



CITY OF
FORESTPARK

**CITY OF FOREST PARK
CITY COUNCIL WORK SESSION MEETING**

Tuesday, January 20, 2026, at 6:00 PM
Forest Park City Hall | Council Chambers
745 Forest Parkway, Forest Park, GA 30297

The Honorable Mayor Gwendolyn W. Ellison
The Honorable Kimberly James The Honorable Delores A. Gunn
The Honorable Hector Gutierrez The Honorable Latresa Akins-Wells
The Honorable Allan Mears
Latosha Clemons, Interim City Manager
Randi Rainey, City Clerk
Danielle Matricardi, City Attorney

AGENDA

VIRTUAL MEETING NOTICE

Council Meetings will be live-streamed and available on [Forest Park's YouTube Channel](#).

- I. **CALL TO ORDER/WELCOME**
- II. **ROLL CALL - CITY CLERK**
- III. **ADOPTION OF THE AGENDA WITH ANY ADDITIONS / DELETIONS**
- IV. **ADOPTION OF THE CONSENT AGENDA WITH ANY ADDITIONS / DELETIONS**
- V. **CONSENT AGENDA**
- VI. **NEW BUSINESS**
 - 1. **Council Discussion and Approval of a Resolution to Approve a Revised Public Safety Incentive Policy-** Human Resources Department

Background/History:

Human Resources has conducted a review of the City's existing incentive structures and identified the need for updates to ensure alignment with the wage framework previously presented. As the City continues to evaluate its compensation practices, it is essential that incentive programs are structured to effectively support recruitment and retention objectives, reinforce internal equity, and promote workforce stability across all departments.

The review determined that the current incentive approach is not consistently aligned with the established wage structure and, in some instances, may result in unintended pay disparities or inconsistent application across roles. In response, Human Resources is advancing a more standardized, citywide incentive framework designed to ensure incentives are clearly defined, equitably administered, and appropriately aligned with job classifications

and compensation objectives. This effort enhances transparency, supports market competitiveness, and strengthens the City's long-term, sustainable compensation strategy.

2. **Council Discussion to approve Case #TA-2025-04 Text Amendment for Title 8. – Planning and Development, Chapter 8. Zoning, Article A. – General Provisions Text Amendment for Title 8. – Planning and Development, Chapter 8. Zoning, Article F. – Boards and Commissions, section 8-8-160 Rules and Procedures, of the City of Forest Park Code of Ordinances, to amend such section, adding subsection (d) Exemption for Single Family Home Alterations-** Planning and Community Development Department

Background/History:

During prior Council discussions, concerns were raised regarding the requirement for homeowners to pay application fees and undergo Urban Design Review Board (UDRB) review for minor exterior improvements intended for routine maintenance or residential beautification. In response, staff initiated a text amendment to Title 8 – Planning and Development to establish an exemption for certain single-family residential alterations that do not impact the overall architectural character or visual quality of the community.

The proposed amendment is intended to streamline the review process, reduce unnecessary procedural and financial barriers for homeowners, improve administrative efficiency, and allow the UDRB to focus on projects with meaningful urban design impacts.

The text amendment was reviewed by the Planning Commission on January 15, 2026, and is now before Mayor and Council for final consideration and action. If approved, qualifying single-family home improvements, such as exterior painting, would no longer require UDRB review or associated application fees, encouraging residential reinvestment and neighborhood beautification while maintaining the City's design standards.

3. **Council Discussion to Consider Appointments of the Development Impact Fee Advisory Committee-** Planning Community Development Department

Background/History:

At the November 17, 2025, City Council meeting, Council discussed the appointment of a Development Impact Fee Advisory Committee but elected to defer action until after the newly elected Mayor was sworn into office, allowing her to participate in the appointment process. The mayor has since assumed office, and staff is now bringing this item forward for Council's consideration in accordance with prior direction.

Under the Georgia Development Impact Fee Act, the city is required to appoint a Development Impact Fee Advisory Committee prior to the adoption of a development impact fee ordinance. The committee serves in an advisory capacity and is responsible for providing input on a proposed development impact fee ordinance and fee schedule, which are anticipated to be presented to City Council for consideration in 2026 as part of establishing a Development Impact Fee Program.

State law requires the committee to consist of five to ten members, with at least fifty percent of the membership representing the development, building, or real estate industries. Members are not required to be City residents. The law also allows the City Council, at its

discretion, to designate an existing body, such as the Planning Commission or Development Authority, to serve in this advisory role, provided the statutory composition requirements are met.

4. **Council Discussion to consider Appointments of the Public Arts Review Board-**
Planning and Community Development Department

Background/History:

At the February 3, 2025, City Council meeting, Council approved a text amendment to Title 8 of the City of Forest Park Code of Ordinances establishing the Public Arts Review Board (PARB). This action formally created a governing body responsible for administering the City's public art program, Forest Park Arts, and overseeing the review and approval of public art installations throughout the City.

Pursuant to Sections 8-8-169 and 8-8-170 of the Code of Ordinances, the Public Arts Review Board is charged with reviewing and rendering decisions on proposed Public Art Displays, including murals, sculptures, statues, and other artwork located in public spaces, to ensure compliance with adopted guidelines and consistency with the aesthetic and cultural values of the City of Forest Park. The Board also provides feedback to applicants, maintains an official record of approved public art and their locations, elects officers, and conducts meetings in accordance with open meeting requirements.

Section 8-8-171 establishes the composition and terms of the Public Arts Review Board. The Board consists of five (5) members, including one (1) representative from the Downtown Development Authority, one (1) representative from Arts Clayton, Inc., two (2) local artists, and one (1) member of the Forest Park community. All members must be at least eighteen (18) years of age, must be residents of the City of Forest Park, and may not serve as members of the City's governing authority. Board members serve two-year terms and may be reappointed.

5. **Consideration of a Resolution to adopt the Personnel & Policies Manual-Human**
Resources Department

Background/History:

The City of Forest Park originally adopted its Personnel and Policies Manual to establish consistent standards of conduct, governance, and employment practices across all departments. This item represented an amendment to the current policy, updating the Manual following a comprehensive review to ensure compliance with applicable law, best practices, and the City's organizational values.

VII. EXECUTIVE SESSION

(When an Executive Session is required, one will be called for the following issues: Personnel, Litigation, or Real Estate) OCGA is §50-14-1 (A)(2).

VIII. ADJOURNMENT

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at 404-366-4720 at least 24 hours before the meeting.



CITY OF
FORESTPARK

City of Forest Park City Council
Agenda Item Summary
January 20, 2026

Agenda Item #
VI1

Requested By Shalonda Brown, Human Resource Director	Sponsor(s)
Department Human Resources	
Requested Action Resolution	
Requirement for Board Action	
Is this Item Goal Related?	
Summary & Background Human Resources has conducted a review of the City's existing incentive structures and identified the need for updates to ensure alignment with the wage framework previously presented. As the City continues to evaluate its compensation practices, it is essential that incentive programs are structured to effectively support recruitment and retention objectives, reinforce internal equity, and promote workforce stability across all departments. The review determined that the current incentive approach is not consistently aligned with the established wage structure and, in some instances, may result in unintended pay disparities or inconsistent application across roles. In response, Human Resources is advancing a more standardized, citywide incentive framework designed to ensure incentives are clearly defined, equitably administered, and appropriately aligned with job classifications and compensation objectives. This effort enhances transparency, supports market competitiveness, and strengthens the City's long-term, sustainable compensation strategy.	
Fiscal Impact	
Exhibits Attached Revised Incentive Policies_1-15-2026_BM, 2025-1-16 - FP Res (Public Safety Policy) (1) (1)	
Staff Recommendation	

PUBLIC SAFETY INCENTIVE POLICY

City of Forest Park, Georgia

I. Purpose

To ensure public safety incentives support the City's open-range compensation philosophy, enhance operational readiness, and improve recruitment and retention without disrupting internal equity or rank structure.

II. Scope

Applies to all full-time sworn Police and Fire personnel.

III. Compensation Foundation

All incentives must:

- Not alter base wages
- Not stack with other incentives
- Not exceed one incentive at a time
- Maintain rank separation and prevent pay compression
- Align with annual budgetary appropriations

IV. Incentive Programs

A. Education Incentive – Flat Annual Amount

Degree	Amount
Associate	\$500
Bachelor	\$1,000
Master	\$1,500

No compounding with tuition reimbursement for the same coursework.

B. Tuition Reimbursement – Separate, Flat Model

Level	Annual Max	Require
Undergraduate	Up to \$3,000	Grade C+
Graduate	Up to \$4,500	Pre-approved, job-relevant

- 12-month retention obligation

- No direct tie to base wage & not a promotion qualifier

C. Certification Incentive — Annual Bonus

Certification	Incentive	Department
Public Safety Instructor	\$1,000/year	Police or Fire
SWAT/Tech Rescue/HazMat	\$1,200/year	Police or Fire
Fire Officer/EMS Advanced Cert	\$750/year	Fire
Supervisor/Management POST Cert	\$750/year	Police
Canine Handler	\$750/year	Police
Motor Officer	\$750/year	Police

- Only one of the above may be paid at any time.

D. Operational Differential

Assignment	Incentive	Department
Field Training Officer	+\$2.00/hr during assignment	Police
Acting Supervisor/Officer In Charge	+\$2.00/hr during assignment	Fire/Police
Relief Driver	+\$2.00/hr during assignment	Fire

- Assignment incentives expire immediately when role ends.

City of Forest Park, Georgia

Police Department Operational Differential Policy

I. Purpose

The purpose of this policy is to establish a controlled, equitable method for compensating Police Department personnel who perform temporary, assignment-based operational duties that involve additional responsibility, risk, or technical skill beyond the employee's regular assignment. This policy supports operational readiness while preserving the City's open-range compensation framework and preventing artificial inflation of base pay or long-term equity concerns.

II. Scope

This policy applies to all eligible sworn Police Department employees who are temporarily assigned to qualifying operational roles as defined herein.

III. Policy Statement

Effective upon implementation, the City will compensate qualifying Police Department operational assignments exclusively through an hourly shift differential.

With the adoption of this policy, the Police Department will no longer utilize incentive- or stipend-based compensation programs for operational assignments.

The City authorizes a \$2.00 per hour operational differential, payable only for hours worked when an employee is actively assigned to a qualifying role. This approach replaces prior incentive practices and establishes a consistent, assignment-based compensation model.

IV. Eligible Operational Assignments

The \$2.00 per hour operational differential applies when an employee is formally scheduled or assigned to perform duties in one of the following roles:

1. Acting Supervisor
(Acting Sergeant or Acting Lieutenant when formally designated)
2. Field Training Officer (FTO)
Paid only while actively assigned to train and evaluate a recruit

Eligibility is strictly limited to the duration of active assignment.

V. Application of the Differential

- Operational differentials are paid only for hours actually worked in the qualifying role.
- The differential applies only during the shift(s) in which the assignment is performed.
- The differential is temporary, non-guaranteed, and non-permanent.
- Assignment to a qualifying role does not create an entitlement to ongoing pay or future wage increases.

VI. Compensation Safeguards

To maintain alignment with the City's compensation strategy:

- Operational differentials do not increase base pay.
- Differentials are non-pensionable and excluded from base salary, compa-ratio calculations, and future wage determinations.
- Operational differentials do not stack; only one differential may be paid at a time.
- Differentials may not be paid for certifications alone without active assignment.
- Payment does not establish precedent for reclassification, promotion, or permanent pay adjustment.

VII. Exclusions

Operational differentials do **not** apply to:

- Detectives or Master Police Officers assigned to higher pay grades
 - Command staff (Captain and above)
 - Officers performing routine senior-officer or mentoring duties
 - Administrative assignments that are permanent in nature
 - Employees not actively performing qualifying duties
-

VIII. Administration and Oversight

- All qualifying assignments must be formally documented through schedules, assignment rosters, or command designation.
 - Human Resources, in coordination with Police Administration, will monitor application of this policy to ensure consistency, equity, and fiscal accountability.
 - The City reserves the right to modify, suspend, or discontinue operational differentials based on operational need, budget constraints, or policy review.
-

X. Replacement of Prior Practices

This policy replaces any prior Police Department stipend, incentive, or informal compensation practices related to operational assignments addressed herein.

XI. Effective Date

This policy shall take effect on January 20, 2025.

City of Forest Park, Georgia

Fire Department Operational Differential Policy

I. Purpose

The purpose of this policy is to establish a clear, equitable, and fiscally responsible method for compensating Fire Department personnel who perform designated temporary operational assignments involving additional responsibility beyond their standard position. This policy aligns with the City's compensation framework and open-range pay philosophy while preventing artificial inflation of base salaries and long-term equity concerns.

II. Scope

This policy applies to all eligible sworn Fire Department employees who are temporarily assigned to qualifying operational roles as defined herein.

III. Policy Statement

Effective upon implementation, the City will compensate qualifying Fire Department operational assignments exclusively through an hourly shift differential.

With the adoption of this policy, the Fire Department will no longer utilize incentive- or stipend-based compensation programs for operational assignments.

The City authorizes a \$2.00 per hour operational differential, payable only for hours worked when an employee is actively assigned to a qualifying role. This approach replaces prior incentive practices and establishes a consistent, assignment-based compensation model.

IV. Eligible Operational Assignments

The \$2.00 per hour operational differential applies when an employee is formally scheduled or assigned to perform duties in one of the following roles:

1. Relief Driver
2. Acting Officer in Charge (AOIC)

Eligibility is limited strictly to the period during which the employee is actively performing duties in the qualifying role.

V. Application of the Differential

- The differential is paid only for hours actually worked in the qualifying capacity.
 - The differential applies only during the shift(s) in which the assignment is performed.
 - The differential is temporary, non-guaranteed, and non-permanent.
 - Assignment to a qualifying role does not create an entitlement to ongoing pay outside of active assignment periods.
-

VI. Compensation Safeguards

To maintain alignment with the City's compensation strategy:

- The operational differential does not increase base pay.
 - The differential is non-pensionable and excluded from base salary, compa-ratio calculations, and future wage determinations.
 - The differential does not stack with any other premium, incentive, or assignment-based pay.
 - Payment of the differential does not establish precedent for reclassification, promotion, or structural pay changes.
-

VII. Administration and Oversight

- All qualifying assignments must be documented through official schedules, staffing records, or departmental assignment documentation.
 - Human Resources, in coordination with Fire Administration, will monitor application of this policy to ensure consistency, equity, and fiscal accountability.
 - The City reserves the right to modify, suspend, or discontinue the operational differential based on operational needs, budgetary constraints, or policy review.
-

VIII. Replacement of Prior Practices

This policy replaces any prior Fire Department incentive or stipend practices related to Relief Driver, AOIC, or Special Operations assignments.

IX. Effective Date

This policy shall take effect on January 20, 2025.

City of Forest Park

Hiring Bonus Policy (Recruitment Incentive Program)

1. Purpose

The purpose of the Hiring Bonus Policy is to provide the City of Forest Park with a controlled and equitable recruitment incentive that supports timely hiring for positions experiencing documented labor shortages or market competition.

The policy:

- Helps attract qualified candidates in hard-to-fill roles;
 - Maintains alignment with the City's open-range compensation structure, without artificially inflating base salaries;
 - Prevents internal compression and pay inequities; and
 - Ensures consistent, defensible practices across all City departments.
-

2. Applicability

This policy applies to:

- Full-time, regular City positions approved by the City Manager;
- Priority roles in public safety, public works, and other departments with verified recruitment difficulty;
- Candidates who are new hires (not internal promotions or rehires within 12 months).

Hiring bonuses may be offered only when approved in advance by Human Resources and the City Manager.

3. Policy Principles

Hiring bonuses must adhere to the following compensation principles:

1. No Impact on Base Salary
 - Hiring bonuses are one-time payments and may not be built into hourly or annual salary.
 - Bonuses must not create compression against tenured incumbents.

2. Equity Across Departments

- The bonus amount must be applied consistently for the same classification or recruitment tier.

3. Targeted & Temporary

- Hiring bonuses are used only during periods of documented recruitment difficulty.

4. Transparent, Objective Criteria

- HR will maintain hiring bonus eligibility criteria based on vacancy rates, labor market data, and criticality of service delivery.

4. Eligibility Criteria for Offering a Hiring Bonus

A hiring bonus may be offered when all of the following exist:

- The position has been vacant for 60+ days, or
- At least two recent recruitments failed to produce a qualified candidate, or
- Labor market data shows significant salary competition in the region, or
- The department experiences operational strain due to understaffing.

A hiring bonus may not be offered for:

- New positions pending Council approval;
- Temporary or seasonal roles;
- Incumbents reinstating employment after separation within the last 12 months.

5. Hiring Bonus Tiers (Recommended Structure)

To ensure consistency and cost control, bonuses are assigned to tiers based on job classification:

Tier 1 – Critical Public Safety Roles

(Police Officers, Firefighters/Paramedics, E911 Dispatchers)

Maximum Hiring Bonus: up to \$2,500

Tier 2 – Hard-to-Fill Technical or Trade Roles

(Mechanics, CDL Operators, Building Inspectors, IT Support Specialists)

Maximum Hiring Bonus: up to \$1,500

Tier 3 – General Workforce Roles With Documented Recruitment Difficulty

Maximum Hiring Bonus: up to \$2,500

Human Resources may recommend tier adjustments based on market data.

6. Payout Structure

To reduce turnover risk, bonuses are paid in installments, not all at once.

Standard Payout Model

1. 40% paid upon completion of new-hire orientation**
2. 30% paid after successful completion of 6 months of employment
3. 30% paid after successful completion of 12 months of employment

All payments are:

- Contingent upon satisfactory performance;
 - Considered taxable supplemental income;
 - Documented separately from base compensation.
-

7. Repayment Provision

If the employee voluntarily resigns or is terminated for cause before completing 12 months of service, the City may require repayment of:

- 100% of the bonus if separation occurs within 6 months;
- 50% if separation occurs between 6 and 12 months.

This ensures fiscal responsibility and discourages short-term employment churn.

8. Funding and Budget Controls

- Hiring bonuses must be funded within the department's existing budget, unless otherwise approved by the City Manager.
 - HR must maintain a log of all approved bonuses for audit and compliance monitoring.
 - Bonuses may be *paused* citywide when budget constraints exist.
-

9. Required Documentation

Each hiring bonus must have:

- A written justification submitted by the Department Director to HR;
- HR market analysis or recruitment difficulty documentation;
- City Manager approval;
- A signed Hiring Bonus Agreement outlining conditions and claw-back requirements.

Hiring bonus paperwork must be placed in the employee's personnel file.

10. Compliance & Review

HR will review utilization annually to ensure:

- Alignment with compensation philosophy;
- No adverse impact on pay equity;
- Consistent application across departments.

Adjustments to bonus tiers or eligibility will be made as required and may be presented to Council as part of annual compensation updates

11. Effective Date

This policy shall take effect on January 20, 2025.

Tuition Reimbursement Policy

I. Purpose

The purpose of this policy is to support employee development, workforce capability, and succession planning by providing tuition reimbursement for approved educational coursework that enhances job-related knowledge and skills. This policy promotes professional growth while maintaining alignment with the City's compensation strategy and avoiding artificial inflation of base pay.

II. Scope

This policy applies to all regular, full-time City employees, unless otherwise excluded by law or individual employment contract.

III. Policy Statement

The City offers tuition reimbursement as a non-base, non-pensionable employee benefit to support job-related education and professional development. Tuition reimbursement is discretionary, subject to funding availability, and contingent upon compliance with this policy.

The City utilizes a flat annual reimbursement cap, rather than a percentage-based model, to ensure equitable access, predictable budgeting, and consistent application across the workforce. Tuition reimbursement is intended to function as a development benefit and shall not be used in a manner that distorts internal pay equity or base salary relationships.

IV. Eligibility Requirements

To be eligible for tuition reimbursement, an employee must:

1. Be a regular, full-time employee at the time of application and reimbursement;
2. Have completed at least six (6) months of continuous service with the City;
3. Be in good standing, defined as meeting performance expectations and not subject to active disciplinary action;
4. Obtain prior written approval from the Department Director and Human Resources; and
5. Enroll in coursework that is job-related or supports career development within the City.

Employees on probationary status, unpaid leave, or under disciplinary review are not eligible.

V. Eligible Educational Programs

Tuition reimbursement may be approved for coursework leading to:

- Associate's degrees
- Bachelor's degrees
- Master's degrees
- Technical or professional certifications
- Continuing education units (CEUs) required for licensure or professional development

All programs must be offered by an accredited educational institution or a recognized professional training provider.

VI. Reimbursement Structure and Limits

To promote equity and fiscal responsibility, tuition reimbursement is provided using a flat annual cap model, rather than a percentage-based reimbursement approach.

This structure ensures that reimbursement:

- Is equitably available to all eligible employees regardless of institution or program cost;
- Does not disproportionately benefit higher-cost educational programs;
- Allows for predictable budgeting and fiscal oversight; and
- Remains separate from base compensation and pay progression.

Annual reimbursement limits are as follows:

- Undergraduate coursework: up to \$3,000 per fiscal year
- Graduate coursework: up to \$4,500 per fiscal year

These limits apply regardless of the number of courses taken during the fiscal year.

VII. Covered and Excluded Expenses

Eligible expenses include:

- Tuition
- Mandatory course-related fees

Expenses not eligible for reimbursement include:

- Books, supplies, or equipment
 - Travel, lodging, or meals
 - Late registration or penalty fees
 - Application, testing, or graduation fees
-

VIII. Grade and Completion Requirements

To qualify for reimbursement:

- Undergraduate coursework must be completed with a final grade of “C” or higher;
- Graduate coursework must be completed with a final grade of “B” or higher;
- Pass/fail coursework must be documented as “Pass.”

Proof of successful completion and paid tuition must be submitted to Human Resources.

IX. Application and Approval Process

1. The employee submits a Tuition Reimbursement Request prior to the start of coursework.
2. The Department Director reviews the request for operational relevance and workload impact.
3. Human Resources reviews the request for policy compliance and funding availability.
4. Written approval must be received before enrollment.

Requests submitted after course completion without prior approval will not be considered.

X. Payment of Reimbursement

- Reimbursement is processed after successful course completion and receipt of required documentation.

- Payments are processed through payroll and subject to applicable tax regulations.
 - Tuition reimbursement does **not** increase base salary, compa-ratio, or eligibility for pay adjustments.
-

XI. Service Commitment Requirement

Employees receiving tuition reimbursement agree to remain employed with the City for one (1) year following the date of reimbursement.

If an employee voluntarily separates or is terminated for cause before completing the service commitment, the City may require prorated repayment of reimbursed amounts.

XII. Relationship to Compensation

Tuition reimbursement:

- Is a benefit, not compensation;
 - Is non-pensionable and excluded from base pay calculations;
 - Does not guarantee promotion, reclassification, or future compensation adjustments; and
 - Does not create an entitlement to continued reimbursement.
-

XIII. Administration and Oversight

Human Resources administers this policy and maintains all related documentation. The City reserves the right to suspend, modify, or discontinue the program based on budgetary constraints, operational needs, or policy review.

XIV. Policy Review

This policy will be reviewed periodically to ensure alignment with workforce development goals, fiscal conditions, and applicable laws.

XV. Effective Date

This policy is effective January 20, 2025 and replaces any prior tuition reimbursement practices or informal arrangements.

Companion Section: Education and Certification Completion Bonuses

(Supplemental to Tuition Reimbursement Policy)

I. Purpose and Relationship to Tuition Reimbursement

This section establishes one-time education and certification completion bonuses that operate separately from tuition reimbursement. Tuition reimbursement supports employees during coursework; completion bonuses recognize successful attainment of approved degrees or certifications after completion.

Both programs are structured to support professional development without increasing base pay or creating long-term equity or compression concerns, consistent with the City's open-range compensation framework.

II. Policy Statement

The City may provide one-time, lump-sum bonuses for approved education and certification achievements that are job-related and provide demonstrable value to City operations. These bonuses are discretionary, subject to funding availability, and do not modify base salary, compa-ratio, or promotional eligibility.

III. Education Completion Bonuses (Degree-Based)

Employees may pursue multiple degrees that support professional growth and organizational capacity. Education completion bonuses are intended to recognize academic progression, not to function as recurring or additive compensation.

Eligible Degree Levels and Bonus Amounts

- Associate's Degree: \$500
- Bachelor's Degree: \$1,000
- Master's Degree: \$1,500

Progressive Degree Recognition

Employees are encouraged to pursue advanced education that supports professional growth and organizational capacity. Education completion bonuses are designed to recognize progression to a higher academic level, not to function as recurring or cumulative compensation.

Advanced Degree After Prior Bonus

If an employee previously received an education completion bonus for a lower qualifying degree and later completes a higher qualifying degree, the employee may be eligible for a one-time incremental payment equal to the difference between the prior bonus paid and the bonus associated with the higher degree.

Under no circumstances shall education completion bonuses:

- Be cumulative across degree levels;
- Result in total payments exceeding the bonus amount associated with the highest degree earned; or
- Function as step increases, longevity pay, or base salary enhancements.

Examples for Clarification

Scenario	Prior Bonus Paid	New Degree	New Bonus Level	Additional Payment
Associate → Bachelor	\$500	Bachelor	\$1,000	\$500
Bachelor → Master	\$1,000	Master	\$1,500	\$500
Associate → Master	\$500	Master	\$1,500	\$1,000
Bachelor → Second Bachelor	\$1,000	Bachelor	\$1,000	\$0

Education completion bonuses are intended to acknowledge academic advancement and increased organizational value. They are not intended to reward repeated credentialing, time in service, or lateral educational attainment.

Additional Conditions

- All degrees must be job-related or support career development within the City, as determined by Human Resources.
- Bonuses are one-time, non-base, non-pensionable payments and do not impact compa-ratio, overtime, or promotional eligibility.
- Degrees that constitute minimum qualifications for hire or promotion are not eligible unless expressly approved by Human Resources.

VI. Certification Completion Bonuses

Purpose

Certification completion bonuses recognize the attainment of approved professional or technical certifications that provide measurable operational value to the City.

Bonus Range

Certification bonuses range from \$500 to \$1,500, based on:

- Certification cost
- Operational value
- Retention or succession impact

The bonus amount must be approved in advance.

Progressive Certification Model

Certification bonuses follow a progressive recognition model, similar to education bonuses.

If an employee previously received a certification bonus and later earns a higher-level, advanced, or superseding certification within the same discipline, the employee may receive a one-time incremental payment equal to the difference between the prior bonus and the higher-level certification bonus.

Certification Examples

- Entry Certification (\$500) → Advanced Certification (\$1,000): Eligible for \$500
 - Advanced Certification (\$1,000) → Expert Certification (\$1,500): Eligible for \$500
 - Entry Certification (\$500) → Expert Certification (\$1,500): Eligible for \$1,000
 - Lateral or equivalent certifications: No additional payment
-

Certification Clarifying Statement

Certification completion bonuses recognize progression to higher-level credentials with increased operational value. They do not reward renewals, maintenance requirements, or equivalent certifications.

Certification Rules

- One-time payment only; no recurring payments.
 - Certification must be approved in advance by the Department Director and Human Resources.
 - Bonus is paid after verification of successful completion.
 - Bonuses may not be stacked with stipends, operational differentials, or other incentives tied to the same credential.
 - Certifications that are minimum requirements for hire, assignment, or promotion are not eligible unless expressly approved by HR.
-

Exclusions and Limitations

- Tuition reimbursement and completion bonuses:
 - Do not increase base pay;
 - Are non-pensionable; and
 - Do not affect compa-ratio, overtime, or promotion eligibility.
 - The City may limit, suspend, or discontinue benefits based on fiscal or operational considerations.
-

Approval and Administration

1. Employee submits a request prior to enrollment or certification attempt, when applicable.
2. Department Director evaluates job relevance and operational impact.
3. Human Resources reviews eligibility, compliance, and funding availability.
4. Payment is processed upon verification of completion.

Human Resources is responsible for policy administration and recordkeeping.

Effective Date

This policy is effective [insert effective date] and replaces any prior tuition reimbursement or education/certification incentive practices inconsistent with this policy.

**STATE OF GEORGIA
CITY OF FOREST PARK**

RESOLUTION NO. 2026-_____

A RESOLUTION BY MAYOR GWEN ELLISON AND CITY COUNCILMEMBERS KIMBERLY JAMES, DELORES A. GUNN, HECTOR GUTIERREZ, LATRESA AKINS-WELLS, AND ALLAN MEARS OF THE CITY OF FOREST PARK, GEORGIA TO APPROVE AN THE AMENDED PUBLIC SAFETY INCENTIVE POLICY FROM THE CITY’S HUMAN RESOURCES DEPARTMENT.

WHEREAS, the City of Forest Park, Georgia (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the duly elected governing authority of the City is the Mayor and Council thereof; and

WHEREAS, the City currently maintains a Public Safety Incentive Policy (“Policy”) designed to recognize, attract, and retain qualified personnel within the City’s public safety departments; and

WHEREAS, the administration and application of the existing Policy over time have revealed the need for greater clarity, consistency, and alignment with the City’s overall compensation and classification framework; and

WHEREAS, the Human Resources Department (“Department”) has identified that certain provisions of the Policy lack sufficient specificity, resulting in varying interpretations and inconsistencies in implementation across departments; and

WHEREAS, the City has further identified that aspects of the current incentive structure present a risk of salary compression, whereby incentive pay may unintentionally narrow pay differentials between ranks or positions, potentially impacting internal equity, morale, and career progression; and

WHEREAS, the Public Safety Departments, in coordination with the Department, have conducted a comprehensive review of the Policy to address these concerns; and

WHEREAS, the proposed revisions to the Policy are intended to clearly define eligibility requirements, incentive levels, approval authority, and administrative procedures in order to promote transparency, equity, consistency, and long-term sustainability; and

WHEREAS, the City Council finds that adoption of the revised Policy, attached hereto as **Exhibit A**, shall modernize the City’s incentive framework, support equitable compensation practices, reduce administrative inefficiencies, and further the City’s commitment to attracting and retaining qualified public safety personnel.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Forest Park, Georgia, as follows:

Section 1. Approval. The Department's request to approve the amended Public Safety Incentive Policy, attached hereto as Exhibit A and incorporated herein, as presented to the Mayor and Council on January 20, 2026, is hereby approved.

Section 2. Public Record. This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City.

Section 3. Authorization of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Resolution.

Section 4. Attestation. The Clerk is authorized to execute, attest to, and seal any documents necessary to effectuate this Resolution, subject to approval as to form by the City Attorney.

Section 5. Effective Date. This Resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

SO RESOLVED this 20th day of January 2026.

CITY OF FOREST PARK, GEORGIA

Gwen Ellison, *Mayor*

ATTEST:

_____ (SEAL)
City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

CITY OF FOREST PARK, GEORGIA PUBLIC SAFETY INCENTIVE POLICY

I. Purpose

The purpose of this Public Safety Incentive Policy (“Policy”) is to provide a structured and fiscally responsible framework for compensating specialized skills, education, certifications, and temporary operational assignments among sworn Police and Fire personnel. These incentives are intended to enhance operational effectiveness, promote professional development, and support recruitment and retention objectives, while preserving internal equity, rank integrity, and the City of Forest Park, Georgia’s (“City”) established open-range compensation philosophy. This Policy ensures that incentive compensation remains supplemental in nature, does not substitute for base pay or promotional advancement, and aligns with approved annual budgetary appropriations.

II. Scope

This Policy applies to all full-time sworn Police and Fire personnel employed by the City. Incentives authorized under this Policy are discretionary, subject to eligibility requirements, operational need, and the availability of appropriated funds. Nothing in this Policy shall be construed to create a vested right, guarantee continued incentive compensation, or alter the at-will employment status of any employee. The City reserves the right to modify, suspend, or discontinue any incentive program at any time, subject to applicable law and budgetary approval.

III. Incentive Compensation Principles

Incentive compensation authorized under this Policy is intended to supplement, and not replace, base wages or promotional compensation. Incentives shall be paid independently of base salary, shall not be compounded or stacked with other incentives, and an employee may receive only one incentive at any given time unless expressly authorized herein. Incentive payments shall be structured and administered to preserve internal equity, maintain appropriate rank differentials, and avoid wage compression across classifications. All incentives are subject to annual budgetary appropriations and may be adjusted or discontinued to ensure alignment with the City’s compensation philosophy, fiscal capacity, and operational priorities.

