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(Name)

NORTH GEORGIA  
REGIONAL DEVELOPMENT CENTER

PERSONNEL POLICIES MANUAL

ORIGINALLY ADOPTED: JANUARY 16, 1986

REVISED: FEBRUARY 28, 1991

AMENDED: SEE APPENDIX E

## MESSAGE FROM THE EXECUTIVE DIRECTOR

This manual has been prepared for your convenient reference regarding NGRDC's personnel policies. It is complemented by another document which describes office procedures. This document provides information governing official acts of this organization pertaining to the management of its personnel from recruitment through separation. It is designed to protect employees from any form of illegal discrimination and to protect the organization from the actions of any individual or group of employees which are deemed to be detrimental to the whole.

The performance of the staff is key to the success of the organization. Every effort will be made to create a working environment that allows each employee to achieve according to his/her highest aspirations. We will endeavor to communicate expectations of employees and provide timely feedback about satisfaction or dissatisfaction. Each employee is encouraged to do the same. All communications should occur through the proper channels and in the appropriate environment.

Whenever you have a question or complaint, you must direct it to your supervisor or other person who can provide the answer or solution. Each of you has been chosen because of your potential for making this organization great in its accomplishments and a great place to work. Read these policies, seek to understand them, and ask whatever questions that you have. Best wishes for a pleasant and productive work experience.

Sincerely,

Barry L. Tarter

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## NGRDC

### PERSONNEL POLICIES

#### SECTION 1. INTRODUCTION

- 1.0100 PERSONNEL MANAGEMENT SYSTEM - The NGRDC Personnel Management System is a system of employment which recognizes that the employees covered by the system should be selected and promoted according to their knowledge, skills, and abilities, and that employees who perform satisfactorily should be retained in their position as long as the position exists and regardless of factors extraneous to their performance and conduct.
- 1.0200 ESTABLISHMENT - The Personnel Management System has been established by the Executive Director of the NGRDC to provide a fair, equitable, and productive work environment for those employees covered by the system. The system and these policies have been originally adopted on January 16, 1986.
- 1.0300 PURPOSE - The purpose of the Personnel Management System is to establish a system of employment that implements and perpetuates the six recognized Merit Principles of public employment. Those principles are:
- a. Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment;
  - b. Providing equitable and adequate compensation;
  - c. Training employees, as needed, to assure high-quality performance;
  - d. Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected;
  - e. Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, religious creed, age, or handicap and with proper regard for their privacy and constitutional rights as citizens; and
  - f. Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their position for the purpose of interfering with or affecting the result of an election or a nomination for office.
- 1.0400 COVERAGE - These policies apply to covered employees under the administration of the Executive Director. All positions included under the Job Classification and Salary Administration System, except the Executive Director's, will be covered.

- 1.0500 ADMINISTRATION - The Executive Director of the NGRDC is responsible for administering these policies.
- 1.0501 Authority - The governing body of the NGRDC is the Board of Directors who are duly appointed representatives of the member local governments. The Board of Directors appoint the Executive Director to, among other responsibilities directed in the Bylaws of the NGRDC and Resolution No. 1, establish acceptable employment practices; to employ necessary and qualified employees; to determine fair and competitive compensation and benefits; to manage employees and their performance of NGRDC work, including employee advancement and discipline; and to determine reimbursement policies and approve related expenses of NGRDC employees.
- 1.0502 Personnel Organization and Management - Specific employee positions, organization, and supervision change from time to time as NGRDC program initiatives and funding arrangements evolve. A detailed staff organization chart and a services organization description are maintained in the Office Procedures Handbook. Generally, the Executive Director oversees full personnel operations with the assistance of program area and functional staff directors and managers and administrative support. Staff directors and managers provide administrative supervision over employees assigned to them and guide program and functional duties assigned to them and their employees including determining program or service performance needs, priorities, schedules, and activities. The Executive Director may also delegate to appropriate staff directors and managers responsibility for assisting in work program/budget development and maintenance, for assisting in personnel and office procedures, and for acting on behalf of the Executive Director in his or her absence.
- 1.0503 Personnel Records - While an active employee of the NGRDC, two personnel files will be maintained: a master personnel file containing application for employment, resume, letters of appointment and employment status, performance appraisals, salary adjustment records, records of commendations or discipline, training and other pertinent documentation; and a financial personnel file containing salary and salary adjustment information, payroll withholding authorizations, benefits and beneficiary information and other pertinent documentation. Both files are maintained by the Executive Director or his or her designee and are accessible only to the employee, supervisors, and file maintenance designees.
- Once separated from employment, the two files are consolidated and maintained in secured storage as long as required under the Georgia Records Management Act.
- 1.0504 Amendment - The NGRDC Personnel Policies may be amended upon proposal by the Executive Director, approval by the Board of Directors, and a dated notice issued to all employees. In matters where organization integrity, financial capability, or compliance with applicable law, regulation, judicial order, and/or the opinion of the NGRDC attorney are involved, and prudence and time is of the essence, amendment by the Executive Director may be effected until the Board of Directors can act, by means of a dated notice to all employees.

## SECTION 2. DEFINITIONS

- 2.0101 Adverse Action - An action taken for cause that results in a disciplinary suspension without pay, disciplinary salary reduction, disciplinary demotion, or disciplinary dismissal.
- 2.0102 Adverse Affect - The results of an action or decision that is not an adverse action but which deprives the employee of income or the opportunity to earn more income.
- 2.0103 Appointing Authority - The person who has, among other authorities, the authority to appoint and discharge all covered employees. The Executive Director is the appointing authority for the NGRDC.
- 2.0104 The NGRDC Attorney - The attorney retained by the NGRDC to hear appeal hearings.
- 2.0105 Board of Directors - The governing body of the NGRDC as provided in the Official Code of Georgia Annotated 50-8-1 et. seq.
- 2.0106 Covered Employees - Employees who work for the appointing authority and whose positions are included in the job classification and salary administration system.
- 2.0107 Days - When the word "days" is used as a method of counting, it means calendar days unless stated otherwise.
- 2.0108 Designee - The person or persons to whom the appointing authority delegates certain authorities for the administration of the NGRDC.
- 2.0109 Handicapped - Any person who has a physical or mental impairment that substantially limits one or more major life activity, who has a record of such an impairment, or who is regarded as having such an impairment.
- 2.0110 Immediate Family - Included are the employee's spouse, children, parents, brothers and sisters. The definition is extended to any other person who resides in the employee's household and who is recognized by law as a dependent of the employee.
- 2.0111 May - May is conditional, and implies that there is discretion as to whether a condition exists or an act or action will take place.
- 2.0112 NGRDC - The North Georgia Regional Development Center.
- 2.0113 Regular Employee - A full-time or part-time covered employee who has achieved regular status by completing all employment requirements including the working test.
- 2.0114 Shall/Will - The terms are unconditional and imply that a condition exists or an act or action will take place.



- 2.0115 Unlawful Discrimination - Employment practices which are prohibited by state and federal laws, and which include discrimination because of race, color, sex, religion, national origin, age, mental or physical handicap, and political affiliation.
- 2.0116 Working Test - A period of time, usually six (6) months, during which a new employee or an employee who has been promoted to a higher position is being tested on job capability and performance.

### SECTION 3. CONDITIONS OF EMPLOYMENT

- 3.0100 WORK HOURS/OFFICE HOURS - The minimum workweek for NGRDC employees will be thirty-seven and one-half (37) hours. Except for employees specifically directed by the appointing authority (Executive Director) to have alternative standard hours, NGRDC office hours will be 8:30 a.m. until 5:00 p.m. daily Monday through Friday. All employees shall be entitled to a daily bona fide lunch period of sixty minutes which will be taken between 11:30 a.m. and 2:00 p.m. except in the case of employees with alternative standard hours.
- 3.0101 Attendance Records - Non-exempt employees under the Fair Labor Standards Act will maintain a daily/workweek time record on the form and according to procedures indicated in the Office Procedures Handbook. Time records will be monitored and approved.
- 3.0102 Work Assignments - The NGRDC employs a work program plan to estimate and direct the activities and funding sources of its employees. Employees are expected to undertake activities within the time allocations provided. Adjustments in allocations may be possible but must be pre-approved by the supervising Staff Director.
- 3.0103 Time Distribution Records - All employees will prepare and submit biweekly time distribution records on the form and according to procedures indicated in the Office Procedures Handbook. Time distribution records should be submitted to an employee's supervising Staff Director on the first workday after the end of a biweekly period for review and approval and must be submitted to be eligible to receive a salary check. Salary checks should be prepared for issue by at least the last workday of the week following the end of a biweekly time distribution period.
- 3.0104 Overtime - The NGRDC is not authorized to pay employees for overtime. Non-exempt employees under the Fair Labor Standards Act authorized by the appointing authority (Executive Director) or his or her designee to work more than seven and one-half (7) hours in a workday will be directed to reduce hours worked on another day accordingly during the same workweek. Exempt employees will receive their normal salary for any work period over the minimum work hours.
- 3.0105 Compensatory Time - Employees exempt from the Fair Labor Standards Act wage and hour provisions and who routinely put in extended days are permitted to perform a reasonable amount of errands of a personal nature during normal working hours. Additionally when in the judgment of the appointing authority (Executive Director) or his or her designee, an exempt employee has performed NGRDC work so far beyond normal working hours as to cause an unreasonable hardship, the employee may be granted a reasonable block of time off as relief.
- 3.0106 Meeting Coverage - Attendance at early morning or night meetings such as Chamber of Commerce meetings or city councils, local planning commissions and the like constitute a necessary part of many exempt employees' job responsibilities. In the event an employee who is assigned to attend a given meeting on a regular basis is unable to attend, he or she will notify the supervising Staff Director and arrange for another appropriate employee to attend or arrange for a waiver of the requirement to attend. Whenever an employee substitution is to be arranged, the local official in charge of the meeting will be notified of the change. When a

waiver of attendance is being sought, the local official in charge of the meeting will be consulted.

