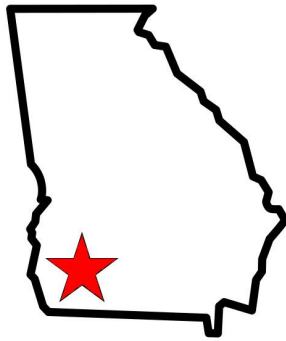


**CITY OF CAIRO**



*“Georgia’s  
Hospitality City”*

**PERSONNEL POLICY AND PROCEDURES**

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## **I – GENERAL PROVISIONS**

### **1.01 Open Door Policy**

Concerns or complaints related to discrimination or unfair treatment due to age, race, gender or disability will be treated seriously, thoroughly, and without retaliation.

City employees experiencing difficulties at the workplace should first contact their immediate supervisor. If the supervisor is the source of the complaint or is unable to adequately address the problem, the employee should contact the department director. If further action is required, the employee should contact the personnel director. Every attempt will be made to address the concerns of the employee. If the chain of command fails to achieve a satisfactory resolution, the employee should contact the city manager's office to arrange a meeting. The city manager will act according to the city's established personnel policy and applicable state laws.

### **1.02 Purpose and Statement of Intent**

These policies are intended to be a general statement of the personnel procedures of the City and are subject to change at any time without prior notice to employees.

Title 34 Chapter 7 of the Georgia Code creates employment at will conditions in the State of Georgia and all employees of the City are "at will" employees. This means that all employees are employed for an indefinite time period and that the employer and employee are each free to terminate the employment relationship at any time without notice for any reason.

The appointing authorities are the only City officials authorized to appoint employees. Statements contrary to these "at will" provisions regarding employment or conditions of employment made by any other unauthorized City Official or employee should not be construed or interpreted by the employee as modifying or changing the conditions of employment contained in these policies. All employees are "at will" employees and serve at the pleasure of the appointing authority.

Although the City is declaring itself an "at will" employer, the City wants to ensure high morale for its employees and a high level of productivity for the people of the City. To accomplish these goals, officials feel that fair and equitable treatment of applicants and employees is desirable. Although all jobs are not identical and, therefore, all conditions of employment will not be identical, many personnel practices can be the same in various departments. Among those practices are methods of requesting, earning and accumulating annual and sick leave. By including these provisions in these procedures, city officials hope to provide equitable treatment to employees and to assure good personnel practices.

In no case should any provisions of these policies be interpreted as creating any subsidiary contractual obligations or privileges or conditions of employment between the city and the employee except those specifically listed as follows:

- A. An employee may earn, accumulate and take annual leave as specified by these procedures.
- B. An employees may earn, accumulate and take sick leave as specified by these procedures.
- C. An employee may observe holidays (or comparable time off) as specified by these procedures.
- D. Eligible employees may participate in a city-wide retirement program. Specific provisions for eligibility and participation will be outlined in any retirement ordinance passed or amended by the City Council.
- E. Eligible employees may participate in group insurance and group medical coverage. Specific provisions for eligibility and participation will be in accordance with the terms and specifications as outlined in the group plan in effect or as amended.
- F. An employee may take military leave with full city pay and, in some cases, leave without pay as specified in these procedures and as provided by Georgia Law.
- G. An employee may retain full jury pay and full city pay in accordance with these procedures.
- H. An employee may obtain outside employment in accordance with these procedures.

### **1.03 Establishment, Applicability and Coverage**

These personnel procedures will apply to all Departments in City Government. Specifically, six types of employees may be covered, in whole or in part. These types of employees are covered in Section 4.01A, 4.01B, 4.01C, 4.01D and 4.01E, which defines full-time, temporary, seasonal, acting, substitutes, and part-time employees and also outlines the level of coverage, if any, of each.

Specifically excluded from all provisions of these procedures are: City Manager, members of the City Council, members of any appointed Board of Commission, persons employed to make or conduct a temporary or special inquiry, elected officials and those persons paid on a retainer or contract basis – such as the City Attorney. However, the City Manager, while exempt from regulations outlined in these policies, is eligible for fringe benefits outlined in the policies.



## **1.04 Administration**

It is the intent of these policies and procedures to designate City Department Heads as the appointing authorities for their respective departments. It is the further intent of these policies and procedures to delegate the administration of the system to the Personnel Director. The City Manager is the appointing authority for department heads, subject to ratification and approval of the Mayor and Council.

## **II – JOB CLASSIFICATION PLAN**

### **2.01 Establishment and Amendment**

The City Manager may establish an employee pay and classification plan, subject to approval by the Mayor and Council. The Administration of the plan, if established, will be at the discretion of the City Manger and is subject to be changed or be discontinued at any time without prior notice to employees. (Refer to City of Cairo Pay and Classification Plan).

### **2.02 Interpretation of Job Descriptions**

One element of the classification plan may be job descriptions. The job descriptions are descriptive and not restrictive. They are intended to indicate the general kinds of duties, responsibilities, and job requirements normally associated with the position, but are intended to be exhaustive. Employees may be assigned other duties not included in the descriptions and also may be required to work across departmental lines.

## **III – EMPLOYEE PERFORMANCE EVALUATION**

### **3.01 Objective**

The City Manager may utilize a performance appraisal system for evaluation of employees. The type system utilized will be at the discretion of the employer and is subject to change without prior notice to the employee. Employee performance evaluation is a management tool that may be used in an attempt to effectuate higher levels of employee productivity and also may be a factor in determining salary increments. Performance evaluations may also be used for whatever other purposes the appointing authority deems appropriate. (Refer to City of Cairo Pay and Classification Plan).

### **3.02 Qualifications**

In no case should employees view the evaluations as a right or obligation of the City. Rather, they are a management tool to be used at the discretion of the appointing authority.

### 3.03 Time of and Period of Evaluation

Performance evaluations are scheduled on the anniversary of the employee's original date of hire and upon the completion of the working test.

### 3.04 Procedure for Filing Evaluation Disagreements other than through the Grievance Process

If an employee disagrees with any statement in evaluation, he/she may submit, within 10 days following the evaluation, a written statement to the City Manager and the statement will become a part of the employee's personnel file. This section does not constitute a grievance or appeal but rather is merely an administrative procedure requiring no action or response by the appointing authority or designees.

## IV – EMPLOYMENT

### 4.01 Types of Employment

There may be several categories of employees as follows:

- A. **Full-time.** This includes employees who work 40 hours per week or more in positions which have been created with the anticipation that it will be necessary to maintain the existence of such positions indefinitely on a continuous year-round basis. This, in no way, implies that the incumbent can expect continued employment as a "property right". This definition refers to the position, not the incumbent.

As full-time employees, these workers are subject to all rules and regulations contained in this handbook and receive all fringe benefits as provided by these personnel procedures, including vacation and sick leave.

- B. **Acting.** Normally, this occurs when an existing employee is placed in a higher level position (usually full-time), until an eligible replacement can be hired. Normally, a position of this type would not exceed six months but may be extended if the need occurs. (If acting employees are not existing employees, then, by definitions, they are temporary employees.)

Employees in these positions are subject to all the rules and regulations contained in these procedures. Also, since it involves existing employees and full-time positions, employees are eligible for all fringe benefits as provided by these personnel procedures including vacation and sick leave provided they meet the full-time requirement.

C. **Substitutes.** This includes employees who are hired to temporarily fill existing position-usually on an intermittent and “as needed” basis. These are essentially the same as temporary employees except that they involve substitutes for existing employees. These positions also may be full-time or part-time, but the substitute employee in the position is a temporary employee. Duration of position may vary but normally will not be in excess of six months. As a substitute employee, the worker is subject to all the rules and regulations contained in these procedures. However, a substitute employee **is not eligible** for fringe benefits such as sick leave, vacation leave and holiday pay.

D. **Part-time.** This includes employees who work less than 40 hours per week.

As part-time employees, these workers are subject to all rules and regulations contained in these procedures. However, a part-time employee **is not eligible** for fringe benefits such as sick leave, vacation leave, longevity and holiday pay.

E. **Temporary.** This includes employees who are working in positions which have been created for a period of six months or less and which shall remain in existence only as long as the temporary work situation requires it.

A temporary position may be full-time or part-time.

As temporary employees, these workers are subject to all rules and regulations contained in these policies. However, a temporary employee **is not eligible** for fringe benefits such as sick leave, vacation leave and holiday pay.

#### **4.02 Method of Filling Promotional Positions**

The City has developed a recruitment plan that does not discriminate on the basis of race, color, sex, religion, national origin, age, mental or physical handicap and political affiliation.

In general, the City attempts to promote from within providing such promotions are consistent with non-discrimination laws and fair employment practices. Existing employees desiring to apply for position vacancies that are promotional in nature must complete an internal application for the position in the same manner prescribed for all other applicants.

#### **4.03 Minimum Age of Employment**

The minimum age for employment of full-time and acting employees shall be (18) eighteen years of age unless otherwise established by State law. The minimum age for employment of all other categories shall be (16) sixteen years of age. There is no mandatory retirement age.

#### **4.04 Nepotism**

Relatives of employees may be hired if he/she will not be working directly for or supervising a relative. This policy applies to promotions, demotions, transfers, reinstatements, and new employees. The provisions of this section will not be retroactive, that no action is to be taken concerning those members of the same family employed at the time of the adoption of this section. Relative is defined as spouse, grandparents, children, grandchildren, brothers, sisters, and the immediate or extended family of spouses.

### **V – WORKING TEST**

#### **5.01 Working Test Defined**

As a final test of employability, the first six (6) months of employment in positions of original appointment, promotion or transfer to other positions which have different qualifications shall be a working test to determine if the employee can be considered as being capable of performing satisfactorily in that position. In cases where a position requires State certification, the employee will remain on working test until certification is obtained even though it may exceed six (6) months. A new employee who has not successfully completed his/her working test shall not be considered to be a covered employee under the City's personnel system and therefore is not entitled to receive any of the rights, privileges and procedural due process as outlined in these policies. An extension will not be given to employees who do not pass the requirement after the first six months of employment; consequently, he or she will be terminated. NOTE: Employees who are not on a working test for original appointment but rather are on a working test involving a promotion or transfer will be eligible and are considered to be "covered" employees in all respects except that the employee has no right to appeal any action taken by management relative to passing the working test for the job. The period worked by employees who are hired through a hiring agency will count toward their probationary period(i.e. if an employee works 3 months under a hiring agency those 3 months will count toward their probationary period if hired as a permanent employee.

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### **VI – DISCIPLINE**

#### **6.01 Discipline and Disciplinary Action**

Discipline, in regard to City employment, is a state of mind best evidenced by a positive attitude toward the employee's job, effective and efficient performance of one's duties, and a high level of commitment to the City's objective of providing professional governmental services to the citizens of our community. It is the policy of the City to provide a system of processes designed to promote and foster this state of mind in all employees.

Any action designed to accomplish this purpose may be considered a disciplinary action. Disciplinary actions may be positive, neutral, or corrective in nature. Approved forms of disciplinary action within these classifications are outlined below:

Positive

Supervisor's Commendation  
Department Head's Commendation  
City Manager's Superior Performance Award

Neutral

Remedial Training  
Counseling Session

Corrective

Oral Warning  
Written Warning  
Suspension Without Pay  
Disciplinary Salary Reduction  
Disciplinary Demotion  
Dismissal

**6.02 Definitions and Procedures**

Positive disciplinary actions are used to promote discipline by recognizing superior performance. Such recognition should be initiated on the basis outlined below:

- A. **Supervisor's Commendation.** Supervisory personnel should monitor their subordinates' job performance closely for indications of performance which clearly exceeds minimum job standards. Observation of such superior performance should be used as an opportunity to reinforce and reward such performance by expressing this recognition in memorandum form to the employee and a copy will be forwarded to the Personnel Director for inclusion in the employee's personnel file.
  
- B. **Department Head's Commendation.** When the nature of the employee's superior performance justifies departmental recognition, the employee's department head may, on his own initiative or on recommendation of the employee's supervisor, provide the employee with a written letter of commendation recognizing his performance. The employee will be provided with the original letter and any supporting documentation a copy will be delivered to the Personnel Director for inclusion in the employee's personnel file.

- C. **City Manager's Superior Performance Award.** When the employee's superior performance justifies greater recognition than commendation by the department head, the City Manager may, on his own initiative or on recommendation of the department head, provide the employee with a letter or certificate of commendation and/or a monetary award. Documentation of the award will be included in the employee's personnel file.

Neutral disciplinary actions are used to address performance deficiencies which have not reached a critical state and/or which indicate that the employee does not know the approved method/level of job performance. Approved neutral disciplinary actions are as follows:

- D. **Remedial Training.** Remedial training is used to reinforce and/or supplement the basic training which an employee received in the job. The use of remedial training is appropriate when the employee's job performance indicates that he is unaware of standard operating procedures for proper performance. As with any other training provided to employees, remedial training should be documented in the employee's personnel file.
- E. **Counseling Session.** Substandard performance which has not reached a critical level and which does not justify the application of corrective disciplinary action should be addressed by a counseling session between the employee and his immediate supervisor. It is each supervisor's responsibility to be aware of his subordinate's performance deficiencies and to initiate appropriate counseling before these deficiencies become major problems. The counseling session should include a statement of the problem and instructions regarding the specific steps the employee must take to correct the performance problem. Documentation that the counseling session took place should be maintained in the personnel file.

Corrective disciplinary action is necessary when the employee's performance has not improved sufficiently as a result of neutral disciplinary action(s) and/or the employee's performance or conduct violates clearly established, critical policies, rules or work procedures. Examples of causes of corrective disciplinary actions are outlined in Section 6.03.

City policy is the progressive corrective disciplinary actions should be applied where applicable. Progressive corrective disciplinary action is a process in which corrective disciplinary actions are taken in degrees of increasing severity based on each subsequent violation. NOTE: Although City policy favors progressive corrective disciplinary action, the action taken will always depend on the degree and circumstances of the violation; serious violations will result in higher levels of corrective disciplinary action without the necessity of progressing through lower levels.

The following are descriptions and procedures for the seven approved forms of corrective disciplinary action:

1. **Warnings.** A warning is a formal means of communicating to the employee that a problem exists and that it must be corrected. There are two (2) degrees of formality, the oral warning and the written warning. Supervisors under the direction of Department Heads are responsible for initiating the warning system.
  - a. **Oral Warning.** In an oral warning the supervisor should 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. Oral warnings should be documented at the department level.
  - b. **Written Warning.** In the written warning, the employee should receive a written statement describing the problem and what must be done to correct the problem. The warning should also contain a statement describing the probable consequences of not correcting the problem. The written statement should be presented to the employee during private interview. The written warning shall be signed by the employee, supervisor and the Personnel Director and a copy of written warning shall be given to the employee. Original written warning should be forwarded to the Personnel Director for filing in the employee's personnel file.
2. **Disciplinary Suspension Without Pay.** An employee may be suspended without pay after the suspension has been signed by the Personnel Director and approved by the City Manager or his/her designee. The suspension without pay should not exceed thirty (30) days.
3. **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.
4. **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 performance the work at the lower position. A disciplinary demotion will include a decrease in salary.
5. **Dismissal.** An employee may be dismissed for disciplinary reasons when all other alternatives have failed to solve the problems, or, in the judgment of the City Manager or his/her designee, dismissal is the only appropriate action.

**\*\*Disciplinary Actions # 2-5 must be signed by Personnel and approved by the City Manager.**

### 6.03 Examples of Causes of Corrective Disciplinary Action

The following list of possible reasons for corrective disciplinary actions is intended to communicate to the employee general reasons that are universally accepted as causes for corrective disciplinary action by public sector employers. These reasons are neither mutually exclusive nor collectively exhaustive. The City Manager or his/her designee may discipline for any combination of reasons or for reasons not listed below:

- 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. refusal to carry out orders or follow instructions;
- F. commission of a felony or a crime involving moral turpitude;
- G. conduct which reflects discredit on the employee or the City or which impairs the operation and/or efficiency of the employee or the City;
- H. failure to report to work without justifiable cause;
- I. political activity that is prohibited by federal, state, or local laws;
- J. abuse of sick leave;
- K. abuse or theft of City property;
- L. use of city equipment for personal use without prior official permission;
- M. loss of job requirement, such as the loss of a necessary license, which prevents the adequate performance of assigned duties;
- N. the willful making of false statements to supervisors, officials, the public, boards, commissions, or agencies;
- O. the violation of city ordinances, administrative regulations, department rules, or these rules and regulations;
- P. the consumption, sale, or possession of alcoholic beverages and/or illegal substances while at work, or being intoxicated on the job;

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- Q. the discovery of a false statement in an employment application;
- R. acceptance of gratuities or gifts in conflict with these policies; and
- S. the refusal, when so directed, to be examined by a licensed physician designated by the City.
- T. Fighting or horseplay during hours of employment.

#### **6.04 Procedures for Administering Corrective Actions**

- A. **Cases Involving Oral and Written Warnings.** The City of Cairo uses the warning system as outlined in Section 6.02 as a part of its due process procedure to the to the extent possible. Employees are given oral warning as a first step and repeated offenses for the same violation or more than one first offense involving different violations are presented as written warnings – PROVIDED – the offense(s) are not serious enough for more severe disciplinary action.

While oral and written warnings are given when appropriate, when in the opinion of the Department Head the offense is extremely serious or the nature of the offense requires more severe disciplinary action, the Department Head may elect to take disciplinary action up to and including dismissal without having provided any previous warning to the employee.

When the offense(s) are such that either oral or written warnings are appropriate and are given, the Department Head will attempt to counsel the employee and stress the consequences of failing to correct the problem. The Department Head will forward originals of all written warnings to the Personnel Director.

- B. **Cases Involving Other Corrective Disciplinary Actions.** When in the opinion of the Department Head more severe corrective action is warranted including suspension without pay, salary reduction, demotion, or working test status, the following procedures will be implemented:

The employee will be notified by the Personnel Director of the type corrective disciplinary action being proposed, the reasons therefore, and the effective date(s) of the action. The notice will include a statement that indicates to the employee that he/she may request a hearing before the City Manager provided that the employee files a written request within three working days of receiving his/her notice of corrective action. (This only applies to suspensions of more than 30 days.) Working test employees cannot request a hearing.