IV. Incentive Programs

(a) Education Incentive – Flat Annual Amount

Degree	Amount
Associate	\$500
Bachelor	\$1,000
Master	\$1,500

No compounding with tuition reimbursement for the same coursework.

(b) *Tuition Reimbursement – Separate, Flat Model*

Level	Annual Max	Require
Undergraduate	Up to \$3,000	Grade C+
Graduate	Up to \$4,500	Pre-approved, job-relevant

12-month retention obligation; No direct tie to base wage & not a promotion qualifier

(c) *Certification Incentive — Annual Bonus*

Certification	Incentive	Department
Public Safety Instructor	\$1,000/year	Police or Fire
SWAT/Tech Rescue/HazMat	\$1,200/year	Police or Fire
Fire Officer/EMS Advanced Cert	\$750/year	Fire
Supervisor/Management POST Cert	\$750/year	Police
Canine Handler	\$750/year	Police
Motor Officer	\$750/year	Police

Only one of the above may be paid at any time.

(d) *Operational Differential*

Assignment	Incentive	Department
Field Training Officer	+\$2.00/hr during assignment	Police
Acting Supervisor/Officer In Charge	+\$2.00/hr during assignment	Fire/Police
Relief Driver	+\$2.00/hr during assignment	Fire

Assignment incentives expire immediately when role ends.

V. Administration and Approval

The City Manager, or the City Manager's designee, shall be responsible for the administration and interpretation of this Policy, in coordination with the HR Director. Department Heads may recommend incentive eligibility or payment consistent with this Policy; however, all incentive payments are subject to final approval by the City Manager and verification of eligibility requirements. The City may require documentation, certification, or verification of continued eligibility as a condition of payment.

VI. Non-Pensionable and Non-Base Compensation

All incentives provided under this Policy are non-pensionable, non-recurring, and shall not be included in the calculation of base pay, overtime rates, retirement benefits, or any other form of deferred compensation, unless otherwise required by law.

VII. Eligibility, Verification, and Continuation

Employees must remain in good standing and continuously meet all eligibility requirements in order to receive or continue receiving any incentive authorized under this Policy. Incentives may be suspended, reduced, or terminated upon loss of eligibility, disciplinary action, change in assignment, expiration of certification, or failure to maintain required credentials. The City reserves the right to conduct periodic reviews to confirm continued eligibility.

VIII. No Contractual Right

Nothing in this Policy shall be construed to create a contract, guarantee of employment, or entitlement to any incentive payment. Incentives are discretionary and subject to modification or discontinuation at the sole discretion of the City, consistent with applicable law and budgetary authority.

IX. Severability

If any provision of this Policy is determined to be invalid or unenforceable by a court of competent jurisdiction, such determination shall not affect the validity of the remaining provisions, which shall continue in full force and effect.

X. Effective Date

This Policy shall become effective upon approval by the Mayor and City Council of the City and shall apply prospectively unless otherwise expressly stated.



CITY OF
FORESTPARK

City of Forest Park City Council
Agenda Item Summary
January 20, 2026

Agenda Item #
VI2

Requested By

SaVaughn Irons-Kumassah, Senior Planner

Sponsor(s)

Department

Planning and Community Development

Requested Action

Action Item

Requirement for Board Action

Is this Item Goal Related?

Summary & Background

During prior Council discussions, concerns were raised regarding the requirement for homeowners to pay application fees and undergo Urban Design Review Board (UDRB) review for minor exterior improvements intended for routine maintenance or residential beautification. In response, staff initiated a text amendment to **Title 8 – Planning and Development** to establish an exemption for certain single-family residential alterations that do not impact the overall architectural character or visual quality of the community.

The proposed amendment is intended to streamline the review process, reduce unnecessary procedural and financial barriers for homeowners, improve administrative efficiency, and allow the UDRB to focus on projects with meaningful urban design impacts.

The text amendment was reviewed by the Planning Commission on **January 15, 2026**, and is now before Mayor and Council for final consideration and action. If approved, qualifying single-family home improvements, such as exterior painting, would no longer require UDRB review or associated application fees, encouraging residential reinvestment and neighborhood beautification while maintaining the City's design standards.

Fiscal Impact

N/A

Exhibits Attached

TA-2025-04 City Council Agenda Item 01.20.2026, LEGAL AD FINAL 1-15-2026, Text Smrnd UDRB 2025, 2026-1-16 - FP Zoning Ordinance (Exemption of URRB)

Staff Recommendation

Action Requested from Council: To Approve Case #TA-2025-04



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Council Discussion to approve Case #TA-2025-04 Text Amendment for Title 8. – Planning and Development, Chapter 8. Zoning, Article A. – General Provisions Text Amendment for Title 8. – Planning and Development, Chapter 8. Zoning, Article F. – Boards and Commissions, section 8-8-160 Rules and Procedures, of the City of Forest Park Code of Ordinances to amend such section, adding subsection (d) Exemption for Single Family Home Alterations.

Submitted By: SaVaughn Irons-Kumassah, Principal Planner

Date Submitted: January 12, 2026

Work Session Date: January 20, 2026

Council Meeting Date: January 20, 2026

Background/History:

During prior Council discussions, concerns were raised regarding the requirement for homeowners to pay application fees and undergo Urban Design Review Board (UDRB) review for minor exterior improvements intended for routine maintenance or residential beautification. In response, staff initiated a text amendment to **Title 8 – Planning and Development** to establish an exemption for certain single-family residential alterations that do not impact the overall architectural character or visual quality of the community.

The proposed amendment is intended to streamline the review process, reduce unnecessary procedural and financial barriers for homeowners, improve administrative efficiency, and allow the UDRB to focus on projects with meaningful urban design impacts.

The text amendment was reviewed by the Planning Commission on **January 15, 2026**, and is now before Mayor and Council for final consideration and action. If approved, qualifying single-family home improvements, such as exterior painting, would no longer require UDRB review or associated application fees, encouraging residential reinvestment and neighborhood beautification while maintaining the City's design standards.

Cost: N/A

Budgeted for: _____ **Yes** _____ **No**

Financial Impact:

Action Requested from Council: To Approve Case #TA-2025-04.

December 23, 2025

Clayton News Daily
P.O. Box 368
Jonesboro, GA 30253

Please run the following Public Hearings Section of December 31, 2025, January 07, and January 14, 2026, Editions.

TO THE CITIZENS OF FOREST PARK, CLAYTON COUNTY, GEORGIA, AND OTHER INTERESTED PARTIES:

NOTICE IS HEREBY GIVEN: The City of Forest Park Planning Commission will conduct a meeting on a series of Public Hearings for the purpose of considering the matters listed below. The Public Hearings will be held on Thursday, January 15, 2026, at 6:00 p.m. in the Forest Park City Hall Council Chambers located at 745 Forest Parkway, Forest Park, GA 30297. The Mayor and City Council will conduct a meeting of Public Hearings for the listed Text Amendment at Forest Park City Hall Council Chambers, 745 Forest Parkway, on Tuesday January 20, 2026, at 6:00 p.m.

- **Case# TA-2025-04** – Text Amendment for Title 8. – Planning and Development, Chapter 8. Zoning, Article F. – Boards and Commissions, section 8-8-160 Rules and Procedures, of the City of Forest Park Code of Ordinances to amend such section, adding subsection (d) Exemption for Single Family Home Alterations.

SaVaughn Irons-Kumassah, Principal Planner
Planning & Community Development Department
404-366-4720



Planning Commission Staff Report

Meeting Date: January 15, 2026

Case: TA-2025-06

Proposed Request: Addition of Sec. 8-8-160(d) to Article F. Boards and Commissions

Prepared by: Nicole C.E. Dozier, Planning & Community Development Director

Staff Recommendation: Approval

PROPOSED TEXT AMENDMENT

Mayor and council requested that staff review the Urban Review Design Board (UDRB) applicability rules and procedures. There was a concern that certain single family home exterior improvements should not go to the Urban Review Design Board for approval. Staff were directed to review the criteria and amend the code.

BACKGROUND

The UDRB is to regulate site plan, landscaping and exterior architectural design for all in order to ensure the unified development within the city enhancing and preserving the aesthetic qualities of the city, protecting the value of existing buildings and property, to lessen traffic congestion, to preserve and enhance natural resources, minimize impacts of new development and protects public investigation investment by mitigating impacts developed by new developments.

The current zoning ordinance requires that the Urban Design Review Board review all alterations of the exterior of any building prior to being issued a building permit. In order not to deter homeowners from making basic exterior improvements to their home, the following is proposed:

The addition of item

(d) *Exemption for Single Family Home Alterations.* Alterations to individual single family homes shall be exempt from the requirement to obtain approval from the Urban Design Review Board when such alterations are limited to specific exterior changes. This exemption applies to:

- (1) The application of exterior paint, provided that colors used are neither neon nor solid black, except that black may be used for exterior trim. All paint colors should align with



CITY OF FOREST PARK

*Planning & Community Development Department
785 Forest Parkway
Forest Park, Georgia 30297
(404) 366-4720*

established residential palettes, such as those offered by Bear Premium, Sherwin-Williams, or a substantially similar exterior paint collection.

- (2) The replacement of windows and doors, so long as the replacements are compatible in style and materials with the original features; and
- (3) The repair or replacement in kind of existing decks, porches, and siding.

Staff had a discussion with the Urban Review Design Board members regarding this matter and this recommendation and they agree with the changes proposed. Therefore, staff recommends approval of this text amendment.

**STATE OF GEORGIA
COUNTY OF CLAYTON**

ORDINANCE NO. 2026-____

1 AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
2 FOREST PARK, GEORGIA TO AMEND THE CITY’S CODE OF ORDINANCES, TITLE 8
3 (PLANNING AND DEVELOPMENT), CHAPTER 8 (ZONING), SECTION 8-8-160 (RULES
4 AND PROCEDURES); TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE
5 DATE; AND FOR OTHER LAWFUL PURPOSES.

6 **WHEREAS**, the City of Forest Park, Georgia (“City”) is a municipal corporation duly
7 organized and existing under the laws of the State of Georgia; and

8 **WHEREAS**, the duly elected governing authority of the City is the Mayor and Council
9 thereof; and

10 **WHEREAS**, the City values preserving the architectural character of single-family
11 neighborhoods while promoting timely home maintenance and improvements; and

12 **WHEREAS**, certain minor exterior alterations, including repainting with approved colors,
13 window and door replacements, and repairs to existing decks, porches, and siding, do not
14 significantly impact the neighborhood’s appearance; and

15 **WHEREAS**, exempting these limited alterations from Urban Design Review Board
16 approval will reduce administrative burdens and encourage property upkeep while maintaining
17 clear standards to ensure compatibility; and

18 **WHEREAS**, this change adheres to all zoning procedures pursuant to O.C.G.A. § 36-66-
19 36 and notice and hearing requirements pursuant to O.C.G.A. § 36-66-1, *et seq.*; and

20 **WHEREAS**, the City continues to exercise its zoning powers to provide comprehensive
21 city planning and to ensure a safe, healthy, and aesthetically pleasing community; and

22 **WHEREAS**, the amendments contained herein would benefit the health, safety, morals,
23 and welfare of the citizens of the City.

24 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF**
25 **THE CITY OF FOREST PARK, GEORGIA THAT**, and by the authority thereof:

26 **Section 1.** The City's Code of Ordinances, Title 8 ("Planning and Development"), Chapter
27 8 ("Zoning"), Article F ("Boards and Commissions"), Section 8-8-160 ("Rules and Procedures")
28 is hereby amended with permanent additions in **bold** font and permanent deletions in ~~strike through~~
29 font to be read and codified as forth in **Exhibit A** attached hereto and incorporated herein.

30 **Section 2.** The preamble of this Ordinance shall be considered to be and is hereby
31 incorporated by reference as if fully set out herein.

32 **Section 3.** This Ordinance shall be codified in a manner consistent with the laws of the
33 State of Georgia and the City.

34 **Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council that all
35 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their
36 enactment, believed by the Mayor and Council to be fully valid, enforceable, and constitutional.

37 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest
38 extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of this
39 Ordinance is severable from every other section, paragraph, sentence, clause, or phrase of this
40 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
41 greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance
42 is mutually dependent upon any other section, paragraph, clause, or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

Section 7. The City Clerk, with the concurrence of the City Attorney, is authorized to correct any scrivener's errors found in this Ordinance, including any exhibits, as enacted.

ORDAINED this ____ day of _____, 2026.

CITY OF FOREST PARK, GEORGIA

Gwen Ellison, *Mayor*

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

TITLE 8 – PLANNING AND DEVELOPMENT

[...]

CHAPTER 8. – ZONING

[...]

ARTICLE F. – BOARDS AND COMMISSIONS

[...]

Sec. 8-8-160. - Rules and procedures.

(a) *Intent.* The intent of this section is to provide procedures and standards for review and approval of site, landscaping, and exterior architectural design plans for development within the urban design review board's powers and duties as identified in section 8-8-159 in order to ensure that such development complies with the provisions of this chapter and meets design and development policies established by the city.

(b) *Purpose.* The purpose of the design plan review process is to regulate site plan, landscaping, and the exterior architectural design for all uses in the urban design review board's powers and duties as identified in section 8-8-159 in order to:

- (1) Enhance and preserve the aesthetic qualities of the City of Forest Park as an attractive and progressive suburban community;
- (2) Protect and maintain the value of existing buildings and property;
- (3) Ensure architectural harmony between buildings and landscaping in order to promote and protect the aesthetic qualities of the city;
- (4) Lessen traffic congestion and minimize traffic safety problems;
- (5) Preserve and enhance the natural resources of the city in order to provide aesthetic and other public benefits, such as pollution abatement, erosion and runoff control, energy conservation, and enhancement of property values;
- (6) Minimize any adverse impacts of new development on existing uses through provisions of screening, buffering, landscaping, and other techniques;
- (7) Protect public investment by mitigating impacts generated by new development on existing public facilities, and utilities; and

(8) Enhance economic opportunities by maintaining the city as an attractive community for prospective developers, businesses, and residents.

(c) *Applicability.* A design plan approved by the urban design review board shall be required before a building permit is issued on any improvement, grading, alteration of land or alteration of the exterior of any building commences, for all structures and uses in the urban design review board's powers and duties as identified in section 8-8-159.

(d) ***Exemption for Single Family Home Alterations.*** Alterations to individual single family homes shall be exempt from the requirement to obtain approval from the Urban Design Review Board when such alterations are limited to specific exterior changes. This exemption applies to:

(1) The application of exterior paint, provided that colors used are neither neon nor solid black, except that black may be used for exterior trim. All paint colors should align with established residential palettes, such as those offered by Bear Premium, Sherwin-Williams, or a substantially similar exterior paint collection.

(2) The replacement of windows and doors, so long as the replacements are compatible in style and materials with the original features; and

(3) The repair or replacement in kind of existing decks, porches, and siding.



CITY OF
FORESTPARK

City of Forest Park City Council
Agenda Item Summary
January 20, 2026

Agenda Item #
VI3

Requested By SaVaughn Irons-Kumassah, Senior Planner	Sponsor(s)
Department Planning and Community Development	

Requested Action Action Item
Requirement for Board Action
Is this Item Goal Related?
Summary & Background At the November 17, 2025, City Council meeting, Council discussed the appointment of a Development Impact Fee Advisory Committee but elected to defer action until after the newly elected Mayor was sworn into office, allowing her to participate in the appointment process. The mayor has since assumed office, and staff is now bringing this item forward for Council's consideration in accordance with prior direction. Under the Georgia Development Impact Fee Act, the city is required to appoint a Development Impact Fee Advisory Committee prior to the adoption of a development impact fee ordinance. The committee serves in an advisory capacity and is responsible for providing input on a proposed development impact fee ordinance and fee schedule, which are anticipated to be presented to City Council for consideration in 2026 as part of establishing a Development Impact Fee Program. State law requires the committee to consist of five to ten members, with at least fifty percent of the membership representing the development, building, or real estate industries. Members are not required to be City residents. The law also allows City Council, at its discretion, to designate an existing body, such as the Planning Commission or Development Authority, to serve in this advisory role, provided the statutory composition requirements are met. This agenda item advances the next procedural step necessary to ensure compliance with state law and to support future Council consideration of a Development Impact Fee Program.
Fiscal Impact n/a
Exhibits Attached 2026-1-25 - FP Res (DIF)
Staff Recommendation Action Requested from Council: Council consideration and appointment of the Development Impact Fee Advisory Committee in compliance with the Georgia Development Impact Fee Act

**STATE OF GEORGIA
COUNTY OF CLAYTON**

RESOLUTION NO. 2026-_____

A RESOLUTION BY MAYOR GWEN ELLISON AND CITY COUNCILMEMBERS KIMBERLY JAMES, DELORES A. GUNN, HECTOR GUTIERREZ, LATRESA AKINS-WELLS, AND ALLAN MEARS OF THE CITY OF FOREST PARK, GEORGIA TO AUTHORIZE THE ESTABLISHMENT AND APPOINTMENT OF A DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE PURSUANT TO THE GEORGIA DEVELOPMENT IMPACT FEE ACT FROM THE CITY’S PLANNING COMMUNITY DEVELOPMENT DEPARTMENT.

WHEREAS, the City of Forest Park, Georgia (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the duly elected governing authority of the City is the Mayor and Council thereof; and

WHEREAS, the City desires to evaluate the establishment of a Development Impact Fee Program to ensure that new development pays its proportionate share of the cost of public facilities needed to serve such development; and

WHEREAS, the Georgia Development Impact Fee Act, O.C.G.A. § 36-71-1 et seq. (“Act”), authorizes municipalities to adopt development impact fee ordinances subject to statutory procedures and requirements; and

WHEREAS, the Act requires the appointment of a Development Impact Fee Advisory Committee prior to the adoption of a development impact fee ordinance; and

WHEREAS, the Development Impact Fee Advisory Committee serves in an advisory capacity to review and provide input on the proposed development impact fee ordinance, capital improvements elements, and impact fee schedule; and

WHEREAS, the Act requires that the advisory committee consist of not fewer than five (5) nor more than ten (10) members, with at least fifty percent (50%) of the membership representing the development, building, or real estate industries, and further provides that committee members are not required to be residents of the City; and

WHEREAS, the Act permits the Mayor and City Council, in their discretion, to appoint a new advisory committee or designate an existing board, commission, or authority to serve in such advisory capacity, provided the statutory composition requirements are satisfied.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Forest Park, Georgia, as follows:

Section 1. Approval. The City’s Planning Community Development Department’s request to authorize the establishment and appointment of a Development Impact Fee Advisory Committee pursuant to the Georgia Development Impact Fee Act, as presented to the Mayor and Council on January 20, 2026, is hereby approved.

Section 2. Authorization to Prepare Ordinance. The City Attorney is hereby authorized and directed to prepare and present for City Council consideration such ordinances, resolutions, or related legislative documents as may be necessary or appropriate to implement a Development Impact Fee Program, including but not limited to a development impact fee ordinance adopted pursuant to the Georgia Development Impact Fee Act.

Section 3. Public Record. This document shall be maintained as a public record by the City Clerk (“Clerk”) and shall be accessible to the public during all normal business hours of the City.

Section 4. Authorization of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Resolution.

Section 5. Attestation. The Clerk is authorized to execute, attest to, and seal any documents necessary to effectuate this Resolution, subject to approval as to form by the City Attorney.

Section 6. Effective Date. This Resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

SO RESOLVED this 20th day of January 2026.

CITY OF FOREST PARK, GEORGIA

Gwen Ellison, *Mayor*

ATTEST:

_____ (SEAL)
City Clerk

APPROVED AS TO FORM:

City Attorney



CITY OF
FORESTPARK

City of Forest Park City Council
Agenda Item Summary
January 20, 2026

Agenda Item #
VI4

Requested By

SaVaughn Irons-Kumassah, Senior Planner

Sponsor(s)

Department

Planning and Community Development

Requested Action

Action Item

Requirement for Board Action

Is this Item Goal Related?

Summary & Background

At the February 3, 2025, City Council meeting, Council approved a text amendment to Title 8 of the City of Forest Park Code of Ordinances establishing the **Public Arts Review Board (PARB)**. This action formally created a governing body responsible for administering the City's public art program, Forest Park Arts, and overseeing the review and approval of public art installations throughout the City.

Pursuant to Sections 8-8-169 and 8-8-170 of the Code of Ordinances, the Public Arts Review Board is charged with reviewing and rendering decisions on proposed Public Art Displays, including murals, sculptures, statues, and other artwork located in public spaces, to ensure compliance with adopted guidelines and consistency with the aesthetic and cultural values of the City of Forest Park. The Board also provides feedback to applicants, maintains an official record of approved public art and their locations, elects officers, and conducts meetings in accordance with open meeting requirements.

Section 8-8-171 establishes the composition and terms of the Public Arts Review Board. The Board consists of five (5) members, including one (1) representative from the Downtown Development Authority, one (1) representative from Arts Clayton, Inc., two (2) local artists, and one (1) member of the Forest Park community. All members must be at least eighteen (18) years of age, must be residents of the City of Forest Park, and may not serve as members of the City's governing authority. Board members serve two-year terms and may be reappointed.

With the enabling ordinance now adopted, this agenda item is presented to advance implementation of the Public Arts Review Board through City Council's consideration of appointments, allowing the Board to begin fulfilling its responsibilities as outlined in the Code of Ordinances.

Fiscal Impact

n/a

Exhibits Attached

PARB Board Selection- City Council Agenda Coversheet, 2026-1-15 - FP Zoning Ord (Public Arts)

Staff Recommendation

Discuss and consider the appointment of members to the Public Arts Review Board in accordance with Sections 8-8-169 through 8-8-171 of the City of Forest Park Code of Ordinances, in order to formally constitute the Board and allow it to begin

administering the City's public art program.

STATE OF GEORGIA
CITY OF FOREST PARK

ORDINANCE 2026-____

AN ORDINANCE BY MAYOR GWEN ELLISON AND COUNCILMEMBERS
KIMBERLY JAMES, HECTOR GUTIERREZ, LATRESA AKINS-WELLS, AND ALLAN
MEARS OF THE CITY OF FOREST PARK, GEORGIA TO AMEND TITLE 8 (PLANNING
AND DEVELOPMENT), CHAPTER 8 (ZONING), ARTICLE F (BOARDS AND
COMMISSIONS) OF THE CITY’S CODE OF ORDINANCES; TO PROVIDE AN ADOPTION
DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing authority of the City of Forest Park, Georgia
 (“City”) is the Mayor and Council thereof; and

WHEREAS, these changes adhere to all zoning procedures as well as notice and hearing
 requirements pursuant to O.C.G.A. § 36-66-1, *et seq.*; and

WHEREAS, the City Council desires to establish the Public Arts Review Board which
 shall be responsible for administering the City’s public art program “Forest Park Arts”, reviewing
 Public Art Displays for installation within public spaces and other designated areas within the city;
 and

WHEREAS, the amendments contained herein would benefit the health, safety, morals,
 and welfare of the citizens of the City.

BE IT AND IT IS HEREBY ORDAINED by the Mayor and Council of the City of Forest
 Park, Georgia, and by the authority thereof:

Section 1. Title 8 (“Planning and Development”), Chapter 8 (“Zoning”), Article F (“Boards
 and Commissions”) in the City’s Code of Ordinances is hereby amended to be read and codified
 as set forth in **Exhibit A** attached hereto and incorporated herein.

22 **Section 2.** The preamble of this Ordinance shall be considered to be and is hereby
23 incorporated by reference as if fully set out herein.

24 **Section 3.** This Ordinance shall be codified in a manner consistent with the laws of the
25 State of Georgia and the City of Forest Park.

26 **Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council that all
27 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their
28 enactment, believed by the Mayor and Council to be fully valid, enforceable, and constitutional.

29 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest
30 extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of this
31 Ordinance is severable from every other section, paragraph, sentence, clause, or phrase of this
32 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
33 greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance
34 is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of this
35 Ordinance.

36 (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance
37 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable
38 by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of
39 the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the
40 greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any
41 of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to
42 the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and
43 sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and
44 effect.

45 **Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby expressly
46 repealed.

47 **Section 6.** This ordinance shall become effective immediately upon its adoption by the
48 Mayor and City Council of the City of Forest Park as provided in the City Charter.

49 **Section 7.** The City Clerk, with the concurrence of the City Attorney, authorized to correct
50 any scrivener's errors found in this Ordinance, including any exhibits, as enacted.

51 **ORDAINED** this 21st day of January, 2025.

CITY OF FOREST PARK, GEORGIA

Angelyne Butler, *Mayor*

ATTEST:

_____ (SEAL)
City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

TITLE 8 – PLANNING AND DEVELOPMENT

[...]

CHAPTER 8. – ZONING

[...]

ARTICLE F. – BOARDS AND COMMISSIONS

[...]

Sec. 8-8-169. - Public Arts Review Board.

The City of Forest Park, Georgia (“City”) hereby establishes the Public Arts Review Board which shall conduct business consistent with all requirements of this article.

Sec. 8-8-170. – Purpose and Duties.

(a) *Purpose.* The Public Arts Review Board shall be responsible for administering the City’s public art program “Forest Park Arts” which is responsible for reviewing and approving Public Art Displays submitted for installation within public spaces and other designated areas within the city. For the purposes of this article, “*Public Art Display*” means artwork, including murals, statues, and sculptures, that are exhibited in public spaces, for the enjoyment and engagement of the public.

(b) *Duties.* The Public Arts Review Board shall:

(1) Review and render decisions for all Public Art Display proposals submitted by artists, organizations, or property owners as set forth in Section 8-8-172.

(2) Ensure that all Public Art Displays comply with the guidelines set forth in this article;

(3) Ensure that all Public Art Displays reflect the aesthetic and cultural values of the City;

(4) Provide feedback to applicants regarding necessary revisions, if applicable;

(5) Maintain a record of all Public Art Displays approved and their locations within the City;

(6) Elect officers consisting of a Chairperson (“Chair”), a Vice-Chairperson (“Vice-Chair”), a Secretary, and a Treasurer, and shall adopt rules and guidelines for review of applications; and

(7) Ensure all Public Arts Review Board meetings are open to the public and held at such times as the board may determine on an as-needed basis.

Sec. 8-8-171. – Membership and Term.

(a) *Membership.* The Public Arts Review Board shall consist of a total of five (5) directors, which shall consist of one (1) director from the City’s Downtown Development Authority, one (1) director from Arts Clayton, Inc., two (2) local artists, and one (1) member of the Forest Park community. All directors must be eighteen (18) years or older and must be residents within the City. A director shall not be a member of the City’s governing authority.

(b) *Term.* Directors shall serve for a term of two (2) years and may be reappointed. Any vacancy in the Public Arts Review Board shall be filled for the unexpired term in the same manner as the initial appointment.

Sec. 8-8-172. – Rules and Procedures.

(a) *Eligibility.*

(1) The following criteria will be used by the Public Arts Review Board to evaluate Public Art Display proposals: (i) the Public Art Display should be of high artistic quality and demonstrate a thoughtful design approach; or (ii) the Public Art Display should reflect the values, history, and culture of the City and contribute positively to the City’s visual environment.

(2) The following Public Art Displays are eligible for review: (i) Public Art Displays on private property visible from a public space or right-of-way; and (ii) Public Art Displays on public property. The location for all Public Art Displays shall be approved by the Public Arts Review Board, ensuring it is consistent with the urban fabric and existing architecture.

(3) The following Public Art Displays are not eligible for review: (i) Public Art Displays that contain offensive, obscene, or discriminatory imagery or language; (ii) Public Art Displays that advocate or appear to advocate for violence, illegal activities, or political campaigns; (iii) Public Art Displays that do not comply with local, state, and federal laws; (iv) Public Art Displays that are not designed with materials durable and suitable for the environmental conditions of the installation location; (v) Public Art Displays

that pose any safety hazards to pedestrians, drivers, or the surrounding environment; and (vi) Public Art Displays that obstruct traffic visibility, signage, or other essential City infrastructure.

(b) *Process and Requirements for Public Art Display Applications.*

(1) *Pre-application meeting.* Prior to applying for approval of a design plan, the applicant may meet with the Planning and Community Development Director or a member of the Public Arts Review Board. The purpose of this informal meeting is to ensure the applicant understands all eligibility standards, application requirements, policies and standards, and to provide an opportunity for review of any preliminary artwork and site plans.

(2) *Application requirements.* The specific administrative requirements for any application for design plan approval shall be established by the City. Applicants wishing to install a Public Art Display must submit a complete application to the Public Arts Review Board, including: (i) the title of the proposed Public Art Display; (ii) a site map or plan detailing the proposed location of the Public Art Display; (iii) a detailed rendering of the proposed Public Art Display in color with all dimensions; (iv) a description of the Public Art Display's meaning, theme, or cultural significance; (v) information regarding the Public Art Display's materials; and (vi) a general timeline for installation and maintenance plans. All applications must be submitted in triplicate to the Planning and Community Development Director for review to ensure compliance with provisions of this article. Additionally, two (2) copies of the application must be submitted to the Public Arts Review Board for review and final action. The application must be submitted in completion by the second (2nd) Wednesday of each month by close of business to be reviewed on the following calendar month.

(3) *Decisions.* Within three (3) business days after the date of the formal review meeting, the Public Arts Review Board shall take final action on the application. If the Public Arts Review Board fails to take final action upon the application within the time allotted, the application shall be deemed to be approved. However, the Public Arts Review Board may extend the deadline to the next open meeting by a majority vote of those members present. The Public Arts Review Board shall take final action by rendering one of the following decisions on the Public Art Display design plan: (i) the application is approved and authorized to file for appropriate building permits in accordance with the approved design plan; (ii) the applicant is authorized to file for appropriate building permits subject to adhering to all approved conditions or modifications to the design plan (conditional approval); or (iii) the application has been denied and shall not be granted a building permit. If the application is denied, the Public

145 Arts Review Board shall specify in writing to the applicant and to the governing body
146 the reasons for denial.

147 (4) *Design Approval.* Upon approval or conditional approval of the application, the Chair
148 shall notify both the applicant and the Planning and Community Development Director
149 of the approval or conditional approval and transmit a copy of the application, with any
150 conditions noted. Please note that approval for a design plan submitted under provisions
151 of this section shall expire or be extended subject to provisions in section 8-8-235,
152 building permit process.

153 (5) *Administrative waiver.* The Public Arts Review Board may waive any and all
154 administrative requirements of this article as needed to facilitate the review process,
155 where such requirements are inappropriate or unnecessary.

156 Sec. 8-8-173. – Enforcement and Preservation.

157 (a) All exterior design, landscaping, and other on-site improvements shall be completed in
158 accordance with the approved design plan. The building inspector and/or code compliance
159 department shall make periodic field inspections as required. If a violation is found to exist,
160 the code compliance department shall take immediate appropriate action.

161 (b) The Public Art Display applicant is responsible for all expenses in maintaining the Public
162 Art Display in good condition for a minimum of five (5) years after installation.

163 (c) The Public Arts Review Board reserves the right to review and recommend repairs or
164 removals if the Public Art Display becomes damaged, deteriorates, or becomes inconsistent
165 with city standards. If the Public Art Display becomes a public safety issue, the Public Arts
166 Review Board has the authority to recommend immediate remediation or removal to the
167 City's governing body.

168 Sec. 8-8-174. - Fees and Funding.

169 (a) *Funding Sources.* The City may allocate funds for Public Art Display projects or seek
170 sponsorships, grants, or private donations to support Public Art Display installations. The
171 City may also provide partial funding or matching funds for eligible Public Art Display
172 projects.

173 (b) *Permit Fees.* Applicants may be required to pay a reasonable permit fee to cover the cost
174 of processing the Public Art Display application and review.

175 Sec. 8-8-175. – Appeals.

176 Any party aggrieved by the decision of the Public Arts Review Board shall be entitled to
177 file an appeal with the mayor and city council.

178 (1) Said appeal must be submitted in writing and addressed to the mayor and city council of the City
179 of Forest Park.

180 (2) Said appeal shall set forth each and every basis upon which the application was denied and shall
181 set forth each and every reason that the said denial should be overruled.