- 3.0200 OFFICE PROCEDURES - All employees are assigned a copy of the NGRDC Office Procedures and Employee Orientation Handbook upon enrollment. This handbook amplifies on procedural matters related to personnel policies and covers other matters of importance to the operation and management of the NGRDC. Designated contact persons and supervisors are expected to have command of pertinent operational procedures provisions and to administer them. All employees are expected to have familiarization with the Office Procedures Handbook.
- 3.0300 FUNDS MANAGEMENT - NGRDC funds management is the responsibility of the appointing authority (Executive Director) or his or her designee. Funds management policies and procedures are covered in the NGRDC Fiscal System Manual (referenced in part in the Office Procedures Handbook). Such matters as funds receipt, bank accounts/deposits, check authorization/signing, accounting system, purchasing/sales, property inventories, contracting, and other obligation of NGRDC resources are covered in the manual. Employees are cautioned not to exercise any responsibilities not authorized in this area and to refer inquiries regarding the NGRDC fiscal system to the appointing authority (Executive Director) or his or her designee for handling.
- 3.0400 CONDUCT - The NGRDC is a public service organization whose professional integrity and credibility significantly effect its ability to meet its purposes and program commitments. To maintain the integrity and image of the organization for the well being and accomplishments of its employees, the NGRDC has established a Code of Ethics and a personal appearance "Code". All employees are expected to honor the codes and to seek the judgment, interpretation, or determination of the appointing authority (Executive Director) or his or her designee when questions or clarification needs arise.

Furthermore, a professional environment conducive to the productivity and accomplishments of all employees and the organization depends on a clean and comfortable work place. The office facilities provided for employees are well designed, are appropriately furnished, and are attentively maintained to the extent possible by maintenance services. All employees are responsible for contributing to the remaining elements of a professional environment by following or respecting established behavioral procedures and protocols.

- 3.0401 Code of Ethics - (See Appendix A.)
- 3.0402 Personal Appearance - All employees are expected to dress attractively and for business. Business wear does not necessarily require coat and tie for males or a skirt/blouse, dress, or pants suit for females, but they are deemed most suitable and encouraged. Jogging suits (or other athletic apparel), jeans and sweatshirts, shorts, T-shirts (printed or plain), halter tops and the like are deemed inappropriate except in extreme weather conditions warranting their use.
- 3.0403 Building and Grounds Maintenance - All employees are expected to contribute to the professional appearance of NGRDC office facilities by maintaining workstations, common areas (lobby, lounge, conference room, production space, storage, etc.) and grounds (parking areas, walks, and planted areas) in an orderly and tidy condition, free of clutter and litter.

Distasteful or offensive displays or objects are not permitted, and displays or postings on doors or glass are not permitted except as authorized by the appointing authority (Executive Director) to designate use or occupancy to communicate an official notice; or to warn/admonish of safety, security, or policy matters. Other building and grounds use/care provisions are indicated in the Office Procedures Handbook.

- 3.0404 Food and Beverages Use - The employee lounge is provided for employees to obtain, store, prepare, and consume food and beverages. Use or storage beyond the lounge risks vermin infestation and damage to furnishings, equipment, floor coverings, and work products. Food and beverage use and lounge use related provisions are further detailed in the Office Procedures Handbook, and exceeding the use provisions may be deemed abuse or misuse as provided in Section 3.0508.
- 3.0405 Tobacco Use (Smoking) - Smoking is prohibited inside the NGRDC office building except as provided in the Office Procedures Handbook. Failure to comply with these provisions may result in disciplinary action.
- 3.0406 Workstation and Equipment Protocol - Workstations including associated furnishings, equipment, supplies, files, and other materials are assigned to an employee who becomes responsible for their use and care.

Whether secured or unsecured, the space and associated items are considered private to the extent access and use is limited to the assigned employee, or the employee's supervisor with cause, unless authorized by the assigned employee.

Similarly selected equipment (ie., word processors), tools (ie., drafting), files (ie., personnel files), or space (ie., vault) are assigned to an employee or group of employees for use, maintenance, care and/or access, and use or access is restricted for other employees. Further provisions regarding building and equipment use procedures are indicated in the Office Procedures Handbook.

- 3.0500 INCOMPATIBLE/RESTRICTED ACTIVITIES - For the same reasons indicated under "Conduct" above and because NGRDC employees are in positions of public trust, employees are expected to observe and honor the laws of Georgia and the ordinances of cities and counties within the NGRDC service area. Additionally, there are specific activities prohibited or restricted as follow.
- 3.0501 Political Activities - Because the employees are protected from political patronage by these policies, the NGRDC expects the covered employees to avoid public political activities. Neither their position nor NGRDC time should be used for political purposes, nor should the employee actively campaign for any candidate. The employees may express their political opinions privately, and the Officers of NGRDC may encourage the employees to vote for the candidates of their choice.
- 3.0502 Outside Employment - An employee must notify in writing and secure the advance approval of the appointing authority (Executive Director) to engage in any outside employment or

business enterprise. Employees may not engage in outside employment or business enterprise during the hours for which he or she is employed to work for NGRDC; which would require employees to deliver the same or similar service for which he or she is employed by the NGRDC; and/or otherwise determined by the appointing authority (Executive Director) to be inconsistent or incompatible with the NGRDC or to affect the employee's job performance.

No employee shall utilize NGRDC office space, supplies, or equipment in connection with outside employment without permission of the appointing authority (Executive Director) or his or her designee and appropriate payments for use.

- 3.0503 Gifts and Gratuities - No covered employee should accept significant gifts or gratuities from anyone who might expect to receive return favors from the NGRDC.
- 3.0504 Conflict of interest - No relatives should be employed in positions where their family interests could conflict with the interests of the NGRDC.
- 3.0505 Use of Intoxicants - Employees shall not illegally possess or consume or be under the influence of any intoxicants such as alcohol in the NGRDC workplace, while publicly conducting NGRDC business, or while driving a motorized vehicle in the conduct of NGRDC business.
- 3.0506 Drug-Free Workplace - No employee shall engage in the unlawful manufacture, distribution, dispensing, possession, or the use of a controlled substance in the workplace of the NGRDC. This policy is expanded and amplified in Appendix B of these personnel policies, and employees shall certify receipt and review of the NGRDC Drug-Free Awareness Program Information for Employees (Appendix B).
- 3.0507 Garnishments - Employee indebtedness is a personal concern of the employee, but multiple garnishments of an employee's salary create administrative difficulties that may lead to disciplinary action.
- 3.0508 Abuse and Misuse of Equipment and Supplies - Employees are entrusted with the use of public equipment and supplies. The abuse or misuse of NGRDC equipment and supplies can lead to appropriate disciplinary actions.
- 3.0509 Sexual Harassment - Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964 and will not be permitted at NGRDC. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes harassment when submission to or rejection of this conduct, explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The employee as well as the harasser may be a female or a male and does not have to be the opposite sex. The harasser may be a co-worker, a supervisor, an agent of the employer (ie., contractor), or a non-employee. Harassment can be claimed by any individual affected by the offensive conduct and may occur without economic injury or adverse action to the claimant. The harasser's conduct must be unwelcome, and it is helpful for the claimant to directly inform the harasser that the conduct is unwelcome/ must stop.

If an employee feels that unwelcome sexual advances or language is interfering with his or her

work performance or comfort at the workplace or feels that any terms or conditions of employment depend on sexual favors, the employee should report it to the appointing authority (Executive Director) or his or her designee(s). The designees include the NGRDC Equal Opportunity Officer (preferred initial contact) and the employee's immediate supervisor. It should be understood that a claim of sexual harassment bypasses the normal grievance procedure, and appropriate corrective action will be taken in response to a violation of this policy. If the claimant feels that reporting harassment to the above designees may adversely affect his or her employment, the claim may be filed in writing to the NGRDC Appeals Hearing Officer for appropriate follow up action. No reprisal of any kind may be taken against an employee filing a complaint or against someone assisting in the investigation of a complaint.

- 3.0600 LEGAL TESTIMONY - An employee requested to provide testimony as a representative of the NGRDC in legal proceedings in which the NGRDC is not a party, must require a subpoena.
- 3.0700 NEWSRELEASE/DOCUMENTS/CORRESPONDENCE/ENDORSEMENTS - Due to the privileged nature of NGRDC work, the sometimes sensitive political parameters of community development and service matters, and the preferred subordinate role and low profile of the employees, the NGRDC maintains control over the release of documents, official communication, and the distribution of information to the media.
- 3.0701 Written Communications - Only the appointing authority (Executive Director) or his or her designees may sign off on newsreleases or correspondence representing the position or posture of the NGRDC on any issue; providing the status of the NGRDC, its employees, member governments, or any other confidential matter; committing or obligating NGRDC resources; announcing or noticing a NGRDC or local governmental program/project initiative; advising or advocating a matter to any party other than the technical assistance client; and/or transmitting active contract related reports or products.
- 3.0702 Document Release - Employees may not release any document, map, or application to any party other than the client or funding source until authorized by the client or funding source.
- 3.0703 Verbal Communications - Employees must conduct public forums and media interviews with professional discretion to avoid verbal actions into exclusive areas referenced in 3.0701 and 3.0702 above and to promote crediting of local officials or funding sources for initiatives and accomplishments.
- 3.0704 Endorsements - Employees may not make exclusive endorsement or criticism of equipment, products, or services as a representative of the NGRDC.
- 3.0800 MANUSCRIPTS - All plans and studies, reports, proposals, and applications are subject to peer or supervisor draft review of contents, quality, and format. The manuscript author should be indicated as the NGRDC, and the status (draft or final) and date (month, day, year) should be indicated on the title page. Final draft originals are to be directed to the NGRDC central file.
- 3.0900 SAFETY AND SECURITY - The NGRDC subscribes to the adage that "an ounce of prevention is worth a pound of cure" and advocates safety and security practices which prevent injury or harm to employees going to and from the workplace, in the workplace, or while engaged in travel for the NGRDC. A significant burden is placed on each employee to apply

common sense hazardous situations, to obey regulations, rules, and procedures, to follow user instructions, and to report potentially hazardous situations to supervisors to enable corrective action. Specific procedures on fire prevention, fire evacuation, storm and severe weather responses, accident reporting, crisis management, building and ground security, and similar matters are provided in the Office Procedures Handbook.

