

AN ORDINANCE 18-105
ENTITLED

AN ORDINANCE AMENDING THE CITY OF ALBANY'S HUMAN
RESOURCES POLICY MANUAL ("MANUAL"); REPEALING PRIOR
ORDINANCES IN CONFLICT AND FOR OTHER PURPOSES.

WHEREAS, the City has instances where it is necessary to make revisions to the Human Resources Policy Manual to supplement, change, clarify, or revise certain sections of the Manual,

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Albany, Georgia and it is hereby ordained by authority of same:

SECTION 1. The revisions to the Human Resources Policy Manual for the City of Albany are hereby approved and adopted.


SECTION 2. A copy of said revisions are attached hereto and incorporated herein by reference as fully as if set forth verbatim.

SECTION 3. Except as herein expressly amended, said Human Resources Policy Manual (previously referred to as Personnel Management System and Manual of the City of Albany, Georgia) shall continue in full force and effect.

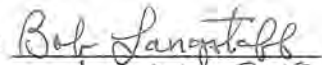
SECTION 4. All Ordinances, or parts of Ordinances, in conflict herewith are repealed.


MAYOR

ATTEST:


CITY CLERK

Adopted: April 10, 2018

Introduced By Commissioner: 
Date(s) read: April 10, 2018

Human Resources Policy Substantive Changes and Updates March 8, 2018

Please find listed below the Human Resources Policies along with highlights of the major changes. Some policies contain format changes only.

2.1 - Grievance Procedures (Page 9)

- **Current Policy** - Employees who believe that they have received inequitable treatment because of some condition of employment may file a grievance with the Employee Relations Office or the Human Resources Director. All employees have the right to file a grievance in accordance with this policy free from interference or restraint and without fear of coercion, discrimination, or reprisal. Grievances must be submitted in a timely manner, or the grievance may be rejected as untimely.

If employees believe that they have received inequitable treatment because of some condition of employment and it has not been resolved through the Employee Relations Office or the Human Resources Director, they may request a grievance review by the Manager. A grievance review is informal and is not a legal proceeding to which an employee is entitled. It is simply a request to consult with the Manager and present information. If an employee chooses to request a grievance review, and after making a proper request, the employee will be contacted by the Manager's office regarding the next step in the review process. If the employee is granted a review, the City Manager will decide within ten (10) days of the hearing. If the Manager decides not to grant the employee a review, the employee will be notified in writing within ten (10) days of the request for a review.

- **Revised Policy** – This policy is to respond to employees quickly and consistently, without the need for third-party intervention.

Problems, misunderstandings, and frustrations may arise in the workplace. Any employee confronted with a problem has various means available which may be used for resolution or clarification of the issue involved, including this formal grievance procedure.

Responsibilities and Administrative Procedures:

A. Determination of Grievance

1. Upon a formal submission by an employee, if there is a dispute or disagreement about whether an act is a grievance, such dispute shall be submitted to the Office of Human Resources. The Director of Human Resources shall make a determination on whether the conduct

or act complained of is grievable at any point during the grievance process.

2. A general feeling of dissatisfaction with City employment is not grievable, nor is the application of a policy or rule established by the Mayor and Council. A grievable act may involve, but may not be limited to any of the following employment conditions or relationships:
 - a. Disciplinary actions;
 - b. Application of human resources policies, procedures, rules and regulations;
 - c. Methods and conditions of job performance.
 - d. Retaliation for participation in this procedure.

Non-grievable complaints may mean any of the following:

- a. Establishment and revision of wages or salaries, position classifications or general employee benefits;
- b. Oral reprimands;
- c. Contents of ordinances or statutes, human resources policies, procedures, rules and regulations;
- d. Work activity accepted by the employee as a condition of employment or which may reasonably be expected to be a part of the job content;
- e. Termination, demotion, layoff or suspension of duties because of lack of work, reduction in force, or job abolishment;
- f. Performance Evaluations (this is an objective judgment based on supervisor's evaluation).