182 (3) The governing body shall then set a time and date at the next regular meeting of the governing body
183 whereby the aggrieved party may come before it and submit proof to said governing body that the
184 denial is improper.

185 (4) The governing body shall afford the applicant sufficient time in which the applicant may address
186 each reason that said contends the Public Arts Review Board was in error. The governing
187 body shall then hear from the director and/or a member of the Public Arts Review Board
188 as to why said application was originally denied, and what negative impact said Public Art
189 Display would have on the City.

190 (5) The governing body may question either the applicant, the Public Arts Review Board member, or
191 all, in order to clarify or expand upon the position taken by either the applicant or the board.

192 (6) Thereafter, the mayor and city council shall vote and decide whether to overrule the initial decision
193 of the Public Arts Review Board or whether to permit the decision of same to stand.

194 Secs. 8-8-176—8-8-184. – Reserved.

STATE OF GEORGIA
CITY OF FOREST PARK

ORDINANCE 2026-____

AN ORDINANCE BY MAYOR GWEN ELLISON AND COUNCILMEMBERS
KIMBERLY JAMES, HECTOR GUTIERREZ, LATRESA AKINS-WELLS, AND ALLAN
MEARS OF THE CITY OF FOREST PARK, GEORGIA TO AMEND TITLE 8 (PLANNING
AND DEVELOPMENT), CHAPTER 8 (ZONING), ARTICLE F (BOARDS AND
COMMISSIONS) OF THE CITY’S CODE OF ORDINANCES; TO PROVIDE AN ADOPTION
DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing authority of the City of Forest Park, Georgia
 (“City”) is the Mayor and Council thereof; and

WHEREAS, these changes adhere to all zoning procedures as well as notice and hearing
 requirements pursuant to O.C.G.A. § 36-66-1, *et seq.*; and

WHEREAS, the City Council desires to establish the Public Arts Review Board which
 shall be responsible for administering the City’s public art program “Forest Park Arts”, reviewing
 Public Art Displays for installation within public spaces and other designated areas within the city;
 and

WHEREAS, the amendments contained herein would benefit the health, safety, morals,
 and welfare of the citizens of the City.

BE IT AND IT IS HEREBY ORDAINED by the Mayor and Council of the City of Forest
 Park, Georgia, and by the authority thereof:

Section 1. Title 8 (“Planning and Development”), Chapter 8 (“Zoning”), Article F (“Boards
 and Commissions”) in the City’s Code of Ordinances is hereby amended to be read and codified
 as set forth in **Exhibit A** attached hereto and incorporated herein.

22 **Section 2.** The preamble of this Ordinance shall be considered to be and is hereby
23 incorporated by reference as if fully set out herein.

24 **Section 3.** This Ordinance shall be codified in a manner consistent with the laws of the
25 State of Georgia and the City of Forest Park.

26 **Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council that all
27 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their
28 enactment, believed by the Mayor and Council to be fully valid, enforceable, and constitutional.

29 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest
30 extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of this
31 Ordinance is severable from every other section, paragraph, sentence, clause, or phrase of this
32 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
33 greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance
34 is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of this
35 Ordinance.

36 (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance
37 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable
38 by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of
39 the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the
40 greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any
41 of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to
42 the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and
43 sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and
44 effect.

45 **Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby expressly
46 repealed.

47 **Section 6.** This ordinance shall become effective immediately upon its adoption by the
48 Mayor and City Council of the City of Forest Park as provided in the City Charter.

49 **Section 7.** The City Clerk, with the concurrence of the City Attorney, authorized to correct
50 any scrivener's errors found in this Ordinance, including any exhibits, as enacted.

51 **ORDAINED** this 21st day of January, 2025.

CITY OF FOREST PARK, GEORGIA

Angelyne Butler, *Mayor*

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

TITLE 8 – PLANNING AND DEVELOPMENT

[...]

CHAPTER 8. – ZONING

[...]

ARTICLE F. – BOARDS AND COMMISSIONS

[...]

Sec. 8-8-169. - Public Arts Review Board.

The City of Forest Park, Georgia (“City”) hereby establishes the Public Arts Review Board which shall conduct business consistent with all requirements of this article.

Sec. 8-8-170. – Purpose and Duties.

(a) *Purpose.* The Public Arts Review Board shall be responsible for administering the City’s public art program “Forest Park Arts” which is responsible for reviewing and approving Public Art Displays submitted for installation within public spaces and other designated areas within the city. For the purposes of this article, “*Public Art Display*” means artwork, including murals, statues, and sculptures, that are exhibited in public spaces, for the enjoyment and engagement of the public.

(b) *Duties.* The Public Arts Review Board shall:

(1) Review and render decisions for all Public Art Display proposals submitted by artists, organizations, or property owners as set forth in Section 8-8-172.

(2) Ensure that all Public Art Displays comply with the guidelines set forth in this article;

(3) Ensure that all Public Art Displays reflect the aesthetic and cultural values of the City;

(4) Provide feedback to applicants regarding necessary revisions, if applicable;

(5) Maintain a record of all Public Art Displays approved and their locations within the City;

(6) Elect officers consisting of a Chairperson (“Chair”), a Vice-Chairperson (“Vice-Chair”), a Secretary, and a Treasurer, and shall adopt rules and guidelines for review of applications; and

(7) Ensure all Public Arts Review Board meetings are open to the public and held at such times as the board may determine on an as-needed basis.

Sec. 8-8-171. – Membership and Term.

(a) *Membership.* The Public Arts Review Board shall consist of a total of five (5) directors, which shall consist of one (1) director from the City’s Downtown Development Authority, one (1) director from Arts Clayton, Inc., two (2) local artists, and one (1) member of the Forest Park community. All directors must be eighteen (18) years or older and must be residents within the City. A director shall not be a member of the City’s governing authority.

(b) *Term.* Directors shall serve for a term of two (2) years and may be reappointed. Any vacancy in the Public Arts Review Board shall be filled for the unexpired term in the same manner as the initial appointment.

Sec. 8-8-172. – Rules and Procedures.

(a) *Eligibility.*

(1) The following criteria will be used by the Public Arts Review Board to evaluate Public Art Display proposals: (i) the Public Art Display should be of high artistic quality and demonstrate a thoughtful design approach; or (ii) the Public Art Display should reflect the values, history, and culture of the City and contribute positively to the City’s visual environment.

(2) The following Public Art Displays are eligible for review: (i) Public Art Displays on private property visible from a public space or right-of-way; and (ii) Public Art Displays on public property. The location for all Public Art Displays shall be approved by the Public Arts Review Board, ensuring it is consistent with the urban fabric and existing architecture.

(3) The following Public Art Displays are not eligible for review: (i) Public Art Displays that contain offensive, obscene, or discriminatory imagery or language; (ii) Public Art Displays that advocate or appear to advocate for violence, illegal activities, or political campaigns; (iii) Public Art Displays that do not comply with local, state, and federal laws; (iv) Public Art Displays that are not designed with materials durable and suitable for the environmental conditions of the installation location; (v) Public Art Displays

that pose any safety hazards to pedestrians, drivers, or the surrounding environment; and (vi) Public Art Displays that obstruct traffic visibility, signage, or other essential City infrastructure.

(b) *Process and Requirements for Public Art Display Applications.*

(1) *Pre-application meeting.* Prior to applying for approval of a design plan, the applicant may meet with the Planning and Community Development Director or a member of the Public Arts Review Board. The purpose of this informal meeting is to ensure the applicant understands all eligibility standards, application requirements, policies and standards, and to provide an opportunity for review of any preliminary artwork and site plans.

(2) *Application requirements.* The specific administrative requirements for any application for design plan approval shall be established by the City. Applicants wishing to install a Public Art Display must submit a complete application to the Public Arts Review Board, including: (i) the title of the proposed Public Art Display; (ii) a site map or plan detailing the proposed location of the Public Art Display; (iii) a detailed rendering of the proposed Public Art Display in color with all dimensions; (iv) a description of the Public Art Display's meaning, theme, or cultural significance; (v) information regarding the Public Art Display's materials; and (vi) a general timeline for installation and maintenance plans. All applications must be submitted in triplicate to the Planning and Community Development Director for review to ensure compliance with provisions of this article. Additionally, two (2) copies of the application must be submitted to the Public Arts Review Board for review and final action. The application must be submitted in completion by the second (2nd) Wednesday of each month by close of business to be reviewed on the following calendar month.

(3) *Decisions.* Within three (3) business days after the date of the formal review meeting, the Public Arts Review Board shall take final action on the application. If the Public Arts Review Board fails to take final action upon the application within the time allotted, the application shall be deemed to be approved. However, the Public Arts Review Board may extend the deadline to the next open meeting by a majority vote of those members present. The Public Arts Review Board shall take final action by rendering one of the following decisions on the Public Art Display design plan: (i) the application is approved and authorized to file for appropriate building permits in accordance with the approved design plan; (ii) the applicant is authorized to file for appropriate building permits subject to adhering to all approved conditions or modifications to the design plan (conditional approval); or (iii) the application has been denied and shall not be granted a building permit. If the application is denied, the Public

145 Arts Review Board shall specify in writing to the applicant and to the governing body
146 the reasons for denial.

147 (4) *Design Approval.* Upon approval or conditional approval of the application, the Chair
148 shall notify both the applicant and the Planning and Community Development Director
149 of the approval or conditional approval and transmit a copy of the application, with any
150 conditions noted. Please note that approval for a design plan submitted under provisions
151 of this section shall expire or be extended subject to provisions in section 8-8-235,
152 building permit process.

153 (5) *Administrative waiver.* The Public Arts Review Board may waive any and all
154 administrative requirements of this article as needed to facilitate the review process,
155 where such requirements are inappropriate or unnecessary.

156 Sec. 8-8-173. – Enforcement and Preservation.

157 (a) All exterior design, landscaping, and other on-site improvements shall be completed in
158 accordance with the approved design plan. The building inspector and/or code compliance
159 department shall make periodic field inspections as required. If a violation is found to exist,
160 the code compliance department shall take immediate appropriate action.

161 (b) The Public Art Display applicant is responsible for all expenses in maintaining the Public
162 Art Display in good condition for a minimum of five (5) years after installation.

163 (c) The Public Arts Review Board reserves the right to review and recommend repairs or
164 removals if the Public Art Display becomes damaged, deteriorates, or becomes inconsistent
165 with city standards. If the Public Art Display becomes a public safety issue, the Public Arts
166 Review Board has the authority to recommend immediate remediation or removal to the
167 City's governing body.

168 Sec. 8-8-174. - Fees and Funding.

169 (a) *Funding Sources.* The City may allocate funds for Public Art Display projects or seek
170 sponsorships, grants, or private donations to support Public Art Display installations. The
171 City may also provide partial funding or matching funds for eligible Public Art Display
172 projects.

173 (b) *Permit Fees.* Applicants may be required to pay a reasonable permit fee to cover the cost
174 of processing the Public Art Display application and review.

175 Sec. 8-8-175. – Appeals.

176 Any party aggrieved by the decision of the Public Arts Review Board shall be entitled to
177 file an appeal with the mayor and city council.

178 (1) Said appeal must be submitted in writing and addressed to the mayor and city council of the City
179 of Forest Park.

180 (2) Said appeal shall set forth each and every basis upon which the application was denied and shall
181 set forth each and every reason that the said denial should be overruled.

182 (3) The governing body shall then set a time and date at the next regular meeting of the governing body
183 whereby the aggrieved party may come before it and submit proof to said governing body that the
184 denial is improper.

185 (4) The governing body shall afford the applicant sufficient time in which the applicant may address
186 each reason that said contends the Public Arts Review Board was in error. The governing
187 body shall then hear from the director and/or a member of the Public Arts Review Board
188 as to why said application was originally denied, and what negative impact said Public Art
189 Display would have on the City.

190 (5) The governing body may question either the applicant, the Public Arts Review Board member, or
191 all, in order to clarify or expand upon the position taken by either the applicant or the board.

192 (6) Thereafter, the mayor and city council shall vote and decide whether to overrule the initial decision
193 of the Public Arts Review Board or whether to permit the decision of same to stand.

194 Secs. 8-8-176—8-8-184. – Reserved.



CITY OF
FORESTPARK

City of Forest Park City Council
Agenda Item Summary
January 20, 2026

Agenda Item #
VI5

Requested By Danielle Matricardi, City Attorney	Sponsor(s)
Department Attorney	
Requested Action Resolution	
Requirement for Board Action	
Is this Item Goal Related?	
Summary & Background Consideration of a Resolution Adopting City's Personnel and Policies Manual from the City's HR Department. <u>Background/History:</u> The City of Forest Park originally adopted its Personnel and Policies Manual to establish consistent standards of conduct, governance, and employment practices across all departments. This item represents an amendment to the current policy, updating the Manual as approved by the governing body and continuing to supersede all prior versions, with the City Manager authorized to interpret and amend provisions as needed for City operations.	
Fiscal Impact None	
Exhibits Attached 2026-1-15 - FP PERSONNEL POLICY MANUAL, 2026-1-15 - FP Res (Manual)	
Staff Recommendation Approve	

CITY OF FOREST PARK, GEORGIA'S PERSONNEL AND POLICIES MANUAL





TABLE OF CONTENTS

ARTICLE I: MISSION, PURPOSE, AND GENERAL GOVERNANCE

1.01	Mission.....	6
1.02	Purpose.....	6
1.03	General Governance.....	6
1.04	Open Door Policy.....	6
1.05	At-Will Employment.....	7

ARTICLE II: DIVERSITY & EQUAL OPPORTUNITY

2.01	Diversity.....	7
2.02	Equal Employment Opportunity.....	8
2.03	ADA and Reasonable Accommodation	8

ARTICLE III: HARASSMENT & BULLYING

3.01	General Harassment.....	10
3.02	Sexual Harassment.....	11
3.03	Bullying.....	11
3.04	Supervisor Responsibilities.....	11
3.05	Reporting.....	11
3.06	Corrective Action.....	12
3.07	No Retaliation.....	12

ARTICLE IV: WHISTLEBLOWER POLICY

4.01	Whistleblower Policy.....	13
------	---------------------------	----

ARTICLE V: EMPLOYEE CLASSIFICATION PLAN

5.01	Purpose.....	13
5.02	Employee Classifications.....	13
5.03	Use of Job Classifications.....	14
5.04	Use of Classification Plan.....	14
5.05	Administration of Classification Plan.....	14
5.06	Requests for Job Evaluation / Re-evaluation.....	14
5.07	Personnel Complement Control.....	15

ARTICLE VI: EMPLOYEE APPLICATION, RECRUITMENT, AND SELECTION

6.01	General Policy for Employee Recruitment and Selection	15
6.02	Open Positions.....	16
6.03	Request for Applicants.....	16
6.04	Recruitment.....	16
6.05	Applications and Minimum Qualifications.....	16
6.06	Disqualification of Applicants.....	16
6.07	Selection.....	17



6.08	Employment of Relatives.....	17
------	------------------------------	----

ARTICLE VII: POST-OFFER CONDITIONS OF CONTINUED EMPLOYMENT

7.01	Proof of Work Authorization.....	18
7.02	Employee Background and Reference Checks.....	18
7.03	Applicable Licenses, Permits, Registration, Reports, and/or Certificates.....	18
7.04	Probationary Period and Career Status.....	19

ARTICLE VIII: PERFORMANCE APPRAISAL

8.01	Performance Appraisal.....	20
8.02	Employee Comments.....	22
8.03	Supervisor Responsibilities.....	22

ARTICLE IX: COMPENSATION

9.01	Compensation.....	22
9.02	Payment Schedule.....	22
9.03	Payroll Deductions.....	23
9.04	Overtime Pay and Compensatory Time.....	23
9.05	Overtime Compensation.....	24
9.06	Fill-In Pay for Non-Exempt Employees.....	24
9.07	Holiday Pay.....	25

ARTICLE X: ATTENDANCE AND LEAVE

10.01	Work Hours.....	26
10.02	Employee Time Records.....	26
10.03	Breaks and Lunches.....	27
10.04	Annual Leave.....	27
10.05	Sick Leave.....	29
10.06	Family and Medical Leaves of Absence (FMLA)	30
10.07	Military Leave.....	36
10.08	Court Leave.....	37
10.09	Bereavement Leave.....	37
10.10	Leave of Absence Without Pay.....	37
10.11	Worker's Compensation Act	38
10.12	Temporary Disabilities.....	38
10.13	Voluntary Leave Donation.....	39
10.14	Special Injury.....	39
10.15	Extended Medical Leave (Non-Work-Related Illness or Injury)	39
10.16	Health Accident Fund.....	40
10.17	Managing Protected Health Information (HIPAA)	40

ARTICLE XI: SEPARATION FROM EMPLOYMENT

11.01	Resignation.....	41
-------	------------------	----



11.02	Abandonment.....	42
11.03	Lay-Off or Reduction-in-Force.....	42
11.04	Loss of Job Qualifications.....	43
11.05	Dismissals.....	44
11.06	Retirement.....	44
11.07	Separation Due to Death	44

ARTICLE XII: CODE OF CONDUCT AND OTHER POLICIES

12.01	General Code of Conduct.....	44
12.02	Attendance and Punctuality Policy.....	45
12.03	Policy Regarding Meal and Break Periods.....	46
12.04	Dress Code and Appearance Policy.....	46
12.05	Confidential Information Policy.....	47
12.06	Drug and Alcohol Policy.....	48
12.07	Fraternization and Nepotism Policy.....	51
12.08	Weapons Possession Policy.....	53
12.09	Policy Regarding Gifts, Gratuities, and Loans.....	53
12.10	Policy Regarding Outside Employment.....	54
12.11	Social Media Policy.....	54
12.12	Contact from the News Media Policy.....	58
12.13	Child Abuse Policy.....	58
12.14	Rehire Eligibility Policy.....	59
12.15	Political Activity Policy	60
12.16	Privacy Related to Technology Policy.....	60
12.17	Policies of the Safety and Accident Review Committee (Loss Prevention)	61
12.18	Policy Regarding Personal Property.....	62
12.19	Policy Regarding City-Owned Property.....	62
12.20	Take-Home Vehicle Policy.....	63
12.21	Travel Policy.....	72
12.22	Policy Regarding Employees as Candidates for Political Office.....	72
12.23	Policy Regarding Service Animals.....	73

ARTICLE XIII: DISCIPLINARY ACTION

13.01	General Standards of Behavior and Performance.....	74
13.02	Types of Corrective Action.....	75
13.03	Involuntary Termination.....	78
13.04	Appeals and Reconsiderations.....	78
13.05	Consistency of Application.....	79
13.06	Crimes.....	79
13.07	Termination Clearance.....	80

ARTICLE XIV: CONFLICTS OF INTEREST

14.01	Definitions.....	81
-------	------------------	----



14.02	Examples of Conflicts of Interest.....	81
14.03	Responsibilities and Rules.....	82

ARTICLE XV: EMPLOYEE GRIEVANCE PROCEDURE

15.01	Purpose.....	82
15.02	Scope.....	83
15.03	Valid Complaints.....	83
15.04	Formal Submission.....	83
15.05	Records.....	85
15.06	Non-Retaliation.....	85
15.07	Automatic Responses.....	85
15.08	Violations.....	85

ARTICLE XVI: MAINTENANCE OF PERSONNEL RECORDS AND REPORTS

16.01	Personnel Transactions.....	85
16.02	Documents Subject to Public Inspection	86
16.03	Classification Plan Records.....	87
16.04	Employee Access to Personnel Files	87
16.05	Destruction of Records.....	87
16.06	Attendance Records.....	87



ARTICLE I

MISSION, PURPOSE, AND GENERAL GOVERNANCE

1.01 Mission

It is the mission of the City of Forest Park, Georgia (“City”) to enhance, strengthen, and grow our City by collaborating with our community to provide the highest level of service. We will strive to provide fair, professional, and courteous service through transparency and open communication. As we work to achieve this mission, we will have integrity beyond reproach while employing fiscal discipline and innovation. In this work there are no praises and raises for mediocrity.

1.02 Purpose

The purpose of this City of Forest Park, Georgia’s Personnel and Policies Manual (“Manual”) is to provide a foundation of principles, standards of conduct, processes and to lay out the expectations of the organization.

1.03 General Governance

This Manual is effective upon approval by the governing body. It contains information about the City's employment policies and procedures and an overview of benefits. For specific information about employee benefits, you should refer to the plan documents, which are controlling. The City reserves the right to interpret and administer the provisions of this Manual as needed. Except for the policy of at-will employment, the City Manager has the maximum discretion permitted by law to change, modify, or delete any provision in this Manual at any time with or without notice. However, oral statements or representations cannot supplement, change, or modify the provisions in this Manual. Each employee should read and become familiar with the information contained in this Manual. If you have any questions, please talk with your supervisor or a member of Human Resources (“HR”). Failure to comply with this Manual may result in discipline, up to and including termination. The City Manager, in consultation with the HR Director and other key stakeholders as applicable, shall make interpretive decisions for those situations that are not specifically covered by this Manual and may, in the best interest of the City operations, override any provision in this Manual. This Manual supersedes all prior versions published or distributed by the City.

1.04 Open Door Policy

The City is committed to fostering a positive and welcoming work environment for all employees. To support this goal, we maintain an open-door policy that encourages open communication. Employees are invited to share concerns, ask questions, offer suggestions, and work through job-related issues beginning with their immediate supervisor. If further support is needed, they may then reach out to their manager, followed by the Department Director, the HR Director, and, if necessary, the City Manager, following the appropriate chain of command. You are encouraged to discuss any problems you may have with a co-worker directly with that person in a respectful,



professional manner. If a resolution cannot be reached, or if you have any other concern related to your employment or the City, you should arrange a meeting with your direct supervisor. If the concern, problem, or issue is not properly addressed, contact your Department Director. If further help is needed after meeting with your Department Director, you may contact the HR Director. Any information discussed in an open communication meeting is considered confidential, to the extent possible while still allowing management to respond to the problem.

1.05 At-Will Employment

The provisions in this Manual are not intended to in any way create any contractual obligations with respect to your employment. Unless you have an employment agreement, your employment is at-will and either you or the City has the right to terminate your employment at any time with or without notice.

ARTICLE II **DIVERSITY & EQUAL OPPORTUNITY**

2.01 Diversity

The City is committed to fostering, cultivating, and preserving a culture of diversity and inclusion. 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 the City's achievement as well. The City embraces and encourages its 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's diversity initiatives are applicable—but not limited—to the 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: (i) respectful communication and cooperation between all employees; (ii) teamwork and employee participation, permitting the representation of all groups and employee perspectives; and (iii) employer and employee contributions to the communities we serve to promote a greater understanding and respect for diversity.

All employees have a responsibility to always treat others with dignity and respect. 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 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 City's diversity policy and initiatives should seek assistance from the HR Director.



2.02 Equal Employment Opportunity

The City provides equal opportunity to all employees and applicants without regard to age, sex, race, color, religion, disability, national origin, protected veteran or military status, sexual orientation, gender identity, ethnic origin, political affiliations, genetic information, marital status or any other protected basis in accordance with applicable federal, state and local laws except where such category or class constitutes a bona fide occupational qualification.

For purposes of this section:

Age means 40 or more years of age.

Disability means (a) a physical or mental impairment that substantially limits one or more major life activities, as defined by the ADA, as amended, of such individual; (b) a record of such an impairment; or (c) being regarded as having such an impairment. This term does not include the current, illegal use of or addiction to a controlled substance as defined under state and federal law.

Ethnic Origin means an individual's actual or perceived heritage and common ancestry or shared historical past as well as identifiable physical, cultural, or linguistic characteristics.

Gender Identity means the actual or perceived gender-related identity, appearance, or mannerisms, or other gender-related characteristics of an individual, with or without regard to the individual's sex at birth.

Military Service means a person who is serving or has served in a uniformed service, and who, is discharged, was discharged or released under conditions other than dishonorable. Uniformed services are defined as set forth in 20 C.F.R. 1002.5(c).

Religion includes all aspects of religious observance and practice, as well as beliefs; unless the City demonstrates that it is unable to reasonably accommodate an employee's or prospective employee's religious observance or practices without undue hardship on the conduct of the City's business.

Sexual Orientation means the actual or perceived status of the person with respect to their sexuality.

2.03 ADA and Reasonable Accommodation

The ADA is federal law that prohibits employers from discriminating against applicants and individuals with disabilities. The City will comply with all federal and state laws concerning the employment of persons with disabilities and will act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, the City will not discriminate against qualified individuals with disabilities regarding application procedures,



hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

When an applicant with a disability requests accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, they will be given the same consideration for employment as any other applicant. Applicants who pose a direct threat to the health, safety and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired. Reasonable accommodations are available for the known physical or mental limitations of qualified employees with disabilities. An employee is *qualified* if they can perform essential job functions with or without reasonable accommodation.

A *reasonable accommodation* is a modification or adjustment of an employee's job or work environment that enables that employee to perform essential job functions or enjoy the same employment benefits and privileges as similarly situated employees without disabilities. Examples of reasonable accommodations include: modifying a workspace to make it wheelchair accessible, providing screen reading software, or adjusting an employee's work schedule to accommodate medical appointments. The City does not provide accommodations of a personal nature, such as eyeglasses or hearing aids.

The City committed to providing accommodations so long as accommodations do not place an undue hardship on business operations or pose a threat to the health or safety of employees in the workplace.

The City shall actively engage in an interactive process with employees who request accommodations to determine what, if any, accommodation can be provided. The City aims to process requests for accommodations in a prompt and efficient manner. Employees can request accommodations by contacting their immediate supervisor or HR.

Employees who request accommodations will be asked to complete a *Disability Accommodation Request Form* and have a physician complete an *Accommodation Medical Certification Form*. Once accommodation documentation is received, the City makes an initial determination about the employee's eligibility for accommodations. The City can request additional medical information, and may require an examination at the City's expense to be performed by a licensed physician of its choice. If there is a disagreement, the employee may request a second examination be performed at the employee's expense. In the event of a disagreement in the two opinions, a third opinion will be obtained with both parties sharing the cost of the examination. The medical evidence must demonstrate that the disability prevents the employee from performing the essential functions of the job.

If the City finds that an employee is eligible for an accommodation, HR shall notify the employee's supervisor and will work with the supervisor to examine the essential functions of the employee's job and find what, if any, accommodation can be provided. Any reasonable accommodation



approved is to assist the employee in meeting all essential functions of the position; accommodations are not to change the job itself by removing essential functions.

Determinations regarding accommodations are made jointly by HR and the employee's supervisor or department designee. Such determinations are made on a case- by-case basis.

Employees who are denied accommodations are notified of the denial and the basis for the denial. Employees can appeal accommodation determination rulings by requesting a reconsideration in writing to the HR Director within ten (10) business days of receiving the resolution form.

Accommodations are reviewed annually. As part of the review, employees can be asked to provide updated medical information to demonstrate that the need for accommodations is ongoing. Employees who have questions about the accommodation process should contact HR.

All information obtained by the City concerning medical conditions or history of employees is maintained in separate medical files and treated as confidential records that are disclosed only as permitted by law. Human Resources representatives and supervisors who have knowledge of employees' medical information are prohibited from sharing such information unless there is a business need.

Retaliation for requesting or being granted a disability accommodation is prohibited. If an employee believes that they are subject to retaliation based on a disability accommodation(s) or a disability accommodation request, they should inform the Human Resources Department or the Human Resources Director directly.

ARTICLE III **HARASSMENT & BULLYING**

3.01 General Harassment

The City seeks to provide a safe, non-intimidating, productive work environment and to comply with all applicable anti-harassment and anti-discrimination laws, rules, orders, and regulations. It is the policy of the City that all employees or legally covered persons should enjoy a working environment free from all forms of harassment including but not limited to harassment on the basis of race, color, religion, national origin, age, sex (including pregnancy, sexual orientation and gender identity or expression), genetic information, disability status, past, current, or prospective membership in the uniformed services or any other legally protected group. Such harassment is unacceptable and will not be tolerated. This policy applies to all employees of the City and the City's governing body (including supervisors and management), customers, vendors or other third parties with whom the City has business dealings. The City shall not tolerate any form of unlawful harassment including but not limited to offensive spoken, written, or electronic jokes or words, cartoons, pictures, or posters; pranks; intimidation; physical assaults or contact; or violence.



3.02 Sexual Harassment

The City does not tolerate sexual harassment. Sexual harassment (both overt and subtle) is a form of misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited. Sexual harassment includes any unwelcome sexual advances or requests for sexual favors or any other conduct of a sexual nature, when: (i) submission to the advance, request or conduct is made either explicitly or implicitly a term or condition of employment; (ii) submission to or rejection of the advance, request or conduct is used as a basis for employment decisions; or (iii) such advances, requests or conduct have the purpose or effect of substantially or unreasonably interfering with an employee's work performance by creating an intimidating, hostile or offensive work environment. No employee should be subjected to offensive or unwelcome sexual overtures. Nor should any employee be led to believe that an employment opportunity or benefit would in any way depend upon “cooperation” of a sexual nature. Other prohibited forms of harassment include the exchange of sexually graphic images, jokes, verbal abuse, degrading comments, the display of objects and pictures, and other offensive conduct.

3.03 Bullying

The City considers workplace bullying unacceptable and will not tolerate it under any circumstances. This policy applies to all employees of the City, including supervisors, managers, and the governing body. It applies during normal working hours, at work-related or sponsored functions, and while traveling on work-related business. It includes treatment of fellow employees, customers, the public, and others. Bullying is unwelcome or unreasonable behavior that demeans, intimidates, or humiliates people either as individuals or as a group. The following are some examples of behavior that the City will consider to be bullying behavior: (i) abusive or offensive language, including being sworn at; (ii) insults or personal attacks; (iii) spreading rumors and innuendos; (iv) encouraging others to turn against the targeted employee; and (v) isolating people from normal work interaction including socially.

3.04 Supervisor Responsibilities

Supervisors have an obligation to report sexual or other harassment, bullying, or retaliation of which they become aware to the HR Director. Supervisors who observe such conduct or who receive any complaints of misconduct must report the conduct or complaint to the HR Director so that an investigation can be made, and corrective action taken, if appropriate.

3.05 Reporting

If an employee feels that he/she has been the subject of bullying harassment (or have reason to believe that someone else has been the subject of harassment or bullying), including sexual harassment, he/she must notify the applicable Department Director and the HR Director in written or oral form. If the improper conduct involves the Department Director or the HR Director, he/she should report to the City Manager. You will be expected to provide information that the City



requests, including a detailed account of the incidents complained of, witnesses (if any), dates and other information considered relevant by the City. A prompt investigation of the matter will be made. All employees – whether complainant, witness or accused – are required to be truthful, accurate and cooperative during the City’s investigations. Information obtained during the investigation will only be told to another on a need-to-know basis.

The City’s policy is to investigate all such complaints thoroughly, promptly, and in an impartial manner. If such an investigation reveals that the complaint is valid, the City shall administer disciplinary and other corrective action as appropriate to stop the discrimination or harassment and prevent its recurrence. Such disciplinary action shall include any corrective action deemed necessary, up to and including immediate termination of employment. Discipline shall be based on the seriousness and/or pervasiveness of the offense. To the extent practicable, the City shall keep complaints, related investigations, and the terms of their resolution confidential. Retaliation against reporters of harassment or individuals who cooperate with a corresponding investigation is strictly prohibited and shall result in discipline up to and including termination.

All investigations shall be conducted under the direct management of and/or direction of the HR Department. The HR Department may initiate individual investigations, conduct inquiries, or provide educational information in response to employee concerns and as deemed necessary by the HR Director. In cases of a formal investigation, a written notification of a complaint or concern will be sent to the charged employee, the employee’s immediate supervisor, and the Department Head. In cases where no individual supervisor can be identified, case results will be directed to the City Manager.

Employees are encouraged to file a complaint directly with the HR Department. If submitted indirectly through a supervisor, the individual receiving the complaint shall immediately forward it to the HR Department.

3.06 Corrective Action

The City shall investigate all complaints or reports of harassment or retaliation that come to its attention. When investigating, care will be taken to protect confidentiality to the degree possible, while still permitting a meaningful investigation to be conducted. Following any investigation in which a complaint or report of workplace harassment or retaliation is sustained, the City will take prompt and appropriate corrective action. Any employee found to have engaged in harassment or retaliation as defined this article will be subject to corrective action and/or disciplinary action, up to and including termination of employment.