- 3.1000 COMMUNICABLE DISEASES - The NGRDC recognizes the importance of protecting the health of employees from the spread of communicable diseases including Acquired Immunodeficiency Syndrome (AIDS) and Aids Related Complex (ARC). Any employee infected with a communicable disease which poses a substantial health threat to others in the workplace shall inform the appointing authority (Executive Director). This policy and work place environment procedures established in the Office Procedures Handbook shall be consistent with requirements of law and reflect current medical knowledge and research.
- 3.1001 Employee Removal - In medically appropriate cases, an employee whose poses a substantial threat to the health of others in the workplace, may be removed from the work place until the employees attendance no longer poses such a threat. Decisions to require removal of an employee shall be made on a case by case basis and shall be based on the terms of this policy, the advice of medical experts, and all applicable laws.
- 3.1002 Testing - To enable valid determinations of infection and appropriate action, the appointing authority (Executive Director) may, with reasonable cause, require an employee to undergo independent testing at NGRDC expense. Any refusal by an employee to submit to a test upon request may be a ground for termination. Reasonable cause exists when the employee exhibits symptoms of infection.
- 3.1003 Confidentiality - While the NGRDC will take every reasonable step to maintain confidentiality, there is no guarantee of confidentiality nor is there any implied or expressed recognition of a right to privacy. All notices, reports, actions, hearings, and decisions concerning infected persons or those suspected of being infected will be treated as confidential, but information may be disclosed without consent if necessary to carry out this policy or protect others in the workplace. Documents containing the name of an individual infected or suspected of being infected may be disclosed to employees involved in the conduct of personnel administration duties, or to health professionals or the NGRDC attorney who can show a legitimate need to know.
- 3.1004 Education - Appropriate employee education programs shall be conducted periodically to inform employees regarding symptoms, spread, and preventive measures appropriate to communicable diseases which represent a substantial health threat.
- 3.1005 Right of Employment - Employees and applicants for employment may not be denied the right of employment solely by reason of being infected with a communicable disease. Employees with a communicable disease will be treated like an employee with any other disability, and reasonable accommodation will be provided. The NGRDC can consider the cost and nature of accommodations for applicants with a communicable disease compared to length of time expected to perform job duties.
- 3.1100 EMPLOYEE COMMUNICATIONS - Official NGRDC information, notice, and

communication to employees is accomplished by several means including the employee lounge bulletin board, various calendars/schedules, staff meetings, memoranda, and document distribution. It is the responsibility of each employee to avail himself or herself of the opportunity to receive and review official information and to participate in staff meetings.

- 3.1101 Bulletin Board - The bulletin board in the employee lounge is provided for priority notices and postings required by State and Federal Laws and/or NGRDC policy. Job announcements and other employee notices are also posted in the space provided. Such postings may not be removed or covered by other materials unless authorized by the Executive Director or his or her designee.
- 3.1102 Calendars/Schedules - The NGRDC uses various calendars and schedules to convey information to employees which may effect their work and personal plans. Examples may include the fiscal year holiday schedule, the Board of Directors meeting calendar, the van and conference room reservation calendar, a computer reservation calendar, a personal leave calendar, and a periodic staff activity calendar. Specific calendar/schedule notices and procedures for employee input and response are covered in the Office Procedures Handbook.
- 3.1103 Staff Meetings - Staff meetings are held periodically to conduct employee introductions and recognitions, make announcements, provide training, and take care of housekeeping matters. All employees are expected to attend and participate unless his or her absence has been pre-approved by the appointing authority (Executive Director) or has been caused by illness or family emergency.
- 3.1104 Memoranda - Official employees notices of policy/procedure matters are frequently provided by memorandum placed in their mailbox or at their workstation (timely or urgent information). Employees are expected to review the information contained in the memorandum and maintain it as part of their policy or procedures manuals for reference.
- 3.1105 Documents - Employees are provided various documents including the Personnel Policies Manual, Office Procedures Handbook, personnel benefits plans or summaries, fiscal year budget, annual work program, and similar items. Each employee is responsible for reviewing the contents and seeking clarification or amplifications on provisions as needed to appropriately understand his or her responsibilities and rights.
- 3.1200 MAIL/PARCELS - Except for certified or registered mail, all mail/parcels directed to NGRDC employees by means of the NGRDC mailing address are deemed NGRDC business subject to opening and inspection by the appointing authority (Executive Director) or his or her designee. Personal mail or parcels may be opened to determine the personal nature of the contents and then routed to the appropriate employee. Employees who do not desire personal mail or parcels to be subject to opening and inspection should not use the NGRDC mailing address. Cash on delivery (COD) mail or parcels will not be accepted.
- 3.1300 CONFIDENTIALITY OF FILES AND INFORMATION - There are numerous data files, documents, and records accessible to or maintained by the NGRDC which are restricted or confidential under requirements of privacy rights, copyright law, agreement with the source, or NGRDC practice to preserve program service integrity (ie., map digitization data files). Examples include personnel files, payroll ledgers, SBA 504/RLF loan applicant files, program



service client files, plant closing/announcement reports, computer programs/backup diskettes, and map digitization tapes or diskettes. Such files, documents, and records are more fully defined with associated use and security procedures in the Office Procedures Handbook.

Authorized user and maintenance employees are expected to carry out necessary security procedures on confidential materials/access, and all employees are expected to comply with limitations on restricted materials. Unauthorized access, use, copying, and/or distribution is prohibited. Violations can result in damage to NGRDC credibility and integrity, loss of program funding, and/or penalties or civil liability; and violators will be disciplined accordingly as provided in these policies.

- 3.1400 INTERNET AND ELECTRONIC MAIL - The NGRDC maintains internet access and e-mail service for Center business. These services are provided to support open communications and exchange of information and the opportunity for collaborative government-related work. Although access to information and information technology is essential to the missions of government agencies and their users, use of internet and e-mail services is a revocable privilege.
- 3.1401 Property and Privacy - Internet access and e-mail communications to and from employees are presumed to be work related. Center computers and any data stored in them are the property of the Center, and may be accessed at any time by the appointing authority (Executive Director) or his or her designee.. Employees shall not expect privacy in the use of Center computers. The Center may, without notice, monitor internet and/or e-mail to ensure use, operations, and maintenance consistent with Center policies and procedures.
- 3.1402 Conditions of Use - The use of Center internet access and e-mail service shall be consistent with Center Conditions of Employment covered in these personnel policies and supplemented by related provisions in the Center Office Procedures Manual including funds management; incompatible and restricted activities; news release, documents, correspondence, and endorsements; manuscripts; safety and security; and confidentiality of files and information. Other existing and evolving rules, regulations, and laws on the ethical behavior of government employees and the appropriate use of government resources shall also apply to the use of Center internet and e-mail service as covered in these personnel policies, the Center Office Procedures Manual, and/or noticed by official employee communication.
- 3.1403 Acceptable Uses - Specifically acceptable uses of Center internet access and e-mail service include:
- a) communications and information exchange directly related to the mission or work tasks of the Center;
  - b) communication and information exchange for professional development to maintain currency of training or education, or to discuss issues related to the user's research or programs;
  - c) use in applying for administering grants or contracts for Center research or programs or member government grants or contracts;
  - d) use for advisory, standards, research, analysis, and professional society activities related to the user's work tasks and duties;

- e) announcements of new Center, Georgia, or Federal regulations, ordinances, procedures, policies, rules, services, programs, information, or activities; and
- f) any other governmental administrative communications which do not involve sensitive information requiring secure procedures.

3.1404 Unacceptable Uses - Specifically unacceptable uses of the Center internet access and e-mail service include:

- a) use for any purpose which violates a Federal, state, or local law;
- b) use for any for-profit activities unless specific to the mission or duties of the Center;
- c) use for purposes not directly related to the mission or work tasks of the Center during normal business hours;
- d) use for private business, including commercial advertising;
- e) use for access to and distribution of patently offensive representations of descriptions of ultimate sexual acts, normal or perverted, actual or simulated or patently offensive representations or descriptions of masturbation, excretory functions, or lewd exhibitions of the genitals;
- f) uses for access to and distribution of materials sent or received in violation of the Protection of Children Against Sexual Exploitation Act of 1997, as amended, 18 U.S.C. 2252;
- g) uses for access to the distribution of computer games that have no bearing on the Center's mission (not applicable to authorized games that may help teach, illustrate, train, or simulate work or agency-related matters);
- h) use so as to interfere with or disrupt network users, services, or equipment;
- i) intentionally seeking out information on, obtaining copies of, or modifying files or other data which is confidential under Federal, state, or local law, unless specifically authorized to do so once the legal conditions for release are satisfied;
- j) intentionally copying any software, electronic file, program or data without a prior, good faith determination that such copying is, in fact, permissible (copyrighted materials include not only text, but also pictures, video and audio and efforts to obtain permission should be adequately documented);
- k) intentionally seeking information on, obtaining copies of, or modifying files or data belonging to others without authorization of the file owner (seeking passwords of others or the exchange of passwords is specifically prohibited);
- l) intentionally representing self electronically as someone else unless specifically authorized to do so by that other person;
- m) intentionally developing and/or distributing programs designed to harass other users or infiltrate a computer or computing system and/or damage or alter the software components of the same;
- n) use for fund raising or public relations activities not specifically related to Center approved activities (any Center fund raising must be authorized);
- o) sending or receiving materials that are damaging to another's reputation, abusive, threatening, or harassing; and
- p) use for any other purpose which would otherwise be restricted according to these policies.

3.1405 Records Management - Center business requiring original signature, original

documentation, form voucher/receipt, an action trail, or the like is not appropriate to be conducted by internet and e-mail service. Any Center activity, however, transacted by internet access and/or e-mail communication shall be subject to Center records management policies and procedures including electronic and hard copy filing methods.