Dependent upon the circumstances, the City Manager may elect to designate an Impartial attorney, other than the City Attorney, as hearing officer.

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The hearing officer should compile evidence, prepare findings of facts, conclusions of law, and issue a recommendation to the City Manager.

The City Manager will then schedule a hearing within ten (10) days of receiving the request and so notify the employee. In no event will the corrective action actually be implemented before the employee receives a "hearing if a hearing is requested.

The employee may bring witnesses and will have the right to legal counsel. If witnesses are brought in, the City Manager and/or his designee have the right to cross examine or otherwise question the witnesses. The City Manager may elect to dismiss, uphold or modify the proposed corrective action and will notify the employee in writing, within five (5) working days of his decision.

**The City may elect to designate a panel of human resource professionals from the local public and private sectors as an appeals body in lieu of using an attorney.**

Any hearings or appeals provided to employees should not be interpreted as an exercise of judicial power. Such hearings are merely voluntary compliance of forms of judicial procedure.

### C. **Cases Involving Dismissal.**

In this type of corrective action, the employee will be notified by the Personnel Director that he/she is being suspended without pay for three working days pending their terminations. In the absence of the Personnel Director, such notification shall be issued by the City Manager. The notification will contain (1) the action taken, (2) the reasons for the action, (3) the effective date of the action, (4) the opportunity for the employee to request, and (5) the essential steps of the hearing process.

(1) No Hearing Request: If the employee does not desire to have a hearing, the termination becomes effective at the end of the three-day period.

(2) Hearing Request:

(a) If the employee desires to have a hearing, he/she will have three working days from the date of receipt of this notification in which to file a written request for the hearing.

- (b) If at the conclusion of the due process the employee is retained in the employ of the City, the employee shall be granted back pay until the date of the conversion, less any amount of suspension without pay that may be part of the resulting disciplinary action.
- (c) If the employee requests a hearing, in no case will an employee be terminated prior to the holding of that hearing.
- (d) Original appointment working test employees are not eligible for for requesting a hearing.
- (e) Once the written request for a hearing is received by City Hall, the City Manager (1) may elect to be the hearing officer and to conduct the hearing or (2) he may elect to request that an impartial attorney be obtained to conduct the hearing. The City Attorney is not eligible for acting as the hearing officer. Should the City Manager elect to request and impartial attorney as the hearing officer, the City Attorney will arrange for an impartial attorney to conduct the hearing.
- (f) Within ten working days of the receipt of the written request for a hearing, a date shall be set for the hearing. The hearing does not have to occur within the ten days.
- (g) If an impartial attorney is the hearing officer he/she shall compile evidence, prepare findings of fact, attest to conclusions of law, and issue a recommendation.
- (h) Conducting a hearing is considered as the opportunity for the employee to receive due process. Such a process and the resulting conclusions and recommendations are considered as having a significant weight in the final decision that is to be made by the City Manager. Upon receipt by the City Manager of the recommendations of a hearing officer, within five working days the City Manager shall determine to (1) concur with the recommendation of the hearing officer or (2) concur but modify the recommendation of the hearing officer, or (3) to completely not concur with the recommendation of the hearing officer. Additionally, within that same five working days, the City Manager shall summon the employee to City Hall to advise the employee of the final decision.

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- (i) If the City Manager should elect to completely not concur with the recommendations of the hearing officer, he/she should do so based upon the discovery of new information that is considered significant enough such that, if it had been entered during the hearing, it likely would have altered the outcome and recommendations of the hearing officer.

## **6.05 Disciplinary Procedures Involving Personal Staff of the City Manager**

Department Heads are considered personal staff of the City Manager.

Corrective actions involving these employees will be administered by the City Manager. The appeal procedures outlined in 6.04B and 6.04C are not applicable. In cases involving suspension without pay, salary reduction, demotion, placement on working test status, and dismissal, the following procedures will be implemented.

The employee will be notified by the City Manager of the type corrective disciplinary action being proposed, the reasons therefore, and the effective date(s) of the action. The notice will include a statement that indicates to the employee that he may request a hearing before the Mayor and City Council provided that the employee files a written request within three working days of receiving the notice of corrective action.

The request for hearing will be forwarded to the Mayor and Council, a hearing will be scheduled within ten (10) days of receiving the request, and the employee so notified. In no event will the corrective action be implemented before the employee receives a hearing if a hearing is requested.

The employee may bring witnesses and will have the right to legal counsel. If witnesses are brought in, the City Manager and the Mayor and Council have the right to cross examine or otherwise question the witnesses.

The Mayor and Council may elect to dismiss, uphold or modify the proposed corrective action and will notify the employee in writing, within five (5) working days of the decision.

## **VII – GRIEVANCES**

### **7.01 Purpose**

The purpose of the employee grievance procedure is to provide an orderly process for hearing the grievance claims of all 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.

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## 7.02 Definition

A grievance is a claim initiated by an employee alleging that the City has:

- A. Unlawfully discriminated against him/her in any manner other than a corrective Disciplinary action.
- B. Unlawfully deprived him/her of his/her liberty interest under the Constitution in manner other than through a corrective disciplinary action.
- C. Applied unlawful or unjust coercion or reprisal to the employee.
- D. Applied City or departmental policies to the employee in an arbitrary and Capricious manner.
- E. Subjected the employee to unsafe or unhealthy working conditions.
- F. Applied other unlawful or unjust practices that adversely affect the employee.

## 7.03 Steps

- A. Normally a grievance procedure will provide for a minimum of two steps. When practical, and deemed appropriate by the City, an attempt will be made to provide at least two steps to grievant.

The following represents the order of and the maximum grievance levels for employees. The City Manager may allow or provide that certain levels be omitted and the grievance procedure advanced to the top levels. 1)Supervisor; 2)Department Head; 3) Personnel Director; and 4) City Manager. Under most circumstances, the first grievance hearing step will be the immediate supervisor of the employee.

## 7.04 Grievance Filing Process

- A. An employee may file a written grievance on the form shown in the Appendix C With his or her immediate superior within five (5) days after the occurrence of the event being grieved, or within five (5) days after becoming aware of the event. The grievance statement must be submitted to the supervisor **or follow the proper chain of command**, in writing on forms provided by the City, and a copy filed with the Personnel Director and it should state the specific claim and the specific relief desired.
- B. If the claim is determined to be givable, the first hearing should be held within five (5) days after the grievance is filed. The first hearing officer should notify the Grievant of his or her decision in writing within five (5) days after making the initial decision and inform the employee as to whether or not a second grievance level is available and permitted and provided the name of the second level grievance officer.

- C. If a second grievance level is available, the employee must within five (5) days of the decision of the first hearing officer, request a grievance consultation with this officer. The grievance statement must be submitted to the second hearing officer in writing on forms provided by the City, and a copy filed with the Personnel Director.
- D. If a second hearing is held, the second hearing officer should schedule and notify the employee of the date of the second hearing and render this decision within five (5) days of the date of the hearing. If the decision is not in favor of the employee, the notification should include a statement providing appropriate instructions to the employee regarding the method of obtaining a third hearing and any pertinent details regarding same.

### **7.05 Non-Grievable Areas**

The following are not grievable:

- A. Issues which are pending in 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 person 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 City Manager 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. Any matter which not within the jurisdiction or control of the City Manager.
- G. Internal security practices established by the City Manager.
- H. Decisions, policies, practices, resolutions, or ordinances made or passed by the governing authority or the City Manager which are not job or work related and which do not contradict these policies.
- I. Disciplinary Actions other than oral and written reprimands.

## 7.06 ADA Grievance Procedure

Complaints alleging any action prohibited by the U.S. Department of Justice Regulations implementing Title II of the Americans with Disabilities Act should be addressed according to the procedures outlined below.

- A. A complaint should be addressed to the Personnel Director, P.O. Box 29, Cairo, Georgia 31728, Phone (229) 377-1722.
- B. A complaint should be filed in writing, contain the name and address of the person filing it, and briefly the alleged violation of the regulations.
- C. A complaint should be filed within five (5) days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination which occurred before this grievance procedure was in place will be considered on a case-by-case basis.)
- D. An investigation, as may be appropriate, shall follow a filing of complaint. The investigation shall be conducted by the Personnel Director. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
- E. A written determination as to the validity of the complaint and a description of the resolution, if any shall be issued by Personnel Director and a copy forwarded to the complainant no later than five (5) days after its filing.
- F. The ADA coordinator shall maintain the files and records of the City of Cairo Relating to the complaints filed.
- G. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within five (5) days to the City Manager.
- H. The right of a person to a prompt and equitable resolution of the complaint filed shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that the City of Cairo complies with the ADA and implementing regulations.

## **VIII - HOLIDAYS**

### **8.01 Holidays Allowed**

The following are the official holidays that will be observed by eligible employees:

- |                                  |  |
|----------------------------------|--|
| 1. New Year's Day                | 5. Labor Day                             |
| 2. Martin Luther King's Birthday | 6. Thanksgiving Day                      |
| 3. Memorial Day                  | 7. Friday after Thanksgiving             |
| 4. Independence Day              | 8. Christmas Day                         |
|                                  | 9. Floating day designated by Management |

Other days may be declared as holiday by resolution of Mayor and Council at its discretion.

### **8.02 Observed of Holidays**

Police, Fire and other employees that receive additional compensation for a designated holiday will receive regular pay for the hours worked and 8 hours holiday pay for Police Personnel – 12 hours holiday pay for Fire personnel and any appropriate overtime. Compensation for employees entitled to holiday pay will be given at the end of the pay period following the holiday(s).

Employees other than Police and Fire personnel not working on a holiday will receive straight time for the holiday based on the number of hours in a regularly scheduled shift.

If a holiday falls on a Saturday, it will be observed on the preceding Friday. If a holiday falls on Sunday, it will be observed on the following Monday.

An employee who is not on approved leave and fails to report on his or her scheduled work day, before or after a holiday, shall not be paid for the holiday.

## **IX – WORK HOURS, OVERTIME, COMPENSATORY TIME, LONGEVITY PAY AND ON-CALL PAY**

### **9.01 Work hours**

Because of differences in job requirements, the required work hours or work period may vary from job to job and department to department.

### **9.02 Overtime**

Non-exempt employees whose work period is one week will be paid at the rate of one and one-half the normal rate for all hours worked over forty (40) hours per week. Public

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safety departments will establish work periods and overtime policies separately as a part of the departmental operating policies.

### **9.03 Compensatory Time**

The City of Cairo will adhere to the Fair Labor Standards Act (FLSA) at it pertains to Compensatory Time.

#### Hourly Employees

Hourly employees who are willing to accept Compensatory Time in lieu of overtime pay must sign an authorization agreement prior to any overtime being worked.

Management, not the employee, will determine whether or not any specific overtime worked by an hourly employee will be recorded as Compensatory Time or will be paid to the employee as overtime pay.

Those employees who elect to receive Compensatory Time will receive Compensatory Time off at the rate of 1.5 times the number of hours worked, not to exceed the FLSA maximum of 240 hours for regular employees and **480 hours for fire and police**.

Those employees who elect not to sign such a form will be paid for their overtime worked at a rate of 1.5 times their normal rate of pay.

#### Salaried Employees

Salaried employees are not eligible for Compensatory Time. However, in recognition of significant hours worked in addition to the normal workweek, any salaried employee's supervisor may approve some time off for that employee.

Any time off that is granted will done at the discretion of the employee's supervisor and with the assurance that (1) doing so will not impair the operations of the employee's area of responsibility and (2) that significant hours have been worked in addition to the normal workweek. The supervisor will be held accountable for providing those assurances.

### **9.04 Time Sheets**

Employees are required to keep accurate time sheets on forms provided by the appointing authority in accordance with FLSA and city requirements.

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## 9.05 Longevity Pay

After five (5) years of continuous service, each full-time permanent employee will receive \$15.00 for each year of service. Payment will be made during December of that calendar year based upon the total number of years of continuous service as of December 31 of the calendar year in which the payment is being made.

## 9.06 On-Call Pay and Procedures

- A. **General.** Personnel will be assigned to an on-call status based upon their job classification and the city's need to have personnel available for responding to after-hours problems. Assignments will be rotated among the qualified personnel to as evenly as possible to distribute the opportunity for overtime. A weekly on-call list will be published which corresponds to the pay week and is in effect from 4:00 pm on Wednesday until 4:00 pm the following Wednesday.
- B. **Pay.** For each week of being on-call, personnel will be paid for eight (8) hours at a straight-time rate regardless of any actual call-outs. In addition to the eight hours, all call-outs will be paid for on a time-and-a half basis (provided that the employee works a full 40-hour week). Each call-out will be considered to be a minimum one hour. Call-out pay begins when the employee reports to the assigned work location, and ceases when he/she has completed his/her assigned duties. Time for call-outs exceeding the minimum one hour should be rounded to the nearest fifteen (15) minute increment.
- C. **Response Time.** In order that the paging party is aware that the page was successful, called personnel are expected to respond by telephone as soon as possible, but not later than fifteen (15) minutes after being paged. Personnel are expected to report to their place of work, or other place as designated, within fifteen (15) minutes.

In order to avoid unnecessary delays, the paging party shall call out an alternative employee when the listed on-call employee has not responded to the page within the allotted fifteen (15) minutes. If, after an alternative employee has been summoned, the on-call employee contact the paging party, the on-call employee will not be assigned any work (unless the condition warrant additional assistance) nor be paid for the call-out.

- D. **Substitutions.** In the event an on-call employee must be unavailable for a portion of the on-call week, the on-call employee shall have the responsibility of securing a substitute. The on-call employee shall also be responsible for notifying the necessary personnel of the changes in the call-out list. Under no circumstances shall the eight (8) hours of on-cc all pay be paid to both the on-call employee and the substitute.

## X – LEAVE

### 10.01 Types of Leave

The City recognizes seven types of leave that are available to employees. They are: Annual leave, sick leave, military leave, court leave, funeral leave, leave-of-absence, leave sharing, and Family and Medical Leave.

### 10.02 Annual Leave

Annual leave is leave that is earned to be used for vacations, personal business activities and other personal activities.

A. **Eligibility.** All full-time employees and acting full-time employees will be eligible. Part-time, seasonal, substitute and temporary workers are not eligible.

#### B. **Method of Earning Annual Leave (Effective 7/1/2009)**

An employee's eligibility for annual or vacation leave is based on length of employment and the total number of hours worked annually. Employees **are not** eligible to take vacation until completion of the six months probationary period. Vacation accrual for new hires will start after they are hired full-time with the City.

Vacation hours will be given according to anniversary date. **If an employee is hired on or before the 15<sup>th</sup> of the month the employee will receive the appropriate vacation hours for that month at the end of that month. If they are hired after the 15<sup>th</sup> of the month they will receive the appropriate vacation hours at the end of the following month.** Each employee will be able to have an accumulation of no more than 100 hours of vacation at any given time. After an employee reaches a max of 100 hours for regular employees, 150 hours for police, and 180 hours for Fire, no additional credit will be accumulated until that employee reduces the 100 hours for regular employees, 150 hours for Police and 180 hours for Fire by using vacation time. Any hours over **100** will be lost for regular employees, 150 hours for Police and 180 hours for Fire. The max accrual policy will take effect on Jan 1, 2011.

#### C. **Vacation Schedule**

##### Regular Employees (2080 hours)

	New Hires	1 thru 2 years	3 thru 4 years	5 thru 9 years	10 thru 24 years	25+ years
Monthly	3.5 hours	5 hrs	7 hrs	8 hrs	10hrs	12 hrs
Annually	42 hrs	60 hrs	84 hrs	96 hrs	120 hrs	144 hrs

##### Police (2190 hours)

	New Hires	1 thru 2 years	3 thru 4 years	5 thru 9 years	10 thru 24 years	25+ years
Monthly	3.75 hrs	5.25 hrs	7.25 hrs	8.25 hrs	10.50hrs	12.5 hrs
Annually	45 hrs	63 hrs	87 hrs	99 hrs	126 hrs	150 hrs

Revised 8/24/2009

Fire Employees (2980 hours)

	<b>New Hires</b>	<b>1 thru 2 years</b>	<b>3 thru 4 years</b>	<b>5 thru 9 years</b>	<b>10 thru 24 years</b>	<b>25+ years</b>
<b>Monthly</b>	6.5 hrs	7 hrs	10.75 hrs	12.25 hrs	14.50hrs	17.5 hrs
<b>Annually</b>	<b>78 hrs</b>	<b>84 hrs</b>	<b>129 hrs</b>	<b>147 hrs</b>	<b>174 hrs</b>	<b>210 hrs</b>

**D. Terminal Annual Leave**

- (1) Employees who terminate for any reason will be paid for accumulated annual leave up to the maximum accumulation allowed as outlined in 10.02 C. Based on 10.02 C, this will vary.
- (2) If an employee dies while in the City service, his/her beneficiary will be paid terminal leave in the same manner it would have been paid to the employee.

**E. Other Annual Leave Factors**

- (1) Cash payment will not be paid in lieu of annual leave except upon separation.
- (2) Employees will not be granted annual leave in excess of that accumulated.
- (3) Requests for annual leave will be on a form provided by the Personnel Director and will, barring unusual circumstances, be submitted at least one week prior to the effective date of leave to the Department Head.

**10.03 Sick Leave**

Sick leave is leave accumulated to be taken for bona fide illness and injury and other medical related necessities such as physician appointments, medical examinations, dental appointments, etc. Sick leave is available for the employee's personal health care as well as for the care of members of the immediate family. Immediate family shall mean spouse, child, father, mother, grandparents, step-father, step-mother, step-children, or any relative for whom the employee serves as a primary caregiver. (Revised 2/28/11)

**A. Eligibility**

All full-time and acting full-time employees are eligible. Temporary, seasonal, part-time and substitute employees are not eligible for sick leave. New Employees: Sick hours for the first month of employment will be given to new

employees who started on or before the 15<sup>th</sup> of the month. Employees are not eligible to take sick leave until completion of probationary period.