3.07 No Retaliation

The City prohibits, any form of discipline, reprisal, intimidation, or retaliation for good faith reporting of incidents of bullying or harassment of any kind, pursuing any bullying or harassment claim or cooperating in related investigations, lawsuits, hearings, or proceedings. Anyone who is



found to be in violation of this policy will be subject to appropriate sanctions, which may include termination of employment, depending on the circumstances. No one should be presumed to be in violation because an investigation is being conducted.

ARTICLE IV

WHISTLEBLOWER POLICY

4.01 Whistleblower Policy

No employee shall discharge, threaten, or otherwise discriminate or retaliate against another employee regarding any term, condition, or privilege of employment because the employee, or a person acting on behalf of the employee, makes a good faith report, or is about to report, either verbally or in writing, to the employer or appropriate authority an instance of wrongdoing or waste as defined by Georgia Whistleblower Law. In addition, no employee shall discharge, threaten, or otherwise discriminate or retaliate against another employee regarding the terms, conditions, or privileges of employment because the employee is requested by an appropriate authority to participate in an investigation, hearing or inquiry held by an appropriate authority or in a court action.

ARTICLE V

EMPLOYEE CLASSIFICATION PLAN

5.01 Purpose

The HR Department shall maintain a Classification Plan that provides a listing of employment positions in the City. The Classification Plan provides a complete inventory of all positions in the City's service and an accurate description and specifications for each job classification.

5.02 Employee Classifications

Employees of the City are generally classified as one of the following:

Regular Full-time Employee. A regular full-time employee is an employee who works a minimum of thirty (30) hours per week, is paid an hourly or annual rate, is subject to all conditions of employment, and is eligible for all benefits offered by the City.

Regular Part-time Employee. A regular part-time employee is an employee who works twenty-nine (29) hours or less per week on a regular basis.

Temporary Worker. A temporary worker is a worker who works assigned hours, not to exceed a period of twelve (12) consecutive months and is paid on an hourly basis. Temporary workers are not eligible to receive benefits.



Appointed Employee. An employee appointed to a position under the direct supervision of the City Manager or Mayor are in non-classified service and that the persons employed to fill such positions shall be exempt from competitive service requirements.

Elected Official. A person who is an official by virtue of an election.

5.03 Use of Job Classifications

Job classifications are a mechanism of communicating goals, objectives, values and expectations between employees and supervisors. The job classifications will contain a general description of the position, essential functions, and additional duties of the job. It should be noted that these elements listed are not entirely inclusive or descriptive of all duties. The job classification shall also contain minimum training and qualifications and the ADA elements and standards required to perform essential job functions. The minimum qualification standards on job classifications should serve as norms for applicants coming into the job setting and should also serve as a basis for performance indicators in meeting the expectations of the City for each employment position.

5.04 Use of Classification Plan

The Classification Plan may be used: (i) as a guide in recruiting and examining candidates for employment; (ii) in determining lines of promotion and developing employee training programs; (iii) in determining salaries to be paid for various types of work; and (iv) in providing uniform job terminology understandable by all City officials and employees and by the general public.

5.05 Administration of Classification Plan

In conjunction with the Department Heads and incumbent employees, the HR Department shall be responsible for maintaining accurate job classifications in the Classification Plan that reflect the duties that each employee performs. Employees and their supervisors shall maintain open communications and dialogue to ensure that job classifications are reviewed and updated on an annual basis or as needed.

The HR Department shall conduct a review of the entire Classification Plan by examining the nature of the position classes and recommending the appropriate changes in allocations or in the Classification Plan itself. This review shall be conducted every three (3) years or when feasible as determined by the HR Department and Administration. Job descriptions will be available on the City's intranet. Employees may review these specifications online at any time, or they may request a copy from their department or the HR Department.

5.06 Requests for Job Evaluation/Re-evaluation

When a new position is established or duties of an existing position substantially change (fifty-one percent (51%) or more higher-level responsibilities and duties), the Department Head shall submit



to the Human Resources Department a comprehensive Job Analysis Questionnaire that describes the duties of the position and the necessary qualifications. Employees who believe their job duties vary substantially from their job description (fifty- one percent (51%) of higher-level responsibility and duty, not to include increased volume or short-term stretch assignments) may request a review and assessment by submitting the request to their direct supervisor.

The HR Department shall review the current and new job duties provided by the Department Head and provide an assessment and recommendation to the Department Head on whether a change in classification is warranted.

The job classification for a new position or a revised job classification for a current position shall be approved by the City Manager in collaboration with the HR Director, when required, prior to inclusion in the Classification Plan. Requests for job evaluations can only be submitted once every six (6) months and must show substantial change in duties to be considered. Supervisors shall notify employees who are impacted by reclassification changes at least two (2) weeks prior to the effective date of the change or as soon as feasible.

5.07 Personnel Complement Control

The personnel complement for all Departments comprising City is recommended by the City Manager in the administration budget proposal and approved and funded by the Mayor Council each fiscal year. Control and maintenance of the authorized complement of all City Departments is the responsibility of the HR Director. Any request for employment, promotions, lateral transfers, demotions, or other transactions that alter in any way the number of positions by job titles for any Division and its Departments shall be checked by HR Department against the authorized complement prior to approval or denial of the request by the HR Director or designee. When an appointing authority desires to adjust the personnel complement of the Department or its departments or changes in job titles and/or grades, the requesting appointing authority must submit to the HR Director or designee a Change Request Form. Such requests must include written justification from the requesting appointing authority or designee for the complement change. The request of an appointing authority to adjust the Department complement may be subject to a job evaluation which will be determined by the HR Director or designee.

ARTICLE VI **EMPLOYEE APPLICATION, RECRUITMENT, AND SELECTION**

6.01 General Policy for Employee Recruitment and Selection

It is the City's policy to recruit and select the best qualified applicants for employment with the City. All recruitment efforts and selection decisions will be made in accordance with the City's Equal Employment Opportunity Policies. The HR Director has the authority to implement a procedure to effectuate this policy.



6.02 Open Positions

A position is deemed to be open when: (i) the position is a newly-created position with no incumbent; or (ii) in the case of an established position, when a Department Director receives information that the position will be vacated by the incumbent on a particular date due to promotion, demotion, lateral transfer, retirement, voluntary or involuntary separation from employment, or other change in job status. To fill an open position, the Department Director must inform HR of the need to initiate the recruitment and selection process.

6.03 Request for Applicants

When a Department Director chooses to fill a vacancy, the Department Director shall submit a requisition to HR Director using a prescribed form. This requisition shall identify the position to be filled, the title of the job class, and all other pertinent information deemed necessary by the HR Director.

6.04 Recruitment

A Department Director or HR Director may begin recruitment and selection procedures for an established, funded position immediately upon receiving notice that the position will be vacated by the incumbent on a particular date, unless the Department Director or HR Director has obtained approval for creation of a parallel (shadow) position. A position may be recruited: (i) internally (open authority-wide to employees that have completed their introductory-period); (ii) internally Department only (open only to employees in a specific department that have completed their introductory-period); or (iii) externally (open competitively and posted to external job boards).

6.05 Applications and Minimum Qualifications

No position may be filled until recruitment has been conducted by HR, applications have been accepted, and a selection has been made by the Department Director. Applications for employment in any announced open position shall be submitted within the time limits specified in the applicable announcement by any person who meets the minimum qualifications, standards and requirements of the position as specified in the announcement. Acceptance of applications after the closing date may be approved by the HR Director or his/her designee whenever sufficient reason(s) exist(s).

6.06 Disqualification of Applicants

The HR Director may reject and refuse to consider any application, or after examination of an application, may disqualify an applicant, if the applicant: (i) did not submit an application on or before the closing date established for accepting applications; (ii) did not fill out the application on the prescribed form; (paper applications not accepted); (iii) does not possess one or more of the requirements as specified in the job classification or public announcement of the examination; (iv) falsified or did not complete pertinent information on the form; (v) is not qualified to perform the



duties of the position; (vi) has used or attempted to use political pressure or bribery to secure an advantage in the examination or in employment; (vi) has previously been dismissed from a position by the City, or by any other employer; (vii) has taken part in the compilation, administration, or correction of the examination for a position and is an examiner for that position; (viii) has directly or indirectly obtained information which is not generally available to other applicants regarding an examination for the position in a manner indicating a breach of ethical standards; (ix) has received less than a satisfactory overall rating on a performance appraisal within twelve (12) months prior to the closing date for receipt of applications; or (x) has otherwise willfully violated the provisions of this Manual. *Additionally, the City has the right to reject any applicant for any lawful reason deemed relevant to the City.*

6.07 Selection

The HR Director may use any job-related selection method that is valid, reliable, and objective. The selection procedures shall measure or sample job behaviors or knowledge, skills, and abilities required to successfully perform the job for which the applicant is applying. Examinations may consist of written tests; performance tests; representative work samples, rating of training, education and/or experience; structured oral examinations; and physical fitness, either singularly or in combination, or any other method which, in the HR Director's judgement will test fairly the relative fitness and suitability of the applicant to efficiently discharge the functions of the position to be filled.

6.08 Employment of Relatives

For purposes of this policy, "relative" is defined as an individual's father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, spouse, domestic partner, grandchild, grandparent, great grandparent, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, foster parent, foster brother, foster sister, fiancé, or legal guardian.

The City may hire relatives of current employees if: (i) it would not create either an actual conflict of interest (a situation in which a person is in a position to derive personal benefit from actions or decisions made in their official capacity) or the appearance of a conflict of interest; and (ii) it does not create a director-subordinate or supervisor-subordinate relationship. No individual shall be hired, promoted, or permitted to transfer into any position where the Department Director or someone who will be in the employee's direct chain of command is a relative. Pre-existing employment relationships falling within the purview of this paragraph will be permitted to continue; however, that exception does not apply to reemployment, promotions, demotions, reassignments, and lateral transfers that occur after the effective date of this policy. Moreover, relatives shall not work for the same direct supervisor without the prior approval of the HR Director. An employee must notify HR, in writing, whenever a promotion, demotion, reassignment or lateral transfer of an employee would result in a violation of this paragraph.



No employee shall *refer* a relative for consideration nor select, advocate, or recommend a relative for appointment, employment, promotion, or advancement to any City position.

ARTICLE VII

POST-OFFER CONDITIONS OF CONTINUED EMPLOYMENT

7.01 Proof of Work Authorization

All offers of employment are contingent on verification of the candidate's legal right to work in the United States. U.S. Citizenship and Immigration Services require the City and any new employee provide specific information for completion of the Form I-9, Employment Eligibility Verification within three days of commencing employment. You must complete Section 1 of Form I-9 no later than the end of your first day of work. Failure to provide the appropriate documentation for completion of the Form I-9 will result in suspension and/or termination.

7.02 Employee Background and Reference Checks

To ensure that individuals who join the City are well qualified and to ensure that the City maintains a safe and productive work environment, it is our policy to conduct pre-employment background checks on all applicants who accept an offer of employment. Background checks may include verification of any information on the applicant's resume or application form. All offers of employment are conditioned on receipt of a background check report that is acceptable to the City. All background checks are conducted in conformity with the Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and antidiscrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process. Background checks will include a criminal record check, although a criminal conviction does not automatically bar an applicant from employment. Applicants with criminal convictions shall be evaluated on an individual basis to determine whether they should be excluded from consideration based on the convictions and their relationship to the job for which they are being hired.

If an applicant refuses to provide the information necessary for the City to conduct the necessary background checks or provides false information during the application process, the City will deny employment. Additionally, if it is determined at any time after hire that you provided false information during the application process, you may be terminated from employment.

7.03 Applicable Licenses, Permits, Registration, Reports, and/or Certificates

Additional checks such as a driving record or credit report may be made on applicants for job categories if appropriate and job-related. The City also reserves the right to conduct a background check for current employees to determine eligibility for promotion or reassignment in the same manner as described above.



Employees shall be informed by your Department Director if there are any licensing, certification, security clearance or testing requirements for your job. Failure to qualify or to maintain a certification or license or security clearance may be sufficient cause for termination. As a condition of continued employment, all employees must notify their respective Department Director and the HR Director, in writing via hand delivery within five (5) calendar days of receipt of any notice of denial, suspension, revocation, and/or non-renewal of any license, permit, registration, and/or certification where such is required for performance of their job duties with the City.

All candidates for safety-sensitive positions and those candidates who are required to possess and maintain a valid Commercial Driver's License to perform their job duties, will be required, following acceptance of a conditional offer of employment with the City, to undergo a routine physical profile examination prior to employment, in accordance with the physical requirements of the job and CDL regulations, as well as Federal and State law. The completed record of all post-offer physical profile examinations will be kept confidential and stored in a file maintained by HR separate and apart from an employee's regular personnel file.

7.04 Probationary Period and Career Status

The City is committed to setting clear expectations from day one, providing timely coaching and development opportunities, ensuring fair and equitable treatment for all employees, and recognizing outstanding performance through early completion options. Our goal is for every employee who successfully completes the probationary or promotion transition period to be positioned for a long, successful, and rewarding career with the City.

The overall probationary period, also called the introductory or evaluation period, is a structured timeframe designed to confirm mutual fit between the employee and the position. It allows the City to evaluate performance, workplace behaviors, and potential for long-term success, the employee to determine whether the position aligns with their career goals and expectations, and opportunities for feedback, coaching, and professional development to set employees up for long-term success.

Initial Appointment Probationary Period. This initial period is six (6) months for most employment positions (twelve (12) months for Police and Fire employees due to extended training requirements). Exceptional performers may complete probation early, after at least ninety (90) days, with Department Director recommendation and HR approval. However, this initial period may be extended up to three (3) months for training needs, extended absences, or other unusual circumstances. During this period, employees are considered at-will and do not have appeal rights for separation during the probationary period, except in cases involving allegations of discrimination, harassment, or retaliation, and violations of employment laws or City policy. Appeals must be submitted in writing to HR Department within five (5) business days of receiving a separation notice.



Promotion Transition Period. This transition period is typically three (3) to six (6) months in length for most employment positions (six (6) to twelve (12) months for Police and Fire employees). This transition period may be ended early, after at least ninety (90) days if performance clearly meets or exceeds expectations. However, this period may be extended up to three (3) months when more time is needed for evaluation due to absences or unique circumstances. Employees retain career status with the City during the Promotion Transition Period. If performance is unsatisfactory during the transition the: (i) employee shall generally be returned to their previous position if available; (ii) City will make reasonable efforts to place the employee in another suitable role if their former position is unavailable; (iii) employee may be placed in layoff status and considered for future openings if no placement is available. This transition period is a development/support phase, not a punitive measure, intended to help employees succeed in their higher-level role.

Evaluation and Feedback Process. Supervisors will meet regularly with employees to review progress and address concerns early. At least twenty (20) working days before the probationary or transition period ends, a preliminary evaluation will be submitted to the HR Department. At the end (or early completion) of the period, a final evaluation shall determine whether the employee: (i) successfully completes the period and achieves/retains career status; (ii) requires an extension for further evaluation or training; or (iii) shall be separated (initial appointment) or returned to a prior role (promotion).

Time Counted Toward Completion. Only time in paid, active work status counts toward completion. Extended leaves, other than FMLA or military leave, may extend the period at the discretion of the Department Director.

ARTICLE VIII

PERFORMANCE APPRAISAL, PROMOTION, AND TRANSFER

8.01 Performance Appraisal

Purpose. It is the City's policy to reward good job performance by establishing an equitable system of providing pay increases. Salary increases are not automatic and will be based on individual job performance. The purpose of the performance appraisal system is to provide a formal means of communicating information to the employee concerning the employee's performance and work-related strengths and weaknesses. Performance appraisals are to be used as important factors in selecting employees for promotions, determining merit pay increases, and in disciplinary and termination decisions. The performance of all employees, supervisory and non-supervisory, shall be evaluated.

Procedure. The HR Director will coordinate the implementation of a performance appraisal system for all Departments. The HR Director, with the cooperation of the Department Director, shall select the performance appraisal instruments which will be used for each job. The instrument may be the same for all jobs, or the HR Director and Department Director may select special instruments which apply to particular classes of jobs. A performance appraisal will be performed for all



employees at least annually, during the fourth quarter of each fiscal year (July 1 thru June 30). New employees who are in their probationary period during the performance appraisal period will be evaluated during the first performance evaluation period that occurs following the earlier of (i) the expiration of the new employee's probationary period; and (ii) the new employee's first employment anniversary. The performance appraisal process shall be as follows:

- (a) *Fourth Quarter Performance Appraisals.* Between July 1 and August 15, the appraising supervisor shall carefully evaluate all subordinate employees' performance based upon the preceding twelve (12) months, using objective, job-related criteria such as position descriptions, performance records, and other related personnel records, such as the employee's behavior and attendance records and, any memorandum stating goals and objectives for the employee's performance improvement from the preceding performance appraisal period, to create a measurement which fairly reflects each employee's performance and progress.
- (b) *Employee's Self Appraisal.* Each employee will be required to similarly self-evaluate his/her performance for the same period. The purpose of the self-evaluation is to help in the performance appraisal discussion process by providing a means for the supervisor to determine whether the supervisor is clearly communicating the City's behavior and performance expectations to the employees, and whether the supervisor is consistently providing feedback to the employee concerning these subjects.
- (c) *Discussion.* Between August 15 and August 31, each supervisor and employee will discuss the employee's and supervisors' respective appraisals of the employee's performance. The discussion will identify any areas where the employee's performance or behavior requires improvement, and the supervisor will make recommendation for any skill, improvement exercises, or any training or educational opportunities which the employee should pursue to improve the employee's performance in the desired direction. The employee shall sign the performance appraisal to document that the supervisor has provided the information about the employee's performance to the employee.
- (d) *Department Director Input.* The appraising supervisor shall forward a copy of the signed performance appraisal form to his or her immediate superior for review, discussion, and signature. The appraisal shall be sent to the HR Director not less than two (2) weeks prior to the effective date. Department Directors shall prepare performance appraisals of supervisory personnel in accordance with the appraisal schedule described herewith.
- (e) *Interviews.* Whenever an employee's performance is formally appraised, the appraising supervisor will discuss the appraisal with the employee, in private, explaining the ratings and the reasons for the ratings.



8.02 Employees Comments

Employees are encouraged to make written comments about their own performance and about the performance appraisal whether they agree or disagree with all, or any part of the performance appraisal. Such written comments should be submitted by such employee within five (5) days following the conference with the supervisor. The written statement shall be attached to the appraisal form and forwarded to the HR Director. The HR Director will review and file all performance appraisal forms.

8.03 Supervisor Responsibilities

Any supervisor who transfers or otherwise leaves their position may be required to submit performance appraisal forms covering all the employees under their supervision who have not been appraised within the previous six (6) month period.

ARTICLE IX **COMPENSATION**

9.01 Compensation

The HR Director shall set forth and maintain a compensation plan, which is the official pay plan for all positions in City Government and for those employees who work for the City, with the exception of elected officials. It is the intention of the City to use a compensation system that will determine the current market value of a position based on the skills, knowledge and behaviors required of a fully competent incumbent. The system used will be objective and non-discriminatory in theory, application and practice. The policies and procedures of the City's pay plan are on file in the HR Department, as well as available through the City's internal website. All questions related to compensation must be directed to the HR Department.

9.02 Payment Schedule

The City makes every effort to ensure that employees receive their pay on time. City employees shall be paid generally through direct deposit on a weekly basis, with payday being every Friday. Employees with questions about their pay should contact the designated pay clerk for their division/department within the pay period in question or immediately thereafter. If a pay clerk is not available, contact the City Payroll Office.

Employees who separate from City employment shall be paid their wages in full on the next regular payday, not to exceed fourteen (14) days from the date of separation. In unusual circumstances, the Department Head may make arrangements for earlier payment.

Employees are responsible for their paychecks after they have been issued. Checks lost or otherwise missing should be reported immediately to the Payroll Office so that a stop payment



order may be initiated. The Payroll Office shall determine if and when a new check should be issued to replace a lost or missing check. This replacement check may take up to seven (7) days, depending upon the circumstances.

Paychecks not claimed by employees within seven (7) days of the date issued must be returned by the supervisor to the Payroll Office.

If an employee is absent on payday and does not receive pay by direct deposit, the employee may have someone else pickup his paper check. The paycheck shall be provided to that individual if the designee provides the employee's identification and written authorization signed by the employee.

9.03 Payroll Deductions

The City shall deduct, where applicable by law, federal withholding taxes, Social Security taxes (except sworn employees), Medicare, and garnishments from an employee's pay.

Federal Income Tax are withheld from employees' pay based on the number of dependents claimed by everyone. Supplemental payments are taxed at the twenty-five percent (25%) rate. Employees are required to file with the City a copy of the W-4 form. In the event of changes in the employee's exemption status, a revised W-4 form must be filed before payroll deduction adjustments will be made.

Social Security payments and deductions shall be made according to the Federal Insurance and Compensation Act (FICA). The Finance Department shall keep such records and make such reports as may be required by applicable state and federal laws or regulations.

Other City authorized deductions (i.e., medical, dental, vision, life, etc.) shall be made from an employee's pay only with the employee's signed consent.

Court-ordered deductions such as garnishments, child support, bankruptcy orders, and tax levies shall be made according to federal, state and local regulations.

9.04 Overtime Pay and Compensatory Time

The HR Department administers overtime and compensatory time pay policies in compliance with the Fair Labor Standards Act (FLSA.) and is responsible for classifying all City government positions either exempt or nonexempt.

The FLSA is a federal law that governs the payment of minimum wage, overtime rates, compensatory time, recordkeeping of hours worked, and other criteria relating to wages and hours of work for non-exempt employees, including government employees. Section 3(s)(1)(C) of the FLSA covers all public agency employees of a State, a political subdivision of a State, or an



interstate government agency. Exempt employees neither earn compensatory time nor overtime pay and are excluded by the FLSA.

9.05 Overtime Compensation

Covered, non-exempt employees must be paid overtime at no less than one and one-half (1½) times the employee's regular rate of pay for hours worked in excess of 40 hours in a workweek. Paid Time Off (PTO) counts toward hours worked for the purpose of overtime calculation. Other paid leave types, such as leave of absence, bereavement time, and jury pay do not apply toward work hours.

Overtime payment principles are different for Firefighters and Police Officers under Section 7(k) of the FLSA:

Firefighters would be entitled to overtime for hours worked over 212 in a 28-day work period (e.g., 212 hours in 28 days, 106 hours in 14 days, 53 hours in 7 days).

Police Officers would be entitled to overtime for hours worked over 42.75 in a 7-day work period.

The HR Director in collaboration with the Fire Chief and Police Chief shall establish written policies on premium compensatory leave and overtime pay calculations for employees engaged in fire protection or law enforcement activities, based on local, state or federal law. Such policies shall comply with the provisions of the FLSA.

9.06 Fill-In Pay for Non-Exempt Employees

When a non-exempt employee fills in or performs substantially all the duties in a higher classification level either exempt or non-exempt, a five percent (5%) increase shall be applied to the employee's current hourly rate for all hours worked.

Work Out Of Classification for Exempt Employees. When exempt employees are temporarily assigned higher level responsibilities to fill a vacancy or for a special assignment for a period greater than 30 days, the employee may receive a temporary pay increase for up to six (6) months. The Department Head must gain approval from the HR Department for additional compensation prior to the employee assuming responsibilities significantly outside the scope of their normal job duties. All temporary salary adjustment requests will be reviewed and evaluated by HR and all special assignments must be approved by the City Manager. Department Heads, managers and supervisors are not eligible for additional compensation when performing tasks of subordinates in their department. Temporary pay shall be calculated for employees in the City's General Pay Plan based on the range of the acting capacity position or higher level/salary grade of the duties assumed. The rate of pay shall be at least the minimum rate of the assumed position range or a five percent (5%) increase of the employee's current salary, whichever is greater. Temporary pay for employees in the Fire and Police Sworn Pay Plans shall be calculated as a monthly stipend, and will be based on the assumed rank salary level.



On-Call Pay. On-call service is necessary for the proper maintenance and operation of certain City services. On-call time is defined by departmental needs as a period of time in which an employee is required to be available to report to work at the City's discretion. Supervisors shall review their employee's on-call circumstances to determine the level of restrictions involved. They shall determine: (i) the response time required; (ii) the average number of times called per week (or a reasonable estimate); and (iii) any limitations required to perform on call work such as tools required. Supervisors will ensure they have appropriate and updated contact information, including current phone numbers, for on-call employees, and employees designated and compensated for being on call shall ensure they respond when contacted and report to work when needed. They are also restricted from consuming alcohol or other substances that could impair their ability to respond. Department Heads are responsible for identifying positions that are subject to on-call provisions. Supervisors shall notify employees in advance of on-call status and the length of time expected to be on-call. For designated on-call non-exempt employees, will be compensated on the basis of one and one-half times the base rate of pay for every hour for all hours worked.

Call Back Pay. Non-exempt employees who are unexpectedly called back to their office or a work area due to an urgent situation after normal working hours shall receive two (2) regular hours of call-back pay in addition to the actual number of hours worked. Non-exempt employees who are expected to respond to an urgent situation by telephone or computer shall be paid for actual time worked when responding to each situation requiring an immediate response. If the employee is still needed to report to work after normal working hours, then they will receive two (2) additional hours of call-back pay in addition to the actual number of hours worked. Employees must log hours on a timesheet which will then be used as documentation to support changes in the City's time clock system and/or payroll system and will be submitted as part of the City's permanent payroll record. Compensable time shall not include the time it takes to travel to and from the office or work area by the most direct route. Non-exempt employees, except for departments/divisions that have regularly scheduled work shifts twenty-four (24) hours each day-seven (7) days a week, who are unexpectedly called back to their office or a work area due to an emergency situation on an official City holiday shall be paid for all hour worked plus eight (8) hours for the observed holiday. For employees who typically work more than eight (8) hours per day, pay for the holiday will equal the number of hours the employee customarily works.

9.07 Holiday Pay

The following are the official holidays that will be observed: (i) New Year's Day; (ii) Martin Luther King, Jr. Day; (iii) Memorial Day; (iv) Juneteenth; (v) Independence Day; (vi) Labor Day; (vii) Veterans Day; (viii) Thanksgiving Day; (ix) the Friday following Thanksgiving Day; (x) Christmas Eve; (xi) Christmas Day; and (xii) one Personal Holiday. Other holidays may be declared by the governing body at their discretion. If a holiday falls on Saturday, it will generally be observed on the preceding Friday. If the holiday falls on a Sunday, it will generally be observed on the following Monday.



Employees who need time off to observe religious practices or holidays not already scheduled by the City should discuss with their supervisor. Depending upon business needs, the employee may be able to work on a day that is normally observed as a holiday and then take time off for another religious day.

All full-time employees shall be paid at an equivalent rate of one-fifth (1/5) of their weekly hours scheduled for work, without overtime considerations, for each legal holiday established by the governing body. All part-time employees shall be paid a pro-rated amount based on the number of workday hours normally worked. Temporary employees, whether part time or full time, are not eligible for holiday pay. Any employee who is absent on their normally scheduled working day before or after a holiday shall not be paid for the holiday unless such absence is approved by the Department Director.

Certain employees required to work on a holiday shall be paid for the actual hours worked on the holiday plus the regular day's pay. Fire Personnel (twenty-four (24) hour shift employee) shall receive 10.6 hours Holiday Pay per holiday. Police Personnel (twelve (12) hour shift employee) shall receive 8.5 hours Holiday Pay per holiday.

ARTICLE X

ATTENDANCE AND LEAVE

10.01 Work Hours

For non-public safety (i.e., Police and Fire Department) employees, the minimum work week for covered employees will be forty (40) hours in a seven (7) day work period. Because of the differences in staffing and job requirements among departments, the required number of hours and days within a designated work period may vary from job-to-job and from department-to-department. Overtime may be required as a condition of employment.

10.02 Employee Time Records

All non-exempt employees are responsible for recording all actual hours worked using the Department's time reporting procedures. Department Heads and supervisors shall review and sign all-time records.

The following rules shall apply to time reporting procedures for non-exempt employees:

(i) employees are responsible for recording their starting time, quitting time and total hours worked for each work day; (ii) sign in/clock in before employees' normal starting time or to sign out/clock out late after their normal quitting time are not permissible without the prior approval of their supervisor; (iii) employees shall not remove a timesheet/timecards from the designated employee area or leave the premises with said timesheet/time card; (iv) employees given permission by their supervisor to leave their job assignment for any purpose besides City business during work hours must sign/clock out when leaving and sign in upon returning to work, unless otherwise directed



by their supervisor in writing; (v) an employee failing to properly sign their timesheet/timecard must have it immediately approved and initialed by a supervisor or Department Head to ensure payment for hours worked; and (vi) no unauthorized representative/employee shall mark on another employee's time sheet/timecard. Employees that alter another employees' time sheet/timecard shall be subject to disciplinary action.

Failure to properly record hours worked may result in not being paid for those hours in question on the timesheet. Continued non-compliance shall result in disciplinary action.

10.03 Breaks and Lunches

The City shall allow employees up to two (2) rest breaks during each workday. Non-exempt employees are permitted to take two (2) fifteen (15) minute rest breaks. Depending on the department, the schedule of rest breaks may be set by the employees' immediate supervisor with the goal of providing the least possible disruption to City operations. Non-exempt employees on rest breaks are not required to clock in and out because this time is considered "time worked" and is compensable. Exempt employees, as they are paid a salary regardless of the hours they work, may choose to take breaks as needed.

These rest breaks are a privilege and not a right and should be taken at times that do not interfere with service to the public. If an employee chooses not to take advantage of rest breaks, then this time may not be accumulated and added to lunch periods or any type of leave. A rest break may not be used to alter arrival or departure time and may only be used in conjunction with the lunch period when authorized and approved in advance by the supervisor.

The City shall provide a private location for employees who utilize break time for lactation. Employees are encouraged to contact the HR Department for any assistance in identifying private locations.

Each employee shall have a minimum of a thirty (30) minute unpaid meal period (one hour maximum) if scheduled to work six (6) hours consecutively. The meal period shall not be scheduled within the first or last hour of the scheduled workday or shift, unless specifically authorized by the immediate supervisor. If an employee needs to request additional time for a lunch period, the employee is encouraged to discuss Flextime options in advance with their supervisor. The lunch period shall be deducted from the number of regular hours worked for an employee's normal workday. The time and duration of the lunch period for specific employees, work sites or crews shall be determined by the Department Head.

10.04 Annual Leave

General. Annual leave is leave that is earned and to be used for vacations, personal business activities, and other personal activities requiring the employee to be absent from work. Taking



annual leave is a privilege for which the employee must obtain approval from their Department Director.

Eligibility. All regular full-time employees begin accruing annual leave from their first day of employment in a covered position. However, employees are not eligible to use annual leave until they have completed three (3) months of continuous employment with the City. Upon completion of this initial service period, employees will have accrued three (3) days of annual leave, which may then be used with prior supervisory approval in accordance with departmental scheduling procedures. Temporary, seasonal, or emergency employees are not eligible to accrue or use annual leave.

Accrual Rates. Annual leave accrues based on years of continuous service and the employee's designated work schedule:

For General Government and Administrative Employees (Standard 40-hour workweek):

6 months – 9 years of service	1 day per month (12 days / yr)	Max accrual is 30 days
10 years – 19 years of service	1.25 days per month (15 days / yr)	Max accrual is 33 days
20+ years of service	1.67 days per month (20 days / yr)	Max accrual is 38 days

For Public Safety Shift Employees: Accrual is prorated to reflect alternative schedules.

Police (12-hour shifts / 42.75-hour week)	8.55 hours / month
Fire (53-hour week)	12 hours / month

If a permanent change in work schedule occurs, leave balances will be converted proportionally to ensure continuity and fairness.

Maximum Accumulation. Employees may accumulate annual leave up to the established maximums outlined above. Any leave accrued more than the cap will be forfeited on January 1 of the following year, unless the employee submitted a leave request that was denied for operational reasons. In such cases, the employee may be permitted to carry over an amount equivalent to the number of denied days.

Use and Approval. Annual leave must be scheduled in advance and is subject to supervisory approval based on departmental needs. Leave must be taken in hourly increments. Leave requests may be denied or rescheduled based on operational requirements.