## SECTION 4. EMPLOYMENT PRACTICES

- 4.0100 OBJECTIVES - The objectives in establishing the following employment practices are to apply the personnel system principles listed in Section 1 and to enhance the work atmosphere with the belief that fair and equitable employment practices lead to greater job satisfaction and productivity.
- 4.0101 Affirmative Action - The NGRDC shall maintain an overall affirmative action plan. The appointing authority (Executive Director) or his or her designee will annually assess needs and update the plan including changing the goals as affirmative action needs change.
- 4.0200 EMPLOYMENT STATUS - An employee is a person on the regular biweekly payroll of the NGRDC (NGRDC Employer Identification Number) for whom required and customary payroll withholdings and deductions are made. Various employee categories are maintained including full-time, part time, working test, regular, and contract.
- 4.0201 Full-time Employee - A full-time employee normally works the minimum NGRDC work week and may be a working test, regular, or contract employee. Full-time employees are entitled to release time and employee benefits described in Section 5 and 6.
- 4.0202 Part-time Employee - A part-time employee normally works less than the minimum NGRDC work week and may be a working test, regular, or contract employee. Part-time employees receive a salary adjustment in lieu of release time and may not be eligible for all employee benefits (See Sections 5 and 6). In determining the percent of full-time a part-time employee works, regularly scheduled weekly hours or annual work hours allocation will be used.
- 4.0203 Working Test Employee - A covered employee who is in the first six months of employment in a position of original appointment, promotion, or transfer to a job class that has different qualifications, shall be a working test employee.
- 4.0204 Regular Employee - A covered employee who has completed all employment requirements including the working test will be considered a regular employee.
- 4.0205 Contract Employee - A contract or temporary employee is appointed to a position under terms specified by the appointing authority (Executive Director) at the time of employment or position change. Such terms may be related to such matters as a special position or project funding arrangement, to a specific salary or wage arrangement, and/or a specific time duration. Contract employees will not receive regular employee status.
- 4.0300 ANNOUNCEMENTS - Except when affirmative action needs or employee development needs take priority, and as long as these needs do not deprive protected groups of an equal opportunity, job opening announcements including a brief job description, qualifications, and application deadline, will be posted on the employee bulletin board and either announced through the Georgia Employment Security Office or published in appropriate public communications media. Announcement procedures are indicated in the Office Procedures Handbook and the Affirmative Action Plan.

- 4.0400 APPLICATIONS - Applications for employment shall be accepted only for specific position openings. Any person to be considered an applicant for a position opening must have completed an official application for employment by the announcement deadline. Submission of a letter of employment interest and/or a resume may be used only as a supplement to the application. Application handling and record maintenance procedures are provided in the Office Procedures Handbook.

An applicant will be requested to provide job related references and may be requested to authorize a job reference questionnaire. In positions involving management of public funds, applicants may be asked to supply information that would not be needed in other positions.

Additionally, in positions where job responsibilities associated with program initiatives involve contact with protected age groups and/or in positions with responsibilities which in the determination of the appointing authority depend on public trust, strict administration of confidential client information, and/or objective assessment of program client financial eligibility or borrowing capacity, an applicant(s) may be asked to submit to background checks prior to an employment offer including criminal records and credit report.

- 4.0500 TYPES OF APPOINTMENTS - The NGRDC recognizes two (2) types of appointments that apply to both original appointments and to position promotions. They are non-competitive and competitive appointments.
- 4.0501 Non-Competitive Appointments - It will be the NGRDC's policy to promote from within whenever possible. Non-competitive promotions shall be consistent with affirmative action plans. Non-competitive appointment also applies to contract, temporary and part-time positions.
- 4.0502 Competitive Appointments - Competitive appointments are the normal practices of the NGRDC. When a vacancy occurs, a recruitment plan will be developed and implemented by the appointing authority (Executive Director) or his or her designee. An applicant must be considered qualified for the job to be employed, and when affirmative action goals have been met, the best qualified applicant will be employed.
- 4.0600 NEW EMPLOYEE ENROLLMENT AND ORIENTATION - New employees shall be enrolled preferably on the first day of work, but at least within three business days of the date of hire to enable employment eligibility verification (IRCA), to execute payroll withholding forms, to present benefits and personnel policies and procedures information, to complete drug free workplace awareness policy employee certification, and to initiate employee orientation procedures. Detailed enrollment and orientation procedures are provided in the Office Procedures Handbook.
- 4.0700 WORKING TEST - As a final test of employability, the first six (6) months of employment in positions of original appointment, promotion, or transfer to a class that has different qualifications shall be a working test. During this period, the employee has no right to expect continued employment in that position and in positions of original appointment employment can be terminated at any time. The grievance and appeal procedure described in Section 9 is available to all employees.
- 4.0800 PERSONNEL CLASSIFICATION AND SALARY ADMINISTRATION - The appointing authority (Executive Director) or his or her designee administers job classifications and

salaries in accordance with the policies and regulations approved by the Board of Directors and set forth in the NGRDC Job Classification and Salary Administration Manual.

4.0801 Job Classification System - The purpose of the job classification system is to determine by a logical plan the relative worth of one job to another so that it is possible to apply a pay scale which will reflect remuneration to the employees in proportion to the importance of work being performed. Each job is analyzed with reference to common skill, responsibility, effort, and working conditions factors and ranked in relation to other jobs. Jobs of similar worth are grouped into classes and between all classes there is a definite step or relationship.

4.0802 Job Classes and Titles - Job classes are identified in the Job Classification and Salary Administration Manual, and titles are associated with each job class. A guide to job classes and titles is provided in Appendix D.

Periodically existing positions may be analyzed to determine if the job class should be changed. If the position has changed significantly in terms of job responsibilities or job skills, the position may be reallocated upward or downward according to the new evaluation.

4.0803 Regulations - Regulations in the Job Classification and Salary Administration Manual effect employee coverage, compensation ranges per job class, employee classification, original appointments, within grade salary increases, and rates of pay for transfer, promotion, or demotion. These regulations are provided in Appendix D.

4.0804 Pay Schedule - A pay schedule for all job classes and steps within a job class are maintained in the Job Classification and Salary Administration Manual for the current NGRDC fiscal year.

4.0805 Job Descriptions - Job descriptions are developed by the appointing authority (Executive Director) or his or her designee and maintained as a part of the Job Classification and Salary Administration Manual. Generic job descriptions by title are provided and may be supplemented by specialist or functional descriptions. Personnel qualifications included in the job descriptions shall conform to standards, criteria, and approval procedures established pursuant to the Official Code of Georgia Annotated 50-8-1 et. seq.

4.0900 JOB MOBILITY - It is possible for employees to voluntarily move upward, downward, or laterally in the organization. It is also possible for the employee to be involuntarily moved in any of the three directions.

4.0901 Transfer - If a position is open at an equivalent paygrade, an employee may request transfer to that position. If the knowledge, skill, and abilities required for that job are not the same as for the present job, the employee will be tested and interviewed for the new position, and will be on working test for the new job if transferred. The appointing authority (Executive Director) may transfer an employee to any position, at any paygrade, if the employee is qualified to do the work and if the salary is not changed. A temporary transfer to a higher position may be made for up to ninety (90) days without giving a salary increase.

4.0902 Promotion - It will be the policy of the NGRDC for position promotions to appoint from within when possible. The promotions will be consistent with affirmative action, and candidates for promotion will be interviewed and evaluated for the open position.

- 4.0903 Demotion - Employees may request that they be demoted to open positions at lower paygrades if they are qualified for the position. The employee's salary will be reduced to an appropriate step within the paygrade of the new job. Disciplinary demotions will be administered according to Section 8 of these policies. All disciplinary demotions will result in a salary reduction.
- 4.1000 PERFORMANCE APPRAISAL - The appointing authority (Executive Director) or his or her designee will implement a performance appraisal system for the NGRDC. Merit increases in salaries will be based on performance appraisal.
- 4.1001 Instrument - The appointing authority (Executive Director) will select performance appraisal instruments for the jobs of the NGRDC. The instrument may be the same for all jobs, or the appointing authority (Executive Director) may select special instruments which apply to particular job class series.
- 4.1002 Frequency - A minimum of two performance consultations will be conducted on working test employees, one during the course of the working test period and one at the end of the working test period. For regular employees, performance appraisals will be conducted periodically in accordance with the performance appraisal system, but not less than annually as established by the anniversary date of attaining regular employee status.
- 4.1003 Interview - Each time a performance appraisal is performed for an employee, the appraising supervisor will hold a private interview with the employee to explain the rating and the reason for the rating.
- 4.1004 Signature - After the interview, the employee will sign the appraisal instrument, indicating that the appraisal and rating has been explained. The signature does not necessarily indicate that the employee agrees with the appraisal or rating, and refusal to sign shall subject the employee to the provisions of Section 8.0501 Suspension Without Pay. The appraisal instrument will also be signed by the appraising supervisor and the appointing authority (Executive Director) or his or her designee prior to becoming a part of the employee's personnel file.
- 4.1100 EMPLOYEE TRAINING - The NGRDC assumes responsibility for employee time and expenses related to required or essential employee training as determined by the appointing authority (Executive Director) or his or her designee. Required is defined as training specified or directed in program guidelines or contract scope of work and training directed by the NGRDC as a condition of continued employment or eligibility for job classification retention/promotion. Essential is defined as critical to the solution of an identified problem or need, accomplishment of an NGRDC strategy, or operation of an equipment system.
- 4.1200 EMPLOYEE LIAISONS - As determined by the appointing authority (Executive Director) or his or her designee, employee participation in program area affiliations and professional associations when of pre-determined benefit to the NGRDC may be authorized or assigned as an employee liaison; and the NGRDC will assume responsibility for employee time and expenses. Such assignments will be typically made to management, senior program, and/or specialist employees.

- 4.1300 SEPARATION FROM SERVICE - Employee separation from NGRDC service may occur in one of several ways: reduction in force, forced separation, resignation, retirement, incapacity, or death.
- 4.1301 Reduction in Force - In the event that budget limitations or other circumstances dictate a reduction in the work force, the following criteria will be applied by the appointing authority (Executive Director) as appropriate:
- a. marginally essential positions will be eliminated or reduced to part-time as circumstances permit;
  - b. part-time positions resulting from a reduction in force may be combined;
  - c. similar positions may be consolidated reducing the volume of service available;
  - d. consolidated or combined positions will be retained by the most versatile and productive employees;
  - e. regular status employees scheduled for layoff may be offered a demotion to a lower job class if a vacancy exists that he or she is qualified to fill;
  - f. employees possessing an essential skill may be retained in preference to a person with a higher performance rating in which case documentation of circumstances will accompany such a decision; and/or
  - g. employees tied to a particular source of funding may not be considered for reduction in force if his or her layoff results in the loss of his or her supporting funds.

Whenever a reduction in force is undertaken, those actions having the least detrimental impact on the ability of the NGRDC to meet its program obligations will be taken. Every effort will be made to minimize the impact of laid off employees by providing notice as early as possible, arranging for extension of benefits at the employee's expense, and assisting in locating and obtaining other employment.