**B. Method of Earning Sick Leave**

All eligible employees, regardless of length of service may earn sick leave as follows:

- (1) Employees on a 2080-hour schedule – 6.75 hours per month or 81 hours per year
- (2) Employees on a 2190-hour schedule – 7.0 hours per month or 84 hours per year
- (3) Employees on a 2980-hour schedule – 9.50 hours per month or 114 hours per year

**C. Accumulating Sick Leave**

Employees are not limited to the amount of sick leave he/she can accumulate.

**D. Reporting**

The employee will report any sick leave absence prior to his or her schedule work time, if possible, and if not, the employee should see that his/her absence is reported within one (1) hour after the scheduled time for the employee to begin work.

**E. Approval**

Sick leave requires the approval of the immediate Supervisor or his/her designee.

**F. Physician's Certificate**

City employees accrue sick time per 10.03 (B) and such accrued sick time may be taken in accordance with 10.03. However, a physician's certificate may become necessary whenever the frequency and/or duration of any absences appear to be habitual in nature.

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Absences that are eligible for taking sick leave where a physician's certificate is produced will be considered as "Excused Absences." Absences that are eligible for taking sick leave where a physician's certificate is not produced will be considered as "Unexcused Absences".

Although absences are recorded in increments of hours or days, for purposes of this policy, one absence is considered as it relates to one illness.

A physician's certificate may be required by the employee's supervisor:

- (1) if an absence exceeds three consecutive working days, or
- (2) after three Unexcused Absences within a calendar year, or
- (3) to support a request for sick leave during annual leave.

**G. Payment for Sick Leave**

Any employee who has accumulated at least 960 hours/normal working hours; 1008 hours/Police; 1344 hours/Fire and is eligible for normal retirement in accordance with the City of Cairo Retirement Plan, is entitled to receive a lump-sum payment equal to one month's pay. (160 hours/normal working hours; 168 hours/Police; 224 hours/Fire). All other unused sick leave shall be forfeited by the employee upon separation from the City. Under no other circumstances will employees separating from the City service be paid for unused sick leave.

**H. Sick Leave Incentive Program**

As an added incentive for employees to be out as little as possible, employees who use less than 32 hours (pro-rated for fire and police based on annual hours worked) of sick leave will be credited bonus annual leave in accordance with the following schedule. Fractional days or hours of sick leave used will be rounded to the higher number in determining the bonus annual leave (e.g., 4 hours of sick leave used would be rounded to 1 day of sick leave days taken in determining the bonus annual leave).

**Employee working 2,080 hours:**

<u>Sick Leave Hours Taken</u>	<u>Bonus Annual Leave</u>
0 hours	24 bonus hours
8-16 hours	16 bonus hours
24 hours	8 bonus hours
25 + hours	0 hours

Employees in a working test status are not eligible for the incentive program. The working test period must be completed by **the first working day of any calendar year** in order to be eligible for sick leave bonus.

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**10.04 Military Leave**

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), enacted October 13, 1994, significantly strengthens and expands the employment and reemployment rights of all uniformed service members.

Upon written request any regular employee who leaves voluntarily or involuntarily to join the military forces of the United States during time of war or other national emergency may be placed on Military Leave without pay. The employee may use accrued paid leave, but he or she is not required.

## **Benefits**

The returning employee shall be entitled to any increases in salary (including cost-of-living increases) or any advancement in grade which would normally be accorded to the incumbent of the position, with the exception of any increases or advancement in-grade which would normally be dependent on meritorious performance of the duties of the position.

An employee is entitled to seniority as if he or she was continuously employed, uninterrupted by his or her service obligations. Military service must count as service for purposes of vesting and accrual of benefits.

The employee will not accrue annual or sick leave during the military leave of absence.

An employee may elect to continue health insurance coverage during his or her service, for a maximum of 18 months. If the employee does not wish to continue their coverage then coverage will terminate. The employee is entitled to immediate reinstatement of health insurance benefits upon returning to work, with no waiting periods or exclusions for preexisting conditions.

## **Application for reemployment**

**Service of 1 to 30 days.** The employee must report on the first full regularly scheduled work period on the first calendar day after completion. The employee is allowed an eight hour period in which to travel from the location of his or her services. If the employee is delayed for reasons beyond his control, he should report back as soon as possible.

**Service of 31 to 180 days.** An application for reemployment must be submitted no later than 14 days after completion of a person's military service. If the 14<sup>th</sup> day falls on a day when the offices are not open, or there is otherwise no one available to accept the application, the time extends to the next business day.

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**Service of 181 or more days.** An application for reemployment must be submitted no later than 90 days after completion of a person's military service. If the 90<sup>th</sup> day falls on a day when the offices are not open, or there is otherwise no one available to accept the application, the time extends to the next business day.

If the submission of a timely application is impossible or unreasonable through no fault of the person, the application must be submitted as soon as possible.

## **Returning Service Member**

**If the period of service was less than 90 days.** The employee will be placed in the position he or she would have been in, had his employment not been interrupted, provided that he or she is qualified. If the employee is not qualified for such position, the city will make reasonable efforts to qualify him or her for this position.

**If the period of service was more than 90 days.** The employee must be placed in the position he would have been in or in a position of like seniority, status, and pay. If the employee is unqualified for such a position, and cannot become qualified through the reasonable efforts of the city, then the employee may be returned to his former position.

In addition to the benefits and rights conveyed by the USERRA, Georgia has a specific statute affecting the rights of public employees during military service. Georgia law requires that paid leave be granted to members of the Reserve and National Guard under certain conditions.

### **A. 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 eighteen (18) days in any one calendar year and not exceeding eighteen (18) days in any one continuous period of active duty service. Employee must submit written orders to supervisor prior to leave.

### **B. 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 thirty (30) days in any one calendar year and not exceeding thirty (30) days in any one continuous period of active duty service. Employee must submit written orders to supervisor prior to leave.

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## **10.05 Court Leave/Civil Leave**

An employee performing jury duty will be granted leave with pay. The employee will be permitted to retain all fees and allowances as well as retaining full City pay. Employee must submit a copy of their subpoena. Employees are required to notify their supervisor when released from court each day.

If an employee is subpoenaed as a witness in a case not related to his/her work and is paid for the appearance, the employee must endorse such payment over to the City or have an equivalent reduction of his/her payroll check.



## **10.06 Funeral Leave**

Funeral leave of up to three (3) working days shall be granted with pay for employees' absence from duty in the event of death in the immediate family. Immediate family shall mean spouse, child, father, mother, father-in-law, mother-in-law, brother, sister, Sister-in-law, brother-in-law, grandparents, step-father, step-mother, step-brother, Step-sister, step-children, son-in-law and daughter-in-law, or any relative who is domiciled in the employee's household. **Employee may be asked to provide documentation showing evidence of funeral activities or arrangements.** Employees are required to complete a request for funeral leave form (Appendix E). Revised 10/26/09

## **10.07 Leave of Absence**

### **A. For Military Purposes**

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 any employee while in attendance as 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.

### **B. For Temporary Disability and Other Reasons**

A disabled employee may exhaust all accrued sick and annual leave. When paid leave is exhausted, the employee may be placed on leave of absence, without pay, depending on the duration and the need to fill the position. A doctor's statement will be requested to determine the length of leave necessary. Maternity and other temporarily disabling conditions associated with pregnancy will be treated as any other disability.

### **C. Benefits during Leave of Absence**

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.

### **D. Leave of Absence Regulations and Procedures**

- (1) Leave without pay shall be granted only when it will not adversely affect the interest of the City service and requires the approval of the City Manager.
- (2) Failure of an employee to return to work at the expiration of approved leave shall be considered as absence without leave and grounds for disciplinary action.

- (3) Any employee who has been granted leave of absence and who wishes to return before the leave period has expired shall be required to give his or her department head at least a one-week notice. Upon receipt of such written notice, the employee shall be permitted to return to work.
- (4) An employee shall return from leave without pay to the same salary grade as at the time of commencement of leave.
- (5) An employee who obtains either part-time or full-time employment elsewhere while on an authorized leave of absence without pay is required to notify his or her department head in writing within three (3) days of accepting such employment.
- (6) An employee returning from a leave of absence without pay shall be entitled to employment in the same department in the same or equivalent class wherein employed when said leave commenced.

### **10.08 Leave Sharing Policy**

**Purpose.** The purpose of the leave sharing program is to allow employees to donate leave to employee(s) experiencing a sickness or illness, either personally or by an immediate family member, in order to provide some income protection when the employee would be absent from work for a period of time. **The period must be for a minimum of two consecutive weeks and / or be a catastrophic condition.**

Immediate family shall mean spouse, child, father, mother, grandparents, step-father, step-mother, step-children, or any relative for whom the employee is the primary caregiver. The employee receiving the donated leave must have exhausted all his or her accrued paid leave. (Revised 2/28/2011)

The Personnel Director will be responsible for the administration of the leave sharing program.

**Procedures.** Employees interested in donating accrued leave must obtain a “Donor Sick Leave Transfer” form from Personnel. Donations may be made in any amount, but a minimum of four hours of leave is encouraged. Please note that it is time (hours) that is being donated, not the dollars represented by the time. Leave donations are made on an as needed basis to the employee. All donations are voluntary and will be kept **confidential**. Forms must be completed and submitted to personnel prior to bi-weekly payroll. Employees participating in the Sick Leave Incentive Program will not be penalized for any donations.

**Prohibitions.** No employee may threaten or coerce another employee for the purpose of interfering with rights involving the donation, receipt or use of donated leave time. Conferring or promising to confer a benefit such as a promotion or threatening to engage in an act of retaliation against another employee in this regard is considered misconduct and is subject to disciplinary action up to and including dismissal.

**Continuation of Benefits.** Since there is not a break in service employees will continue to accrue leave.

## **10.09 FAMILY AND MEDICAL LEAVE POLICY**

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Employees of City of Cairo are eligible for family and medical leave if they have at least 12 months of service, have worked at least 1,250 hours within the preceding 12-month period, and at a worksite where there are at least 50 employees within a 75-mile radius. If eligible, an employee may be able to take up to 12 weeks of paid or unpaid leave during a 12-month period for the following reasons:

- The birth of a child or to care for a child within the first 12 months after birth;
- The placement of a child with the employee for adoption or foster care and to bond with and care for the child (within the first 12 months after placement);
- To care for an immediate family member who has a serious health condition;
- For a serious health condition that makes the employee unable to perform the functions of his/her position; or
- If the employee experiences a qualifying exigency that arises out of the fact that a spouse, parent, or child has been called to or is on active duty as a member of the National Guard or military reserves (it does not apply to active duty served by a member of the regular armed forces).

**Military Caregiver Leave.** In addition, an employee who is the spouse, parent, child or next of kin of a current member of the armed forces (including the regular armed forces) who was injured while on active duty may be eligible for up to 26 weeks of FMLA leave in a 12-month period, including the types of leave listed above.

**Notice of Leave.** When requesting leave, the employee must:

- Supply sufficient information for The City of Cairo to be aware that the FMLA may apply to the leave request, as well as information regarding the anticipated timing and duration of leave;
- Provide notice of the need for leave at least 30 days in advance or as soon as practicable;
- Cooperate with all requests for information regarding whether absences are FMLA-qualifying.

Failure to comply may result in leave being delayed or denied.

**Intermittent Leave.** When medically necessary, employees may take FMLA leave intermittently, or on a reduced schedule basis for their own serious health condition, the serious health condition of a family member, or for military caregiver leave. Employees are required to cooperate with The City of Cairo to arrange reduced work schedules or intermittent leave so as to minimize disruption of business operations.

Qualifying exigency leave may be taken intermittently without regard to medical necessity or disruption of business operations.

Leave because of the birth or adoption of a child may not be taken intermittently and must be completed with the 12-month period beginning on the date of birth or placement of the child.

**Medical and Other Certifications.** Employees will be required to provide a medical certification if the leave request is: 1) for the employee's own serious health condition, 2) to care for a family member's serious health condition, or 3) military caregiver leave. Failure to provide the requested certification in a timely manner may result in denial of the leave until it is provided. If an employee refuses to provide a certification, his/her leave request may be denied and the employee may be disciplined.

The City of Cairo, at its expense, may require a medical examination by a health care provider of its choosing if it has a reasonable question regarding the medical certification provided by the employee. In lieu of a second opinion, The City of Cairo may contact the health care provider directly to clarify or authenticate a medical certification, including certifications for military caregiver leave. Second opinions may not be required for military caregiver leave.

Separate certification may also be required regarding the nature of the family member's military service and/or the existence of a qualifying exigency.

**Fitness for Duty Certifications.** Because The City of Cairo wishes to ensure the well-being of all employees, any employee returning from FMLA leave for his/her own serious health condition will need to provide a Fitness for Duty (FFD) certification signed by his/her health care provider. An employee who fails to provide a FFD certification will be prohibited from returning to work until it is provided. An employee who fails to provide a FFD certification may be disciplined or terminated.

FFD certifications may be required when an employee returns from intermittent FMLA leave if serious concerns exist regarding the employee's ability to resume his/her duties safely.

**Maintenance of Benefits.** The City of Cairo will maintain health care benefits for the employee if covered by the plan, but the employee is responsible for paying the normal monthly premium contribution. If the employee elects not to return to work at the end of the leave period, the employee will be required to reimburse The City of Cairo for the cost of premiums paid for maintaining coverage during the leave period. All other benefits cease to accrue during the unpaid portion of the leave.

**Concurrent Leave.** Employees must use any accumulated sick leave, vacation leave, to the extent available during FMLA leave unless such leave is covered under workers' compensation, in which case the employee may use accumulated leave time only for the purpose of satisfying any waiting period. Absences in excess of these accumulated days will be treated as FMLA leave without pay.

**Married Couples Who Work for City of Cairo.** If an employee and his/her spouse both work for The City of Cairo, they are both eligible for leave. The employee and employee's spouse may be limited to a combined total of 12 weeks of FMLA leave in a 12-month period if the leave is taken for:

- The birth, adoption, or foster placement of a child;
- To care for and bond with such child who does not suffer from a serious health condition;
- To care for a parent with a serious health condition; or
- A combination of the above.

For military caregiver leave, the employee and employee's spouse may be limited to a combined total of 26 weeks of leave in a 12-month period, including the types of leave listed above in this paragraph.

**Absenteeism.** Upon return from leave, the employee will be restored to his/her original or an equivalent position. An employee who fails to return at the end of FMLA leave will in most cases be considered to have voluntarily resigned his/her position with The City of Cairo. Employees who do not return at the end of their leave will be terminated unless they are entitled to additional leave as a reasonable accommodation under the American with Disabilities Act.

**State and Local Laws.** When state and local laws offer more protection or benefits, the protection or benefits offered by those laws will apply.

## **XI – WORKERS' COMPENATION PROCEDURES**

### **11.01 Non-emergency Occupational, Accidents or Disease**

- A. Must be reported to Department Head within 24 hours.
- B. Department Head investigates accident and fills out report of injury in full detail and forwards it to the Personnel Director.
- C. If medical attention of physician is needed, it is the employee's responsibility to make an appointment with a physician of his/her choice, selected from the Panel of Physicians for Worker's Compensation Treatment.
- D. Employee is given a Treatment Authorization Form to submit to doctor's office at the time of first treatment.
- E. Employee returns Treatment Authorization to Department Head (immediately after treatment is received).

- F. Department Head forwards copies of completed Treatment Authorization to the Personnel Director.
- G. Department Head should direct any problems or questions concerning claims to the Personnel Director for discussion.
- H. The Personnel Director must be notified of date employee returns to work.

### **11.02 Emergency Accidents**

- A. If a work related accident occurs that requires immediate emergency treatment, the supervisor should be notified immediately and treatment received at the emergency room.
- B. After treatment is received, the Report of Injury form should be filled out in detail and submitted to the Personnel Director.
- C. Subsequent treatment must be directed to one of the City's Panel of Physicians unless the injury requires specialized treatment and emergency doctor refers the employee to a physician who specialized in the type injury incurred.

NOTE: If a non-emergency occupational disease or accident should occur at night or on weekends that requires medical attention before regular office hours, procedures for emergency accidents should be followed.

### **11.03 Time Off Due to accident**

The employee will be allowed to charge the first seven days to his/her accrued vacation or sick leave. Should an employee be out more than 21 consecutive days due to an on-the- job injury, Worker's comp would go back and reimburse for those seven days. **Effective immediately this eliminates previous section 11.03 (Salary Continuation). There will no longer be anymore worker's compensation bank.**

#### Accumulating Leave/Leave Benefits

If the **only** compensation received from the employee is from worker's compensation, the employee will not accumulate sick leave if he/she worked less than half the month. Time to be considered includes time off related to on-the-job injury.  
Example: If an employee was injured on the 8<sup>th</sup> of a month and does not return to work the remainder of the month (due to an on-the-job injury) and receives a check from worker's compensation then he/she will not accumulate sick leave that month.

## **XII – NONDISCIPLINARY DEMOTIONS**

Employees may request that they be demoted to open positions at lower pay grades if they are qualified for the position. If such a request is granted, the employee's salary will be reduced to a rate not less than the midpoint of the pay grade of the new job.

Employees who received pay incentives for required certification(s) in their current position should expect removal of these incentives if the new position does not require the certification(s).

## **XIII – TRANSFERS**

### **13.01 Initiation and Authority for Transfers**

The appointing authority may initiate a transfer or an employee may request a transfer

- A. If a position is open at an equivalent pay grade, an employee may request a transfer to that position. If the knowledge, skills, 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 discretion to grant a transfer, if requested, rests with the appointing authority. The appointing authority may transfer an employee to any position, at any pay grade, 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.

## **XIV – JOB ABANDONMENT**

Employees who are absent from work for three (3) consecutive days without having received leave approval or without having called in to report the absence will be considered as having voluntarily abandoned their jobs. The separation will not be in good standing and may affect the opportunities for re-employment.