Accrual While on Leave. Annual leave does not accrue during unpaid leave or disciplinary suspension. Approved leaves under the Family and Medical Leave Act (FMLA) or military leave provisions will be counted toward service time for accrual tier eligibility but will not generate additional annual leave hours during the unpaid period.

Separation from Employment. Upon separation from City employment, employees shall be compensated for any unused, accrued annual leave at their current rate of pay. Leave forfeiture or ineligibility for payout may apply in cases of termination for cause, subject to City policy.



10.05 Sick Leave

Purpose. Sick leave is provided to eligible employees for absences due to illness, injury, medical appointments, or the need to care for an immediate family member with a medical condition. Sick leave is not to be used as additional vacation time or for personal convenience. Abuse or misuse of sick leave may result in disciplinary action.

Eligibility. All full-time employees who have completed their working test period are eligible to accrue sick leave.

Accrual Rates. Sick leave shall not accrue during any period of unpaid leave, suspension, or while receiving long-term disability payments that replace 100% of the employee's base salary. Sick leave shall accrue monthly on an hour-for-hour basis, based on the employee's standard work schedule as follows:

General employees (40-hour workweek)	8 hours / month
Police personnel (42.75-hour workweek)	8.55 hours / month
Fire personnel (53-hour workweek)	12 hours / month

Maximum Accumulation (Rollover Cap). Once an employee reaches the maximum accrual limit, no additional sick leave will accrue until the balance falls below the maximum. Employees are encouraged to manage their leave balances to avoid loss of future accrual. Sick leave may accumulate from year to year up to the following maximums:

General employees	960 hours (equivalent to 120 workdays)
Police personnel	1,026 hours (equivalent to 120 workdays at 8.55 hours/day)
Fire personnel	1,440 hours (equivalent to 120 workdays at 12 hours/day)

Use of Sick Leave. Employees must obtain approval from their supervisor prior to using sick leave unless the nature of the illness or emergency prevents prior notice, in which case the employee shall notify their supervisor as soon as possible. A physician's statement may be required for absences exceeding three (3) consecutive workdays or for recurring absences.

Non-Transferability and Payout. Sick leave is not convertible to cash upon separation and has no cash value except as may be credited toward retirement service time in accordance with applicable pension plan rules. Sick leave is not transferable between employees except under the Voluntary Leave Donation program and may not be used concurrently with other paid disability benefits if doing so would result in compensation exceeding 100% of the employee's regular base pay.

Coordination with Other Benefits. Employees receiving Worker's Compensation wage replacement or supplemental disability pay may not simultaneously use sick leave if such use would result in compensation exceeding their regular base salary. Sick leave may only be used to supplement unpaid periods or bring total compensation up to 100% of base pay.



Accrual During Paid Status. Sick leave accrues only during periods when the employee is in paid status. No accrual will occur during unpaid leave, suspension, or during extended disability leave unless the employee is supplementing that time with paid leave.

Sick Leave Buyback (During Employment). Employees may convert unused sick leave to cash under the following conditions:

- (a) *Eligibility.* Employees with more than ninety-six (96) days of accrued sick leave may sell back up to twenty percent (20%) of their unused sick leave for the current year at their current hourly rate. Employees with less than ninety (90) days of sick leave may still be eligible if they have at least twenty-four (24) days accrued.
- (b) *Minimum Retention.* After sell-back, employees must retain at least twelve (12) days of accrued sick leave.
- (c) *Annual Timeline.* The evaluation period shall occur October 1 to September 30 of each year. The notification deadline is November 15 of each year. Payout shall be issued via the second payroll period each December.

Sick Leave Payout Upon Separation. All full-time employees are eligible for a sick leave payout upon separation, regardless of years of service. Payouts shall be based on the employee's regular hourly rate at the time of separation and will be included in the final paycheck or processed within thirty (30) days of separation. Employees shall be compensated for twenty percent (20%) of their total accrued and unused sick leave at the time of separation, up to a maximum of:

40-hour employees	480 hours
53-hour employees	640 hours
42.75-hour employees	513 hours

10.06 Family and Medical Leaves of Absence (FMLA)

The City, pursuant to the federal Family and Medical Leave Act of 1993 (FMLA) as amended, provides eligible employees with unpaid leave to care for certain conditions. There are two types of leave available: (i) Basic FMLA Leave; and (ii) Military Family Leave. For all questions, please contact the HR Director. If an employee is going to be out less than five (5) days, the event is not considered to be FMLA (this will in no way be considered as intermittent leave for the same event).

Eligibility. Employees are eligible for FMLA leave if the employee has: (i) worked for the City for at least twelve (12) months (need not be consecutive); and (ii) worked at least 1,250 hours for the City during the twelve (12) calendar months immediately preceding the request for leave. Employment before a break in service of seven (7) years or more will not be counted, unless the break in service was caused by the employee's active duty with the National Guard or reserve, or



there was a written agreement that the employer intended to rehire the employee after the break in service.

Basic FMLA Leave. Employees who meet the eligibility requirements described above are eligible to take up to twelve (12) weeks of unpaid leave during any twelve (12) month period for one of the following reasons: (i) to care for the employee's son or daughter during the first twelve (12) months following birth; (ii) to care for a child during the first twelve (12) months following placement with the employee for adoption or foster care; (iii) to care for a spouse, son, daughter, or parent ("covered relation") with a serious health condition; (iv) for incapacity due to the employee's pregnancy, prenatal medical or childbirth; (v) because of the employee's own serious health condition that renders the employee unable to perform an essential function of his or her position; or (vi) in cases where a married couple is employed by the City, the two spouses together may take a combined total of twelve (12) weeks leave during any twelve (12) month period for reasons (i) and (ii), or to care for the same individual pursuant to reason (iii).

Military Family Leave. There are two different types of Military Family Leave available:

- (a) *Qualifying Exigency Leave.* Employees meeting the eligibility requirements described herein may be entitled to use up to twelve (12) weeks of their Basic FMLA Leave entitlement to address certain qualifying exigencies. Leave may be used because of any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the armed forces.
 - (1) Qualifying exigencies may include: (i) short-notice deployment (up to seven (7) days of leave); (ii) attending certain military events; (iii) arranging for alternative childcare; (iv) addressing certain financial and legal arrangements; (v) periods of rest and recuperation for the service member (up to five (5) days of leave); (vi) attending certain counseling sessions; (vii) attending post-deployment activities (available for up to ninety (90) days after the termination of the covered service members covered active duty status); and (viii) other activities arising out of the service member's covered active duty or call to active duty and agreed upon by the City and the employee.
 - (2) "Covered active duty" means duty during deployment with the armed forces to a foreign country (for a member of a regular component of the armed forces); or duty during deployment with the armed forces to a foreign country under a call or order to active duty (for a member of a reserve component of the armed forces).
- (b) *Leave to care for a covered service member.* There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to twenty-six (26) weeks of leave, during any single twelve (12) month period if the employee is, the spouse, son, daughter, parent, or next of kin caring for a covered military service member or veteran recovering from an injury or illness.



- (1) A "covered service member" is: (i) 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; or (ii) a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the armed forces (including a member of the National Guard or reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.
- (2) A "serious injury or illness" means: (i) for a member of the armed forces (including a member of the National Guard or reserves), an injury or illness that was incurred by the member in the line of duty on active duty in the armed forces (or that existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the armed forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; (ii) for a veteran who was a covered service member of the armed forces (including a member of the national Guard or reserves), an injury or illness that was incurred by the member in the line of duty on active duty in the armed forces (or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the armed forces) and that manifested itself before or after the member become a veteran.
- (3) When both husband-and-wife work for the City, the aggregate amount of leave that can be taken by the husband and wife to care for a covered service member is 26 weeks in a single twelve (12) month period.

Use of Leave. An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt employee's Department's operations. Intermittent leave may only be taken in blocks of time that are a minimum of four (4) hours. Military Family Leave due to qualifying exigencies may also be taken on an intermittent basis. Leave may not be taken on an intermittent basis when used to care for the employee's own child during the first year following birth, or to care for a child placed with the employee for foster care or adoption, unless both the employer and employee agree to such intermittent leave.

FMLA Leave is unpaid leave (although employees may be eligible for short or long-term disability payments and/or workers' compensation benefits under those insurance plans) if leave is taken because of an employee's own serious health condition.



Substitution of Paid Time Off for Unpaid Leave.

- (a) If an employee has accumulated accrued paid leave, the employee shall substitute accrued paid leave for unpaid leave, including use of any vacation time, sick leave (sick leave can only be used for employee's bona fide illness or injury), or compensatory leave time that the employee may have accrued. In this case, the employee will be paid during the leave until all accrued paid time has been exhausted.
- (b) If employee requests leave because of birth, adoption, or foster care placement of child, any accrued paid time off first will be substituted for unpaid family medical leave. If employee requests leave because of the employee's own serious health condition, or to care for a covered relation with a serious health condition, any accrued paid time off (vacation, personal leave, compensatory leave) first will be substituted for any unpaid leave.
- (c) The substitution of paid leave time for unpaid leave does not extend the twelve (12) week leave period. Furthermore, in no case can the substitution of paid leave time for unpaid leave result in the receipt of more than one hundred percent (100%) of an employee's salary. An employee's leave runs concurrently with other types of leave (e.g., paid vacation).
- (d) For leave taken for a qualifying exigency, an employee may elect, or the City may require substitution of paid personal, vacation, or family leave time for unpaid leave. The same rules apply as if the employee took leave to care for a family member with a serious health condition or for the birth or placement of a child.
- (e) For leave to care for a seriously injured or ill family member in the military, an employee will substitute paid personal, vacation, family leave, or medical leave time for unpaid leave. The same rules apply as if the employee took leave for his or her own serious health condition. The City shall not provide paid sick leave in any situation in which the employee is not normally entitled to receive.

Medical Benefits. During approved FMLA Leave, the City shall maintain the employee's health benefits as if employee continues to be actively employed. If paid leave is substituted for unpaid leave, the City shall deduct the employee's portion of the health plan premium as a regular payroll deduction. If leave is unpaid, the employee must pay his/her portion of the premium through a check made payable to the City delivered to HR. An employee's healthcare coverage will cease if the employee's premium payment is more than thirty (30) days late. If the payment is more than fifteen (15) days late, the City shall send the employee a letter to this effect. If the City does not receive the co-payment within fifteen (15) days after the date of the letter, the employee's coverage may cease. If the employee elects not to return to work for at least thirty (30) calendar days at the end of the leave period, the employee shall reimburse the City for the cost of the premiums paid by the City for maintaining coverage during the unpaid leave, unless the employee cannot return to work because of a serious health condition or other circumstances beyond the employee's



control. During leave, the City shall maintain the employee's health coverage under its "group health plan" on the same terms as if the employee had continued to work.

Other Benefits. Use of leave will not result in the loss of any employment benefit that accrued prior to the start of the employee's leave. While an employee is taking leave, the employee shall continue to accrue paid time off (including vacation and sick leave) at the same rate and in the same manner that the employee was accumulating such paid time off prior to taking leave. If the employee is being paid from his/her accrued leave. If an employee is on unpaid leave, he/she would not accrue annual leave or sick leave during this period. If an employee is using unpaid leave on an intermittent basis, leave accruals will only calculate on that portion of the pay period. Upon return from leave, eligible employees will be restored to their or equivalent pay, benefits, and other employment terms.

Notice of Foreseeable FMLA Leave. If the need to use FMLA Leave is foreseeable, the employee must give the City at least thirty (30) days' prior notice of the need to take leave. When thirty (30) days' notice is not possible, the employee must give notice as soon as practicable (within 1-2 business days of learning of the need for leave except in extraordinary circumstances). Failure to provide such notice may be grounds for delaying the start of the leave. Employee shall notify their Department Director and HR of their need for FMLA Leave and fill out the Request for Family/Medical Leave form available from HR.

Notice of Unforeseeable FMLA Leave. If the need for leave is not foreseeable, employees are required to provide as much notice as soon as practicable under the facts of the particular case. An employee requiring unforeseeable leave must be absent due to extraordinary circumstances. The employee is required to call his or her direct supervisor and provide sufficient information regarding the need for leave to support a request for leave. It generally should be practicable for the employee to provide notice of leave within one (1) business day.

Request for Leave. When submitting a request for leave, the employee shall provide sufficient information for the City to determine if the leave might qualify as FMLA Leave and provide information on the anticipated date when the leave would start as well as the duration of the leave. Calling in "sick" is not sufficient. Sufficient information shall include that the employee is unable to perform job functions; that a family member is unable to perform daily activities; that the employee or family member needs hospitalization or continuing treatment by a healthcare provider; or the circumstances supporting the need for military family leave. Employees must inform the HR if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees are required to provide a certification and periodic recertification supporting the need for leave.

Responsibilities of HR. If the employee is not eligible for FMLA Leave, HR shall provide the employee and the Department Director with a written notice indicating the reason for ineligibility. If the employee is eligible for FMLA Leave, HR shall inform the employee and Department



Director in writing and provide information on the amount of leave that will be counted against the employee's twelve (12) or twenty-six (26) week entitlement.

Medical Certification. If the employee is requesting leave because of the employee's own or a covered relation's serious health condition, the employee and the relevant healthcare provider must supply appropriate medical certification. Employees may obtain Medical Certification forms from HR. When the employee requests leave, HR shall notify the employee of the requirement for medical certification and when it is due (no more than fifteen (15) days after leave is requested). If the employee provides at least thirty (30) days' notice of FMLA Leave, he/she should also provide the medical certification before leave begins. Failure to provide requested medical certification in a timely manner may result in denial of leave until it is provided. The City, at its expense, may require an examination by a second healthcare provider designated by the City, if it reasonably doubts the medical certification initially provided. If the second healthcare provider's opinion conflicts with the original medical certification, the City, at its expense, may require a third, mutually agreeable, healthcare provider to conduct an examination and provide a final and binding opinion. The City may require subsequent medical recertification. Failure to provide requested certification within fifteen (15) days, except in extraordinary circumstances, may result in the delay of further leave until it is provided. Employees may also be required to provide a fitness-for-duty certification upon return to work, or during intermittent leave, as required.

Reporting While on Leave. If an employee takes leave because of the employee's own serious health condition or to care for a covered relation, the employee must contact their Department Director on the first and third Tuesday of month regarding the status of the condition and his/her intention to return to work. The employee must also give notice as soon as practicable (within two (2) business days, if feasible), if the dates of the leave change, are extended, or were unknown initially.

Intermittent and Reduced-Schedule Leave. Leave because of a serious health condition, or either type of family military leave may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced-schedule leave (reducing the usual number of hours worked per workweek or workday) if medically necessary. If leave is unpaid, the City shall reduce the employee's salary based on the amount of time actually worked, unless doing so would render an employee normally exempt from minimum wage and overtime entitlement non-exempt. Additionally, while an employee is on an intermittent or reduced-schedule leave, the City may temporarily transfer the employee to an available alternative position that better accommodates the recurring leave and that has equivalent pay and benefits.

Calculating FMLA Leave. An employee's eligibility for and accrual of FMLA leave is calculated from the first day of the employee's initial appointment in a covered position. The City does not use a fixed calendar year for calculating the amount of leave to which an employee is entitled; rather it uses a "rolling" twelve (12) consecutive-month period which is calculated by measuring backwards from the date that the employee last used any leave. This period prevents employees from "stacking" two (2) consecutive twelve (12) week leave periods beginning with the last three



(3) months of one (1) calendar year and continuing to the first three (3) calendar months of a succeeding calendar year. Each time the employee takes leave, the remaining balance in the employee's leave entitlement is equal to the portion of the twelve (12) weeks leave entitlement that was not used in the immediately preceding twelve (12) months. Thus, on each day of the year an eligible employee's leave entitlement is determined by the amount of leave he/she used in the twelve (12) months before. As each new day is added, one (1) day from twelve (12) months ago is eliminated. If on that date twelve (12) months before the employee took leave, one (1) day of leave entitlement is created for the next twelve (12) months.

10.07 Military Leave

"Ordered Military Duty" means any military duty performed in the service of the state or of the U.S. including but not limited to attendance at any service school or schools conducted by the armed forces of the U.S. by a public officer or employee as a voluntary member of any force of the organized militia or of any reserve force or reserve component of the armed forces of the U.S. pursuant to orders issued by competent state and federal authority without the consent of such public officer or employee.

Notice and Approval. The City complies with all relevant laws concerning military leave. An employee requesting military leave must notify HR and obtain approval from the Department Director, in collaboration with the HR Director and the City Manager. Employees will be required to provide supporting documentation of the leave dates.

Reinstatement. Employees returning from military leave will be reinstated per USERRA, with seniority and benefits intact.

Paid Military Leave. The time the employee spends on military leave status shall be counted as if the employee worked for purposes of completion of working tests, pay raises, and rate of benefit accrual. Public officer or employee shall be paid his or her salary or other, compensation as such public officer or employee for any and all periods of absence while engaged in the performance of ordered military duty and while going to and returning from such duty, not exceeding a total of eighteen (18) days in any one federal fiscal year and not exceeding eighteen (18) days in any one continuous period of absence. In the event the Governor declares an emergency and orders any public officer or employee to state active duty as a member of the National Guard, and such officer or employee, while performing such shall be paid his or her salary or other compensation as a public officer or employee for a period not exceeding thirty (30) days in any one federal fiscal year and not exceeding thirty (30) days in any one continuous period of such state active-duty service.

Unpaid Military Leave. Leave beyond these thresholds is unpaid unless the employee chooses to use accrued annual leave.



10.08 Court Leave

The City grants employees paid leave for jury duty or testimony when required by a court. Employees serving jury duty will receive their regular base pay, reduced by any stipend or compensation received from the court.

If an employee is called as a witness on behalf of the City, they will also be paid their regular wages for the time spent fulfilling that duty.

For personal matters or appearances not related to City business (e.g., subpoenaed as a witness in a private lawsuit), employees must utilize accrued paid leave or take unpaid leave.

The City prohibits any form of retaliation, discipline, demotion, or termination for employees responding to a jury summons. Employees must provide reasonable notice and appropriate documentation upon request.

10.09 Bereavement Leave

An employee may be granted funeral leave, with pay, for up to three (3) consecutive working days (one twenty-four (24) hour shift for Fire Suppression personnel) per occurrence for funerals and related preparations and travel of immediate family members. Immediate family is defined as spouse, mother, father, children, sister, brother, father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, grandparents, and grandchildren. Notice of intent to utilize funeral leave should be provided to the employee's immediate supervisor as soon as possible.

In the event of unusual circumstances, such as distance to be traveled by the employee, additional funeral leave without pay may be authorized. A request for such additional leave must be submitted in writing, along with an explanation of the circumstances, to the Department Director who will review the request and make a recommendation to the HR Director, who will either approve or deny the request.

10.10 Leave of Absence Without Pay

Approval. Only the City Manager may grant a career service employee an unpaid leave of absence for a period not to exceed six (6) months. Leave without pay for a period exceeding six (6) months (but not more than one (1) year) may only be granted by the governing body. Leave without pay shall be granted only when it will not adversely affect the efficient operation of the Department and the interests of efficient City services.

Requirements if Employee Returns Early from Unpaid Leave. An employee who has been granted unpaid leave and who wishes to return before the leave period has expired shall be required to provide the Department Director at least one (1) week advanced notice. Upon receipt of such written notice, the employee shall be scheduled to return to work.



Compensation Standards. Employees shall not accrue additional Sick Leave or Annual Leave while employee is on leave of absence without pay. An employee shall return from unpaid leave at the same salary grade as the employee had when the leave commenced.

Returning to Work. An employee returning from a leave of absence without pay shall be entitled to employment in the same department in the same or equivalent class wherein the employee worked when the leave commenced only if such a position is available. An employee's failure to return to work at the scheduled time upon expiration of the approved leave shall be considered as job abandonment.

Accepting Other Employment During Unpaid Leave. An employee who plans to accept part time or full-time employment with an employer other than the City while the employee is on an authorized unpaid leave must provide the Department Director and HR notice in writing and must receive the Department Director's approval of such employment in writing before accepting other position. The City shall have the right to terminate the employee's unpaid leave and require the employee to return to work for the City.

10.11 Worker's Compensation Act

General. An employee who is temporarily disabled because of an injury or illness sustained directly in the performance of his or her work may be covered by the provisions of the Georgia Workers' Compensation Act. Any leave on account of the employee's serious health condition, whether work related, will be treated as Family and Medical Leave.

Disabilities not Covered by Workers' Compensation. An employee who becomes temporarily disabled, from a non-work-related injury or illness, shall be allowed to exhaust his or her accrued sick leave, annual leave, and compensatory time off. Any leave on account of the employee's serious health condition will be treated as Family and Medical Leave. If FMLA has been exhausted, the HR Director upon recommendation of the Department Director may specifically authorize the extension of leave without pay.

10.12 Temporary Disabilities

A disabled employee who exhausts all Sick Leave and Annual Leave may be placed on an unpaid leave of absence, depending on the duration of the absence and the City's need to fill the position. A doctor's certification will be required to determine the medical necessity for and the length of leave necessary.

Employees requiring maternity leave or who have other temporarily disabling conditions associated with pregnancy, but who do not qualify for FMLA Leave will be treated as if their disability was for any other medical condition not covered by the FMLA Act.



10.13 Voluntary Leave Donation

Purpose. The Voluntary Leave Donation Program is intended to provide a qualified employee who has exhausted all paid leave time a means of financial assistance through the contributions of Sick Leave accruals from fellow employees.

An employee seeking to use donated leave must (i) have completed his/her original probationary period and be a full-time employee at the time the leave is used; (ii) have exhausted all of their own accrued all other leave available to them; (iii) submit the required form (if the employee is physically unable to do so, a family member may submit the form on the employee's behalf) which shall be reviewed by HR; (iv) provide medical verification by obtaining a medical statement signed by a licensed physician that verifies and describes the incapacitating condition that requires the employee's absence and provides the beginning date of treatment and the date the employee is expected to return to work; (v) be suffering from an severe illness or severe injury (severe illness / injury means a catastrophic medical condition that would require the employee's absence from work for an extended period of time and would result in a loss of income).

Employee Donating Leave. An employee wishing to donate leave must: complete a donation form which must specify who is to receive the donated hours and the number of hours to be donated. The employee may donate up to eight (8) hours if he or she has less than four (4) weeks of accrued Sick leave on the books. If the employee has more than four (4) weeks of accrued sick leave, he/she may donate up to forty (40) hours of accrued sick leave.

Other Considerations. The employee receiving donated leave will be paid at his or her current pay rate, not the pay rate of the donor. All donations of eligible leave will be voluntary and confidential, and no individual employees may receive remuneration of any kind for leave that is donated. No employee may intimidate, threaten, or coerce any other employee with respect to donating or receiving leave under this program.

10.14 Special Injury

Eligible employees who are physically disabled as a result of a physical injury which occurred in the line of duty and was caused by a willful act of violence committed by someone other than a fellow employee, are entitled to a leave of absence with regular salary for the period of time that they are physically unable to perform their job duties. Special injury benefits are provided for up to a maximum of 180 workdays for injuries resulting from a single incident. For more information, please confer with the HR Director.

10.15 Extended Medical Leave (Non-Work-Related Illness or Injury).

Regular full-time non-sworn employees may request extended medical leave of absence for a non-work-related disability caused by personal illness or injury. Leave may be granted for up to twelve (12) consecutive months from the date the employee is unable to work. No vacation or sick leave



accrual or pension service credit will occur during unpaid leave. Accruals will resume upon the first full day back at work.

To request extended medical leave, the employee must notify his/her immediate supervisor and contact the HR Department. The HR Department shall provide the necessary forms and review the request along with supporting medical documentation. Approval is contingent on medical verification and exhaustion of all accrued vacation and sick leave.

The City may review an employee's status at any point during extended leave to determine whether continued leave or employment is feasible. Factors include the essential functions of the position, anticipated recovery time, and medical documentation.

10.16 Health Accident Fund

The Health Accident Fund is a benefit provided to an employee that has met the requirements under the FMLA guidelines (which requires Medical Certification) and has exhausted their sick leave, vacation leave, and donated leave. This benefit is solely for the employee's own serious health condition and can't be used for the illness of a family member. No sick-leave nor vacation leave will accrue after the activation of the Health Accident Fund. Once the employee has been cleared to return to work, the sick/vacation leave accruals will resume. HR shall determine when an employee is eligible to receive this benefit and ensure that it is activated. The benefit will be 66.6% of the employee's basic weekly salary for a period of six (6) weeks. In no case will an employee exceed twenty-four (24) weeks in any calendar year under the health accident fund.

No benefit shall be payable for any illness/disability resulting from or contributed to by any of the following: (i) self-inflicted injury, whether intentional or while insane; (ii) war or any fact incident to war being declared or undeclared; (iii) accidental bodily injury arising out of or in the course of the employee's employment; or (iv) sickness for which the employee is entitled to benefits under a workman's compensation act or similar legislation.

10.17 Managing Protected Health Information (HIPAA)

For the purposes of HIPAA, "health information" means information that identifies you and either relates to your physical or mental health condition or relates to the payment of your health care expenses. The individually identifiable health information is known as "protected health information" ("PHI").

Any person not authorized to handle PHI should not receive or process such information unless approved by the individual and HR Director. If an employee approaches a non-authorized person regarding PHI, the non-authorized person shall cease the conversation and direct the employee to an authorized representative.



Health-related information that is not considered protected health information defined by HIPAA law are employment records created by an employer in its employment capacity, as opposed to its health plan capacity. These include, but are not limited to, employment records that contain information created for the purpose of processing family medical leave requests, drug screen programs, fitness-for-duty exams, workers' compensation, OSHA regulations, disability compliance, and education records covered by the Family Educational Rights and Privacy Act.

The City shall ensure separate treatment of PHI from other administrative functions, such as employee compensation and discipline. The City shall take reasonable measures to limit the disclosure of PHI to the minimum amount necessary to accomplish the intended purpose of the disclosure.

If you believe that your privacy rights have been violated, you may file a complaint to the HR Director. A thorough investigation shall be conducted upon receiving the complaint. Prompt reporting will assist the City in maintaining compliance with HIPAA law. The City shall keep the complaint confidential to the maximum extent possible, but effective investigation of allegations may involve disclosure to the accused individual and to other witnesses to gather all the facts. The City will take appropriate remedial measures against violators of this policy, including termination, if an investigation establishes that corrective action is warranted. Retaliation in any form against an employee who makes a complaint is strictly prohibited.

ARTICLE XI

SEPARATION FROM EMPLOYMENT

11.01 Resignation

An employee wishing to resign from employment by the City shall submit to Department Director written notice of resignation at least ten (10) days in advance of the date of the resignation. Immediately upon receipt of such notice of resignation, the Department Director shall forward the same to the HR Director. It shall not be permissible to utilize sick leave or personal leave during the ten (10) day period following the resignation notice; provided, however, sick leave may be utilized if the employee presents a certification from a licensed health care provider stating that the employee was under the provider's care or treatment for the days in question and that it was the provider's recommendation that the employee remain home from work for that period. In addition, the employee shall not be eligible to accrue any additional leave upon receipt of the resignation. Any full-time or part-time regular employee leaving the service in good standing will be compensated for any unused personal or compensatory leave accrued. An employee who resigns in good standing shall be eligible for rehire as a new employee. Such reinstatement eligibility shall not be considered a right, and it is subject to the normal Probationary Period. Notwithstanding anything to the contrary herein, an employee who fails to comply with the provisions of this policy shall be deemed to resign in bad standing and shall be ineligible to receive compensation for any unused personal or compensatory leave accrued."



11.02 Abandonment

Employees who are absent from work for three (3) or more consecutive days without having reported their need and reasons for the absence will be considered as having voluntarily abandoned their jobs. The separation will not be in good standing and may affect the final calculation of accrued benefits.

11.03 Lay-Off or Reduction-In-Force

General. An involuntary separation which does not result from an employee's performance or behavior conduct shall constitute a lay-off or reduction-in-force. An employee may be laid off because of shortage of funds or work, abolishment of the employee's position, a material changes in the job duties, reorganization of the Department, or similar reasons which are not within the employee's control, and which do not reflect dissatisfaction with the employee's work or behavior. The duties previously performed by any laid-off employee may be reassigned to other employees holding positions in appropriate classes. When it appears a lay-off will be necessary, Department Directors shall confer with the City Manager and the HR Director to ensure that the lay-off is carried out in a fair and equitable manner.

Employment Priority. Employees who are laid off, or who are about to be laid off, shall be given priority of consideration for filling vacant positions in other Departments, provided the employee has maintained a satisfactory performance and behavior record, and provided that the employee has all the qualifications to fill the vacancy.

Order of Lay-Off. Should it become necessary to reduce the number of employees in a job classification, the Department Director shall furnish to the HR Director the names and job titles of the employees to be laid-off and the order in which such lay-off shall be accomplished.

- (a) *Non-Career Service Employees.* In selecting individuals for lay-off, the Department Director shall select non-career service employees before selecting career service employees for lay-off.
- (b) *Career Service Employees.* In selecting career service employees for layoff, the Department Director shall select the employee having the lowest documented performance appraisal rating averaged over the three years preceding the lay-off. Career Service employees who are selected for lay-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. g.
- (c) *Discipline Records.* Where the performance levels of affected employees are judged as equal, the Department Director shall select for lay-off the individual with the largest number of documented disciplinary counseling notices above the first (informal) disciplinary step.



- (d) *Tie Breakers.* Among employees who are equal in both performance rating and disciplinary history, the following factors shall govern and shall be considered of equal weight: the employees' respective lengths of service in the classification, and the employees' respective lengths of service with the City.

Special Departmental Needs. If a Department Director determines that an employee in the job classification affected by the lay-off who otherwise would be laid off in accord with subparagraph d of this Section, is essential to the efficient operation of the department because of the employee's unique skills or abilities, the Department Director shall submit to the HR Director a written request for a waiver of the lay-off procedure, describing in detail the specific needs, and the unique skills and abilities which the otherwise laid off-employee possesses, and demonstrating why the employee is essential to the effective operation of the department. Such an employee may be protected from lay-off only with the approval of the HR Director.

Voluntary Demotions. Any career service employee scheduled to be laid-off shall have the right to be demoted to a lower classification, provided that a vacancy exists and provided such employee is qualified to fill the position in the lower classification. Employees scheduled for layoff shall not have the right to displace or "bump" employees in other jobs or departments.

Recall from Layoff. Employees who have been laid off within the preceding twelve (12) months shall be offered the opportunity for recall from lay-off before the city advertises to fill any job vacancy in the job classification-with-an applicant who is not employed by the City. Such employees must signify their acceptance of the position within twenty-four (24) hours of receipt of the notice of recall. The recall notice to the employee may be by a telephone call directly with the employee, mail, or any other means reasonably calculated to ensure that the laid off employee receives actual notice. The laid off employee has the responsibility for keeping HR apprised of the employee's current address and telephone number at all times.

11.04 Loss of Job Qualifications

Employee Responsibility. Employees are required to meet and maintain any licensure, certification, or continuing education requirements specified in the Job Requirements for their positions, or required by statute, ordinance, or regulations.

Consequences of Temporary Loss of Qualification. Any employee who loses such a required qualification shall be laid-off from employment in that position until the employee obtains the required qualification. The employee shall be required to obtain the qualification within a reasonable time as specified by the Department Director or the City Manager.

Permanent Loss. The employee's failure or inability to comply with the re-qualification requirement within a reasonable time period as set by the Department Director or City Manager shall result in the employee's permanent removal from the position through lay-off, reassignment, or dismissal.



Voluntary Demotion. In lieu of a lay-off or dismissal, an employee who temporarily loses an essential job qualification such as licensure or certification may be eligible for a non-disciplinary demotion to a lower classification, if such position is available within the department and if the employee is qualified to perform the work safely and competently.

Pay Adjustment. A demotion under paragraph d must be accompanied with a salary or wage reduction to the salary or wage level assigned to the position to which the employee transfers or is demoted.

11.05 Dismissals

Dismissals shall constitute discharges or separations from employment and shall be governed by the provisions of these Rules and Regulations as hereinafter set forth. Employment with the City is terminable at will, with or without cause.

11.06 Retirement

An employee may voluntarily retire, which shall be considered a voluntary separation, if the employee meets the retirement requirements governing any allocable retirement plan covering the employee. The employee's right to benefits shall be determined under the provisions of the Retirement Plan documents.