- 4.1302 Forced Separation - Forced separation or discharge of an employee shall be in accordance with the policies established in Section 8.
- 4.1303 Resignation - Any employee wishing to resign his or her position shall furnish notice to the appointing authority (Executive Director) or his or her designee. Formal notice in written form including the proposed effective date of the resignation is considered proper, but failure to provide written notice shall not limit acknowledgement and acceptance by the appointing authority (Executive Director) or his or her designee of a resignation provided or indicated by other means or action (ie., verbal; surrender of assigned NGRDC properties; job abandonment; etc.) Notice provided at least fifteen (15) days in advance of the effective date shall be considered proper. Failure to provide proper notice shall be cause of denying compensation for accumulated personal leave as permitted by these policies.



- 4.1304 Retirement - Employees are at liberty to retire at any age of their choosing since NGRDC retirement program options are defined contribution programs. Retiring employees are, however, expected to furnish notice of intention to retire the same as notice of resignation.
- 4.1305 Incapacity - Any employee prevented from performing job duties due to physical or mental disability as determined by a physician may be terminated by the appointing authority (Executive Director) or his or her designee for business necessity and in accordance with policies established in Section 8.
- 4.1306 Death - In the event of the death of an employee of the NGRDC, employment is deemed terminated as of the date of death. The surviving family and/or beneficiaries will receive the cooperation and assistance of the NGRDC in the settlement of compensation and benefits due in accordance with directions provided by the deceased employee in appropriate beneficiary forms.
- 4.1307 Separation Notice and Pay - Any employee separating from employment with the NGRDC will be furnished with an official Separation Notice (Form DOL-800).

Such form shall indicate the date of separation (the last day of either work on the job or suspension with pay), the cause of separation, and any compensation for a future period of time. Compensation after the date of separation will be limited to earned compensation for hours worked through the date of separation and such additional amounts determined payable in the administration of the provisions of Section 5 (Release Time); Section 8 (Discipline); Section 9 (Hearings); NGRDC Bylaws/Resolutions; and orders of a judicial nature. Compensation for hours worked and personal leave accumulations of separated employees shall be made on regular NGRDC paydays.

- 4.1308 Exit Interview - Any employee separating from employment with the NGRDC shall be conducted through an exit interview procedure on or before the last day of work which includes such matters as surrender of NGRDC properties, program or project status debriefing, time distribution records and expense reimbursement forms submission, explanation of benefits conversion or continuance options, and obtaining mailing address of record for mailing W-2, retirement distribution, or similar items at a future date. Exit interview procedures are provided in the Office Procedures Handbook.
- 4.1400 EMPLOYMENT REFERENCES - The NGRDC shall respond to prospective employer reference inquiries regarding existing or former employees with date of employment, length of employment or separation date, and salary at separation only due to potential liabilities of public agencies under the 14th Amendment. A separating employee may request in writing (signed by the employee) a letter of recommendation from the appointing authority (Executive Director) for use only by the employee with prospective employers.

## SECTION 5. RELEASE TIME

5.0100 TYPES OF RELEASE TIMES - The NGRDC recognizes six types of release time that are available to employees. They are: holidays, personal leave, severe weather leave, military leave, civil leave, and leave of absence.

5.0200 HOLIDAYS - The following are the official holidays which will be observed:

- a. Independence Day;
- b. Labor Day;
- c. Thanksgiving Day and the Friday following;
- d. Christmas Eve and Christmas Day;
- e. New Years Day;
- f. National Memorial Day; and
- g. A floating holiday designated annually by the appointing authority (Executive Director).

5.0201 Observance - The NGRDC offices are closed on all holidays, and employees are not expected to report to carry out job duties. Work should be arranged to meet project schedules, program commitments, and/or deadlines without interfering with holiday observances. When in the judgement of the appointing authority (Executive Director), a program or service commitment must take precedence over holiday observance, designated employee(s) may be directed to work all or part of the holiday. Those employee(s) who are required to work will receive the equivalent consecutive days off at another time determined by the employee and the appointing authority (Executive Director).

The actual dates of holiday observances will be established by the appointing authority (Executive Director) at the beginning of each fiscal year.

5.0202 Eligibility - All full-time employees (regular, working test, or temporary) shall be paid for observed holidays. Part-time employees (regular, working test, or temporary) shall be paid for observed holidays on a full-time equivalency basis by means of an adjusted hourly rate applied to time worked (see Section 5.0302). New full-time employees will be paid for holidays which occur after their first full day of work, and terminated full-time employees will only be paid for holidays preceding their last full day of work.

Full time employees on authorized leave without pay as provided in Section 5.0307 shall be eligible for paid holiday observances during the authorized leave without pay period. Full time employees on an authorized general leave of absence (involving 75 or more consecutive work hours) as provided in Sections 5.0700 or 5.0800 shall not be eligible for paid holiday observances occurring after the first 75 hours and before returning to working status.

5.0300 PERSONAL LEAVE - Personal leave is release time earned and used for vacations, personal activities, and illness. Accrual of personal leave is an earned right. Taking personal leave is a privilege that must be approved by the appointing authority (Executive Director) or his or her designee.

5.0301 Eligibility - All full-time employees (regular, working test, or temporary shall accrue personal leave from the date of employment. Part-time employees (regular, working test, or temporary) shall be paid for personal leave on a full-time equivalency basis by means of an adjusted hourly rate applied to time worked.

5.0302 Accrual Rates - For full-time employees (regular, working test, or temporary) the following personal leave accrual rates apply:

NGRDC Service	Minimum Thresholds for Rates	Regular Rate/ Payperiod	Longevity Based Supplements Rate/Payperiod	Regular and Longevity Based Total Rate/ Payperiod	Accrual Rate Annualized
1st - 2nd Year	N/A	4.327 hours	N/A	4.327	112.5 hrs./15 days
3rd - 5th Year	3900.5 hours	5.769 hours	N/A	5.769	150.0 hrs./20 days
6th Year	9750.5 hours	5.769 hours	0.289	6.058	157.5 hrs./21 days
7th Year	11700.5 hours	5.769 hours	0.577	6.346	165.0 hrs./22 days
8th Year	13650.5 hours	5.769 hours	0.866	6.635	172.5 hrs./23 days
9th Year	15600.5 hours	5.769 hours	1.154	6.923	180.0 hrs./24 days
10th Year	17550.5 hours	5.769 hours	1.443	7.212	187.5 hrs./25 days
12 Years	23400.5 hours	5.769 hours	1.731	7.5	195.0 hrs./26 days
14 Years	27300.5 hours	5.769 hours	2.019	7.788	202.5 hrs./27 days
16 Years	31200.5 hours	5.769 hours	2.308	8.077	210.0 hrs./28 days
18 Years	35100.5 hours	5.769 hours	2.596	8.365	217.5 hrs./29 days
20 Years	39000.5 hours	5.769 hours	2.885	8.654	225.0 hrs./30 days

The thresholds consist of an employee's accumulated worked hours plus personal leave taken plus holidays taken throughout employment tenure. Rate changes are delayed until the first full payperiod after the payperiod during which the threshold is reached.

For part-time employees (regular, working test, or temporary) the following hourly rate adjustment factors (personal leave and holidays) apply:

Part-time Employee Worked Hours Thresholds	Hourly Rate Adjustment Factor	Equivalent Full-Time Annual Working Hours
N/A	1.101	1770.0
3540.5	1.125	1732.5
8738.0	1.130	1725.0
10463.0	1.135	1717.5
12180.5	1.140	1710.0
13890.5	1.145	1702.5
15593.0	1.150	1695.0
20678.0	1.156	1687.5
24053.0	1.161	1680.0
27413.0	1.166	1672.5
30758.0	1.171	1665.0
34088.0	1.176	1657.5

Factor changes are delayed until the first full payperiod after the payperiod during which the threshold is reached.

- 5.0303 Maximum Accumulation - Personal leave may not be accumulated in excess of one and one-half (1½) times an employee's current annualized accrual rate as audited each year on September 30.
- 5.0304 Request for Planned Personal Leave/Approval - Planned personal leave (any purposes other than illness or emergency) must be requested and approved by the appointing authority (Executive Director) or his or her designee (supervising Staff Director) before taken. Planned personal leave must be accrued in the amount requested by the end of the payperiod prior to which it is proposed to be taken, to be approved. Planned personal leave requests in excess of two consecutive weeks must be approved by the appointing authority (Executive Director) on a case by case basis.
- 5.0305 Unplanned Personal Leave Reporting/Approval - Personal leave taken due to illness or emergency shall be reported by the employee to the appointing authority (Executive Director) or his or her designee (supervising Staff Director) prior to his or her scheduled work time if possible, and if not, the employee must see that his or her absence is reported to the above or the receptionist (if supervising Staff Director or Executive Director are not available) within one hour after the scheduled time for employees to begin work. Approval for unplanned personal leave must be requested on the first work day after the leave is taken. A medical statement signed by a licensed physician or other emergency documentation may be required to substantiate unplanned leave when reporting procedures are not followed for cause or when absences recur frequently or habitually and the employee has been orally reprimanded about the excessive or habitual unplanned absences.
- 5.0306 Advanced Personal Leave - Personal leave may be advanced to a regular employee only by and at the discretion of the appointing authority (Executive Director) in cases of extreme family emergency and extended employee illness or temporary disability. Advanced leave shall be requested at least one week prior to the effective date of a planned absence (ie., surgical procedure) and no later than the last day of the first payperiod affected by the advance request for unplanned absences (retroactive payment of advance leave for a payroll processed with leave without pay is not permitted); shall be requested in writing including an explanation of the qualifying reasons, the effective dates of the leave requested, and any associated planned use of earned personal leave or leave without pay; shall be requested for no less than 22.5 hours nor more than 67% of the regular employee's personal leave accrual rate (at the time of the request); and shall be further limited to a cumulative amount during a twelve month period not to exceed the above referenced maximum per the regular employee's personal leave accrual rate.
- Any approved leave advance shall be taken consecutively during the full period of absence and shall be applied to the full period of absence after the application of earned personal leave and prior to the application of leave without pay. It shall be understood that such advanced leave is on loan and shall be returned to the NGRDC in subsequent earned personal leave accrual reductions. In the event personal leave accrual reduction is unworkable due to disability, leave of absence, or termination, cash repayment shall be arranged.
- 5.0307 Leave Without Pay - Leave without pay is a designation applied to an employee's scheduled work time during which there is an authorized unpaid absence. Requested absences involving leave without pay may be authorized only by and at the discretion of the appointing authority (Executive Director) in cases of family emergency, employee illness/disability, or nominal (less than 3 1/2 hours) other personal leave plan in excess of an employee's personal leave

accumulation needed to extend planned leave of two or more days to full days. Leave without pay shall not be elected in lieu of earned personal leave, but may be elected in lieu of advanced leave. Requests for leave without pay shall be requested at least one week prior to the effective date of a planned absence (ie., surgical procedure) and no later than the last day of the first payperiod affected by the request for unplanned absences; shall be requested in writing including an explanation of the qualifying reasons, the effective dates of the leave requested, and any associated use of earned or advanced personal leave; and shall be requested for no less than 1/2 hour nor more than 74 consecutive hours (indicated by payperiod if extends beyond one payperiod; see 5.0700 General Leave of Absence or 5.0800 Temporary Disability if more than 74 consecutive work hours). Authorized leave without pay absences shall result in a pro-rata reduction in earned personal leave for all full time employees and during a working test period shall extend the working test period by a like number of days to prevent abbreviation of working test time on the job.