## **XV – REDUCTION IN FORCE**

A reduction in force may be necessary when a position or group of positions must be closed because of lack of work or lack of funds. Employees who are separated in a reduction in force may, at the discretion of the appointing authority, receive preference in rehiring should a position, for which they are qualified, open within that year.

## **XVI – SUSPENSION PENDING A FELONY CRIMINAL COURT HEARING/ADMINISTRATIVE HEARING**

Not to be confused with a disciplinary suspension, an employee may be charged with a crime pending a court appearance or internal investigation.

In these cases, the appointing authorities will determine, on a case by case basis, whether the employee will be dismissed, suspended with or without pay, or will be allowed to continue to work.

The nature of the alleged crime, the length of time before the matter is resolved, whether the accused is free on bail, and other factors will be the determining factors.

If the employee is suspended without pay and is exonerated, the appointing authority may elect to reinstate the employee with full back pay or may elect to dismiss him depending on the circumstances.

## **XVII-PROMOTIONS**

### **17.01 Promotional Goals**

Promotional vacancies may be filled with applicants external to the City's work force at the discretion of the appointing authority. Normally, however, an attempt will be made to fill the vacancy from within if there is a qualified applicant already working with the City and such action would not be in conflict with the City's anti-discrimination or unfair unemployment practices.

### **17.02 Effect of a Promotion**

If a formal job classification plan is in effect, a promoted employee will be placed in the step in his new job class that the appointing authority deems appropriate under the circumstances. If no formal plan is in effect, the employee will be paid a salary deemed appropriate by the appointing authority.

### **17.03 Relationship of Promotions to Performance Pay Increases**

If the City, at the time of promotion, has a system for performance pay in effect, the promotion will not interfere with the employee's consideration for a performance pay increase at the next scheduled performance evaluation date.

### **17.04 Effective Date**

The effective date of any promotion, for compensation purposes, will be the first day of the next pay period following the date the appointing authority approves the promotion.

### **17.05 Political or Partisan Endorsement Prohibited**

Promotions to positions in the regular service shall be based upon performance and fitness for promotion only. No consideration shall be given to political or partisan endorsement.



## **17.06 Promotional Examinations**

The appointing authority may conduct competitive promotional examinations in accordance with these regulations. In competitive promotional examinations, the appointing authority shall admit to the examination all employees who meet the published qualification requirements.

## **XVIII – RESIGNATION**

### **18.01 Resignation Defined**

Resignation is the separation of an employee from the City through the submittal of a notice that he/she wishes to resign.

### **18.02 Resignation in Good Standing**

Employees are expected to provide a minimum of two weeks notice in order to resign in good standing. This must be in written form. Failure to provide such notice may adversely affect the employee's chances of reemployment with the City should a reemployment application be submitted at a later date.

### **18.03 Refusal to Accept Resignation**

Under certain circumstances, the appointing authority may choose not to accept an employee's resignation, and may instead choose to dismiss the employee.

## **XIX – EMPLOYEE DEVELOPMENT**

### **19.01 In-Service Training**

The City is interested in promoting in-service training of employees for the purpose of improving the quality of personal service rendered to the City and to assist employees to equip themselves for advancement in the City. The City Manager may establish standards for training programs; see that training is carried out as approved; prepare certificates or other forms of recognition to persons who satisfactorily complete approved courses and programs; and develop supervisory and management training and other types of training programs common to all departments.

### **19.02 Individual Training**

- A. The City of Cairo encourages its employees to participate in job-related education programs. With proof of completion of a course of study and approval of the City Manager, an employee may be entitled to an increase in salary with a maximum of 8% as outlined below: (lifetime of 8% which would include two of the 4% listed below)

- |   |    |
|---|----|
| 1. State or national accreditation or certification | 4% |
| 2. Two-year degree                                  | 4% |
| 3. Four-year degree                                 | 4% |
| 4. Above four-year degree                           | 4% |

If state or national accreditation or certification is necessary to meet the minimum job requirements for a position, the educational incentive will not apply. Those employees at the department head level are eligible for the educational incentive provided the training or education is beyond the entry level, or basic skill or knowledge level for the particular position as determined by the City Manager.

### **19.03 GED Incentive Program**

As an incentive to improve the overall education level and quality of the City workforce, the City of Cairo will pay the tuition and material costs for any employee attending a GED preparation course. In addition, any employee that successfully completes the GED requirements will receive a \$250.00 bonus. To further emphasize the importance of a high school education in the City workforce, the City of Cairo will give preferential treatment to applicants that have a high school education or equivalent in the hiring process. Exception: Upon the approval of the City Manager, the Department Head can request the advertisement and ultimately the hiring of an individual that lacks a high school diploma or equivalent, but meets the required skills and experience necessary to perform the duties of the vacant position.

## **XX – UNIFORMS AND EQUIPMENT**

Uniforms or uniform allowances for the Public Safety employees and such other employees as the appointing authority may authorize and/or may be furnished by the City. Such other equipment as the appointing authority may deem essential to job performance may also be furnished. Upon termination of employment, an employee is expected to return all such equipment and uniforms to his/her supervisor.

## **XXI – OUTSIDE EMPLOYMENT**

### **21.01 Regulations**

Outside employment shall mean any paid employment performed by an employee in addition to his or her employment with the City. Such employment shall be governed by the following regulations:

- A. Outside employment shall not interfere with the efficient performance of the employee's duties.
- B. Outside employment shall not involve a conflict of interest or conflict with the employee's duties to the City.
- C. Outside employment shall not occur during the employee's regular or assigned working hours unless the employee is on either annual leave, compensatory leave, or leave without pay.

### **21.02 Procedure**

- A. Any employee desiring to perform outside employment shall first file a request in writing with his or her department head for permission to engage in same. Such request shall state the type of employment and the hours of work, the name of the prospective employer, and the place of employment.
- B. The department head may either disapprove or recommend approval of the request. If the department head recommends approval, the request shall be granted by the City Manager if the regulations outlined above are satisfied.

## **XXII – GARNISHMENTS**

Employee indebtedness is a personal concern of the employee. Garnishments of an employee's salary create additional duties for the administrative staff. Employees will be charged a \$25 administrative fee for each new income deduction and \$3 for each deduction thereafter. These fees are in accordance to State Law 19-6-33.

## **XXIII – ABUSE OF EQUIPMENT AND SUPPLIES**

Employees are entrusted with the use of public equipment and supplies. The abuse of City equipment and supplies can lead to appropriate disciplinary action.

## **XXIV – ALCOHOL AND CONTROLLED SUBSTANCE POLICIES**

The City of Cairo is committed to providing a safe work environment and to fostering the well-being and health of its employees.

The use of alcohol or controlled substances by City employees while on the job constitutes a direct threat to property and the safety of others. The work involved in many positions is inherently dangerous, and the safety of citizens and employees depends upon the ability of fellow employees to think clearly with unimpaired faculties. To meet this objective, the problem alcohol and controlled substance abuse must be identified, confronted, and defeated.

In addition, voluntary notification by city employees of personal use of illegal drugs or alcohol abuse will entitle the employee to maintain their employment status provided he/she follows the guidelines in Section 24.04 of this policy.

Consequently, if an employee does not voluntarily notify their immediate Supervisor, Department Head, Personnel Director or City Manager of their personal use of illegal drugs or alcohol abuse as stated in Section 24.04 and tests positive for an illegal substance or has alcohol concentration of 0.02 or greater the employee will be terminated.

### **24.01 Regulations**

A. Individuals shall submit to alcohol testing and/or controlled substance testing:

**Pre-employment** – At a convenient time during the final interview process prior to the actual hiring for a position, the employee will submit to a drug screening test. Applicants refusing the test or failing the test will not be considered for employment. (drugs only)

**Post Accident** - When involved in an accident which results in property damage estimated at \$100 or more or personal injury that tends to require more than first aid. (Employee must be tested within 32 hours for drugs and within 8 hours for alcohol after an accident occurs.)

**Reasonable Suspicion** - When, in the opinion of supervisory personnel, there is reasonable suspicion that an employee of the City has violated any provision of the Alcohol and Controlled Substance Policy dealing with the use of alcohol or any controlled substance.

- B. The use or possession of alcohol or any controlled substance while on work time or work premises shall be prohibited.
- C. The sale, distribution, or provision of alcohol or any controlled substance while on work time or work premises shall be prohibited.
- D. Alcohol or controlled substance-related off-duty conduct that tends to undermine the reputation, authority, or efficiency of the City is prohibited.
- E. Employees who test positive for any illegal substance will be terminated. In addition, employees with alcohol concentration of 0.02 or greater will also be terminated.
- F. It is a violation of City policy for any employee to use prescription drugs illegally. However, nothing in this policy precludes the appropriate use of legally prescribed medications.
- G. Employees who currently use illegal drugs or abuse alcohol are encouraged to comply with the procedures outlined in Section 24.04 before being selected for an alcohol or drug test.

Employees refusing to submit to required alcohol or controlled substance test will be terminated.

## **24.02 Alcohol Testing Procedures**

An evidential breath testing (EBT) device will be used to conduct this test. Two breath tests are required to determine if an employee has a prohibited alcohol concentration. A screening test is conducted first. Any result less than 0.02 alcohol concentration is considered a “negative” test. If the alcohol concentration is 0.02 or greater a second confirmation test must be conducted. The employee and the technician conducting the breath test must complete the alcohol testing form to ensure that the results are properly recorded. The confirmation test, if required must be conducted using an EBT that prints out the results, date and time, a sequential test number, and the name and serial number of the EBT to ensure the reliability of the results.

If an employee has alcohol concentration of 0.02 or greater the employee will be terminated.

### Alcohol Testing Site

Alcohol Testing will be administered by a breath alcohol technician (BAT) at the Cairo Police Department, 4 South Broad, 229-378-3096.

### 24.03 Drug Testing Procedures

All urine specimens are analyzed for the following drugs:

- 1) Marijuana (THC metabolite)
- 2) Cocaine
- 3) Amphetamines
- 4) Opiates (including heroin)
- 5) Phencyclidine (PCP)
- 6) Barbiturates
- 7) Benzodiazepines

Revised 12/10/2007

The drug testing procedures include split specimen procedures. Each urine specimen is subdivided into two bottles labeled as a “primary” and a “split” specimen. Both bottles are sent to a laboratory. Only the primary specimen is opened and used for the urinalysis. The split specimen bottle remains sealed and is stored at the laboratory. If the analysis of the primary specimen confirms the presence of illegal, prohibited drugs, the employee has 72 hours to request the split specimen be sent to another Department of Health and Human Services (DHHS) certified laboratory for analysis. This split specimen procedure essentially provides the employee with an opportunity for a “second opinion.

If an employee tests positive for any of the controlled substances he/she will be terminated.

#### Drug Testing Site

The collection agent for urine specimens is Grady General Hospital, 1155 5<sup>th</sup> Street, SE, Cairo, GA

#### Medical Review Office (M.R.O.)

The M.R.O. for this policy is Dr. Susan Dombrowski or Dr. Herring 2705 –B East Pine tree Blvd. Thomasville, Ga. 31792

The M.R.O.’s main function is to review all test results before they are reported to the employee and determine if there is some alternative medical explanation for a positive result.

After a positive test result comes back from the lab, the M.R.O. conducts an interview with the employee, review any medical records the employee provides for evidence of legal drugs which may have caused a false positive.

If the M.R.O. is satisfied there is a legitimate explanation for a “positive” test result, the M.R.O. should notify the Personnel Director.

If the M.R.O. concludes there is no legitimate explanation for “positive” test result, the M.R.O. should notify the Personnel Director.

The M.R.O. cannot request second confirmatory test of the sample without consulting with the Personnel Director.

#### Confidentiality

All employee testing records are confidential. Test results and other confidential information may only be released to the employer and the substance abuse professional. Any other release of this information may be made with the employee's written consent.

#### **24.04 Voluntary Notification by Employee of Use of Illegal Drugs/Alcohol Abuse**

An employee who notifies the City Manager for current personal use of illegal drugs or alcohol abuse shall be entitled to maintain city employment provided:

- A. The notification is made prior to being selected for alcohol or drug tests
- B. The notification is made in writing to the City Manager
- C. The employee agrees to receive treatment, at the city's expense, under a drug/alcohol treatment program
- D. Employee will be on a leave of absence with pay for the duration of treatment
- C. The employee agrees to submit to drug/alcohol screening as requested by the City Manager or designee, at the city's expense, upon completion of the treatment plan, for one year thereafter
- D. The employee must provide evidence to the City Manager or designee of attendance and medically reasonable progress in the treatment plan
- G. The City Manager may restructure the employee's work activities if reasonably possible to protect persons or property

If the employee fails to satisfactorily complete a drug or alcohol abuse treatment program and/or continues to use illegal drugs, the City Manager shall terminate the employee in accordance with the City of Cairo Personnel Policies.

#### **XXI – CONFLICTS OF INTEREST**

No employee should accept gifts or gratuities from anyone who might expect to receive return favors from the City. Neither shall an employee have any financial interests in the profits of any contract service or other work performed by the City, nor shall he/she personally profit directly or indirectly from any contract, purchase, or sale of service between the City, any person or company. Nor shall he/she personally, or as an agent, provide any surety, bail, or bond required by law or by the appointing authority.

## **XXVI – POLITICAL ACTIVITIES**

No employee of the City while within the employ of the City, during working hours, shall participate in or perform any political activities. The position of employment of the employee may not be used either directly or indirectly for political purposes to benefit the employee or any other person. The employee may express his political opinion when not within the employ of the City and the City does encourage employees to vote for candidates of their choice. Any City employee who desires to run for political office shall take no action regarding that political office while within the employ by the City during working hours. Any employee of the City who shall desire to attain an elected office with the City shall resign at the time that he/she shall become a candidate for the office.

## **XXVII – SECURITY CLEARANCES**

In employment areas such as public safety and finance where the public has a compelling interest in the security of property and life applicants for employment promotion and transfer may be asked to supply personal information that would not be needed in other employment areas.

## **XXVIII-SAFETY**

It is the policy of the City of Cairo that every employee is entitled to work under the safest possible conditions. To this end, every reasonable effort will be made to provide and maintain a safe and healthy work place, safe equipment, proper materials, and to establish and insist upon safe methods and practices at all times.

Accidents injure people, damage machinery or equipment, and destroy materials or property, causing needless suffering, inconvenience, and expenses.

Safety rules and regulations have been developed for the protection of employees.

Rules and regulations are to be complied with and are applicable to all employees.

It is a basic responsibility of all employees to make safety a daily concern. Employees are obligated to observe the rules of conduct and safety, and to properly use the safety equipment provided.

## **XXIX – SEXUAL HARASSMENT**

### **29.01 Sexual Harassment Defined**

Sexual harassment is a form of sex discrimination which violates the City's Equal Employment Opportunity Policy and is illegal under the law. The City will not tolerate sexual harassment of its employees, male or female, by supervisory or non-supervisory employees.



## **29.02 Verbal or Physical Sexual Conduct Prohibited**

Verbal or physical conduct of a sexual nature while at work is prohibited regardless of the parties' consent. Violation will subject the employee to disciplinary action.

## **29.03 Reporting Procedures**

Incidents of sexual harassment should normally be addressed through the employee grievance procedure outlined in Section VII of these policies, or the employee may address the complaint directly to the Personnel Director. If the complaint is filed directly with the personnel office, the Personnel Director shall be responsible for conducting the investigation.

## **29.04 Consequences of Violations**

If the complaint is substantial, the offending individual is subject to corrective disciplinary action up to, and including, dismissal in accordance with procedures outlined in sections 6.04 and 6.05.

## **XXIX.01 – MANDATORY CLASSES.**

The City of Cairo has required that the following classes be made mandatory to all employees of the City of Cairo. The classes are 1.) Defensive Driving Classes, 2.) Drug Free Workplace and 3.) Sexual Harassment. The City Council approved the classes mandatory with a stipulation that if an employee does not attend the classes that they will be suspended one day without pay. If an employee misses any of the classes, an excuse from the physician must be provided to the City Manager's Office or Personnel Director for approval . (Revised 3/14/05)

## **XXX WORKPLACE VIOLENCE**

The City of Cairo has zero tolerance for violent acts or threats of violence against our employees, applicants, customers, or vendors. Any employee who commits or threatens to commit any violent act against a co-worker will be subject to discipline up to, and including, immediate discharge. This includes fighting, on or off City premises, regardless of who instigates the altercation.

Any employee who is subjected to or threatened with violence by a co-worker, customer or vendor, or is aware of another individual who has been subjected to or threatened with violence, is to report this information to his/her supervisor or department head immediately,

The City of Cairo would like to stress that is should not be assumed that any threat is not serious. All threats should be brought to the attention of the Personnel Director so that the threat can be dealt with appropriately. The City Manager will be made aware of all threats.

All threats will be thoroughly investigated. Confidentiality will be maintained to the fullest extent possible.

## **XXXI TERMINAL ILLNESSES IN THE WORKPLACE**

Employees with terminal illnesses often wish to continue their normal pursuits, including work, to the extent allowed by their condition. The City of Cairo supports these endeavors as long as employees are able to meet acceptable performance standards. AS in the case of other disabilities, city will make reasonable accommodations in accordance with all legal requirements, to all qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Medical information on individual employees is treated confidentially. The City of Cairo will take reasonable precautions to protect such information from inappropriate disclosure. All employees have a responsibility to respect and maintain the confidentiality of an employee's medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

Employees with questions or concerns about life-threatening illnesses are encouraged to contact the Personnel Director.

## **XXXII – EQUAL OPPORTUNITY AND NONDISCRIMINATION**

### **32.01 Statement of Policy**

All applicants for positions and employees of the City of Cairo shall be assured of fair and equitable treatment in all aspects of personal administration, without regard to political affiliations, race, color disability, national origin, sex, age, or religious creed and with proper regard for their privacy and constitutional rights as citizens.