11.07 Separation Due to Death

Employees shall be considered as separated as of the date of their death. All compensation, including annual leave pay, due to such employee, as of the date of death shall be paid to the employee's beneficiary, 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 personnel folder of such employee.

ARTICLE XII **CODE OF CONDUCT AND OTHER POLICIES**

12.01 General Code of Conduct

The success of the City depends on trust and confidence being earned from our employees. We are committed to the highest standards of professionalism in our operations and activities. Employees must conduct themselves both at work and while off duty according to the highest standards of professionalism and in compliance with our policies and all applicable laws. In addition, all employees must conduct themselves both at work and while off duty in a manner that does not harm the City's reputation.



To meet these obligations, the City has established a set of expectations employees must meet both on and off duty. Employees who commit violations such as these may be subject to disciplinary action, up to and including termination of employment. While it is impossible to list every action that is unacceptable conduct, the following are examples: (i) theft or inappropriate removal or possession of property; (ii) falsification of City records, including but not limited to timekeeping records and documents associated with leaves of absence; (iii) working under the influence of alcohol or illegal drugs; (iv) possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating City vehicles or equipment; (v) engaging in violent conduct; (vi) engaging in criminal conduct; (vii) negligence or improper conduct leading to damage of City, contractor, or citizen property; (viii) defacing City property; (ix) insubordination and/or disrespectful treatment of the public or other employees; (x) violation of safety or health rules; (xi) smoking in prohibited areas; (xii) sleeping on the job; (xiii) any unlawful harassment; (xiv) possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace; (xv) unauthorized use of telephones, mail system, computers, or other City equipment; (xvi) unauthorized disclosure of confidential information; (xvii) violation of any City policy, procedure, unit operating rules, or related directives; (xviii) excessive absenteeism; (xix) engaging in conduct or other activities that could harm the reputation of the City; and (xx) being associated with conduct or activities that could harm the reputation of the City.

12.02 Attendance and Punctuality Policy

To maintain a productive work environment, the City expects employees and officials to be reliable and punctual in reporting for work. Absenteeism and tardiness place a burden on the City. From time to time, it may be necessary for one to be late or absent from work because of emergencies, illnesses, or pressing personal business that cannot be scheduled outside work hours.

Calling Off of Work. When you are unable to work your scheduled shift, all reasonable efforts should be made to notify your immediate supervisor or Department Director as soon as possible before your start time. If you are unable to provide notification before your start time, you must report your absence within one (1) hour after your scheduled start time. You are required to call each day that you are absent or late. If you are unable to comply with this policy due to an emergency or other extenuating circumstances, you (or a family member if you are unable to call) must call as soon as possible and you will be expected to provide a reasonable explanation for your failure to comply. If you will report late to work or must leave early from work, you must notify your immediate supervisor within thirty (30) minutes of the beginning of the work shift in the case of late arrival, or as soon as possible prior to the end of the work shift in the case of early departure. Management reserves the right to request a medical note and/or other documentation to verify illness, emergencies and other extenuating circumstances when determining if an absence or tardiness will be excused or not. If you are absent without calling in for three (3) consecutive days, it will be assumed that you have voluntarily resigned via job abandonment. This separation will not be in good standing.

Unexcused Absence. You will be considered to have taken an unexcused absence if you are absent



from work during scheduled work hours without permission, including full or partial day absences, late arrivals, and early departures. The following absences will not be counted against your attendance record: (i) an approved leave of absence; (ii) an absence that qualifies under federal or state leave laws; and (iii) pre-approved times away from work using accrued paid time.

Excessive Tardiness and Early Departures. Six (6) or more occurrences within a twelve (12) month rolling calendar, will result in disciplinary action up to and including termination. Additionally, time worked is rounded to quarter hours. Therefore, arriving more than eight (8) minutes late or leaving more than eight (8) minutes early shall result in a deduction in pay of fifteen (15) minutes, except where such policy conflicts with the Fair Labor Standards Act.

Excessive Absenteeism. The habitual or patterned use of sick time, or leave without pay, unsupported by required medical or other documentation is considered excessive absenteeism. Unsubstantiated absences in excess of the following incidents may be considered excessive absenteeism (an incident is a single day or consecutive series of absences): (i) two (2) incidents in three (3) months; (ii) four (4) incidents in six (6) months; and (iii) six (6) incidents in one (1) year.

12.03 Policy Regarding Meal and Break Periods

The City recognizes that meal and rest breaks are important and contribute to employees' well-being and productivity. All meal and rest breaks are to be taken at a time that does not disrupt City operations, in cooperation with your supervisor. Non-exempt employees are allowed up to a one (1) hour unpaid meal break. As determined by your work assignment, employees may be permitted to take two (2) fifteen (15) minute paid rest breaks per day, which may occur in the morning and in the afternoon. Breaks are not permitted at the beginning or end of the workday to offset arrival and departure times; nor may a rest break be added to a meal break. Employees are expected to return promptly from breaks. The Department Director, in consultation with HR, shall determine the work assignments that are eligible for breaks.

12.04 Dress Code and Appearance Policy

General Standards. Employees are expected to present themselves in a professional image, both through behavior and appearance. Accordingly, employees must wear work-appropriate attire during the workday or any time they are representing the City. Clothing should be clean and neat in appearance. Employees should consider their level of customer and public contact and the types of meetings they are scheduled to attend in determining what attire is appropriate. The following are not allowed: (i) bare feet or flip flops; (ii) spandex, sweats, or athletic attire; (iii) sagging pants, shorts, or short skirts; (iv) sexually provocative clothing or exposed undergarments; (v) clothing with offensive slogans or pictures; (vi) clothing showing excessive wear and tear (distressed/cut-out jeans); (vii) any clothing or accessories that would present a safety hazard; (viii) visible tattoos that are not appropriate in content; and (ix) accessories that interfere with an employee's work.



Grooming. All employees are expected to maintain appropriate oral and bodily hygiene. Hair (including facial hair) should be clean and neat.

Enforceability. Supervisors and HR are responsible for enforcing dress and grooming standards. Any employee whose appearance does not meet these standards may be counseled. If an employee's appearance is unduly distracting or the clothing is unsafe, the employee may be sent home to change into something more appropriate. If your supervisor finds that your appearance or personal hygiene is inappropriate, you will be asked to leave work and return properly dressed and groomed. If you are asked to leave, you will be charged paid time off or, if none is available, will be unpaid for the time you are away from work. See your supervisor if you are not sure about the correct clothing standards for your position with the City.

Accommodations. Reasonable accommodations will be made for employees with sincerely held religious beliefs and disabilities when such accommodations do not cause an undue burden. If you would like to request an accommodation or have other questions about this policy, please contact your supervisor.

12.05 Confidential Information Policy

Due to the nature of City business, it is essential that all employees fully understand how to treat confidential information. The term “Confidential Information” refers to data, information or material that is non-public, sensitive, or proprietary in nature, including but not limited to the following: personally identifiable information, such as any individual’s social security number, month and date of birth, personal cellular telephone number or e-mail address, medical and health information, drug test results, income tax withholding records, insurance information, utility account number or utility account information, passwords, banking or other financial information, benefits information, driver’s license number and state identification card number; attorney work product; attorney-client communications; or any information which is not required to be disclosed by the Georgia Open Records Act, or any other state or federal law.

Nothing in this policy prohibits an employee from communicating with any governmental authority or making a report in good faith and with a reasonable belief of any violations of law or regulation to a governmental authority, or disclosing confidential information which the employee acquired through lawful means in the course of his or her employment to a governmental authority in connection with any communication or report, or from filing, testifying or participating in a legal proceeding relating to any violations, including making other disclosures protected or required by any whistleblower law or regulation to the Securities and Exchange Commission, the Department of Labor, or any other appropriate government authority.

To the extent an employee discloses any confidential information in connection with communicating with a governmental authority, the employee shall honor the other confidentiality obligations in this policy and will only share such confidential information with his or her attorney, or with the government agency or entity. Nothing in this policy shall be construed to permit or



condone unlawful conduct, including but not limited to, the theft or misappropriation of City property or information.

Employees may be required to execute a confidentiality agreement depending on their work assignment. Regardless of the existence of a confidentiality agreement, every employee is subject to this policy. Any employee who violates this policy may be subject to discipline up to and including termination.

12.06 Drug and Alcohol Policy

Purpose. The City is committed to providing a safe, healthy, and productive workplace that is free from alcohol and unlawful drugs as classified under state or federal laws, including marijuana, while employees are working on City premises, another worksite of City and while operating City-provided or personal vehicles. Employees that work while under the influence of drugs or alcohol pose a safety risk to themselves and others with whom they work.

Scope. This policy applies to all elected or appointed officials, officers, directors, employees, and contractors, without exception, including part-time, temporary employees, and those who are subject to the Department of Transportation (DOT) regulations. DOT-regulated employees must adhere to the requirements of this Drug and Alcohol Policy as well as the DOT Drug & Alcohol Policy, given at hire.

Prohibitions. Working under the influence of alcohol or drugs, including marijuana, is strictly forbidden. The following conduct is also prohibited: (i) the sale, manufacture, distribution, purchase, trafficking, transfer, transportation, presence in the body, offer to sell or buy, use or possession of any amount of alcohol or controlled substances or equipment, products and materials which are used, intended for use, or designed for use with such drugs is prohibited while on City owned or leased property, during working hours, while on duty, or while operating City provided or personal vehicles on City business; (ii) the sale, manufacture, distribution, purchase, trafficking, transfer, transportation, offer to sell or buy, use or possession of controlled substances is prohibited at all times on or off duty; (iii) reporting to or being at work with a measurable quantity of controlled substances in the blood or urine is prohibited (includes any measurable quantity of Tetrahydrocannabinol (THC) that may or may not be caused by an employee's use of over-the-counter cannabidiol (CBD) products); and (iv) reporting to or being at work while using prescribed drugs may also be prohibited when, in the opinion of the City, such use prevents the employee from performing the duties of his or her job or poses a risk to the safety of the employee or other persons or property. An exception to this policy may be made for the possession and limited consumption of alcohol at a City-sponsored event where alcohol is allowed.

Note: The term "controlled substance" as used in this section refers to all the following: any drug listed in 21 U.S.C. 812, other federal regulations, and any and all substances listed under Chapter 13 of Title 16 of the Official Code of Georgia Annotated. Generally, these are drugs that have a high potential for abuse. Such drugs include, but are not limited



to, heroin, marijuana, cocaine, hashish, PCP, LSD, "designer drugs" and "crack." They also include legal drugs that are not presently prescribed by a licensed physician. Drugs that are legally prescribed but are being abused are also included.

Medications. If you are taking medication for which you have a valid prescription while on the job, you must do so in a way that is consistent with the manner prescribed, and such use must not pose a risk to your safety or the safety of others. If a physician has prescribed medication that influences your ability to safely perform your job duties, notify your supervisor. Furthermore, if any employee receives a drug test result indicating the presence of a controlled substance and fails to provide, within seventy-two (72) hours of the request, valid proof of a current and lawful prescription issued in the employee's name, the employee may be subject to disciplinary action, up to and including termination. However, the use of medical cannabis, including, but not limited to, CBD products, and medication with any measurable quantity of THC, while on the job or while off the job, that results in the employee working under the influence, is prohibited.

Reporting. All employees are required to report evidence of alcohol or drug use that violates this policy to the Department Director and HR immediately. Failure to do so could result in disciplinary action for the non-reporting employee. Additionally, any public safety employee or safety-sensitive employee who observes behavior or other evidence that they believe demonstrates that a fellow employee is impaired due to drug or alcohol use shall notify a supervisor immediately. Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must also notify HR of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five (5) days of the conviction.

Work Restriction. Any employee, who has been reported to have consumed alcohol, drugs, or medication that may impair their ability to perform the duties of his or her job or poses a risk to the safety of the employee or other persons or property, may be required to obtain clearance from his or her physician before continuing to work. Additionally, if a supervisor reasonably believes, based on objective facts, that an employee is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the employee from continuing and shall ensure that the employee is safely transported away from the City's premises and shall not permit the employee to return to work until appropriate clearance from physician or evaluation from the supervisor is obtained.

Testing. As a part of this policy to ensure a substance-free workplace, all employees may be asked to submit to a drug and/or alcohol test under any of the following circumstances: (i) after an offer of employment with City (all job offers will be contingent upon a negative drug test); (ii) whenever there is reasonable suspicion for believing an employee is under the influence of alcohol or drugs ("reasonable suspicion" exists when a supervisor, the City Manager, Department Director, or a member of HR has a reasonable belief based on objective factors such as the employee's appearance, speech, behavior or other conduct or facts, that the employee is under the influence of drugs or alcohol, or both); (iii) to evaluate the root cause of a workplace incident that harmed or could have harmed employees or that damaged City property or public property; (iv) following the



discharge of a firearm by a public safety employee (i.e. Police Officer) in the course of their duties, excluding training or authorized euthanizing of an animal, or off-duty use, where such discharge results in injury, death, or substantial property damage; or (v) at random where a pre-determined percentage of employees who are in safety sensitive* positions or CDL positions will be selected for drug testing at an interval determined by City.

**Safety-sensitive is defined as positions of employment where a lapse of judgment or impaired physical/mental ability in performing any essential job function could reasonably result in a significant threat of harm to the employee, fellow employees, customers, the public, or others. Safety-sensitive positions include but are not limited to those which, as a part of the essential job functions: (i) primarily require or involve maintenance or operation of a motor vehicle, motorized equipment, heavy machinery, or heavy equipment; (ii) require the holding of a commercial driver's license (CDL); and (iii) require or involve performing duties which directly affect public health or safety.*

To ensure transparency and accountability, it is the responsibility of the supervisor or a member of the Human Resources Department to prepare a written record documenting the specific facts and observations that led to the decision to require the drug and/or alcohol testing, and to inform the employee in writing, of the following: (i) whether the test will screen for alcohol or drugs, or both; (ii) that the result of the City-mandated test is not admissible in any criminal proceeding against the employee; and (iii) that the employee may refuse the test, but such refusal may result in disciplinary action, up to and including termination.

Mandatory Compliance. It is a condition of your continued employment with the City that you comply with the Drug and Alcohol Policy. A refusal to submit to a drug or alcohol test upon request by the City shall be considered a positive test and will result in discipline up to and including termination. A refusal to submit to a test is defined as: failure to provide the required valid specimen(s); obstructing the collection of a specimen or the testing process; submitting an altered, adulterated or substitute sample; failure to show up for a scheduled test; refusal to complete the requested drug testing forms; or failure to promptly provide specimen(s) for testing, without a valid medical reason, or without a legally protected reason (e.g., religious beliefs), when directed to do so. In any instances of refusal, the employee must promptly notify his or her supervisor or a member of the Human Resources Department of the reason(s) for non-compliance, such that the reasoning is sufficiently detailed to allow the City to evaluate whether reasonable accommodation is warranted under applicable laws.

Rehabilitation. The City believes it is important for all officials and employees to seek professional help for any drug/alcohol problems. It is beneficial if you proactively ask for help before the matter is addressed through the disciplinary action process. The City shall consider assistance, including consideration of a leave of absence to pursue drug or alcohol rehabilitation, if a violation or suspected violation of this policy has not occurred before your request. If a leave is granted, you will be required to sign a return-to-work agreement stipulating that upon completion of the approved rehabilitation program and subsequent release by the respective counseling program



professional, you will be subject to unannounced drug or alcohol testing for a period of two years following the return-to-work date. Requests for rehabilitation or rehabilitation leave will be denied and employees subject to the disciplinary process, up to and including termination, if they have not made the request prior to any suspected or actual violation of this policy. For more information, contact HR.

Violations. Employees who violate the Drug and Alcohol Policy may be subject to disciplinary action, up to and including termination. Additionally, upon receiving notice of an employee's conviction under any drug statute for a violation occurring in the workplace, the receiving Department must, within thirty (30) days, take appropriate disciplinary action, up to and including dismissal, and/or require the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program licensed under O.C.G.A. § 26-5-1 *et seq.*

Confidentiality. The City recognizes the confidentiality and privacy of its employees. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be permitted with the express written consent of the employee involved or pursuant to lawful process. The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained in the employee's confidential medical file.

12.07 Fraternization and Nepotism Policy

Purpose. The City is committed to a work environment that is collegial, respectful, and productive. The purpose of this policy statement is to promote a positive work environment that is free from relationships that cause a real or perceived conflict of interest.

Scope. This policy applies to all elected or appointed officials, officers, directors, employees, and contractors. This policy does not preclude or interfere with the rights of employees protected by the National Labor Relations Act or any other applicable statute concerning the employment relationship.

Definitions.

- (a) *Familial Relationship* means a relationship resulting from family ancestry or marriage. This includes a spouse, domestic partner, fiancé, parent, children, sibling, uncle, aunt, first cousin, nephew, niece, spouse, grandchild, grandparent, in-laws, step-parent, step-children, foster parent, foster sibling, foster child.
- (b) *Inappropriate Relationship* means a personal or familial relationship between individuals in inherently unequal positions where one party has real or perceived authority, influence, or power over the other AND said relationship gives rise to an actual or perceived conflict of interest, causes unrest, lend themselves to the perception of favoritism, adversely affects morale, or otherwise disrupts the good working order of the City.



- (c) *Real or Perceived Authority* means a person with the ability to influence or have power over an individual's conditions of employment or has the ability to directly impact the other's career progression, which includes formal and informal supervisory relationships. Authority within professional relationships may result from actual supervision, or mentoring, reviewing, advising, evaluating, teaching, or personal relationships with a member of law enforcement and civilian employee, where a real or perceived power imbalance exists.
- (d) *Romantic Relationship* means a relationship characterized by a level of personal affection and familiarity not typically shared by coworkers and involving, but not limited to, dating, physical intimacy, sexual activity, or other similar behaviors.

General Policy. Familial or Romantic relationships between individuals in inherently unequal positions, where one party has real or perceived authority over the other in their professional roles, are inappropriate and strongly discouraged in the workplace. If a Familial or Romantic relationship exists or develops, it must be disclosed. Where doubts exist as to the specific meaning of the terms used above, employees should make judgments based on the overall spirit and intent of this policy. Any concerns about the administration of this policy should be addressed to the director of HR or City Manager. Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate in the workplace by a reasonable person while anywhere on company premises, whether during working hours or not. During working time and in working areas, employees are expected to conduct themselves in an appropriate workplace manner that does not interfere with others or with overall productivity. During nonworking time, such as lunches, breaks, employees engaging in personal exchanges in nonwork areas should observe an appropriate workplace manner to avoid offending other workers or putting others in an uncomfortable position.

Off-Duty Conduct. Employees' off-duty conduct is generally regarded as private if such conduct does not create problems within the workplace. An exception to this principle, however, is Familial or Romantic Relationships where one party has *actual or perceived authority* over the other.

Compliance. Failure to cooperate with the City to resolve a conflict or problem caused by a Familial or Romantic Relationship between co-workers or among managers, supervisors, or others in positions of authority in a mutually agreeable fashion may be deemed insubordination and result in disciplinary action up to and including termination.

Disclosure. Disclosure of a Familial or Romantic Relationship creates a transparent environment that ensures the mission is met with mutual professional respect and accountability while also maintaining public trust and avoiding conflict of interest. If individuals of unequal authority are in this type of relationship, the party of greater power is prohibited from engaging in all official matters affecting or appearing to affect the other and both must immediately disclose it to their supervisor (or any superior in their chain of command). Disclosure reduces the risk to both parties,



as measures can be taken immediately to mitigate real or perceived conflicts of interest and bias. A failure to disclose such a relationship may result in disciplinary action.

Remediation. Upon such notification, the City Manager or their designee must ensure that the City manages, decreases, or eliminates potential risk because of the relationship. A Familial or Romantic Relationship involving the City Manager shall be disclosed to the City Attorney. Appropriate action may include, but is not limited to: (i) reassignment of one party to sever the supervisory relationship; (ii) recusal of the supervisor or individual in the position of authority or perceived authority from all official matters affecting, or appearing to affect, the subordinate; (iii) administrative inquiry into the matter to determine if any inappropriate action(s) occurred as a result of the relationship, which could result in administrative action, including disciplinary action (matters such as hiring, firing, promotions, performance management, compensation decisions and financial transactions are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage); and (iv) if one or both parties refuse to accept a reasonable solution, such refusal will be deemed a voluntary resignation.

12.08 Weapons Possession Policy

Possession or use of a firearm, illegal weapon (as defined by Georgia law), explosive, and other prohibited weapons of any kind by a city employee while on City owned, leased, or controlled property is strictly prohibited. Georgia law allows employees who legally possess a firearm to bring it onto the City's parking lot premises, provided that the firearm and ammunition are kept in the employee's vehicle in accordance with O.C.G.A. 16-11-126(a). In this case, the firearm and ammunition, however, may not be removed from the vehicle while it is on City property. Violations of this policy may result in discipline, up to and including immediate discharge unless the employee is following state law.

12.09 Policy Regarding Gifts, Gratuities, and Loans

An employee or elected official shall not accept gifts, gratuities, or loans from organizations, business concerns, or individuals with whom he or she has official relationships on business of the City. These limitations are not intended to prohibit the acceptance of articles of negligible value which are distributed generally, nor to prohibit employees from accepting social courtesies which promote good public relations, nor to prohibit employees from obtaining loans from regular lending institutions. It is particularly important that inspectors, contracting officers, and enforcement officers guard against relationships which might be construed as evidence of favoritism coercion, unfair advantage, or collusion.

Employees and elected officials shall not solicit or accept any gift, gratuity, favor, service, or loan from any individual, business, or organization that has, or seeks to obtain, contractual or other business relationships with the City, is regulated by or under the authority of the employee's or official's department or agency, or has interests that may be substantially affected by the performance or nonperformance of the employee's or official's duties.



This policy does not prohibit: (i) acceptance of items of de minimis value (e.g., pens, calendars, or refreshments offered during meetings), provided such items are offered generally and not as a form of influence; (ii) participation in customary social courtesies (e.g., working meals or invitations to public or ceremonial events) when attendance serves a legitimate City interest and is approved by a supervisor; and (iii) lawful loans from recognized financial institutions made in the ordinary course of business, under customary terms, and not influenced by the employee's position.

Employees in sensitive or high-trust roles, including inspectors, procurement officials, contract administrators, enforcement officers, and those with regulatory authority, must exercise diligence. These individuals must avoid any conduct or relationship that could: (i) be perceived as favoritism, coercion, or undue influence; (ii) create an appearance of impropriety or bias; or (iii) undermine public confidence in the impartiality of the City's operations.

Any employee or official who is offered or receives a gift or favor that may violate this policy must promptly report it to their Department Director or the Human Resources Department. Violations of this policy may result in disciplinary action, up to and including termination of employment, in accordance with the City's disciplinary procedures.

12.10 Policy Regarding Outside Employment

General. No employee may engage in any paid employment in addition to his/her employment with the City which interferes with efficient performance of his or her duties, which presents a conflict of interest. Every regular full-time employee seeking to work a second job will be required to report this fact to, and obtain the approval of, the Department Director and HR in writing before accepting outside employment. Such approval may be withdrawn at any time without prior notice to the employee.

Police Department. Police Department employees working for employers other than the City must comply with departmental regulations for obtaining approval for such employment. Such Police Department employees will not be entitled to overtime pay where they are working for private companies in the City, even if they are performing police type duties for employers within the City, and even where they continue wearing a Forest Park Police uniform.

12.11 Social Media Policy

Definitions.

- (a) *Social Media* is online digital platforms that allow for the exchange of digital words, sounds, videos, and pictures between users on the Internet, such as blogs, social networking sites or Wiki. Social media shall include, Facebook, Twitter, Threads, Instagram, LinkedIn, TikTok, Pinterest, Snap Chat, Lemon8, YouTube, websites, and blogs. Other similar sites or services developed in the future are automatically included in this policy.



- (b) *Content* means information that is posted and shared with your audience on social media and networking sites (i.e., photos, images, videos, infographics, etc.).
- (c) *Copyrights* protect the right of an author to control the reproduction and use of any creative expression that has been fixed in tangible form, such as literary works, graphical works, photographic works, audiovisual works, electronic works, and musical works. It is illegal to reproduce and use copyrighted material through social media channels without the copyright owner's permission.
- (d) *Moderator* means an employee(s) authorized by the City to be responsible for ensuring the accuracy of posted information by regularly reviewing, responding to, and/or removing information posted on any of the City's social media sites.

Purpose. This policy is not intended to prohibit any employee's personal expression through social media activity; however, because such activity can adversely affect the efficiency and effectiveness of City operations, as well as undermine public trust and confidence, a certain amount of regulation is necessary and appropriate. This policy, therefore, attempts to strike a reasonable balance between the employees' interests in engaging in social media activity and the City's interests in preventing unnecessary disruption to or interference with its operations and relationship to the public it serves. The City recognizes that the internet provides unique opportunities to participate in interactive discussions and share information on topics using a wide variety of social media. However, employees' use of social media can pose risks to the City's confidential information, reputation, and brands, can expose the City to discrimination and harassment claims, and can jeopardize the City's compliance with rules and laws. This policy is not intended to restrict communications or actions protected or required by state or federal law. If you have questions or doubts about the appropriateness of Social Media usage, you should speak with HR.

Policy Regarding Personal Social Media. To minimize these risks, to avoid loss of productivity and distraction from job performance, and to ensure that the City's IT resources and communications systems are used appropriately, in regards to social media, all employees, whether at work or outside of work, shall (i) adhere to all terms of this Manual that might apply to social media use; (ii) not use social media during working times unless such is required by the position; (iii) always be respectful, fair, and courteous to fellow employees and elected officials; (iv) avoid using any statements (or expressing any viewpoint such as "liking" a post) that could be viewed as malicious, threatening, obscene, intimidating, defamatory, harassing, or offensive (such as ethnic slurs, sexist comments, discriminatory comments, profanity, abusive language, or obscenity); (v) not share any confidential or proprietary information; (vi) make it clear in your social media activity that he/she is speaking on your own behalf and not on behalf of City (to avoid confusion all personal activity should not depict official City logo or branding); (vii) use good judgment about posting and remember that anything you say can reflect on City and shall not engage in any conduct that could harm the reputation of the City; and (viii) not violate any applicable law.



Policy Regarding Social Media of the City. All social media sites concerning or affiliated with the City shall only be used to provide information regarding official City business. Employees shall not use a City authorized social media site or website for personal use. The City's Social Media Ambassador Program enlists the support of assigned City employees who have access to post content on social media on behalf of the Public Information Officer (PIO). Once approved by the City Manager, these specific individuals shall receive approved training by the PIO and are to use the City's social media for outreach/education related purposes only. The City's computer resources are provided to department designees to allow them to complete their job duties and should be used for City purposes only. Employees may not respond directly to any social media posting by entering comments from their personal social media accounts. Responses, questions, or comments to those who have posted to a City-social media account must be coordinated with and posted by the PIO, unless otherwise directed by the City Manager. Content concerning official City business that is removed must be digitally retained, stored, and timely disposed of in the manner required to meet the requirements of Georgia's applicable public records laws. No copyrighted material shall be shared, posted, or uploaded on any social media site authorized under this policy unless the City has an active, legitimate license for such purpose or consent of the author. Information posted on the City's social media must relate to programs, services, and/or events managed or primarily sponsored by the City's governing body and departments. City departments, divisions, and offices are prohibited from utilizing social media to promote City programs unless authorized by the City Manager. Each City's Social Media Site Must Contain the Disclaimer:

"This site is maintained by the City of Forest Park for the purpose of providing information and engaging the community. It is informal and should not be considered official communication from the city. For official information on the City of Forest Park and its programs, services, and policies, please visit www.forestparkga.gov. The views of external participants commenting on this site do not necessarily represent those of the City of Forest Park. The city monitors this site during regular business hours, Monday to Friday, 8:00 am to 5:00pm, excluding City holidays, however, we cannot commit to replying to all comments or moderating all discussions on this site. All information provided by the City of Forest Park on this site is for informational purposes only and is subject to change without notice. This site may also contain information that is posted here by a variety of public sources. Except as otherwise noted, these are the personal responsibility of the persons who post the entries. In no event shall the City of Forest Park be held responsible or liable, directly or indirectly, for any damage or loss in connection with the use of or reliance on any posting, content or information provided by another party on this site. The City reserves the right, without notification and at our sole discretion, to remove any objectionable content posted by the public. Objectionable content includes but is not limited to personal attacks and harassment of any kind; pornography; language that is considered threatening, defamatory, abusive, vulgar, hateful or racist; content that suggests or encourages illegal activity or incites violence. We may delete comments that are spam, are clearly "off topic" or that promote services or products. Comments that make unsupported accusations will be taken out of the discussion. Any individual who repeatedly



violates the terms of this policy will be blocked from posting to this page. The appearance of external links on this page does not represent official endorsement by the City. The City does not accept responsibility for ads, videos, promoted content or comments accessible from any external website and we do not control or guarantee the accuracy, relevance, timeliness, or completeness of information contained on a linked website. We do not endorse the organizations sponsoring linked websites or the views they express or the products/services they offer. Users are hereby notified that they are fully responsible for the content they provide on this site or any related links. The user is responsible for all copyright and intellectual property laws associated with this content. The City has taken reasonable precautions to ensure there are no viruses associated with this page and advise we are not responsible for any loss or damage resulting from your use. Facebook, Twitter, and YouTube are third party service providers that may collect, store, and manage your personal information whenever you access and use this site. Please refer to their terms of service and/or privacy statements for particulars. Note that the City has no control over what is done with your personal information. If you have any questions about the City's collection of personal information through this page please contact the City at (404) 366-4720."

Governing Body. Members of the governing body may post information or opinions about City or ward events and issues on their respective personal social media accounts and specified pages of the City's social media. However, these postings may not be used for campaign or personal purposes. Further, due to public records laws, no member of the governing body shall criticize or comment on any other council member's opinion, position or vote in any posting on any official social media platform or web-based platform.

Moderating Citizen Input. Social media users are most engaged on sites that provide and encourage the exchange of information. These sites often provide users the ability to voice their opinions and reactions to posted information. This may result in comments or feedback from users that concern department Moderators or other staff. A department should not use this type of media if it is uncomfortable with the idea of users posting negative or unsavory comments about itself, its leaders, or programs. In other words, if the department is uncomfortable with the level of exchange on a particular site, the site may not be appropriate for that department. To keep track of incoming feedback and customer contributed content, department and division Moderators should check their social media sites at least once a day. If a City social media is created under guidelines or policies that limit the site to a particular topic (as opposed to general or all-purpose department communications), off-topic comments or contents may be deleted under the guidance of City Attorney. Otherwise, Moderators may not delete or modify comments that are posted or otherwise sent or shared by outside parties on their social media sites.

Violations. You will be held responsible for your conduct on social media. If your posting violates any of this policy, the City may take action against you (up to and including termination).



12.12 Contact from the News Media Policy

From time to time, you may be contacted by members of the news media. This may include, but is not limited to, television, internet, and print journalists. You should not speak on behalf of the City without express authorization from the City Manager. If you are contacted by media regarding the City's services, employees, clients, vendors, or business partners, immediately inform the City Manager. Employees are not authorized to give statements to any representative of the media without prior authorization.

You are always permitted to express your own opinions to media regarding your own wages, hours and other terms and conditions of employment, including concerns protected under applicable whistleblower laws. If you do express personal opinions to media on these issues, you are required to state that such opinions do not represent those of the City and are your own.

12.13 Child Abuse Policy

Purpose. The City is committed to ensuring the safety and well-being of minors and the prompt reporting of actual or suspected abuse of a minor. To that end, and because certain employees or volunteers of the City interact with minors in connection with the performance of their duties for the City, the City has developed this Child Abuse Policy.

Definitions.