B. Formal Submission

Step 1: Informal Discussion.

Supervisors and employees are expected to make every effort to resolve problems as they arise and address grievances informally and encourage discussion between employees and supervisors and Department Heads.

Step 2: Supervisory Level

1. Any employee who feels he or she has a grievance must complete, sign and date a grievance form and submit it to the employee's supervisor. This form may be obtained from the Office of Human Resources or from any Department Head. If the grievance involves a supervisor, such grievance shall be filed directly with the Department Head, as provided in Step 3.

2. The employee shall describe and state on the form, with specificity, the action complained of, the date the action occurred and all persons involved in the alleged grievance, as well as the remedy sought by the employee.
3. An employee must submit a grievance to the supervisor within five days of the grievable act. The Office of Human Resources shall resolve all disputes involving timing.
4. The supervisor shall meet with the employee to discuss the grievance and submit a written decision within five business days. Such decision shall be submitted to the Office of Human Resources, the grieving employee and the Department Head.

Step 3: Departmental Head Level

1. If the grievance is not resolved at Step 2, or the grievance involved the employee's supervisor, the employee may submit the grievance form, along with all written documentation from Step 2, including the written decision, to the Department Head within five days of receipt of the decision at Step 2, or within five days of the occurrence of the grievance if it involves a supervisor.
2. The Department Head shall review and analyze the facts and/or conduct an investigation, including interviewing the grieving party and anyone involved in the grievance.
3. The Department Head shall meet with the employee to discuss the decision, and submit a written decision, within 10 days, to the grieving employee and the Office of Human Resources.
4. If the grievance involves a Department Head or an employment action amounting to a termination or demotion or other discipline (Section 11.1) not identified as "non-grievable" in Section 2.1, IV.A, above, and/or has not been resolved, the employee may proceed to Step 4.

Step 4: City Manager Level

1. If the grievance, meeting the requirements of Step 3, paragraph 4, is not resolved at Step 3, the employee shall submit to the City Manager a written request for hearing, along with all written documentation from the previous Steps, including each written decision, within five business days of the last decision or of the occurrence of the grievable

act if it involves a Department Head. If the grievance begins at the City Manager Level, the employee should submit any information regarding the occurrence of the grievable act, including a written account of the facts.

2. The City Manager shall schedule a hearing within 30 calendar days from the date of the request for hearing.
3. The City has the burden to establish, by a preponderance of the evidence, the basis for the disciplinary action taken. The grieving employee shall establish any defense or response sufficient to negate or mitigate the disciplinary action taken.
4. Any witness who is an employee of the City shall attend the hearing when the grieving employee requests the presence of the witnesses and such witnesses have knowledge relevant to the grievance. Requests for attendance of City- employed witnesses shall be made to the Office of Human Resources. If granted, the employee will be charged administrative leave.
5. The City will proceed first in establishing a factual case for the disciplinary action which was imposed. While formal rules of evidence do not apply, all evidence submitted at such proceedings must carry an indication of reliability.
6. Within 15 business days of the conclusion of the hearing, the City Manager will render a decision on the grievance, which decision shall be final.
7. Copies of the decision shall be transmitted to the grieving employee, any other party to the grievance, the Director of Human Resources and the City Attorney.

C. Rights and Conditions:

- **Extensions of Time.** Time limits may be extended by agreement of both parties involved. Notice of such extension shall be provided to the Director of Human Resources and approved by the City Manager or designee.
- **Human Resources Records.** All records relating to an employee's grievance shall be kept on record in the Office of Human Resources.

- **Non-grievable Acts Covered by another Complaint Process.**
If an employee has a complaint that is covered by another procedure, such as a complaint involving discrimination or harassment, they are to use the appropriate procedure that governs the issue. If an employee cannot identify the proper procedure, the employee should consult a Department Head or the Office of Human Resources. Issues involving discrimination, harassment and retaliation shall be processed under the Complaint Process and Procedure (section 2.2).