There shall be no uniform upper limit on cumulative authorized leave without pay absences since implications for NGRDC's work program performance and the critical need for a full time employee are job specific. However, a cumulative total of 75 or more hours within a twelve month period will result in adjustment of the employee's annual review dates and repayment of NGRDC costs for non-salary driven personnel benefits (at a rate of 2% of annual premiums per 37 1/2 hours in excess of 75 hours); and may be an evaluation factor during the employee's performance appraisal. Employees shall also be obligated to repay NGRDC for any expenses incurred in excess of payroll deductions for options elected by the employee under the Section 125 cafeteria plan and resulting from the leave without pay (ie., deductions exceed earnings).

- 5.0308 Unauthorized Absence - An unauthorized absence occurs when an employee fails to report for work during scheduled work time and the employee has failed, according to procedures, to obtain advance authorization for planned personal leave; to report unplanned personal leave due to illness or emergency; or to secure authorization for leave without pay. The first unauthorized absence shall result in leave without pay regardless of the status of the employee's accrued personal leave and a written reprimand indicating probable adverse action consequences (see 8.0500) should a second unauthorized absence occur. An employee's unauthorized absence of 37 1/2 consecutive hours or more shall be deemed job abandonment, and the employee's position shall be declared vacant.
- 5.0309 Payment for Personal Leave Accumulation - Personal leave is provided as employee release time and shall not be compensated in lieu of authorized use. Upon voluntary separation from service, an employee may be compensated for accumulations up to his or her annualized rate of accrual at the time of termination. Upon involuntary separation from service (ie., reduction in force, forced separation, agency closure), an employee may be compensated for accumulations at the time of termination in accordance with provisions of Section 5.0303 Maximum Accumulation. Such payment shall be indicated in the separation notice (DOL-800).
- 5.0400 SEVERE WEATHER LEAVE - Severe weather leave is effected by the public announcement before 8:30 a.m. of schools closing from the Dalton and/or Whitfield County Schools office of the Superintendent. In event of such announcement staff are expected to exercise personal judgement regarding travel safety and encouraged to proceed to work as early as safely possible. If arrival occurs before 10:00 a.m, an employee is considered on time and no personal leave is charged. When due to the severest conditions, the office is announced to be closed by the appointing authority (Executive Director) to a later arrival time or all day, no personal

leave is charged.

If severe weather sets in after the office is operational, closing when appropriate will be announced by the appointing authority executive Director) or his or her designee. In the absence of such an announcement, individual employee circumstances may warrant employee discretion in leaving, and personal leave is authorized and charged.

- 5.0500 MILITARY LEAVE - Georgia law requires that paid leave be granted to members of the Reserve and National Guard under certain conditions, and leave of absence is required under other conditions. These policies are in compliance with the law. Evidence of military leave needs shall be provided to the appointing authority (Executive Director).
- 5.0501 Ordered Duty - In compliance with Georgia Code 38-2-279, any employee ordered to military duty shall be placed on military leave with pay for a period of time not exceeding a total of 15 days in any one calendar year and not exceeding 15 days in any one continuous period of absence.
- 5.0502 Declared Emergency - According to Georgia Code 38-2-279, in the event the Governor declares an emergency and orders any employee to state active duty as a member of the National Guard, the employee shall receive pay for a period not exceeding 30 days in any one calendar year and not exceeding 30 days in any one continuous period of active duty service.
- 5.0503 Leave of Absence - According to Georgia Code 38-2-279, any voluntary member of the Reserve or National Guard shall be entitled to absent himself and shall be deemed to have a leave of absence as an employee while in attendance at any service school conducted by the armed forces of the United States for a period up to six months during any four (4) year period. Leave of absence may be granted in cases of temporary disability and possible other emergency situations.

A leave of absence prevents a break in service, but no benefits such as leave or time toward retirement shall accrue during leave of absence.

- 5.0600 CIVIL LEAVE - An employee performing court duty as a subpoena witness or juror (Georgia Code 15-12-10) may be granted leave with pay for that period of time he or she is actually required to be away from job duties. Civil leave requests must be submitted to and approved by the appointing authority (Executive Director) or his or her designee along with a copy of the subpoena.
- 5.0700 GENERAL LEAVE OF ABSENCE - General leave of absence is the designation applied to an authorized unpaid absence for a period of 75 or more consecutive hours. A leave of absence may be granted only by and at the discretion of the appointing authority (Executive Director) when in his or her opinion, it will not damage performance of NGRDC programs. Requests for a general leave of absence shall be made in writing and state the duration and complete circumstances involved (ie., family emergency, adoption, public service volunteer, education/training, etc.). Emergency related requests shall be submitted at least one week prior to the effective date, and all other requests shall be submitted at least 30 days prior to the effective date. A general leave of absence shall not be elected in lieu of earned personal leave and shall not be granted to an employee for the purpose of accepting other employment or establishing, operating, or otherwise conducting a personal business.

A leave of absence shall not be deemed a break in service. However, no compensation or

benefits (except as converted at the employee's option and expense per benefit plan provision; or as mandated by Federal or State regulations such as Cobra coverage or Family and Medical Leave Act provisions at such time as the NGRDC exceeds 49 employees) shall be provided, elapsed time shall not accrue towards merit increases or promotion time schedules, and no personal leave shall be accrued during the leave of absence. Employees shall also be obligated to repay NGRDC for any expenses incurred in excess of payroll deductions for options elected by the employee under the Section 125 cafeteria plan and resulting from the leave of absence.

- 5.0800 TEMPORARY DISABILITY - Unless NGRDC exceeds 49 employees, which would effect provisions of the Family and Medical Leave Act of 1993 for employee disability and other covered leave, a disabled employee shall first exhaust all available, authorized personal leave and leave without pay (see 5.0306 and 5.0307). Thereafter, the employee may be placed on a general leave of absence by and at the discretion of the appointing authority (Executive Director), depending on the duration of the absence and the need to fill the position. All provisions of a general leave of absence (5.0700) including written request shall apply. A doctor's statement will be requested to determine the length of absence necessary, and maternity and other temporarily disabling conditions associated with pregnancy will be treated as any other disability.
- 5.0900 ADMINISTRATIVE LEAVE - An employee may be directed to leave the workplace under administrative leave with pay upon direction or authorization of the appointing authority (Executive Director). Such action is not an adverse action and does not require disciplinary procedures provided in Section 8 of these policies. Administrative leave is intended to enable either a cooling off period for an employee involved in a work related dispute or a thoughtful period to reflect on policy and procedure improprieties, and to attempt to correct a situation before invoking disciplinary procedures. Such action will be handled privately and discretely, will be documented as administrative leave, and will not be reportable in the employee's personnel file.

## SECTION 6. BENEFITS

- 6.0100 PERSONNEL BENEFITS - The NGRDC provides group employee benefits which generally fall into three types: insurance, retirement, and professional support. Employee eligibility is governed by State and Federal laws, plan specifications, and employee status (ie., employed less than six months, part-time). The comprehensiveness of a specific benefit provision, employee payroll withholding, or availability to employees as a whole is dependent on budget capability established annually by the governing authority (Board of Directors) of the NGRDC. Selection of suitable providers, plan coverage, and cost-containment provisions shall be determined by the appointing authority (Executive Director) in accordance with State and Federal laws or regulations.
- 6.0200 INSURANCE - NGRDC provides employee insurance benefits deemed appropriate to the well being of the NGRDC and its employees in addition to those required by State Law.
- 6.0201 Health - Health insurance is hospitalization insurance with major medical benefits and may include dental coverage. Eligible employee participation is voluntary and premiums may be paid in part by payroll withholding. Dependent coverage is available but premiums may be paid wholly or in part by payroll withholdings. Employee eligibility and coverage shall be in accordance with the provider's health insurance plan specifications. A plan summary in compliance with applicable regulations shall be provided to all employees.
- 6.0202 Life - Employee term-life insurance is provided and may be available as a free standing benefit and/or as a required rider with other insurance benefits. Eligible employee participation is voluntary unless required as a rider under another elected insurance, and employee premiums shall be paid by the NGRDC. Employer eligibility and coverage shall be in accordance with the providers' life insurance plan specifications. The plan or a plan summary shall be provided to all employees.
- 6.0203 Disability - Employee disability insurance provides employee payments in lieu of salary or wages while enduring a qualified disability which prevents job performance for a period of more than thirty (30) calendar days. Eligible employee participation is voluntary but strongly encouraged since salary or wage payments may not be possible without job performance. Employee premiums shall be paid by the NGRDC. Employee premiums shall be paid by the NGRDC. Employee eligibility and coverage shall be in accordance with the provider's disability plan specifications. The plan or a plan summary shall be provided to all employees.
- 6.0204 Workman's Compensation - Workman's Compensation insurance is maintained by NGRDC as required by State Law. Employees shall comply with notification and treatment instructions posted on the employee bulletin board.
- 6.0205 Unemployment Compensation - Unemployment compensation insurance is maintained by NGRDC as required by State Law. Terminating employees shall be provided a separation notice (official form ESA-800) which should be submitted with any claims to the Georgia Employment Security Office.