- (a) *Minor* or *Child* means any person seventeen (17) years old or younger.
- (b) *Child Abuse* means an injury or pattern of injuries to a minor that is non-accidental and is either: (i) sexual abuse (includes molestation, harassment, mistreatment, or maltreatment of a sexual nature, including, but not limited to, any sexual involvement, sexual conduct, or sexual contact with a minor, regardless of consent); (ii) physical abuse (non-accidental physical injury of a minor, which can include beatings, burns, bites, fractures, bruises, welts, etc.), (iii) child endangerment (intentionally allowing a child to witness the commission of a forcible felony, battery, or family violence), or (iv) neglect (when a parent or caretaker allows a minor to experience avoidable suffering or fails to provide basic essentials for physical, social, and emotional development).
- (c) *Volunteer* means a person providing services to City on an unpaid basis through a structured volunteer program.
- (d) *Mandatory Reporter* means a person required by Georgia law to report actual or suspected child abuse to the appropriate authorities. Georgia law defines mandatory reporters, in relevant part, to mean "persons employed by or volunteering at a business or an organization, whether public, private, for profit, not for profit, or voluntary, that provides



care, treatment, education, training, supervision, coaching, counseling, recreational programs, or shelter to children.”

Policy. The City strictly prohibits all forms of child abuse by employees or volunteers in connection with the performance of their duties for the City. Any employee or volunteer who receives information about actual or suspected child abuse must report such information within 24 hours to (i) the Division of Family and Children Services (“DFCS”); and (ii) the HR Director. During regular DFCS office hours, reports of child abuse should be made to the DFCS office in the county where the child lives or the county in which the suspected case of abuse/neglect is witnessed. For contact information for county DFCS offices, visit <https://dfcs.georgia.gov/locations>. Reports of child abuse can also be made by calling 1-855-GA CHILD (1-855-422-4453). If a child is in immediate danger, call 911. To the greatest extent possible, reports shall be treated as confidential. However, limited disclosure may be necessary to complete a thorough investigation or if required by law. Employees and volunteers must be aware that intentionally filing false accusations of child abuse will result in disciplinary action. All reports of child abuse made by employees or volunteers will be thoroughly investigated and resolved appropriately. The City will take immediate action to protect the minor. The City will not tolerate retaliation against anyone who reports child abuse in good faith or who participates in an investigation.

Background Checks. The City may, on an annual basis, conduct background checks on employees and volunteers who interact with minors in connection with the performance of their duties for the City. The purpose of such background checks is to ensure that it is permissible and appropriate for such employees or volunteers to interact with minors in connection with the performance of their duties for the City.

Enforcement. Those who knowingly and willfully fail to report suspected or actual child abuse may be subject to criminal penalties. In addition, failure to report child abuse will result in disciplinary action by the City, up to and including termination.

12.14 Rehire Eligibility Policy

Statement of Policy. Employee turnover is one of the costliest staffing issues faced by the City today. Expenses associated with recurrent productivity loss, recruitment, pre-employment screenings, onboarding, compensation negotiations, training equipment, bonuses, and employee referrals negatively impact the City’s budget and the City’s service offerings. Rehiring former employees reduces turnover-related expenses, builds employee morale, and improves the City’s service offerings. Therefore, it is the policy of the City to consider former eligible employees for rehire.

Eligibility. Employees who were part of an involuntary reduction-in-force (separate and apart from the City’s Recall from Policy provision within this Manual), as well as employees who voluntarily resigned from employment with at least ten (10) days’ notice, shall be eligible for rehire if they



held a satisfactory work record while employed by the City. Satisfactory work record includes performance review ratings of “meets expectations” or higher in all evaluation categories, as well as the absence of disciplinary action throughout an employee’s appointment with the City.

Ineligibility. Former employees who held a less than satisfactory work record shall not be considered for rehire. This includes employees with documented performance deficiencies, an unresolved performance improvement plan, disciplinary records, violation of City policy, job abandonment, and/or performance review ratings of “below expectations” or lower in any evaluation category. Additionally, employees who were involuntarily terminated from City employment for disciplinary or performance reasons are not to be considered for rehire. Finally, employees who separated from employment with an outstanding debt due to the city shall not be considered for rehire until all outstanding debts have been repaid. Employees who separated from City employment with an outstanding debt and who are sent to collections for failure to repay the City shall not be considered for rehire.

Break in Service Requirement. Employees who separate from employment with the City shall not be rehired until having a completed break in service. The minimum break in service period shall be defined as the first of a pay period following thirteen (13) consecutive weeks from the date of employment separation. In exceptional circumstances, the City Manager may waive this requirement.

Service Restoration and Credit. Rehired employees shall not be credited back service prior to August 1, 2024 nor restored to service with an adjusted service rate. Additionally, leave time accruals shall not be credited back upon rehire, and instead, will start anew upon rehire.

12.15 Political Activity Policy

No employee in the classified service shall engage in political activities while on-duty. Nothing contained in this Manual shall be construed to restrict the right of employees to hold membership in and support a political party, to vote as they choose, to express personal opinions on all political subjects and candidates while off-duty, maintain political neutrality, or to attend political meetings during non-working hours.

12.16 Privacy Related to Technology Policy

The City provides access to the internet, to the City's electronic mail services, to cable television, and other electronic media solely so that employees may perform their job duties efficiently and productively. Because these devices are subject to abuse, which in turn could contribute to the erosion of the respectful working atmosphere which it seeks to create and preserve, the City hereby clarifies its policies and restates the way they apply to such modem communication and electronic information storage devices.



All electronic networks, cable access, computer networks and television or computer equipment which is connected to any network owned, leased by, or assigned to the City, all internal storage devices on such equipment, and all data stored on such equipment is and shall remain the sole and exclusive property of the City. Employees are permitted the use of such devices only in accordance with this policy. No person is entitled to access such networks, or to use such equipment or devices for purposes other than conducting business on the City's behalf, nor for any purpose which is otherwise inconsistent with any policy. All such equipment and devices are subject to inspection by the City, with or without the knowledge or consent of the individual who uses such equipment or devices. Employees should anticipate the City shall inspect everything which they permit to be recorded on a computer disk or drive, including any email which they send or receive using the City's equipment or services.

Additionally, no employee may utilize (i) the City-owned televisions or its cable television access network on City-owned premises to view any sexually explicit programs, movies, or materials which are inconsistent with the City's policies against sexual, racial, or other unlawful harassment; (ii) City-owned computers to access or view pornographic materials, or materials which create a hostile working environment for other employees; and (iii) City-provided equipment, the City's intranet network, or the City's access to the internet, whether through a direct connection or through an internet service provider, to send electronic mail containing pornographic or discriminatory messages, materials, or communications.

Violations of this policy may also be considered violations of the City's policy against unlawful harassment, and will subject the violator to serious discipline, including (where appropriate) termination.

12.17 Policies of the Safety and Accident Review Committee (Loss Prevention)

Purpose. The Mission of the City's Park Safety and Accident Review Committee ("Committee") is to protect the safety of the general public, the safety of the City employees, and to minimize loss to City property. The Committee shall ensure fair and impartial review of all incidents/accidents involving City personnel, vehicles, buildings and equipment. The Purpose of the Committee is to (i) promote safety in the workplace by aiding in the reduction of the risk of injuries and illnesses in the workplace and on public property and ensure compliance with federal, state and local safety regulations; and (ii) investigate accidents involving employees to determine the chargeability of each accident for recommendation to the Department Director and City Manager; (iii) provide consistency in employee disciplinary actions throughout all City departments; and (iv) recommend the appropriate action to be taken by the appropriate Department Director.

Applicability. This policy applies to incidents/accidents documented for risk management purposes resulting in bodily Injury, death, and damage to property. This policy does not apply to accidents / incidents (i) that are under investigation by a governmental agency; (ii) that can be adjudicated in a court of law (such as a misdemeanor or felony); or (iii) for which an Anti-Litem Notice or Lawsuit has been filed.



Internal Investigations. Individual departments may have their own internal Standard Operating Procedures for investigating such incidents/accidents. However, any and all information gathered as per their investigation must be shared with the Committee upon request by either the Committee Chair or City Manager.

Responsibilities of the Committee. The Committee must: (i) develop safe work practices; (ii) craft written safety programs; (iii) promote of safety training; (iv) conduct workplace inspections, public property inspections, and safety audits; (v) review incidents, near misses, accident investigation reports, claim summaries and loss analyses to prevent reoccurrences of similar incidents; (vi) determine chargeable vs. non-chargeable offenses and make recommendations to the Department Director; (vii) propose and create safety checklists; (viii) promote employees' and general public interests in health and safety issues; (ix) make recommendations to the City Manager; (x) provide a forum in which labor and management can discuss health and safety issues and collaborate on solutions; (xi) implement and coordinate the Facility Self-Inspection Program and Other Ways for Employees to Report Concerns; and (xii) maintain privacy and discretion in their capacity as a Committee Member.

Procedures. HR shall maintain a continuous three (3) year record of all chargeable accidents involving City employees on City business via a running spreadsheet. The Committee shall determine whether an accident is chargeable or non-chargeable to the employee(s). A point system will be used by the Committee for all accidents that are deemed chargeable to employees. The number of points assigned for a chargeable accident will determine the disciplinary action the Committee will recommend to the respective Department Director.

12.18 Policy Regarding Personal Property

The City is not responsible for personal property that is lost, damaged or stolen. If an employee brings personal property onto the City's property, or in a City-owned vehicle, the employee are responsible for it. In addition, the City prohibits any personal items brought onto City property or worksites that are sexually suggestive, offensive, or demeaning to specific individuals or groups.

12.19 Policy Regarding City-Owned Property

General. The City shall provide employees with the equipment needed to perform the position. When an employee uses this equipment, he/she must exercise care, perform required maintenance, and follow all operating instructions, safety standards and regulations. None of the equipment should be used for personal reasons, nor removed from the physical confines of the City unless such use is specifically approved by management. Employees are discouraged from bringing large or valuable personal items to work. The City is not responsible for any loss or theft of items.

Returning Property. On or before the last day of work, or any time requested by City, employees are required to return all City property (i.e., equipment, phones, computers, credit cards, P-cards,



keys, records, manuals, computer files, and other documents), including all copies of such items, which in any way relate to the business or affairs of City. Employees shall be responsible for any such property not returned to City upon request.

TPO / DVPO. If an employee applies for or obtains a Temporary Protection Order (TPO) or a Domestic Violence Protective Order (DVPO) which lists City property as being a protected area, he/she must provide a copy of such to the HR Director.

Investigation. If City property is reported lost or stolen, an internal investigation shall be conducted. If the investigation reveals intentional damage, negligence or theft, the employee responsible will be subject to disciplinary action up to and including termination of employment. As part of a City investigation of possible violations of this policy, it may be necessary for work areas, lockers, desks, vehicles, or cabinets to be searched on occasion. These are the property of City and, as such, we reserve the right to search them with or without advance notice. You should have no expectation of privacy.

Violations. The City may pursue all available legal remedies for actions in violation of this policy. Reimbursement for damaged, misplaced, or stolen items may be pursued.

12.20 Take-Home Vehicle Policy

Purpose. This policy is intended to ensure the safety and well-being of City employees; to facilitate the efficient and effective use of City resources; to minimize the City's exposure to liability; to monitor the use of City-owned vehicles; to establish a uniform, comprehensive policy and criteria for the assignment, use, and administrative control of vehicles assigned to employees to conduct City business. The City may provide take-home vehicles to employees whose responsibilities necessitate the need to regularly report to a worksite during off-duty hours for the purpose of protecting life and property. Each Department Director shall be responsible for justifying the assignment of each take-home vehicle. As a cost-savings measure, other methods of response should be considered prior to recommending the assignment of a take-home vehicle. It is the intention of administration to assign take-home vehicles only to the extent necessary to operate in an effective and efficient manner. The use of take-home vehicles is a privilege. The City expects employees with assigned take-home vehicles to act responsibly and use necessary discretions in the operation of the vehicle. Violation of City or state laws governing such use may lead to that privilege being revoked or other disciplinary actions as applicable.

Applicability. Department Directors, employees, or other authorized individuals operating a City-owned vehicle, or that are reimbursed for personal use of their private automobile, shall comply with this policy.

Definitions.

- (a) *Atlanta Metropolitan Area* means the area defined as the twenty (20) county area as established by the U.S. Census Bureau. These counties include Barrow, Bartow, Carroll,



Cherokee, Clayton, Cobb, Coweta, Dekalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Newton, Paulding, Pickens, Rockdale, Spalding, and Walton.

- (b) *Authorized Driver / Operator* means an employee given permission to operate a City vehicle. Such driver must possess a valid and appropriate State of Georgia driver license or a Commercial driver's license (CDL) with an acceptable driving history.
- (c) *Call Out / On Call* means a directive to an employee to report to a worksite during off duty hours and to respond to emergencies which require immediate response in order to protect life and property.
- (d) *Executive Management Team* means a team that is comprised of the City Manager, HR Director, Chief Financial Officer, and Risk Manager.
- (e) *Markings* mean that all vehicles shall be marked appropriately with the City seal, vehicle numbers and any other markings required by the Fleet Services Division. Exceptions of this requirement must be reviewed by the appropriate Executive Management Team member and submitted to the City Manager for approval.
- (f) *Official City Business* means bona fide use of a City vehicle for City business, including City-authorized training.
- (g) *Take-Home Vehicle* means a City-owned vehicle assigned to a City employee for Official City business and for commuting to and from the employee's home and worksite.
- (h) *Vehicle* means a mechanized piece of equipment used to transport passengers or equipment and permitted by law to operate on streets and roadways.
- (i) *Worksite* means the office or site where an employee normally reports to perform scheduled work.

Responsibility / Accountability.

- (a) In general, each Department Director shall have the responsibility of assigning City Vehicles to employees as required to conduct Official City Business based upon the department's operations. However, all Take-Home Vehicle assignments, unless otherwise specified in this policy, must be approved by the City Manager. Department Directors are responsible for assuring this policy is met before authorizing the use of such vehicle. If the need for an exception is urgent and temporary, the Department Director may proceed with the exception. Department Directors are responsible for ensuring the vehicles assigned to their departments are operated as this policy dictates and the vehicle use meets all criteria outlined in this procedure. Department Directors shall ensure employees operating the



Department's vehicle possesses a valid operator's license at the time of assignment as appropriate to the type of vehicle operated.

- (b) Department Directors are responsible for providing a copy of this policy to each driver and provide HR with the original signed acknowledgment for inclusion in their personnel file. The Department Director shall evaluate the need for employees to be assigned a take-home vehicle on a regular but at minimum annually. The Department Director shall, in July of each year, submit justification, to the appropriate executive management team. The justification shall the reason provided for the employee to take a City-owned vehicle home. The Department Director must maintain documentation to support this and provide a copy to the Public Works Department. Lack of this support may result in denial of Take-Home Vehicle assignments.
- (c) The Director of Public Works or designee is responsible for maintaining a list record of all Take-Home Vehicles and assignments. HR is responsible for conducting bi-annual Motor Vehicle Records (MVR) checks for all drivers of City-owned vehicles and retaining a copy of their 'State driver's' license. Drivers found to have an unacceptable driving record shall lose privileges within this policy. Employees must notify Department Directors and HR immediately of any driving infractions or pending charges that affect or could affect their driver's license status. The Risk Manager shall decide as to the current / future driving privilege status of the driver and/or other recommendations to ensure safe driving habits. These actions may include, but are not inclusive of, enrollment in defensive driving and/or other disciplinary actions.

Use of Vehicles. The City-owned vehicles shall be used to perform only Official City Business.

Eligibility for Take-Home Vehicle privileges for employees within Public Safety (Police Department) who live within a thirty (30) mile radius of Forest Park Police Department (Headquarters). To be eligible for a Take-Home Vehicle, the employee shall (i) have successfully completed the Field Training Program or Probationary Period within the Police Department and be in good standing; (ii) be determined to be necessary for callback on an emergency basis for incident response or investigations by the Chief of Police; and (iii) the vehicle must be equipped as an emergency response vehicle. The Chief of Police shall determine those who qualify under this provision and report back to the City Manager on a bi-annual basis for approval. The positions of the Command Staff, including Lieutenants, under the Chief of Police are not confined to this thirty (30) mile radius.

Eligibility for Take-Home Vehicle privileges for employees within Public Safety (Fire Department) who live within a thirty (30) mile radius of Forest Park Police Department (Headquarters). To be eligible for a Take-Home Vehicle, the employee shall (i) have successfully completed the Field Training Program or Probationary Period within the Fire Department and be in good standing; (ii) be determined to be necessary for callback on an emergency basis for incident response or investigations by the Fire Chief; and (iii) the vehicle must be equipped as an emergency response



vehicle. The Fire Chief shall determine those who qualify under this provision and report back to the City Manager on a bi-annual basis for approval. The positions of the Command Staff, under the Fire Chief are not confined to this thirty (30) mile radius.

Eligibility for Take-Home Vehicle privileges for employees within the Public Works Department who live within a thirty (30) mile radius. To be eligible for a Take-Home Vehicle, the employee shall (i) be determined to be skilled and needed for callback to respond to City facility emergencies (such as electrical, heating, or air conditioning outages, etc.) by the Director of Public Works; and (ii) the vehicle must be equipped with the tools necessary for the appropriate response. The Director of Public Works shall determine those who qualify under this provision and report back to the City Manager on a bi-annual basis for approval. The Director of Public Works is eligible for a Take-Home Vehicle.

Eligibility for Take-Home Vehicle privileges for employees within Public Safety and Public Works departments who live outside the City. All other employees who qualify for a Take-Home Vehicle under this policy and who have received final approval from the City Manager, but who live outside the City, may choose one of the following options: (i) he/she may park the vehicle at the closest City facility to home for drop-off and pick-up; (ii) use a personal vehicle for call-acks and charge mileage; or (iii) pay a commute fee of ten (10) cents per mile from the City limits to the employee's residence and back via payroll deduction.

Other Circumstances Where Overnight, Take-Home Privileges May be Granted. On a case-by-case basis, a Department Director may authorize temporary overnight take-home privileges for an employee. In those instances, the employee must have attended an authorized meeting as an official representative, it must be reasonable to return the vehicle to its normal location, and the Department Director must document for file the temporary overnight privilege to indicate the justification for the action.

Range for City-Owned Vehicles. For daily business, authorization to take a vehicle outside of the Atlanta Metropolitan Area must be approved in writing by the City Manager or designee.

Mass Transit. High priority shall be given to the use of public transportation systems. Employees using mass transportation for Official City Business may submit a receipt for reimbursement.

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

Reporting. The Director of Public Works, the Fire Chief, and the Chief of Police shall provide annual reports to the City Council identifying Take-Home Vehicles, including, the type of vehicle, the employee's name and residence, and justification. Amendments to the Overnight Vehicle List



must be approved by the City Manager who shall include them on the next annual report to the City Council.

Endeavors of the City. The City endeavors to: (i) provide transportation when available, or make reimbursement of costs incurred, to employees traveling on Official City Business; (ii) assign City-owned vehicles full-time during the working day to specific employees based on a justified need and not because of position; (iii) provide City-owned vehicles, as available, to other employees having less than full-time needs; (iv) encourage use of the City-wide motor pool; and (v) authorize reimbursement at the current City approved rate-per-mile for the use of privately-owned vehicles only when necessary and in the City's best interest.

Assignment of Vehicles. Vehicle assignment for Official City Business may be categorized in the following manner:

- (a) *Exclusive Assignment (Restricted):* The authorized use of a City-owned vehicle by a designated employee / position for the purposes of efficiently and effectively performing Official City Business.
- (b) *Exclusive Assignment (Unrestricted):* The assigned, unrestricted use of a City-owned vehicle on a twenty-four (24) hour basis within the Atlanta Metropolitan Area and encompasses commuting to and from home and 'de minimus' personal use (i.e., lunch or personal errand on the way between a City location / activity and the employee's home). This assignment is limited to specific positions within the City and shall be determined by the City Manager (i.e., Police Departments, whose response time is urgent and immediate needs of public safety duties and responsibilities are essential). Unrestricted use of Public Safety (Fire and Police) vehicles by specifically authorized personnel is allowed if (i) accompanied by an urgent and immediate need to respond to public safety duties and responsibilities where response time is essential; (ii) recommended by Department Director; and (iii) approved by the City Manager.
- (c) *Eight (8) Hour Assignment.* The assigned use of a City-owned vehicle by a designated employee / position for Official City Business during the respective employees assigned work period which may in fact be more than eight (8) hours depending on job assignment as approved by the Department Director. Such assignment allows for use of the vehicle for all authorized uses except for commuting between normal worksite and personal residence. This assignment may be approved when: (i) a vehicle is needed and used extensively each working day; or (ii) the nature of one's work may cause unusual depreciation and wear on a personal vehicle.
- (d) *Pool Assignment.* The assigned use of a City-owned vehicle by employees for the efficient and effective performance of Official City Business on an as-needed-basis. Vehicles not assigned to a specific employee / position are designated this assignment. These vehicles are to be utilized by City personnel as directed by the owning Department Director or



designee. These vehicles shall be used to handle a short-term (approximately eight (8) hours) transportation requirements; however, they may be used on a temporary basis for periods greater than a day when approved by the Department Director, to accomplish Official City Business. The Department Director shall document for file the justification for this approved action.

- (1) Personal Use Vehicles are allowed in the performance of Official City Business when a City-owned vehicle is not otherwise appropriate or available. Reimbursement shall be accomplished on an allowance or mileage basis as outlined later in this policy.
- (2) Individuals using personal vehicles for Official City Business are required to carry, at a minimum, the Georgia Auto liability limits as evidence of financial responsibility. This is always the primary insurance coverage for the employee's vehicle, including when the vehicle is used on Official City Business.
- (3) Approved employees or officials who use their personal vehicles for Official City Business may be reimbursed on a per mileage basis. Mileage for transit between home and work and between work and lunch shall not qualify for reimbursement. The "Mileage Reimbursement Request" form shall be (i) signed by the employee requesting the reimbursement; (ii) verified by the Department Director; and (iii) filed with the Finance Department where the Finance Director may employ any reasonable means of checking the validity of mileage reimbursement requests. Any inaccurate recordkeeping shall subject the employee to disciplinary action in accordance with this Manual.
- (4) Persons in this category of assignment who consistently travel more than five hundred (500) miles per month for Official City Business may be considered for another type of assignment.

Assignment Approval Process. All assignments, including reimbursement for use of personal vehicles, are subject to the monetary limitations imposed by the governing body as part of the annual budget process. Department Directors shall assess the status of vehicle assignments semi-annually and on or before July 1st of each year, shall submit justification for requirements for exclusive and eight (8) hour assignments to the Director of Public Works by using a "Request for Vehicle Assignment" form. The Public Works Director shall provide a consolidated recommendation to the City Manager and presentation to the City Council.

Driver Qualifications. Only employees who hold a valid Georgia or other state driver's license and who meet the following shall be allowed to operate City-owned vehicles or drive their personal vehicles while conducting Official City Business: (i) the employee shall have at least one year of experience in the class of vehicle to be operated or have received proper training in the operation of the vehicle prior to use; (ii) the employee must meet the driver's licensing requirements and



provide an initial Driving History Report (MVR) to the Department Director and annually thereafter; (iii) the employee must sign the Take-Home Policy Acknowledgment form; (iv) the employee maintains assigned vehicle in accordance with guidelines established by Fleet Services; and (v) the employee shall not during the last thirty-six (36) months been convicted of a felony, been convicted of a sale, handling, or use of drugs, has had automobile insurance cancelled, declined, or not renewed by a company for reasons related to unsafe driving practices, or has twelve (12) or more points assigned to his/her driving record.

License Inspection. All employees must, upon request, provide a copy of their driver's license to the Department Director to confirm the following: (i) the signature matches the individual; (ii) the photograph resembles the individual; (iii) the description and address fit the individual; (iv) the expiration date has not passed; and (v) the license has been issued by the state in which the individual resides.

Driver Reporting Requirements.

- (a) *Driving While Impaired (DWI).* All employees are required to report any DWI arrest, or any other drug or alcohol arrest related to driving, whether on or off duty, to the Department Director and HR. The employee's driving privileges shall be suspended pending final disposition by the courts. Failure to report the arrest is a violation of this policy and shall be grounds for disciplinary actions and potentially termination.
- (b) *Traffic Violations.* Drivers are responsible for obeying all traffic laws. All employees who are assigned a City-owned vehicle or who drive any vehicle more than ten percent (10%) of their work time are required to report any traffic violations, whether on or off duty, to the Department Director and HR. Failure to report any traffic violation is a violation of this policy and shall be grounds for disciplinary actions. Fines imposed on the driver for a traffic offense committed while on or off duty is the personal responsibility of the driver.
- (c) *Incidents / Accidents.* Employees involved in a motor vehicle accident shall be subject to disciplinary action set forth by the COFP Safety Incident / Accident Review Board. The employee will be required to complete online Driver Safety Remediation courses with Safety National and each course must be completed with a proficiency of eighty percent (80%). In the event of a preventable accident involving death, the employee shall, at a minimum, be suspended five (5) scheduled workdays without pay, attend a Defensive Driving course approved by the City Manager at the employee's expense, and submit for a hearing with the COFP Safety Incident / Accident Review Board, before he/she is permitted to resume driving any vehicle while conducting Official City Business. All drivers are required to report any accident / incident involving a City-owned vehicle or personal vehicle while conducting Official City Business, immediately, to the City Manager, Department Director, and HR. In the event of an accident, the driver shall: (i) follow the City's Accident Reporting Procedures, which include contacting the Risk Management office, regardless of the extent of damages; (ii) submit for a Breath Alcohol Test and Drug



Screen with a CSOF Panel Physician within two (2) hours of the accident; (iii) not discuss the accident with anyone other than the investigating officer, Risk Manager, the City Manager, the City's insurance carrier, or persons conducting the internal investigation; (iv) make not attempt to reach a settlement; (v) get the name, address, and phone number of all parties involved and witnesses; (vi) take at least three (3) photographs at different angles of the accident / incident scene; (vii) submit the MVA report in Origami and complete all processing fields and recording (Department Directors shall ensure all reports are submitted in a timely manner); and (viii) submit all documentation from Panel Physician to Risk Management as soon as possible.

Driver's Responsibility of Safety and Proper Care. All drivers are responsible for the proper care, use, safety, and security of City property. All employees who operate City-owned vehicles or their personal vehicles while conducting Official City Business are required to operate them in a safe and lawful manner in accordance with the motor vehicle laws of Georgia and the applicable law of any other governmental entity having jurisdiction and shall not engage in any actions that would distract the driver from the safe operation of the vehicle. Approved commuters are responsible for ensuring the assigned vehicle is parked safely and securely when parked at the employee's home (street parking is not allowed at the employee's home). Drivers are required to maintain their assigned vehicle in accordance with Fleet Service guidelines. Failure to follow this policy shall be cause for disciplinary action up to and including termination.

Alcohol, Drugs, and Tobacco Prohibited. Possession, transportation, or consumption of alcohol or drugs by anyone in a City-owned vehicle is strictly prohibited. Additionally, no tobacco products may be used in City-owned vehicles. Smoking by driver or passenger is not allowed.

No Right of Privacy. City-owned vehicles are the property of the City and as such, are subject to inspection, audit, and search by City officials. This includes the right to place tracking devices on the vehicles and monitor their whereabouts without notice to employees. The City Manager shall designate persons authorized to conduct inspections, audits, searches, and monitoring.

Appearance. The employee shall keep the assigned vehicle in a state of cleanliness since City-owned vehicles are a direct reflection of the City and as such should portray a professional appearance. Interiors of the vehicles shall be kept free of litter and debris. The vehicles shall not be altered in any method without approval of the Fleet Manager. City-owned vehicles shall not have personal stickers, signs, flags, or any similar attachment placed on or affixed to the vehicle unless the City Manager has given signed written approval. All vehicles must be affixed with the City logo and tampering / removal of the logo shall result in appropriate disciplinary action.

Vehicle Logs. Vehicle logs shall be placed in vehicles at certain times by City administration to help gather information to help the City assess its vehicles' needs and usage patterns. When this occurs, each driver shall be responsible for ensuring there is a vehicle log within the vehicle and that it is filled out each day. When a page is filled out, the driver is responsible for getting the supervisor's initials on the sheet showing they have reviewed the record.



Vehicle Inspection. Employees shall perform a daily “walk-around” of the vehicle to identify any visible problems prior to use, utilizing the vehicle maintenance checklist, to ensure all safety equipment (i.e., headlights, turn signals, brake lights, and windshield washers) is functioning properly. Any damage beyond normal wear and tear, including defects affecting the safe operation of the vehicle, must be documented on the vehicle maintenance checklist, and reported to the supervisor and Fleet Management. Employees must comply with all preventative maintenance programs established by the City.

Vehicle Inspection Checklist. All employees who are assigned a vehicle shall complete a Vehicle Inspection Checklist and provide a copy to his/her supervisor no less than once monthly, as determined by the City Manager or designee. Employees shall comply with vehicle preventative maintenance programs required by the City. Drivers may not transport items or cargo having no relation to Official City Business.

Gas Stations. Only approved gas stations shall be used unless there are extenuating circumstances.

Passengers. Only passengers on Official City Business are allowed in City-owned vehicles.

Seat Belts. Drivers and passengers must always wear seatbelts.

Take Home Vehicle Justification. Employees must be subject to call out, on call, and/or the responsibilities of the job assignment that require the employee be subject to be called back or respond to work. Department Directors shall assure the use is justified based on past evidence of their need to be called back to work outside normal work hours or other operational need.

Suspension. Employees on suspension shall have their take-home vehicle privileges revoked during the suspension. The Department Director or City Manager have the discretion to reassign a Take-Home Vehicle while an employee is suspended.

Leave. Employees on leave exceeding ten (10) days shall not keep possession of the Take-Home Vehicle during such leave.

Use of Electronic Devices. In accordance with O.C.G.A. 40-6-241, the use of a mobile telephone for voice communications while physically holding or supporting said device with any part of the body and while operating a City-owned vehicle or while operating a personal vehicle on Official City Business is prohibited except in the following circumstances: (i) when reporting a traffic accident, medical emergency, fire, an actual or potential criminal or delinquent act, or road condition which causes an immediate and serious traffic or safety hazard; (ii) by a law enforcement officer, firefighter, emergency medical services personnel, or other similarly employed public safety-first responder during the performance of his/her official duties; and/or (iii) when using an earpiece, headphone device, or device worn on a wrist to conduct voice-based communications. In all other circumstances, employees shall park assigned vehicle in a safe manner and location when



necessary to use mobile device for voice communications inside the vehicle. Reading or writing texts or emails while operating the vehicle during Official City Business is prohibited.. The use of any other electronic device (i.e., GPS, computer, iPad, etc.) while operating vehicle is prohibited. Additionally, all drivers are prohibited from engaging in the following while operating a vehicle: (i) using more than a single button on a wireless telecommunications device to initiate or terminate a voice communication; or (ii) reaching for a wireless telecommunications device or stand-alone electronic device in such a manner that requires the driver to no longer be in a seated driving position or properly restrained by a safety belt.

Forms Under This Policy. Please see applicable Department Director or HR for all forms under this policy.

12.21 Travel Policy

For eligible employees or officials whose position ever requires travel by the City, all business travel must be approved in advance by the Department Director and HR and must comply with the following requirements: (i) eligible employees shall use the most appropriate form of transportation available, book the least expensive fares, and stay in and eat at establishments, in accordance with approved per diem; (ii) eligible employees shall provide his/her supervisor with a copy of itinerary before leaving on business travel; and (iii) maintain a high level of professionalism and follow all applicable rules of this Manual.

Eligible employees who drive a City-owned vehicle or personal vehicle for Official City Business must: (i) follow all Take Home Vehicle Policy requirements of this Manual; (ii) receive prior authorization from applicable Department Director *before* using your personal vehicle and requesting reimbursement for the use of your personal vehicle for Official City Business (use of personal vehicle requires verification of your insurance showing that you have adequate insurance coverage for your personal vehicle); and (iii) report any accident, theft, damage, breakdown, or mechanical problem involving a City-owned vehicle or a personal vehicle used on Official City Business to the Department Director and HR, regardless of the extent of damage or lack of injuries.

12.22 Policy Regarding Employees as Candidates for Political Office

Any City employee shall resign from employment upon qualifying as a candidate for any: (i) elective office of the City of Forest Park, Georgia; (ii) full-time elective office of a political subdivision of this state or any other state; (iii) full-time elective office of a political party or political organization; (iv) elective office of this state or any other state; (v) elective office of the federal government. Qualification for office shall be conclusively presumed whenever an employee files a candidacy application and pays any related application fees.



