as such is defined by local, state or federal law;
 - Statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, or that might constitute harassment or bullying. Examples of such conduct include, but are not limited to, offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law;
 - Obscenity prohibited by local, state or federal law;
 - Fighting words, extortion, and other threats prohibited by local, state or federal law;
 - Disclosure of private health or financial information protected by local, state or federal law;
 - Disclosure of other confidential information protected by local, state or federal law;
 - Disclosure of confidential information gained during the course and scope of employment that compromises the safety of others;
 - Disclosure of information obtained from emergency dispatches—such as, personal health information, financial information, or private family information received in a dispatch;
 - On-duty or off-duty speech that compromises City investigations and the applicable department's mission; and
 - All other speech prohibited by local, state or federal law not mentioned in this list.
4. Officials and personnel (employees or appointed board members) agree to avoid persistent and unwelcome posts, pictures, audio, video or any other communication that harasses another coworker, vendor or other third party. There is zero tolerance for any harassing communications to a coworker, vendor or other third party based on race, sex, religion, creed, ancestry, national origin, age, disability, marital status, or other protected classification by state or federal law. Users also agree not to violate local, state or federal harassment laws. All officials and personnel (employees or appointed board members) are hereby notified they may be personally liable for social media harassment. To report violations of this provision, please refer to the City's harassment policy which shall govern all harassing communications.
5. Officials and personnel (employees or appointed board members) are not allowed to use their personal social media sites to display any video, audio, pictures, confidential work data,

City of Oxford Employee Handbook

writings, logos or any other communications that identify their employment with the City of Oxford.

6. Where applicable, personnel are allowed to identify themselves as an employee of the City of Oxford, however, if commenting on issues, but not posting online content as an approved representative of the City or on the City's behalf, all personnel must make it clear that they are speaking for themselves, and not on behalf of the City by displaying a disclaimer that states: "This is my own opinion and not necessarily an opinion or position held by the City of Oxford, the Mayor or the City Council." City officials are expressly exempted from this provision and may identify themselves as City officials without the use of the aforementioned disclaimer.

Nothing in this policy shall be construed to limit an official's authority to engage in social media activities without needing to place any disclaimer in such posting so long as the speech is subject to First Amendment protection.

7. In no situation shall personnel insinuate that the City of Oxford endorses or authorizes the employee's personal website, blog or private social network account. Additionally, no one is to directly or indirectly suggest that the City of Oxford endorses a commercial service or product.
8. Personal or business venture social media account names shall not be tied to the City. For example, City of Oxford Employee would not be an appropriate personal account name or "handle" for a social media account.
9. Personnel, City contract employees, and City volunteers shall not use their City email account or password in conjunction with a personal social networking site.
10. To others online, there is no clear distinction between your work life and your personal life. Always be honest and respectful in both capacities.

Any violation of this policy is subject to disciplinary action up to and including termination.

City of Oxford Employee Handbook

ACKNOWLEDGEMENT OF THE CITY OF OXFORD EMPLOYEE HANDBOOK

This *Employee Handbook* represents a profile of the City of Oxford and a brief summary of Human Resources policies, practices, benefits, and services at the time of its publication. Specific benefit plan provisions are described in greater detail in each program's *Summary Plan Description* provided to all eligible employees.

The City of Oxford reserves the right to adopt, change, or terminate any policy at any time. The City of Oxford reserves the right to terminate, suspend, withdraw, amend, or modify the benefit plans in whole or in part at any time. Further, the City of Oxford reserves the right to terminate or modify coverage for any group of employees, active or retired, and their dependents or a class of dependents, at any time.

Information completed on all employment forms must be accurate (forms include, but are not limited to, skills inventory, work permit, criminal history, job application). Continuation of employment is subject to, among other things, the availability of funds or sufficient work.

Nothing contained in any written Human Resources policies, manuals, handbooks, publications or other transmittals of the City of Oxford shall constitute or imply a contract of employment between the City and any employee. Further, nothing stated or said, whether orally or in writing, to an employee of the City of Oxford shall constitute or imply a contract of employment between the City and the employee. The City of Oxford reserves the right to terminate the employment of an employee at any time with or without cause and to modify terms and conditions of employment, including (without limitation) schedule, salary, and benefits at any time.

In addition to this *Employee Handbook*, each department may have its own *Policies and Procedures Manual* which contains department-specific information.

I have read the above information and acknowledge receiving the *City of Oxford Employee Handbook*.

Signature of Employee

Print Name

Date

Department