2.3 - Bulletin Boards (Page 16)

- **Current Policy** – NONE
- **Revised Policy** - The policy defines the acceptable use of bulletin boards within the City of Albany facilities.

2.4 – Solicitation (Page 17)

- **Current Policy** – NONE
- **Revised Policy** - This policy controls the solicitation of employees by other employees and non- employees in order to minimize the impact on City operations and maintain a positive work environment.

2.6 - Social Media (Page 20)

- **Current Policy** – NONE
- **Revised Policy** - This policy is to establish guidelines for employees and/or volunteers who engage in social media activity as defined herein.

This policy is not intended to prohibit any employee’s and/or volunteer’s personal expression in general or through social media activity in particular; however, because such activity can adversely affect the efficiency and effectiveness of City operations, as well as undermine public trust and confidence, a certain amount of regulation is necessary and appropriate. This policy therefore attempts to strike a reasonable balance between the employees’ and/or volunteers’ interest in engaging in social media activity and the City’s interest in preventing unnecessary disruption to or interference with its operations and relationship to the public it serves.

It is essential that each employee and/or volunteer accept his or her role as an ambassador of the City. In doing so, each employee and/or volunteer

should strive to maintain public trust and confidence, not only in his or her professional capacity, but also in his or her personal and on-line activities. While those in senior leadership positions (grades 11 and above) are held to higher standards, the on-line activities of all City employees should reflect such professional expectations and standards.

2.7 - Media Inquiries (Page 25)

- **Current Policy** – NONE
- **Revised Policy** - This policy is to ensure that the City maintains the appropriate public image and that communications to the media (e.g., newspapers, television, and radio) are accurate and in line with applicable City policy, all contacts or inquiries from the media are to be referred to the Public Information Officer.

2.8 - Employee Email Signature (Page 26)

- **Current Policy** – NONE
- **Revised Policy** - This policy provides a clear explanation of the guidelines surrounding the use of e-mail signatures on the City provided e-mail accounts.

5.5 – Leave Paid Time Off (Page 65)

- Vacation Leave No. 2f (Page 68)

- **Current Policy** - Employees who are terminating employment or retiring with the City will receive the total amount of leave balance, not to exceed the maximum vacation leave hours accumulated based on years of service.
- **Revised Policy** - Employees who are terminating employment or retiring with the City; and have an excess of the maximum vacation leave hours accumulated will receive the total amount of leave balance prior the end of the year rollback.

7.2 - Employees Arrested and Incarcerated (Page 93)

- **Current Policy** - If an employee is arrested and charged with a felony, the employee is subject to suspension without pay pending further review by the City Manager.

- **Revised Policy** - This policy defines the employment status in the case of time missed from work due to arrest and incarceration.

Employees who are unable to report for work because of arrest and incarceration will be placed on personal unpaid leave of absence. See section 7.6.

If the employee is unable to secure bail, the leave of absence will continue until final disposition of the charges or until such time as it becomes a business necessity to fill the vacancy created by the employee's absence.

If the employee is freed on bail, a decision whether to allow the resumption of active employment pending disposition of the charges will be made by the employee's Department Head, the Director of Human Resources and the City Manager. They shall determine whether reinstatement would be consistent with the City's needs and requirements.

As a general rule, it has been and remains the City's policy to wait until charges against an employee are adjudicated before a decision is made regarding the individual's employment status. An exception to this policy will be made in the event of serious violation of human resources guidelines and in the event the employee, because of his or her actions, is believed to be a clear and present danger to himself/herself, to other employees and/or the general public.

If an employee is in a sensitive position, he/she may be reassigned elsewhere in the organization pending the outcome of an investigation by the City Manager.

7.7 - Administrative Leave (NEW) (Page 108)

- **Current Policy** – NONE
- **Revised Policy** - This policy defines administrative leave.