12.23 Policy Regarding Service Animals

A service animal may be an accommodation that is requested by an employee through the reasonable accommodations process.

For purposes of this policy, “service animal” has been defined by the ADA as any dog that is individually trained to do work or perform tasks for a person with a disability. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting, and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties.

Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person’s disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

The City will evaluate all requests to bring a service animal into the workplace to determine if the accommodation is reasonable and can be provided without undue hardship. Employees may be asked to bring the service animal to the workplace to demonstrate the animal’s training and ability to be in the workplace without disruption.

All service animals must be licensed and in compliance with local laws. They must also be current with all vaccinations including rabies. The service animal must wear a tag displaying their vaccination status as well as the employee’s name and phone number. Service animals must be under the control of their handler. Under the ADA, service animals must be harnessed, leashed, or tethered, unless the individual’s disability prevents using these devices or these devices interfere with the service animal’s safe, effective performance of tasks. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

The service animal’s handler must be always in complete control of the service animal. The care and supervision of a service animal is solely the responsibility of its handler. An individual who brings a service animal onto City premises is completely and solely liable for any injuries and/or damage to personal property caused by the animal. Any repair or cleaning costs incurred due to a service animal will be charged to the employee (handler).

The employee (handler) is expected to clean and dispose of all animal waste appropriately.

The City expects all service animals and their respective handlers to exhibit reasonable behavior while on the premises. The service animal must be properly groomed, free of fleas/ticks/parasites and maintained so as to avoid disruption of others in the workplace. In addition to the requirements above, a service animal may be removed from the City’s premises for one of the following reasons: the service animal acts out of control or behaves poorly to cause disruptions, and the employee fails or is unable to take effective action to control the service animal to include but is not limited



to barking, growling, and snarling; or (ii) the service animal is unclean, has fleas/ticks/parasites, and/or is not housebroken.

If the service animal consistently behaves improperly, the employee (handler) may be directed to not bring the service animal onto City property until the employee (handler) corrects the service animal's behavior.

ARTICLE XIII **DISCIPLINARY ACTION**

13.01 General Standards of Behavior and Performance

It is neither possible nor desirable to list every behavior or performance expectation of employees. The City assumes that, as mature adults, most employees are already aware of the general standards of behavior which the City, like most employers, requires. When an employee's behavior or performance fails to meet City standards, the employee will usually be corrected through the Positive Discipline system so that the employee can make the required change. Where an employee commits a serious violation of the most basic behavior standards or where an employee commits an act of violence, a crime, or another especially serious violation of an obvious standard of behavior which the employee knew, or should have known, the employee may be terminated without prior correction.

Positive Discipline is an educational process intended to cause change in an employee's behavior or performance in a specific, desirable manner, through counseling or education. As a result of Positive Discipline, employees become aware when their particular behavior or performance fails to meet their Department's behavior and performance standards, and gain a clear understanding of how they need to change their behavior and performance in order to meet the Department's standards, and keep their jobs.

The responsibilities of every employee in the Positive Discipline Process are to: (i) learn the City's behavior and performance standards; (ii) become aware when their behavior or performance fails to meet the standards and the specific changes in behavior or performance required to meet those standards, by listening carefully when supervisors counsel them and by seeking clarification and/or advice from supervisors, the Department Director, or the HR Department, if necessary, on standards which they do not know how to meet; and (iii) make the required change in behavior or performance on a permanent basis. A consequence of an employee's continued failure to meet performance or behavior standards is termination from employment.

Examples of Standards of Behavior. All employees are expected to: (i) be at their assigned place of work, ready to work, at the time they are scheduled to begin working, and to remain on their jobs until the time they are expected to end working, every day that they are scheduled to work; (ii) perform their work at the levels of quality, quantity, and efficiency that their Department requires of them; (iii) respect themselves, and to show in their job behavior, respect for the inherent



dignity and needs of the City's elected and appointed officials and managers, its citizens, their fellow employees, managers and superiors, and the City itself; (iv) treat the City's property, assets, and resources as a trust, to protect and preserve them from damage or loss, and to use them only in a manner, and for purposes for which they are authorized; and (v) act toward the City, their superiors, peers, and the public with honesty and integrity, to accurately record and report any information or data required of them, and to conduct their work in a manner that reflects high levels of integrity required of public servants of the City.

13.02 Types of Corrective Action

Informal Counseling. Whenever an employee's behavior or performance fails to meet the Department's requirements, the supervisor shall bring this to the employee's attention, in private as soon as they notice the problem. The nature of the meeting is a coaching session with the aim of changing the employee's performance or behavior. The supervisor should clearly identify the behavior or performance problem, clearly define the standard of behavior or performance which the employee must meet, and clearly describe the specific change that the employee must make and maintain to meet the standard. The supervisor shall ensure the employee understands clearly what will be required and knows that meeting the standard is a requirement for the employee's continued employment. The supervisor shall document the counseling session with the employee, including the date and subject matter of the discussion. This record will be used in the event it becomes necessary to further counsel the employee concerning the same type of behavior, or to prove the employee was made aware of the required standard of behavior or performance and the required change.

Formal Counseling. If an employee repeats the same type of behavior in a twelve (12) month period for which the employee previously was counseled on an informal basis, formal counseling is required to ensure the standards, the required changes, and the consequences of failing to make the change are made clear to the employee. This formal disciplinary conference will be held in private, but with both the supervisor and the Department Director present. The Department Director shall review the record of the previous informal conference about the same behavior or performance problem with the employee and shall ask whether he/she understands which specific behavior breached the City's expectations and occasioned the Formal Counseling Conference. If the employee cannot clearly identify the specific behavior that is the source of the problem, the supervisor shall provide the specific facts about the incident. The Department Director shall require the employee to make a signed written commitment (which also must be signed by both supervisor and Department Director) describing the concrete steps to change the behavior once the employee: (i) is aware of the specific behavior that is the reason for the disciplinary counseling; (ii) has identified the particular performance or behavior standard which must be met; and (iii) knows and can describe the specific manner in which performance or behavior must change to meet the City's standards. The agreement shall state that the employee's breach of this commitment at any time in the future, may result in the employee's termination.



Retention of Disciplinary Records. All records of counseling are to remain permanent parts of the employee's personnel record with copies filed with HR. So long as the employee keeps the commitment to make the permanent change, they will have no effect upon the employee's career (except as explicitly provided in these policies). No City Official has the authority to remove or expunge such a record from an employee's personnel file, unless subsequently the employee proves that the discipline was invalid because it was unlawfully discriminatory, or that the employee did not engage in the prohibited or sub-standard behavior or performance. The record shall be used only as documentation that the employee previously was made aware of a particular behavior or performance requirement.

Suspensions and Demotions. An employee may request a demotion to a lower classified position where the employee does not wish to hold a higher classified position. Suspension may be used as a means of aiding in an investigation, providing a "cooling off" period and when circumstances warrant as part of the disciplinary process. While usually such suspensions are for the City's convenience, administrative in nature and paid, where circumstances warrant, unpaid suspensions are authorized.

Decision-Making Leave.

- (a) *General.* In some unusual cases, such as where a career service employee has provided especially valuable services to the City, or where the career service employee with a substantial length of service had previously maintained performance appraisals which were consistently rated as better than satisfactory, and had previously maintained a good disciplinary record, it is possible that an employee's failure to meet the City's standards is due to temporary factors which are distracting the employee or beyond the employee's immediate control. In such cases where it is in the City's best interest, it may be appropriate to attempt to "save" the employee's career by allowing the employee a final opportunity to seriously consider whether he/she is able and willing to make the necessary changes in the employee's work habits to permanently meet the City's standards. In such a case, where the employee's behavior or performance standards breach would ordinarily result in termination, the Department Director shall have the choice of recommending the employee be permitted to take "Decision-Making Leave."
- (b) *Purpose.* The purpose of this leave is neither to punish or reward an employee but is to provide the employee an opportunity to spend time, without loss of pay, seriously considering whether the employee considers a career with the City sufficiently important to motivate the required changes as a condition of the employee's continued employment. It can be offered to an employee only one time in the employee's career with the City and use of this leave is discretionary. This is offered solely to permit the City to attempt to salvage its "investment" in an employee who has proven to be an asset prior to the acts leading to a termination recommendation.



- (c) *Authorization.* The process of deciding whether to offer this leave in lieu of termination is initiated by the recommendation of the Department Director to the HR Director, who shall confer with the City Manager. Only the City Manager shall have the authority to authorize an offer of this leave in lieu of termination.
- (d) *Duration.* This leave shall last for at least one (1) full shift (but can include the remainder of the shift during which it is offered). The employee shall be paid for the time spent on decision making leave, just as if the employee had completed the shift.
- (e) *Conditions.* Before an employee is offered this leave in lieu of immediate termination, the following conditions must be explained to the employee: (i) the employee is required to use the time for the purpose of seriously weighing the importance of the employee's career and the capability of making the required change on a permanent basis; (ii) if the employee decides he/she either can't make the required permanent change, the employee shall not return from decision making leave; (iii) if the employee fails to return to work on the next scheduled working shift after the leave expires, the City will consider the employee to have voluntarily resigned and that the required "two week" notice of resignation waived and the employee shall not be entitled to re-employment by the City; (iv) the employee decides to return to work from decision making leave, the employee must sign a "Last Chance Change Agreement" in which the employee specifies certain concrete steps the employee will take to ensure the behavior or performance permanently meets City's requirements.
- (f) *"Last Chance Change Agreement."* This mandatory agreement acknowledges: (i) if the employee ever repeats the behavior or performance which led to the decision making leave, the employee will be immediately terminated and waives all appeal rights over the termination; (ii) that the employee will complete a probationary period of not less than one (1) year, during which the employee's performance will be subject to special scrutiny, and during which it will consistently warrant ratings of better than "satisfactory" (employee's failure to meet this requirement will result in immediate termination, for which the employee waives all appeal rights as a condition of continued employment after returning from decision making leave); (iii) that during the probationary period, the employee's behavior will likewise be subject to closer scrutiny and will conform with all City standards so that the employee will require no more than informal counseling for any behavior inadequacy (if the employee requires more than informal counseling for any behavior problem during the specified period, the employee will be immediately terminated, for which the employee waives all appeal rights as a condition of continued employment after returning from decision making leave); and (iv) an employee on probationary status after decision making leave shall not be entitled to consideration for promotion or transfer to another position, nor to any appeal of discipline or a termination decision.



13.03 Involuntary Termination

Authorization. The City Manager has the authority to terminate all covered employees as prescribed by the City Charter with or without cause. Department Directors may recommend to the City Manager the termination of an employee's employment within their own Department with or without cause, and such termination shall only take effect after the approval of the City Manager. A Department Director may only be terminated by the City Manager. A written statement specifically setting forth the reason for any such action shall be furnished by the Department Director or City Manager and shall be forwarded to the HR Director and filed in the personnel folder of such employee within one (1) working day of the effective date of the action.

Terminations Without Previous Discipline. Certain behavior standards are so universally accepted as normal, that employees can be expected to be aware that such behavior is seriously wrong without requiring counseling. An employee who engages in such acts is unsuitable for employment by the City and will be terminated without prior correction. The following examples are provided of the type of action which may lead to immediate termination: (i) theft from the City or its employees; (ii) dishonesty in providing information required by the City; (iii) acts or threats of violence against the persons or property of fellow employees or members of the public; (iv) commission of a serious misdemeanor or felony; (v) other actions which are likely to adversely impact the City's reputation for maintaining high standards for the employees it selects and employs; (vi) intentional disregard for a lawful order from a supervisor; (viii) harassment; (ix) intentional disregard or neglect of the employee's duties; (x) intentional disregard for safety; or (xi) violations of certain policies described in this Manual.

Failure to Correct Behavior or Performance. In addition to the acts specified in this section, an employee's failure to respond adequately to the types of corrective action, by making the required changes in performance or behavior to meet the City's standards, will result in the employee's termination.

Notification of Appeal Rights. Any written notification submitted to a regular employee who is being subjected to an involuntary separation shall set forth the right of the employee to appeal such action in the manner set forth in this Manual.

13.04 Appeals and Reconsiderations

Authorization to Terminate. Only City Manager has the overall authority to terminate an employee. However, such action may arise upon a recommendation from the Department Director.

Employees Eligible for Appeal. Any regular, career service employee who has been subjected to informal counseling, suspension (with or without pay) or involuntary termination shall have the right of appeal.



Appeal Rights of Employees Other Than Department Directors. An employee wishing to appeal any personnel action other than a termination must submit a written appeal to HR Director and the City Manager within five (5) business days of the disputed action. The City Manager shall then decide to meet and discuss the matter as soon as practical, but at least within thirty (30) days of receiving the written appeal. The appealing employee shall have prepared any documents or other information to support the appeal at the meeting with the Department Director. Within fourteen (14) days of the meeting, the City Manager will respond in writing to the appeal to provide whether the disputed action will be upheld.

Reconsideration Rights of Employees Other Than Department Directors with Respect to Termination. An employee wishing to request the reconsideration of a termination must submit a written appeal to the City Manager within five (5) business days of the disputed action. The City Manager will then make arrangements to meet and discuss the matter as soon as practical, but at least within thirty (30) days of receiving the written request for reconsideration. The employee shall have prepared any documents or other information to support the reconsideration at the meeting with the City Manager. Within fourteen (14) days of the meeting, the City Manager will respond in writing to the reconsideration request to provide whether the disputed action will be upheld.

Appeal Rights of Department Directors. Only Department Directors and the City Manager have the authority to suspend an employee (with or without pay). However, such action may arise upon a supervisor's recommendation to the Department Director. Only the City Manager shall have the authority to involuntarily terminate an employee.

Freedom from Reprisals. Employees are and shall be assured freedom from reprisal for using this appeal procedure. Any supervisor or Department Director who violates this provision is subject to serious discipline.

13.05 Consistency of Application

Department Directors and supervisors must apply standards of behavior and performance and implement this policy in a fair and consistent manner. They shall not tolerate violations of standards by one or more employees while they require that other employees obey the standards and rules. The Department Director may rebut an employee's proof of inconsistent application of behavior or performance standards by demonstrating with clear and convincing evidence that the department had announced and had consistently applied stricter standards of behavior or performance to employees after any incident which the employee cited to prove the Department's inconsistent application or enforcement of behavior or performance standards.

13.06 Crimes

Crimes Unrelated to the City. If an employee is indicted for commission of a felony or misdemeanor of moral turpitude which is alleged to have occurred during the employee's off-duty



time, and which has no connection with or relevance to the employee's performance of job duties for the City, the City Manager shall determine whether the facts reveal substantial questions about the employee's continued suitability for his position until final disposition of the criminal charges. The City Manager may terminate the employee, suspend the employee pending final disposition of the criminal charges (with or without pay), or permit the employee to continue working for the City pending final disposition of the criminal charges against the employee. The decision shall be premised upon the City Manager's assessment of the City's potential liability for the employee's subsequent wrongful acts for "negligent retention" of the employee. The City Manager shall set any conditions under which an indicted employee may continue working. Such conditions may include transfer of the employee to another position, special reporting requirements, or restrictions upon the employee's activities.

Crimes Related to the City. Where a criminal charge involves behavior which directly relates to, or reveals an employee's lack of suitability for safe and competent City employment, or from which the City Manager might reasonably conclude that the indicted employee poses a danger to fellow employees or the public when performing his job duties, the employee may be suspended, with or without pay. A suspension imposed under this section shall not be appealable.

Acquitted of Criminal Charges. If an indicted employee is subsequently acquitted of all criminal charges, the City Manager may conduct an independent determination of the employee's suitability for employment by the City. In making the determination, the City Manager need not find proof beyond a reasonable doubt that the employee is unsuitable but may rely upon the preponderance of any information or evidence (irrespective of whether it would be admissible in a criminal proceeding). The employee: (i) must apply in person to the HR Director for reinstatement and must provide evidence of the acquittal; and (ii) may be required to provide any evidence which supports the employee's exoneration of the criminal charges, including the transcript of the criminal proceeding or as much of the case record as is reasonable available to the employee. The City Manager shall review any part of the criminal case record made available to them and determine whether the employee was exonerated from the criminal charges. The City Manager may also review the employee's performance and behavior record. If the decision is made to reinstate the employee, the employee will be returned to his former position, if it exists, or to a substantially equivalent position, and the time that the employee was suspended will be credited to the employee's length of service, as if the employee had worked for the City without interruption.

13.07 Termination Clearance

Exit Interview. A member of HR shall conduct an exit interview with any employee being terminated. The purpose of the exit interview is to make the employee aware of any benefits available, to retrieve any City owned records or property in the employee's possession, to discuss the reasons for the termination, and to learn the employee's response to them. The Exit Interview may include: (i) disbursement of employee's final paycheck, showing all deductions that may be required; (ii) discussion of the employee's insurance program, COBRA continuation rights, if any,



and any conditions therefore; and (iii) discussion of the reasons underlying the termination and the employee's views concerning the employment with, and termination by the City.

Final Accounting. At the time of separation and prior to final payment of a terminating employee, all records, assets, and other items of city property in the employee's custody shall be transferred to the Department Director or his or her designated representative. Any funds to the City due because of the shortage in accounting, or the value of any city property which the employee has not returned, shall be withheld from the employee's final compensation in compliance with all state and federal law (including the FLSA) or collected through other appropriate action.

ARTICLE XIV

CONFLICTS OF INTEREST

14.01 Definitions

Conflict of Interest means when one's personal interests, or those of a close relative, interfere, or appear to interfere, with one's ability to make sound business decisions on behalf of the City.

Close Relative means any person who is related by blood or marriage, or whose relationship with the employee is like that of persons who are related by blood or marriage.

Financial Interest means any interest which shall, directly or indirectly, yield a monetary or other material benefit to the employee or elected official, or to any person/entity employing or retaining the services of the employee or elected official, or to the family of the employee or elected official.

14.02 Examples of Conflicts of Interest

Conflicts of Interest may arise in the following circumstances, including but not limited to:

- (a) An employee / elected official or the Close Relative of an employee / elected official being employed by, or acting as a consultant to, a competitor or potential competitor, supplier, or contractor.
- (b) Hiring or supervising a Close Relative.
- (c) Serving as a board member for an organization whose interests compete with the City's.
- (d) Accepting employment that will interfere with the performance of City duties.
- (e) Accept or continue in the employment of any person, firm, company, or corporation that is or subsequently commences to be performing work or providing materials or services for compensation from City.



- (f) An employee / elected official or the close relative of an employee / elected official owning or having a substantial interest in a competitor, supplier, or contractor.
- (g) Accepting or soliciting gifts, discounts, favors, bribes, or services from a customer or potential customer, competitor, contractor, or supplier.
- (h) Taking any official action regarding any matter under circumstances in which you know or should know that you have a direct or indirect financial interest in the subject matter or in the outcome of such official action.
- (i) Discriminating by the dispensation of special favors or privilege to anyone, whether for remuneration.
- (j) Engaging in conduct which is unbecoming to the City, or which constitutes a breach of public trust.

14.03 Responsibilities and Rules

Employees and elected officials have a responsibility to avoid any conflict between personal interests and those of the City. Business dealings with outside organizations should not result in unusual gains for those firms. Unusual gain refers to bribes, kickbacks, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the employer, elected official, employee, or all. Promotional plans that could be interpreted to involve unusual gain require specific City Manager approval. Before engaging in any activity, transaction or relationship that might give rise to a conflict of interest, seek review from the HR Director.

ARTICLE XV **EMPLOYEE GRIEVANCE PROCEDURE**

15.01 Purpose

The purpose of the employee grievance procedure is to provide a means of communicating and evaluating the job-related claims of both career status and working test employees, and to arrive at a just and equitable resolution of those claims in a timely manner, at the management level which is closest to the employee and the employee's claim. Every supervisor shall endeavor to resolve the employee's questions or claims as soon as possible. Any resolution of an employee's claim must be consistent with the objectives and policies of the City and the Department.

This procedure provides a review of problems to respond to employees quickly and in a consistent manner, without the need for outside third-party intervention. Problems, misunderstandings, and frustrations may arise in the workplace. Any employee who is confronted with a problem has various means available which may be used for resolution or clarification of the issue involved, including this formal grievance procedure.



15.02 Scope

This article applies to all full-time City employees and does not apply to: (i) temporary, seasonal, and initial probationary employees; (ii) part-time employees; (iii) contractors; (iv) elected or appointed officials; (iv) *employees who choose to process a grievance under another existing procedure within Article III.

*If an employee has a complaint that is covered by another procedure, such as a complaint involving discrimination or harassment, they are to use the appropriate procedure that governs that matter. If an employee can't identify the proper procedure, that employee should consult the Department Director, the HR Director, or the City Manager.

15.03 Valid Complaints

Grievable Acts. Upon a formal submission by an employee, if there is a dispute about whether an act is a grievance, such dispute shall be submitted to HR. The HR Director shall decide whether the conduct or act complained of is grievable at any point during the grievance process. If the grievance relates to the HR Director, the City Manager shall decide whether the conduct or act complained of is grievable and make all determinations from there. A grievable act may involve but is not limited to the following: (i) disciplinary actions; (ii) application of HR policies and procedures; (iii) methods and conditions of job performance; or (iv) retaliation for participation in this procedure.

Non-Grievable Acts. A general feeling of dissatisfaction with City employment or a provision of this Manual is not grievable. A non-grievable act may involve, but is not limited to the following: (i) establishment and revision of wages or salaries, position classifications, or benefits; (ii) oral reprimands; (iii) contents of ordinances or statutes; (iv) work activity accepted by the employee as a condition of employment or which may be reasonably expected to be part of the position content; (v) termination, demotion, layoff, or suspension of duties because of lack of work, reduction in force, or job abolishment since this is appealable to the City Manager; or (vi) performance evaluations.

15.04 Formal Submission

Step 1. Informal Discussion. Supervisors and employees are expected to make every effort to resolve problems as they arise and address grievances informally and encourage discussion between employees, supervisors, and Department Directors.

Step 2. Supervisory Level. Any employee who feels he/she has a valid grievance must complete, sign, and date a grievance form and submit it to the employee's supervisor. This form may be obtained from the HR Director or from any Department Director. The supervisor shall meet with the employee to discuss the grievance and submit a written decision within five (5) business days. The City Manager shall have a copy of all decisions and all decisions shall be filed within the HR



Department. The employee shall describe and state on the form, with specificity, the action complained of, the date the action occurred, all persons involved, and the sought-after remedy. The employee must submit a grievance to the supervisor within five (5) days of the grievable act.

Step 3. Department Director Level. If the grievance is not resolved at step 2, or if the grievance involves a supervisor, the employee may submit the grievance form, along with all written documentation from step 2, including the written decision, to the Department Director within five (5) days of receipt of the decision at step 2, or within five (5) days of the occurrence of the grievance if it involves a supervisor. The Department Director shall (i) review the grievance and conduct an investigation, including interviewing the grieving party and anyone involved in the grievance; (ii) meet with the employee to discuss the decision; and (iii) submit a written decision within ten (10) days to the grieving employee and the Director of HR.

Step 4. City Manager Level.

- (a) *General.* If the grievance is not resolved at step 3, or the grievance involves the employee's Department Director or the HR Director, the employee shall submit to the City Manager a written request for hearing, along with all written documentation from the previous steps, including each written decision, within five (5) business days of the last decision or of the occurrence of the grievable act. If the grievance begins at the City Manager level, the employee should submit any information regarding the occurrence of the grievable act, including a written account of the facts.
- (b) *Hearing.* The City Manager may schedule a hearing within thirty (30) calendar days from the date of the request for a hearing. The City Manager has the burden to establish, by a preponderance of the evidence, the basis for the disciplinary action taken. The grieving employee shall establish any defense or response sufficient to negate or mitigate the disciplinary action taken. Both sides may be represented by legal counsel, may present and cross examine witnesses, and may make closing statements. Any witness who is a City employee shall attend the hearing when the grieving party requests the presence of the witnesses, and such witnesses have knowledge relevant to the grievance. The witness shall be charged administrative leave for attending. The City Attorney shall administer the oath to witnesses. The City shall proceed first in establishing a factual case for the disciplinary action which was imposed. While formal rules of evidence do not apply, all evidence submitted at such proceeding must carry an indication of reliability.
- (c) *Decision.* Within thirty (30) days of the conclusion of the hearing, the City Manager shall render a decision on the grievance, which decision shall be final, subject only to appeal to the governing body. Copies of the decision shall be transmitted to the grieving employee and any other party to the grievance, the City Attorney, and the HR Department.



15.05 Records

All records of grievances shall be kept on record within the HR Department.

15.06 Non-Retaliation

The policy of the City is to encourage employees to feel free to raise their concerns, complaints or problems without fear, retaliation, or reprisal. Thus, no employee shall be discriminated against or retaliated against for the proper use of this grievance procedure. No supervisor or Department Director may threaten or take any action against an employee because the employee has brought a grievance, or he/she may be subject to serious discipline.

15.07 Automatic Responses

Automatic Waiver. Failure to initiate a grievance within the time specified in this policy acts as a waiver of the grievance. However, time limits may be extended by agreement of both parties involved. Notice of such extension shall be provided to HR Director and approved by the City Manager. Additionally, any employee who resigns from the City shall be deemed to have waived their right to initiate or process a grievance.

Automatic Acceptance. Failure, at any time during the grievance procedure, to submit a grievance to the next step within the time limit, acts as an acceptance of the decision at that step.

Automatic Dismissal. Failure of a grieving party to cooperate, participate, or meet as requested, pursuant to this article, shall result in a dismissal of the grievance.

15.08 Violations

Violations or failure to comply or cooperate with provisions of this article, may lead to discipline up to and including dismissal from employment.

ARTICLE XVI **MAINTENANCE OF PERSONNEL RECORDS AND REPORTS**

16.01 Personnel Transactions

All appointments, separations, and other personnel transactions shall be recorded on forms provided by the HR Director. The official personnel record for any employee shall be maintained by the HR Director in a central location. The original copies of all employee personnel records shall be stored in the official personnel file.

All information relating to employees' health, medical history, or any other information which describes or identifies an employee's physical or mental health are considered to be confidential



employee medical records. Confidential medical records shall be stored separately from the employee's Personnel File in secured and locked filing cabinets, to which access is strictly limited to the employee, and those other individuals within the City government who have a legitimate need to know such information. Such information shall not be revealed to any other persons without a valid subpoena or court order commanding the City to disclose such information or documents.

An employee's attendance record, noting the days or times that an employee was absent from work shall not be considered a confidential medical record. Notes or correspondence from employee's health care providers explaining or verifying an employee's need to be absent from work shall be considered confidential medical records.

16.02 Documents Subject to Public Inspection

The following information about employees and former employees is available for public inspection at reasonable times and in accordance with such procedures as the HR Director may prescribe: the employee's name, job classification title, and salary range.

The following documents will not be open to public inspection, except as set forth below: investigative reports dealing with pending investigations or prosecutions of City employees which may be withheld so long as an investigation is ongoing. However, once an investigating agency has completed its investigation its report of the investigation shall be considered open to public disclosure.

The following documents shall not be disclosed without a valid subpoena or court order: (i) confidential evaluations submitted to the City, which are prepared in connection with the appointment or hiring of a public officer or employee; (ii) examinations prepared by the HR Department in connection with the appointment or hiring a City employee; (iii) material obtained in investigations related to the suspension, firing, or investigation of complaints against City officials or employees, until ten (10) days after such material has been presented to the City Manager or the governing body after the investigation is otherwise concluded or terminated; and (iv) records identifying persons applying for or under consideration for employment or appointment as the City Manager, or Department Director except that at least fourteen (14) calendar days prior to the meeting at which final action is to be taken, the City shall release all documents in its possession with respect to as many as three (3) persons under consideration for the position, whom the City has determined are best qualified for the position, and from whom the City intends to make the selection (prior to the release of such documents the City may allow any such person under consideration to decline being considered further for consideration rather than have the documents released and, in such event, the City will release the documents of the next most qualified person under consideration who does not decline the position).



16.03 Classification Plan Records

The HR Director shall keep and maintain an up-to-date roster of all employees in the Classified Service. The Director of Finance shall not approve the payment of salary to any new appointee, officer, or employee whose status in the Classified Service has been changed unless such appointment or change has been certified by the HR Director. Information which is obtained in the cause of official duties shall not be released by an employee charged with this responsibility as part of official duties.

16.04 Employee Access to Personnel Files

Any employee may choose to see the documents contained within the employee's own Personnel File at such times and under such conditions as the HR Director may prescribe. Employees shall be subject to the same restrictions as other members of the public in obtaining personnel information, as set forth above.

16.05 Destruction of Records

Pre-employment assessment files and employment applications for applicants not hired shall be retained for two (2) years. Employee service records shall be kept for seven (7) years after termination of employment. Such records may be kept in their original form or in other duplicate form as the HR Director deems appropriate.

16.06 Attendance Records

Regular attendance reports shall be prepared and submitted by each Department Director as requested by the HR Director and in a form designated by him or her.



CITY OF FOREST PARK, GEORGIA'S PERSONNEL AND POLICIES MANUAL ACKNOWLEDGMENT

I acknowledge that I have received a copy of the City of Forest Park, Georgia's Personnel and Policies Manual ("Manual"), and I understand that it is my responsibility to read and follow these policies.

I am aware that if, at any time, I have questions regarding this Manual I should direct them to the HR Department.

I understand that neither this Manual nor any other communication by a management representative or any other employee, whether oral or written, is intended in any way to create a contract of employment. I understand that, unless I have a written employment agreement signed by an authorized City representative, *I am employed at will and this policy does not modify my at-will employment status*. If I have a written employment agreement signed by an authorized City representative and this Manual conflicts with the terms of my employment agreement, I understand that the terms of my employment agreement will control.

I also am aware that the City, at any time, without notice, may change, add to, or delete from the provisions of this Manual.

I also understand that this version of the Manual supersedes all prior versions published or distributed by the City.

Employee's Printed Name

Employee ID#

Employee's Signature

Date

STATE OF GEORGIA
COUNTY OF CLAYTON

RESOLUTION NO. 2026-_____

A RESOLUTION BY MAYOR GWEN ELLISON AND CITY COUNCILMEMBERS KIMBERLY JAMES, DELORES A. GUNN, HECTOR GUTIERREZ, LATRESA AKINS-WELLS, AND ALLAN MEARS OF THE CITY OF FOREST PARK, GEORGIA TO APPROVE THE CITY’S PERSONNEL AND POLICIES MANUAL FROM THE CITY’S HUMAN RESOURCES DEPARTMENT.

WHEREAS, the City of Forest Park, Georgia (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the duly elected governing authority of the City is the Mayor and Council thereof; and

WHEREAS, the City recognizes the importance of maintaining a modern, clear, and consistent Personnel and Policies Manual (“Manual”) to guide the administration of employment-related matters; and

WHEREAS, the Manual serves as a framework for personnel administration while supporting the City’s goals of operational efficiency, accountability, and effective public service; and

WHEREAS, the City has undertaken a comprehensive review of its existing personnel policies to ensure consistency with applicable federal and state law, best practices in public-sector employment, and the City’s organizational values; and

WHEREAS, the revised Manual is intended to promote clarity, fairness, and uniformity in the administration of personnel policies while preserving appropriate managerial discretion; and

WHEREAS, adoption of the Manual shall assist the City in supporting a professional workforce and fostering a positive and productive work environment; and

WHEREAS, the Mayor and City Council desire to formally adopt the Manual to take effect as the governing personnel policy framework for the City.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Forest Park, Georgia, as follows:

Section 1. Approval. The Human Resource Department’s request to consider the adoption of the City’s Personnel and Policies Manual as presented to the Mayor and Council on January 20, 2026, is hereby approved.

Section 2. Public Record. This document shall be maintained as a public record by the City Clerk (“Clerk”) and shall be accessible to the public during all normal business hours of the City.

Section 3. Authorization of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Resolution.

Section 4. Attestation. The Clerk is authorized to execute, attest to, and seal any documents necessary to effectuate this Resolution, subject to approval as to form by the City Attorney.

Section 5. Effective Date. This Resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

SO RESOLVED this 20th day of January 2026.

CITY OF FOREST PARK, GEORGIA

Gwen Ellison, *Mayor*

ATTEST:

_____ (SEAL)
City Clerk

APPROVED AS TO FORM:

City Attorney