### **32.02 Appeals Based on Alleged Discrimination**

Any employee who believes that he or she has been discriminated against shall follow the grievance and appeals procedure set forth in this manual.

## **XXXIII – TRAVEL EXPENSE REIMBURSEMENT**

### **33.01 General**

Employees, including elected officials and the city attorney, who are expected to travel on authorized city business will have certain expenses paid by the city. Those expenses include a per diem meal allowance, travel expenses (including any parking or toll fees), and hotel/motel expenses. Expenses for spouses and children of employees are not covered by this policy. However, for attendance at Georgia Municipal Association (GMA) conventions or Municipal Electric Authority of Georgia (MEAG) meetings, certain expenses for the spouse of the Mayor, the spouses of members of the City Council, the spouse of the City Attorney, and of the spouse of the City manager will be authorized. The allowed expenses for these spouses are for lodging and registration only. The per diem allowance and mileage allowance shall not apply to spouses. The purchase of meals for officials representing other cities or agencies will be authorized on a case by case basis. Employees traveling on city business attending meetings, training sessions, conventions, etc. are expected to attend all of the scheduled sessions.

### **33.02 Per diem meal allowance**

When traveling, the employee will receive a per diem allowance to cover the expense of all meals. The allowance will be in accordance with the per meal rates established for U. S. General Services Administration (GSA). The schedule of rates specifies the rates for each meal (breakfast, lunch, dinner) by location. A day begins at 6:00 am and ends at 7:00 pm. The standard meal allowance will be paid regardless of any registration fee paid.

Revised 7/28/15

### **33.03 Credit Cards and Purchasing Cards**

#### **Scope**

This purchasing card policy, as required by state law under O.C.G.A. § 36-80-24(c), applies to the use of government purchasing cards or government credit cards used by elected officials and employees authorized to be issued such government purchasing cards or government credit cards. The Mayor and City Council members have been authorized by the governing authority of the city to use such government purchasing cards or government credit cards and must abide by all of the applicable state laws and this purchasing card policy.

#### **Public Inspection**

In accordance with O.C.G.A. § 36-80-24(b) any documents related to purchases using government purchasing cards or government credit cards incurred by elected officials shall be available for public inspection.

### **Transaction Limits**

Transaction limits are hereby established to insure compliance with state purchasing laws, maintain proper budgetary controls, and to minimize excessive use of any individual credit line. Individual monthly card limits cannot exceed those established by the municipal governing authority. The established single transaction limit for each card must be less than \$2,000.00. The established monthly card limit is based upon the city's budgetary constraints and is not to exceed \$2,000.00 per month.

### **Purchasing Restrictions**

1. Elected Officials and employees may not use a government purchasing card or government credit card for the following:
  - a. Any purchases of items for personal use.
  - b. Cash refunds or advances.
  - c. Any transaction amount greater than the transaction limits set for by this policy.
  - d. Items specifically restricted by this policy, unless a special exemption is granted by the municipal governing authority.
  - e. Alcoholic beverage of any kind. Such purchases should not be made with the purchasing card and will not be reimbursed by the city.
  - f. Purchases or transactions made with the intent to circumvent the city purchasing policy, transactional limits, or state law.
  
2. Elected Officials and employees may use government purchasing cards or government credit cards to purchase goods and/or services not prohibited by this policy or state law. Such purchases include, but are not limited to:
  - a. Purchases of items for official city use which fall within the transactional restrictions of this policy.
  - b. Purchase of lodging, education and training materials while on city business.
  - c. Emergency purchases necessary to protect city property.

### **Administrator**

The city designates the office of Finance Director as the program administrator of government purchasing cards or government credit cards. Such administrator shall:

1. Serve as a liaison between the city's cardholders and the issuers of such cards.
2. Maintain the cardholder agreement for all cardholders.

3. Provide instruction, training, and assistance to cardholders
4. Maintain account information and secure all cardholder information.
5. Keep cardholders up-to-date on new or changing information
6. Upon receipt of information indicating fraudulent use or lost/stolen cards immediately report it to appropriate parties, including the issuer.
7. Ensure all card accounts are being utilized properly as set forth by state law and this policy.
8. Define the city's policy and procedures for proper documentation and storage of receipts, logs, and approvals required under this policy.
9. Identify any changes to named persons authorized to use a government purchasing car or government credit card.
10. Any other duties assigned by the municipal governing authority.

### **Accounting and Auditing**

The Administrator or their designee, in an effort to ensure compliance with city policy and state law, will conduct minimum quarterly reviews and audits of all government purchasing card or government credit card transactions. The review is designed to ensure compliance, identify non-compliance issues and misuse, and through corrective measures assist the city with improving compliance. The quarterly review and audit should happen within 30 (thirty) days of the start of a new quarter. After completing the quarterly audit the Administrator shall notify cardholders of any violations or questions the Administrator has that occurred within that previous quarter. Depending on the severity of the violation, the Administrator may suspend or revoke the use of the government purchasing card or government credit card after notification to the cardholder and to the municipal governing authority, but only after consultation with the city attorney. Any unresolved violations should be reported to the municipal governing authority and the city attorney in writing within 10 (ten) business days.

### **Violations**

The use of a government purchasing card or government credit card may be suspended or revoked when the Administrator, after consultation with the city attorney, determines that the cardholder has violated the approved policies or state law regarding the use of the government purchasing card or government credit card. The government purchasing card or government credit card shall be revoked whenever a cardholder is removed from office with the city and shall be suspended if such elected official has been suspended from office.

**Agreement**

Before being issued a government purchasing card or government credit card under this policy and state law, all authorized users of government purchasing cards or government credit cards shall sign and accept below indicating that such user will use such cards only in accordance with the policies of the city and with the requirements of state law.

\_\_\_\_\_  
Name Printed

\_\_\_\_\_  
Signature

Title: \_\_\_\_\_

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

Revised 7/28/2015

**33.04 Transportation**

Employees traveling on city business are expected to travel in a city vehicle. If a city vehicle is not available, or the absence of the city vehicle will adversely affect the operations of the employee’s working unit, then the employee’s department head may authorize a mileage allowance. The mileage allowance will be in accordance with the IRS mileage rates in effect at the time of the travel. The mileage allowance will be based upon the number of miles indicated by the website, MapQuest.com. The number of miles between the two points will be doubled for round trips and an additional ten (10) miles per day will be allowed for travel between the lodging location and the meeting location. If common carrier is used for official travel, reimbursement will be at the tourist rate. Receipts must be submitted. Mayor and Council should approve use of common carrier prior to travel.

**33.05 Lodging**

Prior to the scheduled travel, the employee’s department will make the necessary lodging reservations and charge the lodging expense to the city credit card. When making the reservations, the hotel/motel should be advised that the city is exempt from both sales tax and room tax and that the employee will have the associated tax exempt forms with them. Employees should furnish the forms to the hotel/motel upon arrival. Many hotels/ motels will not accept the forms and exempt the taxes if the forms are not presented at the time of check-in. Often, hotels/motels require either a credit card or a cash deposit at the time of check-in to secure any miscellaneous room expenses such as telephone calls. Without a credit card for traveling purposes, employees should be prepared to provide a cash deposit if required.

### **33.06 Miscellaneous**

Employees may be reimbursed for other expenses incidental to official travel and normally will be limited to taxi fees, baggage handling fees, official phone calls, parking fees, registration fees for conventions, seminars or workshops. Expenses such as in-room movies, in-room meals, telephone calls, alcoholic beverages, etc. will be at the expense of the employee. Such items may be charged to the room, but must be paid by the employee at the time of check-out leaving only the cost of the room on the city credit card.

### **33.07 Receipts**

Upon return, all employees must complete and submit a Charged Expense Report and attach all receipts for any authorized expenses charged to the city credit card (i.e., hotel/motel, fuel for city vehicle, emergency repairs to city vehicle, etc.). Additionally, if an employee has authorized expenses for which cash is paid, (i.e., toll fees, parking fees, etc.) the employee must complete and submit a Cash Expense Report and attach all receipts. All expense reports forms should be completed and submitted to the respective departmental personnel within three working days of return from travel.

REV. 5/03

### **33.08 Forms**

Attached to this policy are all of the associated forms (Appendix G)

- a. Travel Advance Request
- b. Per Diem/Mileage Request Form
- c. Sales Tax Exempt Form
- d. Room Tax Exempt Form
- e. Charged Expense Report
- f. Cash Expense Report

## **XXXIV – VEHICLE USE POLICY**

It is the policy of the City of Cairo to provide the use of the city vehicles to employees as required to perform the duties and responsibilities of the respective position. This policy is intended to establish guidelines concerning the use of city vehicles by employees.

### **34.01 Regulations**

Upon authorization of City Manager, Department Heads subject to after-hour calls are allowed to drive vehicles home upon authorization of the City Manager as recommended by the Police or Fire Chief.

Other on-call utility and public works service vehicles shall be prohibited from being driven home. These vehicles will be available at the respective department.

The amount required by the Internal Revenue Service (IRS) will be applicable in determining and taxing the commuting value of vehicles being driven home. All public safety vehicles are exempt from this rule.

No vehicle will be driven home overnight outside the city limits.

All vehicles are to be used for official city business only.

A pool-vehicle when available, shall be utilized by employees for training and for other official city business. This vehicle is available on a first-come first-serve basis at City Hall.

Each department head is responsible for the proper preventative maintenance of vehicles. Each department will also be responsible for maintaining the fuel key cards and for proper reconciliation of departmental fuel usage.

All employees shall operate vehicles consistent with all local, state and federal laws and shall maintain all appropriate licenses. Employees that do not possess and maintain proper licenses shall be subject to termination in accordance with 6.03 M. Loss of Job Requirements

The City Manager may authorize other vehicles use as deemed necessary in emergency situations.



## XXXV COMPUTER POLICY

### 35.01 Regulations

#### Disclaimer

The Internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. Additionally, having an e-mail address on the Internet may lead to receipt of unsolicited e-mail containing offensive content. Users accessing the Internet do so at their own risk and the company is not responsible for material viewed or downloaded by users from the Internet. To minimize these risks, your use of the Internet is governed by the followed policy:

#### Permitted Use of Internet and Company Computer Network

The computer network is the property of the City of Cairo and may only be used for legitimate business purposes. Users are provided access to the computer network to assist them in the performance of their jobs. Additionally, certain employees ("Users") may also be provided with access to the Internet through the computer network. All Users have a responsibility to use the City of Cairo's computer resources and the Internet in a professional, lawful and ethical manner. Abuse of the computer network or the Internet, may result in disciplinary action, including possible termination, and civil and/or criminal liability.

#### Computer Network Use Limitations

**Prohibited Uses.** Without prior written permission from the City of Cairo, the City of Cairo's computer network may not be used to disseminate, view or store commercial or personal advertisements, solicitations, promotions, destructive code (e.g., viruses, self-replicating programs, etc.), political material, pornographic text or images, or any other unauthorized materials. Employees may not use the City of Cairo's Internet connection to download games or other entertainment software (including screen savers), or to play games over the Internet. Additionally, you may not use the computer network to display, store or send (by e-mail or any other any other form of electronic communication such as bulletin boards, chatrooms, Usenet groups, etc.) material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory or otherwise inappropriate or unlawful. Furthermore, anyone receiving such materials should notify their supervisor immediately.

**Illegal Copying.** Users may not illegally copy material protected under copyright law or make that material available to other for copying. You are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other material you wish to download or copy. You may agree to a license or download any material for which a registration fee is charged without first obtaining the express written permission of the City of Cairo.

**Communication of Trade Secrets.** Unless expressly authorized to do so, User is prohibited from sending, transmitting, or otherwise distributing proprietary information, data, trade secrets or other confidential information belonging to the City of Cairo.

Unauthorized dissemination of such material may result in severe disciplinary action as well as substantial civil and criminal penalties under state and federal Economic Espionage laws.

### **Duty not to Waste or Damage Computer Resources**

**Accessing the Internet.** To ensure security and avoid the spread of viruses, Users accessing the Internet through a computer attached to the City of Cairo's network must do so through an approved Internet firewall or other security device. Bypassing Company's computer network security by accessing the Internet directly by modem or other means is strictly prohibited unless the computer you are using is not connected to the City of Cairo's network.

**Frivolous Use.** Computer resources are not unlimited. Network bandwidth and storage capacity have finite limits, and all Users connected to the network have a responsibility to conserve these resources. As such, the user must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups, uploading or downloading large files, accessing streaming audio and/or video files, or otherwise creating unnecessary loads on network traffic associated with non-business-related uses of the Internet.

**Virus detection.** Files obtained from sources outside the company, including disks brought from home, files downloaded from the Internet, newsgroups, bulletin boards, or other online services; files attached to e-mail, and files provided by customers or vendors, may contain dangerous computer viruses that may damage the City of Cairo's computer network. Users should never download files from the Internet, accept e-mail attachments from outsiders, or use disks from non-City of Cairo sources, without first scanning the material with City of Cairo-approved virus checking software. If you suspect that a virus has been introduced into the City of Cairo's network, notify your supervisor immediately.

### **No Expectation of Privacy**

Employees are given computers and Internet access to assist them in the performance of their jobs. Employees should have no expectation of privacy in anything they create, store, send or receive using the City of Cairo's electronic equipment. The computer and/or smart phone network is the property of the City of Cairo and may be used only for business purposes.

**Waiver of privacy rights.** User expressly waives any right of privacy in anything the create, store, send or receive using the City of Cairo's computer equipment or Internet access. User consents to allow City of Cairo or official designee personnel access to and review of all materials created, stored, sent or received by User through any City of Cairo network or Internet connection.

**Monitoring of computer and Internet usage.** The City of Cairo has the right to monitor and log any and all aspects of its computer system including, but not limited to, monitoring internet sites visited by users, monitoring chat and newsgroups, monitoring file downloads, and all communications sent and received by users, this also includes emails on smart phones.

**Blocking sites with inappropriate content.** The City of Cairo has the right to utilize software that makes it possible to identify and block access to Internet sites containing sexually explicit or other material deemed inappropriate in the workplace.

Revised 8/26/2010

# XXXVI Antifraud Policy and Procedures

## INTRODUCTION

### FRAUD PREVENTION PROGRAMS

Fraud prevention requires a system of rules, which, in their aggregate, minimize the likelihood of fraud occurring while maximizing the possibility of detecting any fraudulent activity that may transpire. The potential of being caught most often persuades likely perpetrators not to commit the fraud. Because of this principle, the existence of a thorough control system is essential to fraud prevention.

#### Responsibility for Fraud Prevention

##### Vicarious or Imputed Liability

Organizations can be held liable for criminal acts committed as a matter of organizational policy. Fortunately, most organizations do not expressly set out to break the law. However, organizations may also be held liable for the criminal acts of their employees if those acts are *done in the course and scope of their employment* and for the *ostensible purpose of benefiting the organization*. An employee's acts are considered to be in the course and scope of employment if the employee has *actual authority* or *apparent authority* to engage in those acts. Apparent authority means that a third party would reasonable believe the employee is authorized to perform the act on behalf of the organization. Therefore, an organization could be held liable for something an employee does non behalf of the organization even if the employee is not authorized to perform that act.

An organization will not be vicariously liable for the acts of an employee unless the employee acted for the ostensible purpose of benefiting the organization. This does not mean the organization has to receive an actual benefit from the illegal acts of its employee. All that is required is that the employee intended to benefit the organization.

An organization cannot seek to avoid vicarious liability for the acts of its employees by simply claiming that it did not know what was going on. Legally speaking, an organization is deemed to have knowledge of all facts known by its officers and employees, that is, if the government can prove that an officer or employee knew of conduct that raised a question as to the organization's liability, and the government can show that the organization willfully failed to act to correct the situation, then the organization may be held liable, even if senior management had no knowledge or suspicion of the wrongdoing.

In addition, the evolving legal principle of "conscious avoidance" allows the government to prove the employer had "knowledge" of a particular fact, which establishes liability by showing that the employer knew that was a high probability the fact existed and consciously avoided confirming the fact. Employers cannot simply turn a blind eye when there is reason to believe that there may be criminal conduct within the organization. If steps are not taken to deter the activity the organization itself may be found liable.

The organization can be held criminally responsible *even if those in management had no knowledge or participation* in the underlying criminal events and even if there were specific policies or instructions prohibiting the activity undertaken by the employees. The acts of any employee, can impute liability upon an organization. In fact, an organization can be criminally responsible for the *collective knowledge* of several of its employees even if no single employee intended to commit an offense. Thus, the combination of vicarious or imputed organizational criminal liability and the new Sentencing Guidelines for Organizations creates an extraordinary risk for organizations today.

### **Responsibility (and Liability) of an Organization's Directors and Officers**

Although many organizations do not realize it, the current legal environment imposes a responsibility on organizations to ferret out employee misconduct and to deal with any known or suspected instances of misconduct with efficient and decisive measures.

First, the doctrine of accountability suggests that officers and directors aware of potentially illegal conduct by senior employees may be liable for any recurrence of similar misconduct, and may be an obligation to halt and cure any continuing effects of the initial misconduct.

**Therefore, it is vitally important that the City of Cairo implement an Antifraud Program.**

### **The Role of the Audit Committee**

An audit committee can play a vital role for any organization, but especially for governmental organizations where accountability to the public and the resource providers is paramount. If organized properly and allowed to function with autonomy, an audit committee can be an effective control, as well as a liaison between management, the external auditor, internal auditors, and the governing body or board of directors.

Governmental organizations may or may not have a formal audit committee function. In lieu of a formal audit committee function, the governing body or a finance committee of a governmental organization may serve in an audit committee capacity.

Citizens, stakeholders, resource providers, and the financial community have an ever-increasing expectation with respect to the oversight role of the audit committee.

Government organizations have become increasingly interested in establishing audit committees to provide oversight for financial reporting, internal controls, and auditors' activities. Preparing an audit committee charter is actually required for most public companies. However, the charter is voluntary and a best practice for government organizations. This tool is designed to help government organizations consider the full breadth of audit committee activities and make the audit committee charter an effective document for managing audit committee activities.