The City may grant paid or unpaid time off to employees for reasons determined to be for the good of the City, including periods of investigation into an employee's conduct.

7.9 - Inclement Weather and Emergency Closing (Page 110)

- **Current Policy** – NONE

- **Revised Policy** - This policy establishes responsibilities and prescribes procedures applicable to employees and conduct of City government operations during inclement weather conditions and other emergency events.

7.10 – Alternate Work Schedule (Page 115)

- **Current Policy** – NONE
- **Revised Policy** - This policy allows City employees' latitude in scheduling their work hours within specified limitations.

The City of Albany is committed to helping employees face the demands of juggling work, family and life-related issues by offering several flexible work arrangements. These arrangements provide employees with increased flexibility with their work schedule while allowing the City of Albany to maintain a progressive and productive work environment with uninterrupted service to citizens. Alternative work scheduling is an opportunity to maintain employee productivity through various forms of creative work scheduling.

Individual departments may use flexible work arrangements, subject to the following conditions:

1. The implementation, continuance, discontinuance, or modification of flexible work arrangements is at the discretion of the City Manager in consultation with the Director of the affected department.
2. Adequate staff coverage, sufficient to meet the operating requirements of the department, is required at all times.
3. The normal work week of 40 hours shall be observed.
4. Any employee requesting a flexible work arrangement is subject to a trial period as set forth by the City Manager and his/her Department Director.

8.1 – Standards of Conduct (Page 120)

- **Current Policy** – With the approval of the Department Director, the period of suspension may be from one to 10 days in length based upon the severity of the event and should be given at the department's convenience.
- **Revised Policy** - With the approval of the Department Director, the period of suspension may be from one to 15 days in length based upon the severity of the event and should be given at the department's convenience. **Coordination and consultation with the Director of Human Resources and notification to the City Manager is required for suspension without pay for any period of time.** The disciplinary

interview must emphasize the seriousness of the situation and will contain a statement that **the next correction will result in more severe actions to include possible termination.**

8.4 - Smoking Policy (Page 133)

- **Current Policy** – NONE
- **Revised Policy** - This policy enforces the city's code of ordinances relating to smoking in public places in the City of Albany.

8.6 - Dress Code and Grooming (Page 140)

- **Current Policy** - The Managers, with the support of the Human Resources Director, shall develop and implement reasonable rules regarding employee conduct to meet the needs of the City. Areas for which work rules maybe be developed include, but are not limited to: hours of work, attendance, uniforms, and standards of dress.
- **Revised Policy** - This policy establishes dress code and personal grooming guidelines for City employees.

It is the policy of the City that employees shall project a positive and professional image toward the community. All employees are reminded that the first impression on the public is their dress and grooming appearance.

All employees are required to dress and be groomed in a manner that presents a conservative appearance and is appropriate to a professional business environment. Clothing shall always be neat and clean when reporting for duty.

Due to the unique nature of Public Safety, the Police and Fire Departments will maintain their own policies on the wearing of uniforms, clothing, and grooming requirements for both sworn and civilian police human resources.

9.1 - Workplace Monitoring, Inspections and Personal Property (Page 145)

- **Current Policy** – NONE
- **Revised Policy** - This policy defines the policy and procedure for conducting workplace monitoring to ensure quality control, employee safety and security, and customer satisfaction.

The City may conduct workplace monitoring to ensure quality control, employee safety and security, and customer satisfaction.

Employees who regularly communicate with customers may have their telephone conversations monitored or recorded for the purposes of identifying training needs and performance problems.

All computer equipment, services, or technology that are furnished by the City are the property of the City of Albany. The City reserves the right to monitor computer activities and data that is stored in the City's computer systems and devices. The City also reserves the right to find and read any business data that employee's write, send, or receive on said devices.

The City may perform video surveillance of non-private workplace areas, and may use video monitoring to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage and prevent harassment and workplace violence.