- 6.0206 Hospital Insurance - Wages of employees hired after March 31, 1986 are subject to employer and employee payments for Medicare insurance at the rates and up to the maximum wages prescribed in Internal Revenue Service guidelines. Employee payments will be made through payroll withholding.
- 6.0300 RETIREMENT - The NGRDC maintains two retirement benefit options for employees: a defined contribution plan and a tax shelter annuity program (deferred compensation).
- 6.0301 Defined Contribution Plan - The NGRDC defined contribution retirement plan, as amended, is an "Erisa Qualified" employer contributed program. Eligible employee participation is voluntary and the contributed amount shall be seven and one-half percent (7.5%) of an eligible employee's annual salary. A plan summary in compliance with applicable regulations shall be provided to all employees.
- 6.0302 Tax Sheltered Annuity - Since the NGRDC is not a Social Security participant, employees are strongly encouraged to personally provide for their own retirement. The NGRDC utilizes a tax sheltered annuity as the vehicle and a fifty percent (50%) matching contribution up to a maximum of three percent (3%) of an employee's annual salary as the incentive. Eligible employee participation is voluntary, but regular payroll withholding by means of a salary reduction agreement shall be required to initiate NGRDC contributions. A policy resolution, as amended, describing employee eligibility and participation requirements, annuity fund vesting/ownership, withdrawal limitations, etc. shall be provided to all employees.

In the event the NGRDC's status as a Social Security participant changes, this retirement benefit option may be suspended by the appointing authority (Executive Director) depending on budget capability.

- 6.0400 PROFESSIONAL SUPPORT - The NGRDC seeks employees with or aspiring to obtain professional credentials and qualifications and within the limits of budget capability will support employee interest in professional growth or membership.
- 6.0401 Professional Growth - Professional growth is specialized training or professional "continuing education" desired by an employee for potential personal or job advancement. Such training is distinguished from staff training which is directed or specified by the NGRDC or program funding contract guidelines. NGRDC support may include paid time (during normal work hours) when the time away from job duties, in the opinion of the appointing authority (Executive Director), will not damage NGRDC program performance; and/or partial financial support when specifically designated (Professional Growth) and allocated monies are indicated in the NGRDC Budget of Expenditures. The appointing authority (Executive Director) shall define procedures applicable to professional growth requests and allocation of budgeted monies in the Office Procedures Handbook.
- 6.0402 Professional Memberships - The NGRDC encourages and may make a condition of job classification, employee membership in a professional organization which is job (specialist) related or provides the employee with qualifications or credentials of benefit to carrying out job duties. NGRDC financial support for such individual memberships will be limited to one membership per year per employee and unless directed or strongly recommended by the appointing authority (Executive Director) or his or her designee will not exceed one-quarter of one percent of the employee's annual salary. Additional criteria governing NGRDC financial support for individual employee professional memberships include

- a. the professional organization does not conduct activities in conflict with relevant Federal Executive Order; and
- b. the professional organization does not negotiate wage/ benefits with employers or direct work stoppages.

6.0500 COMPENSATION IN LIEU OF BENEFITS - No employee shall be entitled to compensation in lieu of benefits offered by the NGRDC.

## SECTION 7. EMPLOYEE SERVICES

- 7.0100 TAX DEFERRED INCOME - The NGRDC is a 501 (c) 3 organization as designated in an IRS determination letter and is therefore eligible to offer employees participation in available tax sheltered annuity (tax deferred income) programs according to IRS and provider requirements.

Employee participation can be effected by executing the necessary salary reduction agreement (payroll withholding authorization). This service is in addition to the benefit described in Section 5.0302 for eligible employees but must be coordinated with participation under Section 5.0302 per IRS regulations.

- 7.0200 CREDIT UNION - The NGRDC is a member of the Carpet Capitol Federal Credit Union, a unit of the Dekalb County Credit Union. Employees are enabled to join the credit union and utilize payroll deductions for savings or loan payment arrangements with the local credit union office.

- 7.0300 OTHER PAYROLL DEDUCTIONS - The NGRDC will set up payroll deductions for a purpose of benefit to a significant group of employees. In addition to the above noted deductions, United Way pledges and employee share of dependent health insurance premiums are available deduction options. Any payroll software limitations or printed payroll check fields may, however, serve to provide a maximum capability at a given time.

- 7.0400 EMPLOYEE FUNDS - Net proceeds from the sale of beverages provide the only income fund which may be classified as an employee fund. Coke income, as the fund is named, is under the direction of the appointing authority (Executive Director) or his or her designee regarding permitted uses. Generally, the fund is used to cover costs of employee occasions and observances.

NGRDC employee observances of employee occasions are modest and uniform and may include new employee welcomes (coffee and donuts), birthdays (monthly cake) and resignations (farewell gathering). Gifts for any employee occasion (birthday, resignation, wedding, birth, and Christmas) are considered personal recognitions or gestures rather than group functions and are requested to be honored as such.

Employee parties, picnics/covered-dish lunches and outings arranged, communicated, (invitations) and/or held within the NGRDC office are expected to be open to all employees. Exclusive employee functions are considered private and are requested to be conducted as such.

- 7.0500 TRAVEL - The nature of the business of the NGRDC necessitates many employees to travel within the planning area, the state, and/or out of state. Within allowable practices and under established conditions, the NGRDC will provide for and/or reimburse employees traveling on authorized business. Allowable practices and conditions are described in the following subsections. Eligible cost definitions, rates of reimbursement, and reimbursement procedures are maintained in the Office Procedures Handbook by the appointing authority (Executive Director) in consideration of State and Federal authorizations, NGRDC budget and related travel expense authorizations, and prevailing costs for staff travel.

- 7.0501 Covered Travel Expenses - Allowable practices include maintaining NGRDC owned or lease vehicles for authorized employee transportation or covering employee expenses incurred by use of personally owned vehicles at the rates authorized in the Office Procedures Handbook.

Additionally, employee expenses for parking and parking services, tolls, transit services, common carriers, portage, meals, lodging, out of district telephone charges, and commercially leased vehicles may be covered as defined and authorized in the Office Procedures Handbook.

- 7.0502 Travel Proposal/Authorization - All employee travel requires authorization by the appointing authority (Executive Director or his or her designee (supervising Staff Director). Out of state (except Chattanooga and vicinity), airline, overnight and/or other travel in excess of \$100.00 requires a travel proposal to be submitted to and approved by the appointing authority (Executive Director) or his or her designee. Generally, travel and related expenses shall be approved when necessary to accomplish NGRDC objectives and shall be as cost and time effective as possible.
- 7.0503 Travel Expense Payment - With the exception of expense charges on the NGRDC credit card authorized on a case by case basis by the appointing authority (Executive Director), employee travel expenses are reimbursable as provided in the Office Procedures Handbook. Advances on reimbursable expenses are not permitted.
- 7.0504 License/Traffic Laws - Employees with client and associate contact functions as a necessary part of their job duties will need to maintain a valid driver's license. Such employees are expected to observe all traffic laws including the Georgia Law mandating the use of seatbelts by the driver and passengers, when using NGRDC or personal vehicles in the conduct of official business and shall accept responsibility personally for any violations. Such employees must also exercise prudence in evaluating personal capability to drive one's own personal vehicle or a NGRDC vehicle on official NGRDC business without impairment due to drugs, fatigue, or temporary physical handicap.
- 7.0505 NGRDC Auto - The NGRDC may maintain vehicle(s) for staff use if need and use justify the costs involved. Staff are encouraged to use a NGRDC vehicle when available but should have a reliable personal vehicle for necessary business travel when a NGRDC vehicle is not available. Priority use and use restrictions; reservation; fuel and oil purchases; vehicle performance and maintenance; and safety and accident procedures are detailed in the NGRDC Office Procedures Handbook and have the effect of policy in this manual. Any employee ignoring or habitually abusing procedures may be suspended from using the NGRDC vehicles providing he or she has been warned. Misuse or abuse of a NGRDC vehicle may result in an adverse action.
- 7.0506 Insurance - The NGRDC maintains insurance for authorized employee use of NGRDC vehicles. An employee involved in an accident or mishap resulting in damage to the vehicle for which the employee is at fault, will be responsible for the lesser of the cost of approved repairs/parts replacement or the deductible amount under the NGRDC's vehicle insurance. Fault is determined by law enforcement citation or circumstances wherein the insurance deductible payment is required.

Employees using personal vehicles for NGRDC business will maintain personal vehicle insurance in accordance with the laws of Georgia.

- 7.0507 Petroleum Services Credit Card - Each NGRDC vehicle has a petroleum services credit card provided exclusively for fuel, oil, and related maintenance expenses for the assigned vehicle. Use of the credit card for any other purpose is not permitted unless authorized in advance by

the appointing authority (Executive Director).

- 7.0600 OTHER REIMBURSABLE EXPENSES - Various employee expenses could occur which may be eligible for reimbursement (ie., field purchase of necessary supplies, cash payment for gasoline in a NGRDC vehicle, certified postage, etc.). Employees are, however, advised of purchase order/authorization procedures as detailed in the Office Procedures Handbook and cautioned that purchases without authorization may not have assured reimbursement.

Reimbursement of miscellaneous employee expenses (non-travel) must be requested on the appropriate request form and supporting documentation (receipt) attached. Final approval shall be made by the appointing authority (Executive Director) or his or her designee.

- 7.0700 INTERVIEW/MOVING EXPENSES - If after the initial interview with an employment applicant, the appointing authority (Executive Director) deems a follow-up interview necessary to determine or negotiate a job offer, the follow-up interview expenses of the applicant will be reimbursed, including transportation or mileage, meals, and lodging as needed.

New employee moving expenses are not reimbursable.