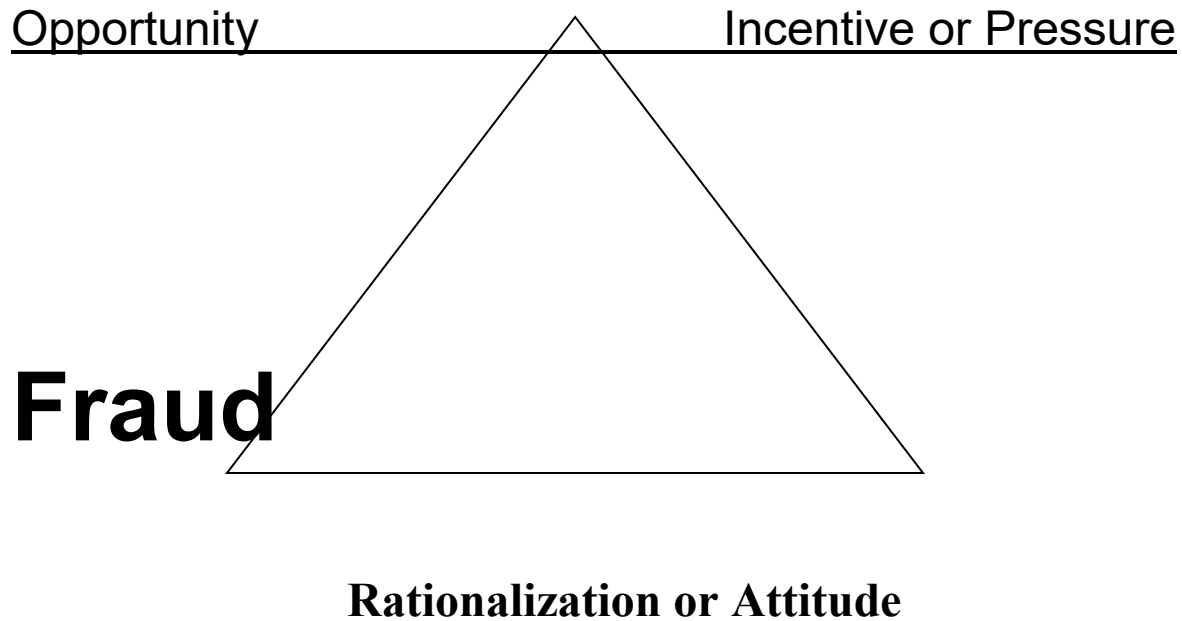
**This charter should be adopted by the City Council – City of Cairo.**

## The Fraud Triangle

Conditions under which the fraud generally occurs are delineated as the “**fraud triangle**”. These three conditions are

- *Incentive or pressure* – Placed on or perceived by management and/or employees typically providing them a reason to commit fraud.
- *Opportunity* – Circumstances existing within a particular entity providing opportunities for the perpetration of fraud.
- *Rationalization or attitude* – Attitudes, character, or ethical values of particular individuals allowing them to rationalize committing fraud or some other dishonest act.

● ● ● | The Fraud Triangle



**XXXVII – Audit Committee Charter**

**Audit Committee Charter  
City of Cairo**

**I. Purpose**

The primary function of the Audit Committee of City of Cairo is to assist the City Council in fulfilling its oversight responsibilities relating to the City’s financial reporting, which shall include oversight of:

- (1) the integrity of the City’s financial statements;
- (2) the City’s compliance with legal and regulatory requirements;
- (3) the independent auditor’s qualifications and independence; and
- (4) the performance of the City’s audit function and independent auditors.

The committee shall also perform oversight of services performed by the City's consultant regarding accounting and auditing matters.

The Committee's role is one of oversight. It is recognized that the City's management is responsible for preparing the City's financial statements, whether prepared by City employees or consultants, and the independent auditors are responsible for auditing those financial statements.

## **II. Committee Composition**

The Committee shall be comprised of the members **of the Budget and Finance Committee** of the City of Cairo appointed by the Mayor. Each **member** shall be a member of the City Council in good standing, which possesses good management, finance, accounting, or governmental knowledge. The **member** shall **not** be an employee of the City of Cairo. The term of each member shall coincide with their term as a member of the Budget and Finance Committee. Nothing shall preclude a member from being appointed for successive terms. Vacancies occurring during the term periods shall be fill by the **Mayor. The City may hire a consultant to serve as an advisory member of the committee and be designated as the committee's financial expert.**

## **III. Committee Meetings**

The Committee will meet at least four times a year, with authority to convene additional meetings, as circumstances require. The Committee will invite members of management (**City Manager and Finance Director**) and others to attend meeting and provide pertinent information, as necessary. Committee meeting will comply with the Georgia Open Meetings Law Official Code of Georgia Annotated (O.C.G.A.) Title 50, Chapter 14. Public notices will be prepared in accordance with the Georgia Open Meetings Law. The Public Notices will include an agenda as required by O.C.G.A. 50-15-1(e)(1). Minutes will be prepared.

## **IV. Duties and Responsibilities**

The following list of responsibilities is set forth as a guide to the Committee in fulfilling its purpose and may be modified from time to time as appropriate. The Committee:

- (1) Makes a recommendation to the City of Cairo for the appointment of the independent auditor after conducting a proposal process in accordance with the policies adopted by the City of Cairo City Council;
- (2) Requires the independent auditors annually to declare relationships and/or services which may impact on their objectivity and independence; if the audit organization provides any nonaudit services, determine that the audit organization has considered and documented its consideration of how providing these nonaudit services does not violate the requirements that the audit organization (1) not provide services that involve performing management functions or making management decisions, and (2) not audit their own work, as stipulated in Government Auditing Standards.



- (3) Reviews with management and the independent auditors the quality and adequacy of the City's internal controls and compliance with laws and regulations, including (i) any deficiencies in the design or operation of those controls which could adversely affect the City's ability to record, process, summarize and report financial data, and any material weakness in internal controls; (ii) any alleged fraud, whether or not material, that involves management or other employees who have a role in the City's internal controls; and (iii) determination of the City's requirement for an internal audit function including the size, scope, and staffing of the internal audit function;
- (4) Reviews with management (i) how the City's financial systems and controls compare with industry standards and practices, (ii) the quality and adequacy of the City's internal controls and the adequacy of the procedures relating to the City's monthly financial statements and internal controls and (iii) any material issues raised by the City's most recent internal control review or by any inquiry or investigation by governmental or professional authorities, within the preceding five years, respecting one or more independent audits carried out by the City, and any steps taken to deal with such issues, and any recommendations made by the City's accounting and auditing consultant;
- (5) At least annually, or as otherwise required by applicable law, obtains and reviews (i) a statement of management's responsibilities for establishing and maintaining adequate internal controls and procedures for financial reporting and compliance with laws and regulations, (ii) management's conclusions about the effectiveness of the City's internal controls and procedures for financial reporting and compliance with laws and regulations;
- (6) Reviews with the City's accounting and auditing consultant and independent auditors, in connection with the City's annual audit.
  - a. all critical accounting policies;
  - b. all alternative treatments of financial information within generally accepted accounting principles ("GAAP") for policies and practices related to material items that have been discussed with management official of the City, including the ramifications of the use of such alternative disclosures and treatments, and the treatment preferred by the City's consultant and independent auditors;
  - c. financial, regulatory, and accounting initiatives;
  - d. the effect of any components units on the City's financial statements;
  - e. any material transactions and relationships between the City and any elected official of member governments;

- f. other material written communications between the independent auditors and management, including management letters and any schedule of unadjusted differences and proposed adjusting journal entries;
- (7) Reviews with management the results of independent audits, including the scope, plan and results of any audits completed by the independent auditors;
  - (8) Meets with the City Council, management, independent auditors, the City's accounting and auditing consultant and counsel in the separate executive session to discuss any matters that the Audit Committee or any of these groups believe should be discussed privately, including (i) any legal or regulatory matters that may have a material impact on the City's financial statements and (ii) any disagreements between management and the independent auditors regarding financial reporting and any other matters as allowed by the Georgia Open Meetings Law, O. C. G.A. 50-14-2 and 50-14-3;
  - (9) Obtains advice and assistance from legal, accounting or other advisors at the City's expense, whenever the Committee considers such action appropriate;
  - (10) Reviews with the City Council the performance of the independent auditors,
  - (11) Recommends audit services to be provided by the City's independent auditors, and non-audit services to be provided by the City's accounting and auditing consultant;
  - (12) Reviews with the City Council any issues arising with respect to the quality or integrity of the City's financial statements, the City's compliance with legal or regulatory requirements relating to financial disclosure, the performance of the City's internal audit function or the performance and independence of the City's independent auditors;
  - (13) Reviews with management, the City's accounting and auditing consultant and the independent auditors the City's audited basic financial statements, notes to the basic financial statements, required supplementary information, other supplementary information, reports and schedules required by state law, reports and schedules required by Government Auditing Standards, reports and schedules required by the Single Audit Act of 1996 (if applicable), and the City's disclosures under "Management's Discussion and Analysis" for the prior fiscal year for which the audit has just been completed;
  - (14) Reviews with management, the City's accounting and auditing consultant and the independent auditors the City's reports required to be filed with Federal and State agencies;
  - (15) Discusses with the independent auditors the matters required to be discussed by Statement on Auditing Standards No. 61 entitled "Communication With Audit Committee;"

- (16) Reviews, approves, and recommends to the City Council financial schedules, reports, or other matters which are required to be published in the local newspaper by Georgia law;
- (17) Reviews with the City Council, management, and the City's accounting and auditing consultant the City's **Antifraud Program and Controls**, and makes recommendations to the City Council for their approval, and continuous update;
- (18) Reviews with management the City's policies with respect to **risk assessment and risk management**, including the City's major financial and risk exposure and the policies and controls in place to monitor such exposure;
- (19) Establishes procedures for the receipt, review retention and treatment of complaints received by the City regarding accounting, internal accounting controls or auditing matters and for the confidential, anonymous submission by employees of the City of Cairo concerns regarding questionable accounting, auditing matters, errors, fraud, or violations of laws and regulations;
- (20) Reviews the draft of any policies and procedures relating to accounting, auditing, internal controls, and **Antifraud Programs and Controls** and makes recommendations to the City Council for their approval;
- (21) Reviews the draft of any policies and procedures relating to accounting, auditing, internal controls, and **Antifraud Programs and Controls** and makes recommendations to the City Council for their approval;
- (22) Performs any other activities consistent with the City's charter, by-laws and applicable laws and regulations, as the City Council deems necessary or appropriate;
- (23) Reviews with management the policies and procedures with respect to the government organization's public officials' and management's use of expense accounts, public monies, and public property, including, for example, their use of the City's vehicles. Consider the results of any review of those areas by the independent auditors or auditors of other government oversight agencies;
- (24) Consider, with management, the rational for employing audit firms other than the principal independent auditors for services that the City of the independent auditor determine would not be appropriate for the principal independent auditor to perform;
- (25) Inquire of management, the accounting and auditing consultant, and the independent auditors about significant risks or exposures facing the City; assess the steps management has taken or proposes to take to minimize such risks to the City; and periodically review compliance with such steps;

- (26) Review with the independent auditor, the finance director of the city and the city's accounting and auditing consultant, the audit scope and plan of the independent auditors. Address the coordination of audit efforts to assure the completeness of coverage, reduction of redundant efforts, and the effective use of audit resources;
- (27) Inquire of the City Manager and Finance Director regarding the fiscal health of the City as well as the financial status of the City in relation to its adopted budget.

#### **V. Authority to Retain Consultants**

The Committee shall not have the authority to retain legal, accounting or other consultants to advise it. The Committee must request permission from the City of Cairo, City Council to retain legal, accounting or other consultants to advise it. The City Council is the Governing Body and is the only body authorized to financially obligate the City of Cairo. The Committee may request any officer or employee of the City or any outside counsel or consultants to meet with any members of the Committee.

#### **VI. Restrictions on Compensation**

No Committee member may accept any consulting, advisory or other compensatory fee from the City or its component units, other than expenses relating to such member's service on the Audit Committee or the City Council or any other committee thereof.

#### **VII. Resources Materials**

The Committee's functions will be guided by the "Audit Committee Toolkit", published by the American Institute of Certified Public Accountants (AICPA) and other resource materials as may be made available by the AICPA, the Comptroller General of the United States (Government Auditing Standards), the Government Finance Officers Association, the Georgia Government Finance Officers Association, the Association of Government Accountants, the University of Georgia Carl Vinson Institute of Government, the Georgia Association of Regional Development Cities, or any other organizations that may provide guidance related to the functions and operations of audit committees.

## **City of Cairo, Georgia Fraud Policy**

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**BACKGROUND** The City’s fraud policy is established to facilitate the development of controls that will aid in the detection and prevention of fraud against COC, (Also called the City). It is the intent of COC to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of controls and conduct of investigations.

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### **SCOPE OF POLICY**

This policy applies to any irregularity, or suspected irregularity, involving employees as well as directors, consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and/or any other parties with a business relationship with COC.

Any investigative activity required will be conducted without regard to the suspected wrongdoer’s length of service, position/title, or relationship to the City.

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### **POLICY**

Management is responsible for the detection and prevention of fraud, misappropriations, and other irregularities. Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury. Each member of the management team will be familiar with the types of improprieties that might occur within his or her area of responsibility, and be alert for any indication of irregularity.

Any irregularity that is detected or suspected must be reported immediately to the City Manager, who coordinates all investigations with the Audit Committee and other affected areas, both internal and external.

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**ACTIONS  
CONSTITUTING  
FRAUD**

The terms defalcation, misappropriation, and other fiscal irregularities refer to, but are not limited to:

Any dishonest or fraudulent act

- Misappropriation of funds, securities, supplies or other assets
- Impropriety in the handling or reporting of money or financial transactions

Profiteering as a result of insider knowledge of City activities

- Disclosing confidential and proprietary information to outside parties
- Disclosing to other persons securities activities engaged in or contemplated by the City.
- Accepting or seeking gifts from contractors, vendors, or persons providing services/materials to the City. (See gifts on Page 17).
- Destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment; and/or
- Any similar or related irregularity

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**OTHER  
IRREGULARITIES**

*Irregularities* concerning an employee's moral, ethical, or behavioral conduct should be resolved by departmental Management and the City Manager.

If there is any question as to whether an action constitutes Fraud, contact the City Manager or Audit Committee.

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**INVESTIGATION**

The City Manager has the primary responsibility for investigation of all suspected fraudulent acts as defined in the policy. If the investigation substantiates that fraudulent activities have occurred, the City Manager will issue reports to appropriate designated personnel and, if appropriate, to the City Council through the Audit Committee.

Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel, the City Manager, Audit Committee and the City Council, as well as final decisions on disposition of the case.

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**CONFIDENTIALITY**

The City Manager and Audit Committee treats all information received confidentially. Any employee who suspects dishonest or fraudulent activity will notify the City Manager or Audit Committee Chairman immediately, and *should not attempt to personally conduct investigations or interviews/interrogations* related to any suspected fraudulent act (see **REPORTING PROCEDURE** section below).

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**AUTHORIZATION FOR INVESTIGATING SUSPECTED FRAUD** Members of the Audit Committee will have:

- \* Free and unrestricted access to all City's records and premises, whether owned or rented; and
  
  - \* The authority to examine, copy, and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities on the premises without prior knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of their investigation.
- 

**REPORTING PROCEDURES**

Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way.

An employee who discovers or suspects fraudulent activity will *contact the City Manager or Audit Committee Chairman immediately*. The employee or other complainant may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual, his or her attorney or representative, or any other inquirer should be directed to the City Manager or Audit Committee Chairman. No information concerning the status of an investigation will be given out. The proper response to any inquires is: "I am not at liberty to discuss this matter." *Under no circumstances* should any reference be made to "the allegation," "the crime," "the fraud," "the forgery," the misappropriation," or any other specific reference.

The reporting individual should be informed of the following:

- Do not contact the suspected individual in an effort to determine facts or demand restitution.
- Do not discuss the case, facts, suspicions, or allegations with *anyone* unless specifically asked to do so by the City Manager or Audit Committee.

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**TERMINATION**

If an investigation results in a recommendation to terminate an individual, the termination will follow the procedures as outlined in the City’s Personnel Policies and Procedures Manual. The Audit Committee does not have the authority to terminate an employee. The decision to terminate an employee is made by the City Manager. Should the Audit Committee believe the management decision inappropriate for the facts presented, the facts will be presented to the City Council for a decision.

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**ADMINISTRATION**

The City Council is responsible for the administration, revision, interpretation, and application of this policy. The policy will be reviewed annually and revised as needed.

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**APPROVAL**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Chairman, Budget, Finance & Audit  
Committee**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**City Manager**

\_\_\_\_\_  
**Date**



# City of Cairo

## Code of Business Ethics and Conduct

### Introduction

**The City of Cairo Code of Business Ethics and Conduct are an integral part of the City of Cairo Personnel Policies and Procedures Manual.**

This section reaffirms the importance of high standards of business conduct. Adherence to this Code of Business Ethics and Conduct by all employees is the only sure way we can merit the confidence and support of the public.

Many of us came from a culture that provided answers or direction for almost every situation possible. Managing our business was not so complex; the dilemmas we faced were-for the most part simple, making our choices relatively easy. We would probably all agree that managing in today's environment is not so simple.

This code has been prepared as a working guide and not as a technical legal document. Thus, emphasis is on brevity and readability rather than providing an all-inclusive answer to specific questions. The work "law" refers to laws, regulations, orders, etc.

In observance of this code, as in other business conduct, there is no substitute for common sense. Each employee should apply this code with common sense and the attitude of seeking full compliance with the letter and spirit of the rules presented.

It is incumbent upon you, as an employee of the City to perform satisfactorily and to follow our policies and comply with our rules as they are issued or modified from time to time.

This Code of Business Ethics and Conduct is a general guide to acceptable and appropriate behavior at the city and you are expected to comply with its contents; however, it does not contain all of the detailed information you will need during the course of your employment. Nothing contained in this code or, in other communications, creates or implies an employment contract or term of employment. We are committed to reviewing our policies continually.