The City will make every reasonable effort to help ensure that workplace monitoring is done ethically and with respect of employee privacy.

9.2 - Seat Belts (Page 147)

- **Current Policy** – NONE
- **Revised Policy** - This policy insures that all employees are in compliance with Georgia State laws governing the use and wearing of vehicle seat belts, and to prevent and reduce the risk of serious injury to employees.

10.1 - Professional Conduct (Page 148)

- **Current Policy** – Ethical business conduct is critical to services the City of Albany provides to the citizens of Albany. City employees are expected to adhere to the City of Albany Code of Business Conduct and Ethics. Many of these practices reflect legal or regulatory requirements. Violations of these laws and regulations can create significant liability for the employees and the City of Albany.

It is the job of employees and their ethical responsibility to help enforce this Code of Business Conduct and Ethics. Employees should be alert to and report possible violations in accordance with the whistleblower provisions sets forth in the policy. Violations of law, this Code of Business Conduct and Ethics or other City policies or procedures may lead to disciplinary action up to and including termination.

- **Revised Policy** - This policy defines the expectations of the City of Albany regarding professional conduct of its employees, and adherence to established rules of ethics.

Every employee of the City of Albany is expected to uphold and exhibit the professional conduct that fosters public trust in city government. It is the policy of the City of Albany to hold its employees to the highest ethical standards.

Every employee of the City of Albany is expected to avoid any action that may result in or create the appearance of impropriety including the following:

- Using their office for private gain;
- Giving preferential treatment to any person or group;
- Impeding government efficiency or economy;
- Losing independence or impartiality of action;
- Making government decisions outside of official channels; and
- Adversely affecting public confidence in the integrity of government.

Every City employee is expected to act in a professional manner at all times and exhibit the following conduct:

- **Serve the Public:** Serve the public with respect, concern, courtesy and responsiveness, recognizing that service to the public is beyond service to oneself.
- **Uphold Laws:** Faithfully support the Constitution of the United States and the State of Georgia, and all laws and regulations thereof. Additionally, support and comply with all the rules, codes and laws of the City of Albany.
- **Foster Equal Opportunity:** Treat all citizens and fellow employees courteously, impartially, respectfully and responsibly without regard to age, race, creed, gender, disability, national origin, religious or political belief.
- **Maintain Personal Integrity:** Demonstrate the highest standards of personal integrity, truthfulness, honesty and fortitude in all public activities in order to inspire confidence and trust in City of Albany government.

- **Seek No Favor:** Affirm that public office will not be used for personal gain or profit through the use or misuse of confidential information, official influence or public time.
- **Avoid Conflicts of Interest:** Avoid activities known to be unlawful or that may discredit the City's integrity, and activities that may conflict with normal assigned duties, including personal business and activities that may conflict with the City of Albany's established rules, regulations and/or policies. (See Section 10.2, Conflicts of Interest)
- **Promote Efficiency:** Maintain proper, efficient and economical management of all public funds, property and other resources in your charge.
- **Maintain Productivity:** Adhere to the rules of work and performance established for your position by the appropriate authority.
- **Protect:** Respect and protect the dignity of all individuals, honoring their right to fair and objective consideration in all aspects of service to them.
- **Maintain Confidentiality:** Respect and protect at all times, privileged information to which you have access in the course of official duties.
- **Support Employment Principles:** Support and promote employment principles relative to the recruitment, selection and advancement of qualified individuals from all elements of society.
- **Outside Employment:** Employees may not carry on concurrently with their public service any private business or undertaking, attention to which might adversely affect their work in the City service, nor may they engage in outside employment that is directly or indirectly related to the function of their City activity when there is a possibility of conflict of interest or embarrassment to the City. Engagement in outside employment must be approved by the Department Head subject to review by the City Manager.
- **Business Gifts:** No one shall accept any gifts, favor or thing of value that may tend to influence him/her in the discharge of his/her duties or grant in the discharge of his/her duties any improper favor, service, or thing of value.