## SECTION 8. DISCIPLINE

- 8.0100 PROGRESSIVE DISCIPLINE - Progressive discipline is a process in which disciplinary action is taken in degrees of increasing severity. The NGRDC advocates progressive discipline when applicable. The action taken will depend on the degree and the circumstances of the violation. An employee who fails to adequately perform assigned duties or who violates established policies will be disciplined. The NGRDC recognizes six (6) degrees of progressive actions.
- 8.0200 CAUSES OF ACTIONS - The causes of disciplinary actions are:
- a. chronic tardiness or absenteeism;
  - b. negligence in performing assigned duties;
  - c. inefficiency in performing assigned duties;
  - d. inability or unfitness to perform assigned duties;
  - e. insubordination;
  - f. misconduct;
  - g. commission of a felony or a crime involving moral turpitude;
  - h. conduct reflecting discredit on the NGRDC;
  - i. failure to report to work without justifiable cause; and
  - j. political activity that is prohibited by these policies.
- 8.0300 TYPES OF ACTIONS - The six disciplinary actions fall into two (2) general categories, reprimands and adverse actions.
- 8.0400 REPRIMANDS - A reprimand is a formal means of communicating to the employee a warning that a problem exists and that it must be corrected. There are two (2) degrees of formality, the oral reprimand and the written reprimand.
- 8.0401 Oral Reprimand - In an oral reprimand, the supervisor will verbally and privately explain to the employee that he or she is being reprimanded and describe the problem and what must be done to correct the problem.
- 8.0402 Written Reprimand - In the written reprimand, the employee will receive a written statement describing the problem and what must be done to correct the problem. The reprimand will also contain a statement describing the specific consequences of not correcting the problem. If the employee is at work, the written statement will be given to the employee during a private interview, and the employee will be required to sign a copy of the written reprimand. Such required signature does not indicate that the employee admits guilt or agrees with the reprimand, and refusal to sign shall subject the employee to the provisions of Section 8.0501 Suspension Without Pay.

- 8.0500 ADVERSE ACTIONS - An adverse action is an action taken by the appointing authority (Executive Director) or his or her designee, for cause, that results in a disciplinary suspension without pay, disciplinary salary reduction, disciplinary demotion, or disciplinary dismissal.
- 8.0501 Suspension Without Pay - An employee may be suspended without pay for a violation of accepted policies governing performance and conduct. The suspension without pay shall not exceed thirty (30) days.
- 8.0502 Disciplinary Salary Reduction - An employee's salary may be reduced from one pay step to a lower step for disciplinary purposes. The salary reduction does not constitute a demotion in pay grade.
- 8.0503 Disciplinary Demotion - An employee may be demoted from one pay grade to a lower grade for disciplinary reasons if a lower position is open and if the employee is qualified to perform the work at the lower position. A disciplinary demotion must include a decrease in salary.
- 8.0504 Dismissal - An employee may be dismissed for disciplinary reasons when all other alternatives have failed to solve the problem, or when it is necessary to remove the employee from the workplace immediately and/or permanently.
- 8.0600 NOTIFICATION AND RESPONSE - Once it has been determined that an adverse action should be taken, the following notification and response procedure will be observed.
- 8.0601 Notice of Proposed Adverse Action - The appointing authority's designee (Staff Director/Manager) will provide the employee a written notification of the proposed adverse action fifteen (15) days prior to the effective date of the action. The notification will contain the following:
- a. the effective date of the action,
  - b. the specific charges or reasons for the action;
  - c. a statement informing the employee that he or she may respond to a named official within ten (10) days of the notice of proposed adverse action; and
  - d. a warning that failure to respond to the named official will result in a waiver of all further appeal rights.

If the employee is at work, the written notification will be given to the employee and the employee will be required to sign a copy of the written notification to acknowledge receipt. Refusal to sign shall subject the employee to the provisions of Section 8.0501 Suspension Without Pay. If the employee is not at work, the written notice shall be sent to the employee's address of personnel record by registered or certified mail (signed receipt by addressee only). The employee's failure to accept or obtain the written notification upon delivery notice by the U.S. Postal Service shall not delay the effective date of the action or the time limit on employee response rights.

- 8.0602 Employee Response to Proposal - The employee may respond in person or in writing to the named official within ten (10) days of receiving the notice of proposed adverse action.
- 8.0603 Notice of Final Action - The appointing authority (Executive Director) after considering the

employee's response, will give the employee a written notification of the decision on the action to be taken within two (2) days of the effective date of the action. The notification will contain a statement informing the employee of his or her right to appeal the action.

- 8.0604 Postponement of Deadlines - If the employee responds to the named official, the official may postpone the deadline for the final notice by a specific number of days to conduct further investigation, with written consent from the employee. If the deadline for the final notice is postponed, the effective date of the final action will be postponed by as many days.
- 8.0700 EMERGENCY ACTION - In emergency situations, the appointing authority (Executive Director) or his or her designee may suspend an employee with pay for a short period of time until appropriate action can be taken. Examples of emergency situations are: when an employee is accused of a crime of moral turpitude or a felony; when an employee may be injurious to himself/herself, fellow workers, or the general public; or when an employee may damage public or private property.



## SECTION 9. HEARINGS

### 9.0100 GRIEVANCE PROCEDURE -

- 9.0101 Purpose - The purpose of the employee grievance procedure is to provide an orderly process for hearing the grievable claims of both regular and working test employees. The object of the process is to reach a fair and equitable decision in a timely manner. The employee and supervisor should make an effort to resolve any grievance informally before initiating a formal procedure.
- 9.0102 Definition - A grievance is a claim initiated by an employee alleging that his or her employment or productivity has been adversely affected by unfair treatment, unsafe or unhealthy working conditions, alleged erroneous or capricious application of Center policies and procedures, or alleged unlawful discrimination. This definition applies to all covered employees.
- 9.0103 Filing - An employee may file a written grievance with his or her immediate supervisor (Staff Director/Manager) within fifteen (15) days after the occurrence of the event being grieved, or within fifteen (15) days after becoming aware of the event. The grievance statement must be submitted to the supervisor in writing, and it must state the specific claim and the specific relief desired.
- 9.0104 Steps - The employee grievance procedure must provide for a minimum of two (2) steps for covered employees not reporting directly to the appointing authority (Executive Director). Normally, the immediate supervisor (Staff Director/Manager) will hear the grievance in the first step and the appointing authority (Executive Director) will hear the grievance in the second step. For the Staff Directors/Managers and other employees reporting directly to the appointing authority (Executive Director), the sole grievance hearing will be conducted by the appointing authority (Executive Director).
- 9.0105 Notification and Scheduling - If the claim is grievable, the first hearing will be held within twenty (20) days after the grievance is filed. The first hearing officer must notify the grievant of his or her decision in writing within fifteen (15) days of the hearing. If the grievant wishes to have a second hearing, (not available to Staff Directors/Managers) he or she will notify the appointing authority (Executive Director) within fifteen (15) days after receiving the initial decision. The second hearing officer will schedule the second hearing within fifteen (15) days of receiving the request. The second hearing officer will notify the grievant of his or her decision within fifteen (15) days of the hearing.
- 9.0106 Hearing - The grievance hearing is intended to create a formal means for the grievant to communicate his or her complaint in an informal setting. Therefore, the hearing officer will not represent management nor will there be other management representatives at the hearing. The hearing officer will listen to the grievant's presentation and question the grievant to obtain pertinent facts about the claim and the situation relevant to the claim. The employee will represent himself/herself, but may bring witnesses to the hearing to testify. Both the grievant and the hearing officer may question the witnesses.

9.0107 Review and Reporting - After the hearing, the hearing officer will review the claim, evidence and requested relief, and will report his or her decision in writing to the grievant according to the schedule referred to above. The decision of the hearing officer will be the final decision in each step of the grievance process.

9.0200 NON-GRIEVABLE AREAS - The following areas are not grievable.

- a. Issues which are pending or have been concluded by other administrative or judicial procedures;
- b. Work assignments which do not result in a demotion or salary reduction;
- c. Budget allocations and expenditures, and organizational structure, including the persons or number of persons assigned to particular jobs or units;
- d. The content or rating of a performance appraisal except when the employee can show that he or she has been adversely affected by the appraisal;
- e. The selection of an individual by the appointing authority (Executive Director) to fill a position through appointment, promotion or transfer except when the employee can show that he or she has been adversely affected because of unlawful discrimination;
- f. Disciplinary actions other than reprimands;
- g. Any matter which is not within the jurisdiction or control of the appointing authority (Executive Director);
- h. Internal security practices established by the appointing authority (Executive Director); and
- i. Decisions, policies, practices, or resolutions made or passed by the governing authority (Board of Directors) or the appointing authority (Executive Director) which are not job or work related and which do not contradict these policies.

9.0300 APPEAL - An appeal is a formal review of an action or a decision made by the appointing authority (Executive Director).

9.0301 Purpose - The purpose of the appeal is to ensure that due process is available to employees with property interest in their jobs. It is also intended to prevent violations of these policies and unlawful discrimination.

9.0302 Reasons - An appeal to the appointing authority (Executive Director) may be filed as a result of:

- a. an adverse action;
- b. unlawful discrimination against an employee;
- c. unlawful or unjust coercion or reprisal; and

- d. other unlawful or unjust practices that adversely affects an employee.

All reasons except "a." must be grieved before they can be appealed.

- 9.0303 Filing - An appellant must file an appeal with the appointing authority (Executive Director) within fifteen (15) days of learning of the event or decision. The appeal shall contain a statement describing what is being appealed. The appointing authority (Executive Director) will determine if the case is appealable, with merit, and properly filed. If appealable, the hearing officer will notify the appellant of the date, time, and place of the hearing, and the name of the hearing officer.
- 9.0304 Hearing Officer - The NGRDC Attorney will serve as the hearing officer for all appeals.
- 9.0305 Hearing - The hearing process is intended to be less formal than a court hearing, but orderly. To ensure orderliness, the hearing procedure of a civil case in Georgia's Superior Courts will be used. The hearing officer will compile evidence, prepare findings of facts, conclusions of law, and issue a recommendation to the appointing authority (Executive Director).
- 9.0306 Representation - Both the NGRDC and the appellant may represent themselves at the appeal hearing, or either may choose to be represented by an attorney.
- 9.0307 The Decision - The hearing officer shall submit the recommendation to the appointing authority (Executive Director) within fifteen (15) days after completion of the hearing, and the appointing authority (Executive Director) will notify the appellant of the final decision within seven (7) days after receiving the recommendation. The decision of the appointing authority (Executive Director) will be the final decision of the NGRDC.