You should familiarize yourself with this code so that you might readily distinguish any proposal or act that would constitute a violation. Each employee is responsible for his/her actions. Violations can result in disciplinary action, including dismissal and criminal prosecution. There will be no reprisal against an employee who in good faith reported a violation or suspected violation.

The absence of a specific guideline, practice, or instruction covering a particular situation does not relieve an employee from exercising the highest ethical standards applicable to the circumstances.

If any employee has doubts regarding a questionable situation that might arise, that employee should immediately consult his/her supervisor, City Manager, Personnel Director or the Audit Committee.

## **Compliance with Laws and Regulatory Orders**

The applicable laws and regulatory orders of every jurisdiction in the City must be followed. Each employee is charged with the responsibility of acquiring sufficient knowledge of the laws and orders relating to his/her duties in order to recognize potential dangers and to know when to seek legal advice.

In particular, when dealing with public officials, employees must adhere to the highest ethical standards of business conduct. When we seek the resolution of regulatory or political issues affecting the city's interests we must do so solely on the basis of merit and pursuant to proper procedures in dealing with such officials. Employees may not offer, provide or solicit, directly or indirectly, any special treatment or favor in return for anything of economic value or the promise or expectation of future value or gain.

### **Conflicts of Interest**

There are several situation that could give rise to a conflict of interest. The most common are accepting significant gifts from suppliers, employment by another city or member government, close or family relationships with outside suppliers, sub recipients or subcontractors. A potential conflict of interest exists for employees who make decision in their jobs that would allow them to give preference or favor to a supplier, sub recipient or subcontractor in exchange for anything of personal benefit to themselves of their friends and families.

Such situations could interfere with an employee's ability to make judgments solely in the city's best interest.

### **Gifts and Entertainment**

#### **DEFINITION OF GIFTS**

"Gifts" are items and services of value that are given to any outside parties, but do not include items described below.

- Normal business entertainment items such as meals and beverages are not to be considered "gifts".
- Items of minimal value, given in connection with sales campaigns and promotions or employee services, safety or retirement awards are not to be considered "gifts" for purposes of this code.
- Contributions or donations to recognized charitable and nonprofit organizations are not considered gifts.
- Items or services with a total value under \$100 per year are excluded.

#### **DEFINITION OF SUPPLIER**

"Supplier" includes not only vendors providing services and material to the City, but also consultants, financial institutions, advisors, and any person or institution which does business with the City.

## GIFTS

No employee or member of his immediate family shall solicit or accept from an actual or prospective supplier, sub recipient or subcontractor any compensation, advance loans (except from established financial institutions on the same basis as other customers), gifts, entertainment, or other favors which are of more than token value or which the employee would not normally be in a position to reciprocate under normal expense account procedures.

Under no circumstances should a gift or entertainment be accepted which would influence the employee's judgment. In particular, employees must avoid any interest in or benefit from any supplier, sub recipient or subcontractor that could reasonably cause them to favor that supplier, sub recipient or subcontractor over others. It is a violation of the code for any employee to solicit or encourage a supplier, sub recipient or subcontractor to give any item or service to the employee regardless of its value, no matter how small. Our suppliers, sub recipients and subcontractors will retain their confidence in the objectivity and integrity of our city only if each employee strictly observes this guideline.

## REPORTING GIFTS

An employee who receives, or whose family member receives, an unsolicited gift prohibited by these guidelines, should report it to his/her supervisor and either return it to the person making the gift or, in the case of a perishable gift, give it to a nonprofit charitable organization.

## DISCOUNTS

An employee might accept discounts on a personal purchase of the supplier's or customer's products only if such discounts do not affect the city's purchase price and are generally offered to others having a similar business relationship with the supplier or customer.

## BUSINESS MEETINGS

An employee may accept entertainment and services offered by a supplier, sub recipient or subcontractor when they are associated with a business meeting and the supplier, sub recipient or subcontractor provides them to others as a normal part of its business. Examples of such entertainment and services are transportation to and from the supplier's, sub recipient's or subcontractor's place of business, hospitality suites, golf outings, lodging at the supplier's or customer's place of business, and business lunches and dinners for business visitors to the supplier's, sub recipient's or subcontractor's location. The services should generally be of the type normally used by the City's employees and allowable under the applicable city's expense account.

## **Outside Employment**

Outside employment requires approval by the City Manager through the Department Head/Supervisor.

Employees must not be employed outside the City:

- In a manner which would affect their objectivity in carrying out their City responsibilities and/or
- Where the outside employment would conflict with scheduled hours, including overtime, or the performance of the city assignments. Employees must not use

city time, materials, information or other assets in connection with outside employment.

### **Relationships with Suppliers and Customers**

Business transactions must be entered into solely for the best interests of the City. No employee can, directly or indirectly, benefit from his/her position as an employee or from any sale, purchase or other activity of the City. Employees should avoid situations involving a conflict or the appearance of conflict between duty to the city and self-interest.

No employee who deals with individuals or organizations doing or seeking to do business with the City, or who makes recommendations with respect to such dealings, should:

- Serve as an officer, director, employee or consultant; or
- Own a substantial interest in any competitor of the City, or any organization doing or seeking to do business with the City. Substantial interest means an economic interest that might influence or reasonably be thought to influence judgment or actions.

In addition, no employee who deals with individuals or organizations doing or seeking to do business with the City, or who makes recommendations with respect to such dealings, might:

- Have any other direct or indirect personal interest in any business transactions with the City;
- Provide telecommunications or information service or equipment, either directly or as a reseller in a manner that would place the objectivity or integrity of the City in questions.

### **Employment of Relatives**

Relatives of employees will not be employed on a permanent or temporary basis by the City where the relative directly reports to the employee or the employee exercises any direct influence with respect to the relative's hiring, placement, promotions, evaluations or pay.

### **Confidential Information and Privacy of Communications**

#### **Confidential Information**

Confidential information includes all information, whether technical, business, financial or otherwise concerning the City, which the city treats as confidential or secret and/or which is not available or is not made available publicly unless required by the Georgia Open Records Law. It also includes any private information of, or relating to, member government records, fellow employees, other persons or other government organizations information obtained by virtue of the employee's position.

City policy and various laws protect the integrity of the City's confidential information, which must not be divulged except in strict accordance with established City policies and procedures, which includes all records subject to the Georgia Open Records Act. The obligation not to divulge confidential City information is in effect even though material might not be specifically identified as confidential and the obligation exists during and continues after employment with the City. A few examples of prohibited conduct are:

- Selling or otherwise using, divulging or transmitting confidential City information;

- Using confidential City information to knowingly convert a City business opportunity for personal use;
- Using confidential City information to acquire real estate which the employee knows is of interest to the City;
- Using, divulging or transmitting confidential City information in the course of outside employment or other relationship or any succeeding employment or other relationship at any time.

Employees shall not seek out, accept or use any confidential information of or from a member government, sub recipient, or subcontractor of the City. In particular, should we hire an employee who previously worked for a member government, sub recipient or subcontractor we must neither accept nor solicit confidential information concerning that member government, sub recipient or subcontractor from our employee.

### **City Assets**

#### **Cash and Bank Accounts**

All cash and bank account transactions must be handled so as to avoid any question or suspicion of impropriety. All cash transactions must be recorded in the City's books of account.

All accounts of City funds, except authorized imprest funds, shall be established and maintained in the name of the City or one of its subsidiaries. Imprest funds must be maintained in the name of the custodian and the custodian is wholly responsible for these funds. All cash received shall be promptly recorded and deposited in a City or subsidiary bank account. No funds shall be maintained in the form of currency, except authorized petty cash. All bank accounts must be identified as ownership belonging to the City.

No payments can be made in cash (currency) other than regular, approved cash payrolls and normal disbursements from petty cash supported by signed receipts or other appropriate documentation. Further, City checks shall not be written to "cash," "bearer" or similar designations.

#### **City Assets and Transactions**

Compliance with prescribed accounting procedures is required at all times. Employees having control over City assets and transactions are expected to handle them with the strictest integrity and ensure that all transactions are executed in accordance with management's authorization. All transactions shall be accurately and fairly recorded in reasonable detail in the City's accounting records.

Employees are personally accountable for City funds over which they have control. Employees who spend City funds should ensure the City receives good value in return and must maintain accurate records of such expenditures. Employees who approve or certify the correctness of a bill or voucher should know that the purchase and amount are proper and correct. Obtaining or creating "false" invoices or other misleading documentation or the invention or use of fictitious sales, purchases, services, loans, entities or other financial arrangements is prohibited and is also illegal as well as fraudulent.

### **Expense Reimbursement**

Expense actually incurred by an employee in performing City business must be documented on expense reports in accordance with City procedures. In preparing expense reports, employees should review these procedures for the documentation in order to be reimbursed for business expenses.

### **City Credit Card**

City credit cards are provided to employees for convenience in conducting City business. No personal expenses can be charged on City credit cards except as specifically authorized by City procedures and with advance approval by the City Manager. The employee must pay any charged personal expenses promptly. City credit cards should not be used to avoid preparing documentation for direct payment to vendors. Where allowed by local law, charges on City credit cards for which a properly approved expense report has not been received at the time of an employee's termination of employment will be deducted from the employee's last paycheck. The City will pursue repayment by the employee of any amounts it has to pay on the employee's behalf.

### **Software and Computers**

Computerized information and computer software appear intangible, but they are valuable assets of the City and must be protected from misuse, theft, fraud, loss and unauthorized use or disposal, just as any other City property.

Use of mainframe computers must be job related. Employees cannot access City records of any kind for their personal use. Misappropriation of computer space, time or software includes, but is not limited to, using a computer to create or run unauthorized jobs, operating a computer in an unauthorized mode or intentionally causing any kind of operational failure.

It is also understood that personal computers will occasionally be used at home with the permission of the City Manager.

Section I.14 – EMail, Internet and Computer Use Policy of the “Personnel Policies and Procedures Manual” is an integral part of this “Code of Business Ethics and Conduct” and should be adhered to by all employees.

### **Political Contributions**

Federal law and many state laws prohibit contributions by governmental agencies to political parties or candidates. The term "political contributions" includes, in addition to direct cash contributions, the donation of property or services, and the purchases of tickets to fundraising events. Employees can make direct contributions of their own money, but such contributions are not reimbursable.

It is improper for an employee to use his position within the City to solicit political contributions from another employee for the purpose of supporting a political candidate or influencing legislation. It is also improper for an employee to make a political contribution in the name of the City.

## **Employee Conduct Conduct on City Business**

Dishonest or illegal activities on City premises or while on City business will not be condoned and can result in disciplinary action, up to and including dismissal and criminal prosecution. The following illustrates activities that are against City policy, and which will not be tolerated on City premises, in City vehicles or while engaged in City business, (Any activity of the employee's job functions):

- Consumption and storage of alcoholic beverages, except where legally licensed or authorized by the City Council.
- The use of controlled substances, such as drugs (unless prescribed by a doctor) or alcohol. The unlawful manufacture, distribution, dispensation, possession, transfer, sale, purchase or use of a controlled substance.
- Driving vehicles or operating City equipment while under the influence of alcohol or controlled substances.
- Illegal betting or gambling.

The City reserves the right to inspect at anytime and without notices any property that might be used by employees for the storage of their personal effects. This includes desks, lockers and vehicles owned by the City. It is a violation of City policy to store any contraband, illegal drugs, toxic materials or weapons on City property. All property of the City of Cairo is public property.

### **Reporting Violations**

All employees are responsible for compliance with these rules, standards and principles. In the area of ethics, legality and propriety, each employee has an obligation to the City that transcends normal reporting relationships. Employees should be alert to possible violations of the code anywhere in the City and are encouraged to report such violations promptly. Reports should be made to the employee's supervisor and/ or to the City Manager.

Employees will also be expected to cooperate in an investigation of violations. In addition, any employees who are convicted of a felony, whether related to these rules or not, should also report that fact.

All cases of questionable activity involving the code or other potentially improper actions will be reviewed for appropriate action, discipline, or corrective steps. Whenever possible, the City will keep confidential the identity of employees about or against whom allegations of violations are brought, unless or until it has been determined that a violation has occurred. Similarly, whenever possible, the City will keep confidential the identity of anyone reporting a possible violation. Reprisal against any employee who has, in good faith, reported a violation or suspected violation is strictly prohibited.

All employees are required to notify the Personnel Director within five (5) calendar days of any conviction of any criminal statute violation occurring on the job. In addition, any employee who is convicted of a felony, whether related to these rules or not, should report that fact.

## **Discipline**

Violation of this code can result in serious consequences for the City, its image, credibility and confidence of its member governments and can include substantial fines and restrictions on future operations as well as the possibility of fines and prison sentences for individual employees. Therefore, it is necessary that the City ensure that there will be no violations. Employees should recognize that it is in their best interest, as well as the City's, to follow this code carefully.

The amount of any money involved in a violation might be immaterial in assessing the seriousness of a violation since, in some cases; heavy penalties might be assessed against the City for a violation involving a relatively small amount of money, or no money.

Disciplinary action should be coordinated with the City Manager. The overall seriousness of the matter will be considered in setting the disciplinary action to be taken against an individual employee. Such action might include:

- Reprimand
- Probation
- Suspension
- Reduction in salary
- Demotion
- Combination of the above
- Dismissal

In addition, individual cases might involve:

- Reimbursement of losses or damages
- Referral for criminal prosecution or civil action
- Combination of the above

Disciplinary action might also be taken against supervisors or Directors who condone, permit or have knowledge of illegal or unethical conduct by those reporting to them and do not take corrective action. Disciplinary action, up to and including termination, might also be taken against employees who make false statements in connection with investigations of violations of this code.

The City Manager will determine the disciplinary action appropriate to a given matter. The listing of possible actions is informative only and does not bind the City Manager to follow any particular disciplinary steps, process or procedure.

The City's rules and regulations regarding proper employee conduct will not be waived in any respect. Violation is cause for disciplinary action up to and including termination. All employees will be held to the standards of conduct described in this booklet.



The City will not authorize any employee to commit an act that violates this code or to direct a subordinate to do so. With that understood, it is not possible to justify commission of such an act by saying upper management directed such action.

### **Other Documents, Laws and Regulations**

Each employee should be aware that this “Code of Business Ethics and Conduct” incorporates the City’s “Personnel Policies and Procedures Manual” and the “Standard Operating Procedures Manual” by reference in this paragraph and the policies and procedures in these documents as well as all laws and regulations applicable to the City must be adhered to as part of this “Code of Business Ethics and Conduct”.

### **Acknowledgement of the Code of Conduct**

As a condition of employment, all new employees are asked to sign a Certificate of Acknowledgement on the following page.

Also, all current employees are asked to sign a Certificate of Acknowledgement each time the Code of Conduct is redistributed. In addition, certain categories of employees may be asked to sign a Certificate of Acknowledge on a periodic basis.

The Certificate of Acknowledgement will be retained in the employee’s permanent personnel file.

### **Resources**

Guidance for the development of the City’s “Code of Business Ethics and Conduct” was provided by resources of the Association of Certified Fraud Examiners (ACFE) - “Fraud Examiners Manual” (1990-2005), the Gregor Building, 716 West Avenue, Austin, Texas 78701.

**CITY OF CAIRO**

**Code of Conduct Employee Certification**

I have read the City’s “Code of Business Ethics and Conduct” and “Fraud Policy” (hereafter refers to as Code of Conduct).

- I understand that the standards and policies in that Code of Conduct represent the policies of City of Cairo (City) and that violating those standards and policies, or any legal and regulatory requirements applicable to my job, may result in penalties set forth in the Code of Conduct or other appropriate sanction.
- I understand that there are several sources within the City, including the City Manager and the Audit Committee that I can consult if I have questions concerning the meaning or application of the Code of Conduct or relevant legal and regulatory requirements.
- I understand that it is my responsibility to disclose to my supervisor, the City Manager or the Audit Committee any situation that might reasonably appear to be a violation of the Code of Conduct.
- I have received and read the City of Cairo Code of Conduct and understand that I have an obligation to comply with it.