Report of any ethical violations can be made to supervisors or Human Resources in confidence and without fear of retaliation.

10.2 - Conflicts of Interest (Page 152)

- **Current Policy** – Employees of the City may not engage in additional employment outside the official hours of duty without approval of their Department or Division Head. Outside employment which may cause a conflict of interest shall not be permitted. No employee of the City or member of an employee's household shall participate in any revenue generating venture by ownership, management or income participation which may cause an actual or perceived conflict of interest.
- **Revised Policy** - This policy is to avoid activities known to be unlawful or that may discredit the City's integrity; to avoid activities that may conflict with normal assigned duties, including personal business and activities that may conflict with the City of Albany's established rules, regulations and/or policies.

11.1 – Termination of Employment (Page 155) - Termination (Page 161)

- **Current Policy – NONE**
- **Revised Policy – Termination** Separation due to termination is a disciplinary action (see Disciplinary Actions section below). The City Manager is the administrative head of the government and presides over all City Departments. Adopting *Goddard v. City of Albany* 285 Ga. 882 (2009), with the exceptions of Department Heads, employees separated due to termination may appeal their separations through the grievance procedures. See Grievance Procedures Section 2.1.

11.2 - Exit Interviews (Page 161)

- **Current Policy – NONE**
- **Revised Policy** - This policy defines the policy regarding exit interviews of employees leaving City employment on a voluntary basis.

In order to create and to maintain a workplace that is effective, productive and fulfilling, the City is interested in gaining knowledge and a clearer understanding of employee concerns and issues. One of the tools used to support this goal is to conduct an exit interview, where possible. The exit interviews will allow the City to identify specific areas of importance to its employees and to subsequently design action steps around relevant concerns in order to improve the City's work environment.

12.1 – Acceptable Use of City Owned Computers (Page 162)

- **Current Policy** – NONE
- **Revised Policy** -This policy provides guidelines on the use and care of City-owned computer systems and equipment.

It is the policy of the City that City-owned computers shall be used for purposes of conducting the business of the City and not for personal use. All network systems, hardware, software, temporary or permanent files and any related systems or devices are the property of the City of Albany. These include, but are not limited to, files, documents, spreadsheets, messages, and notes that reside in part or in whole on any City of Albany server, workstation, local area network (LAN), or individual computer.

12.2 - Acceptable Use of City Owned Equipment (Page 164)

- **Current Policy** – NONE
- **Revised Policy** - This policy establishes guidelines for the use and care of City-owned equipment.

It is the policy of the City that City-owned equipment shall be used for purposes of conducting the business of the City and not for personal use (i.e. any use unrelated to the City of Albany business, including removing from City property for use at home or in a way unrelated to City business). City owned equipment is defined to be computers, telephones, cellular phones, vehicles, hardware, software, furniture, fax machines, copy machines, typewriters, office space, office supplies and/or written materials owned by the City of Albany.

All City-owned equipment shall remain the property of the City at all times and be subject to return upon the request of the City. Upon termination of employment with the City, or sooner if no longer required to carry out work assignments, all City-owned equipment must be returned to the City or such reimbursement made to the City for the loss of the equipment.

12.3 - Acceptable Use of City-Owned Vehicles (Page 166)

- **Current Policy** – NONE
- **Revised Policy** - This policy provides the policies and procedures for use of City-owned vehicles of the City of Albany.

The personal use of City-owned vehicles is strictly prohibited (i.e. activities that do not contribute to the delivery of City services or the performance of City business). Any employee driving a City vehicle shall have a valid Georgia driver's license. Employees and all other passengers are required to be properly restrained by seat belts and/or other installed restraints at all times while driving or riding in City vehicles. See Seat Belts, section 9.2.

12.4 – Business Expenses (Page 168)

- **Current Policy** – None
- **Revised Policy** – This policy defines the procedure for requesting travel to attend conferences, schools and seminars that involve overnight accommodations.