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Department

\_\_\_\_\_  
Signature

**City of Cairo  
Risk Management Checklist**

1. Does the City have an adequate level of fraud awareness, and are appropriate policies in place to minimize fraud risk, specifically:

a. Generic risk factors:

- \* Has the City assigned each employee a maximum “opportunity level” to commit fraud, that is, has management asked itself the question, “What is the maximum amount this employee could defraud the City, and does this represent an acceptable risk?      \_\_\_\_\_ Yes      \_\_\_\_\_ No      \_\_\_\_\_ NA Ref: \_\_\_\_\_
- \* Has the City set a catastrophic opportunity level; that is, has management asked itself the question, “Have we ensured that no single employee – or group of employees in collusion – can commit a fraud that would place the City in imminent risk of survival?”  
\_\_\_\_\_ Yes      \_\_\_\_\_ No      \_\_\_\_\_ NA Ref: \_\_\_\_\_
- \* Does the City have a policy of immediately dismissing any employee who has committed fraud? \_\_\_\_\_ Yes      \_\_\_\_\_ No      \_\_\_\_\_ NA Ref: \_\_\_\_\_
- \* For all frauds experienced by the City in the past, has management evaluated the reasons that led to the fraud and taken corrective action? \_\_\_\_\_ Yes  
\_\_\_\_\_ No      \_\_\_\_\_ NA Ref: \_\_\_\_\_

b. Individual risk factors:

- \* Does the City have a mission statement, which includes an objective of good citizenship or the maintenance of good standing in the community?  
\_\_\_\_\_ Yes      \_\_\_\_\_ No      \_\_\_\_\_ NA Ref: \_\_\_\_\_
- \* Does the City have a written code of ethics and business conduct?  
\_\_\_\_\_ Yes      \_\_\_\_\_ No      \_\_\_\_\_ NA Ref: \_\_\_\_\_
- \* Does the City conduct ethical and security training for new employees and periodic updates for existing employees? \_\_\_\_\_ Yes      \_\_\_\_\_ No  
\_\_\_\_\_ NA Ref: \_\_\_\_\_
- \* Does management set the right example: that is, does it follow the City’s mission statement, code of ethics and business conduct, and other policies of the City; and is it clearly seen to be doing so by employees?  
\_\_\_\_\_ Yes      \_\_\_\_\_ No      \_\_\_\_\_ NA Ref: \_\_\_\_\_
- \* Does the City’s culture avoid characteristics that promote unethical behavior, for example, high or even hostile competitiveness within the City that might push employees to the point of burnout; pointless rigid or pretty policies, or both; overcentralization of authority? \_\_\_\_\_ Yes      \_\_\_\_\_ No      \_\_\_\_\_ NA

Ref: \_\_\_\_\_

\*Do the City's hiring policies, to the extent possible, seek out individuals of high moral character and weed out those of low moral character? \_\_\_\_\_ Yes  
\_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Does the City use screening and/or testing procedures for especially sensitive positions; for example, psychological tests, drug tests, or lie detector tests, or a combination of all three, where permitted by law? \_\_\_\_\_ Yes \_\_\_\_\_ No  
\_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Does the City provide or encourage counseling, or both, for employees with personal problems, for example, alcohol and drug abuse? \_\_\_\_\_ Yes \_\_\_\_\_ No  
\_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Does the City have fair policies in the area of employee relations and compensation, for example, salaries, fringe benefits, performance appraisal, promotions, severance pay; and do these policies compare favorably with those of competitors and promote an environment that minimizes disenchantment and other similar motives to commit fraud?  
\_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Does the City have fair mechanisms in place for dealing with employee grievances?  
\_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Does the City, as a feedback mechanism concerning employee relations' policies, conduct exit interviews with departing employees? \_\_\_\_\_ Yes \_\_\_\_\_ No  
\_\_\_\_\_ NA Ref: \_\_\_\_\_

c. Overall risk factors

\*Does the City have an adequate system of internal controls, specifically:

a. Internal control

\*Has the City explicitly considered the need for fraud prevention in the design and maintenance of the system of internal controls? \_\_\_\_\_ Yes \_\_\_\_\_ No  
\_\_\_\_\_ NA Ref: \_\_\_\_\_

b. Control over physical and logical access

\*Does the City have a policy of locking doors, desks, and cabinets after hours and when unattended, especially in areas with valuable assets including files and records, for example, personnel and payroll, customer and vendor lists, research?  
\_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Does the City use Ids and passwords, for example, for computer files?  
\_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Does the City state and enforce a policy that restricts access to those requiring it for job performance, including a strict policy against employees allowing access to unauthorized personnel, for example, by loaning keys or sharing passwords?

\_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Has the City installed, for especially sensitive areas, the computerized security or electronic surveillance systems, or both? \_\_\_\_\_ Yes \_\_\_\_\_ No

\_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Does the workplace appear to an impartial observer to have adequate access controls? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

c. Job descriptions

\*Does the City have written, specific job descriptions? \_\_\_\_\_ Yes \_\_\_\_\_ No

\_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Are job descriptions adhered to? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA

Ref: \_\_\_\_\_

\*Does the City have an organization chart that reflects and is consistent with the job descriptions of its employees? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA

Ref: \_\_\_\_\_

\*Are compatible duties segregated, for example, the handling of valuable assets – especially cash – and related records? \_\_\_\_\_ Yes \_\_\_\_\_ No

\_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Does the City properly segregate the purchasing functions, that is, ensuring that one individual cannot requisition goods or services, approve and make the related payment, and access accounts payable records? \_\_\_\_\_ Yes \_\_\_\_\_ No

\_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Are especially sensitive duties duplicated, for example, the double-signing of checks over a specified amount? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA

Ref: \_\_\_\_\_

\*Do personnel policies specify that employees must take annual vacations?

\_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Is the overall process of formulating job descriptions integrated with adequate consideration to the importance of fraud prevention? \_\_\_\_\_ Yes \_\_\_\_\_ No

\_\_\_\_\_ NA Ref: \_\_\_\_\_

d. Regular accounting reconciliations and analyses

\*Are all bank accounts reconciled? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA

Ref: \_\_\_\_\_

\*Are all accounts receivable reconciled, for example, month to month, general ledger to subledger? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA

Ref: \_\_\_\_\_

\*Are all accounts payable reconciled, for example, month to month, general ledger to subledger? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Has the City performed a variance analysis of general ledger accounts, for example, budget to actual, current year versus prior year? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Has the City performed a vertical analysis of revenue and expenditure accounts, that is, as a percentage of total revenue against historical or budget standards, or both? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Has the City performed an analysis of detailed revenues and major expenditures, for example, by direct charges, indirect charges or by program? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

e. Supervision

\*Do supervisors and managers have adequate fraud awareness, that is, are they alert to the possibility of fraud whenever an unusual or exceptional situation occurs, such as supplier, subrecipient or subcontractor complaints about their accounts? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Do supervisors and managers diligently review their subordinates' work, for example, accounting reconciliations, and redo the work when appropriate? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Does close supervision adequately compensate against the increased risk of fraud where an inability to divide duties exists? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Is supervisory or management override prohibited and are others within the RDC alert to the fraud risks associated with management override? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

f. Audit

\*Is there a monitoring function for subrecipients and subcontractors? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Does the monitoring function perform regular checks to ensure that fraud prevention mechanisms are in place and operating as intended? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Are external audits performed on a regular basis? \_\_\_\_\_ Yes \_\_\_\_\_ No  
\_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Are the timing demands of management on external auditors reasonable?  
\_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

\*Do external auditors receive full cooperation from management with respect to  
their work in general and fraud matters in particular, for example, through the  
audit committee? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

3. Has the City specifically addressed the following fraud prevention issues:

a. Ethical Environment \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

b. Risk Financing \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

c. Computer Security \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

#### Specific Risk Factors

##### Fraudulent Financial Reporting

1. Is the City's financial stability or profitability threatened by economic, industry, or entity  
operating conditions? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

2. Is there excessive pressure on management or management incentives related to reaching  
revenue expectations or certain revenue benchmarks? \_\_\_\_\_ Yes \_\_\_\_\_ No  
\_\_\_\_\_ NA Ref: \_\_\_\_\_

3. Are there significant balances in the financial statements which are based on subjective  
management estimates? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

4. Are there significant cash balances or significant transaction activity in overseas banks in tax  
havens such as the Cayman Islands or the Channel Islands? \_\_\_\_\_ Yes \_\_\_\_\_ No  
\_\_\_\_\_ NA Ref: \_\_\_\_\_

5. Does the entity have an overly complex Central structure or a large number of complex  
subrecipients? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

6. Does management consistently use materiality as a basis for justifying marginal or inappropriate  
accounting methods? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

##### Misappropriation of Assets

1. Are there planned layoffs which have become known by employees throughout the Center?  
\_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

2. Are the Cairo's assets easily convertible and are they physically available to employees?

\_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

3. Is there insufficient segregation of duties related to check writing, wiring of funds, or cash?

\_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

4. Are the controls over the accounting system or automated records inadequate?

\_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

5. Do certain employees exhibit a change in behavior to a disagreeable or discontent state?

\_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ NA Ref: \_\_\_\_\_

An excerpt from The CPA's Handbook of Fraud and Commercial Crime Prevention,  
Copyright 2003 by the American Institute of Certified Public Accountants, Inc.,  
New York, NY

Tedd Avey, CPA, CA-IFA, CFE, Kroll, the Risk Consulting Company, Toronto, Ontario, Canada  
Ted Baskerville, CA-IFA, CFE, Kroll, the Risk Consulting Company, London, United Kingdom,  
and Alan Brill, CFE, CISSP, Kroll, the Risk Consulting Company, New York, New York



### **Antifraud Procedures:**

- 1.) Immediately upon hire, each employee will be required to read the City of Cairo's "Code of Business Ethics and Conduct" and "Fraud Policy". Each employee will be required to sign a certification that he/she has read and understands the Code of Conduct and Fraud Policy. This certification will be maintained in the employee's personnel file.
- 2.) All current employees are asked to sign a Certificate of Acknowledgement each time the Code of Conduct is redistributed. In addition, certain categories of employees may be asked to sign a Certificate of Acknowledge on a periodic basis.

The Certificate of Acknowledgement will be retained in the employee's permanent personnel file.

- 3.)\_ The City will complete the Risk Management Checklist. The finance director will have responsibility for the completion of the checklist. The checklist will be reviewed with the City Manager and Accounting and Auditing Consultant. The initial checklist will be completed within thirty (30) days after the adoption of the Antifraud Program by the City of Cairo City Council. A copy will be provided to the Audit Committee, City Manager, Consultant and Auditor, upon completion. Prior to the end of each fiscal year the Finance Director will review the Risk Management Checklist to update any changes. A notification will be sent by the Finance Director that the Risk Management Checklist has been reviewed and updated for the fiscal year to the City Manager, Audit Committee, and Auditor. Any specific changes or recommendations should be reviewed with the City Manager prior to presentation to the Audit Committee.
- 4.) The Finance Director and City Manager will attest annually to the Audit Committee the performance of Antifraud procedures and results thereof.

### **Audit Committee Communication**

An attestation that all Antifraud Procedures have been performed and the results thereof will be reported annually to the Audit Committee by the Finance Director and City Manager.

## **APPENDIX A – DEFINITIONS**

## DEFINITIONS

**Corrective Discipline** - An action taken that results in a disciplinary suspension without pay, disciplinary salary reduction, disciplinary dismissal, or disciplinary working test status.

**Appointing Authority** - The individuals who have, among other authorities, the authority to appoint and discharge all employees.

**City Council** – The governing authority and financial authority of the City.

**Impartial Attorney** – The attorney who may be retained by the City to conduct hearings.

**Days** – When the word “days” is used as a method of counting, it means calendar days unless stated otherwise.

**Department** – This term refers to the different departments under the City Manager.

**Handicapped** – Any person who has a physical or mental impairment that substantially limits one or more major life activities, who has a record of such impairment, or who is regarded as having such an impairment.

**Should/May** – These words denote conditions that are desirable but not mandatory.

**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.

**Working Test** – A period of time, during which a new employee or an employee who has been transferred or promoted to a higher position is being tested on job capability and performance.

**APPENDIX B**

**ALCOHOL AND CONTROLLED SUBSTANCE ABUSE STANDARD FORM**

# City of Cairo

## VOLUNTARY CONSENT FORM

Having been advised that a portion of the pre-employment requirements for the City of Cairo is a voluntary drug urinalysis screening and physical.

I understand that these tests are voluntary and do hereby relieve the City of Cairo, its officials and officers from any liability incurred from these testing procedures.

I further understand that testing positive for the presence of illegal drugs will eliminate me from any further consideration for employment with the City of Cairo.

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

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Social Security # \_\_\_\_\_

Witnessed by Personnel Director \_\_\_\_\_

# City of Cairo

EMPLOYEE CONSENT AND NOTICE:  
ALCOHOL AND CONTROLLED SUBSTANCE TESTING UPON  
REASONABLE SUSPICION THAT VIOLATION OF ALCOHOL  
AND/OR CONTROLLED SUBSTANCE POLICY HAS OCCURRED

It is the opinion of the City that there is reasonable suspicion to believe that you have violated the Alcohol and Controlled Substance Policy of the City. As provided in that policy, you are required to submit to an alcohol and/or controlled substance screening test. In order to retain your position as a City employee, you must successfully pass this screening test.

By signing this form, you are acknowledging that you consent to such a screening test, that you consent to the release of test results to your supervisor(s), and that you understand that such a screening test is part of the City's Alcohol and Controlled Substance Policy.

You will not be admitting that you have violated the Alcohol and Controlled Substance Policy by signing this form.

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

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Social Security # \_\_\_\_\_

Witnessed by Personnel Director \_\_\_\_\_

**APPENDIX C**

**GRIEVANCE COMPLAINT FORM**

# City of Cairo

## GRIEVANCE COMPLIANT FORM

Name \_\_\_\_\_ Job Title \_\_\_\_\_

Department \_\_\_\_\_

Name of Immediate Supervisor \_\_\_\_\_

Statement of Complaint \_\_\_\_\_

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Action Requested \_\_\_\_\_

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

Complaint Submitted To: (Check One)

\_\_\_\_\_ Personnel Director

\_\_\_\_\_ Employee Supervisor

\_\_\_\_\_ Department Head

Date Received by Above \_\_\_\_\_



**APPENDIX D**

**FMLA FORM**

# City of Cairo

## MEDICAL CERTIFICATION STATEMENT (Employee's Own Serious Illness)

Name of Employee: \_\_\_\_\_

Date Condition Began: \_\_\_\_\_

Date Condition Ended (or is expected to end): \_\_\_\_\_

Medical facts regarding the condition: \_\_\_\_\_

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Explanation of extent to which employee is unable to perform the functions of his or her job:

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Health Care Provider Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Office Telephone Number: \_\_\_\_\_

Medical Release:

I authorize the release of any medical information necessary to process the above request.

Patient's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# City of Cairo

## APPLICATION FOR FAMILY AND MEDICAL LEAVE

**Return this application to the Personnel Director upon completion**

Name: \_\_\_\_\_ Department: \_\_\_\_\_

Reason for Leave:  
(check one below)

- the birth of a child, or the placement of a child with you for adoption or foster care; or
- a serious health condition that makes you unable to perform the essential functions of your job; or
- a serious health condition affecting your \_\_\_ spouse, \_\_\_ child, \_\_\_ parent, for which you are needed to provide care.

This leave will begin on \_\_\_\_\_ Date of return of work: \_\_\_\_\_

I understand that if I fail to return to work at the end of my leave period it will be treated as a resignation unless an extension has been agreed upon and approved in writing by the City of Cairo.

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

\_\_\_\_\_  
Date

-----  
This portion will be completed by management:

Approved by:

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Personnel Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Date

# City of Cairo

## NOTICE OF INTENTION TO RETURN FROM LEAVE

Name: \_\_\_\_\_

Department: \_\_\_\_\_

Date Leave Commenced: \_\_\_\_\_

Date of Planned Return: \_\_\_\_\_

I understand that my restoration of employment is subject to the following conditions:

1. As a condition of restoration, each employee must provide a written certification from his or her health care provider that the employee is able to resume working.
2. Every attempt will be made to restore an employee returning from leave to his or her original position. If the employee's original position is unavailable, the employee will be placed in a equivalent position with equivalent pay and benefits.
3. An employee returning from family and medical leave shall not be entitled to the accrual of any seniority or employment benefits during the period of leave.

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

\_\_\_\_\_  
Date

I have examined the above named employee and can certify that he or she is fully able to resume working.

\_\_\_\_\_  
Health Care Provider's Signature

\_\_\_\_\_  
Date

**APPENDIX E**  
**FUNERAL LEAVE FORM**

# City of Cairo

## FUNERAL LEAVE FORM

Name: \_\_\_\_\_

Department: \_\_\_\_\_

Date of Death: \_\_\_\_\_

Relationship to Deceased:

(Please check all applicable spaces)

\_\_\_\_\_ Spouse

\_\_\_\_\_ Child

\_\_\_\_\_ Father

\_\_\_\_\_ Mother

\_\_\_\_\_ Brother

\_\_\_\_\_ Sister

\_\_\_\_\_ Father-in-law

\_\_\_\_\_ Mother-in-law

\_\_\_\_\_ Sister-in-law

\_\_\_\_\_ Brother-in-law

\_\_\_\_\_ Grandparent

\_\_\_\_\_ Step-Child

\_\_\_\_\_ Step-Father

\_\_\_\_\_ Step-Mother

\_\_\_\_\_ Step-brother

\_\_\_\_\_ Step-sister

\_\_\_\_\_ Son-in-law

\_\_\_\_\_ Daughter-in-law

\_\_\_\_\_ or any relative who was domiciled in the employee's household

**Name (s) of Deceased:**

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

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

The original should be given to the Personnel Director copies will be forwarded to the Department Head and Payroll

**APPENDIX F**

**AUTHORIZATION FOR MEDICAL TREATMENT FORM**

# City of Cairo

## AUTHORIZATION FOR MEDICAL TREATMENT

Please render treatment as may be required for:

\_\_\_\_\_  
Employee's Name

Date of Injury: \_\_\_\_\_

Part of body affected: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please note: Any treatment or diagnostic service performed outside your facility must be pre-approved by:  
Terry P. Holt, Personnel Director (229) 377-1722 ext. 3001.

-----  
Based upon the current evaluation, the employee can perform the following work:

### WORK RESTRICTIONS

\_\_\_\_\_ **Normal**, - No Restrictions

\_\_\_\_\_ **Sedentary** – Lifting ten pounds maximum, lifting and carrying  
of articles such as ledgers and books. Some standing and walking

\_\_\_\_\_ **Light** – Lifting of twenty pounds maximum and carrying of  
objects weighting up to ten pounds. A job in this category could  
require standing or walking to a significant degree, pushing or  
pulling of arm and leg controls.

\_\_\_\_\_ **Medium** – Lifting up to fifty pounds (50) maximum with frequent  
lifting and/or carrying of objects weighting up to 25 pounds.

\_\_\_\_\_ Additional Restrictions:  
\_\_\_\_\_  
-----

DIAGNOSIS: \_\_\_\_\_

PROGNOSIS: \_\_\_\_\_

NEXT APPOINTMENT: \_\_\_\_\_

PHYSICIAN'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**We have a variety of temporary light duty assignments available to fit each employee's needs.**



## **APPENDIX G**

### **TRAVEL FORMS**

# TRAVEL ADVANCE REQUEST

Instructions:

1. Any travel resulting in advancement or reimbursement must be submitted on this form.
2. This form must be submitted to the Department Head or City Manager at least fifteen (15) days prior to date of travel.
3. Advance payment shall be made only to Mayor, Council Members, and vendors providing services such as registration, lodging and other customary incidentals.
4. Supporting documentation and registration requirements must be presented at the time of request for travel.

## INFORMATION

NAME: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_

CONFERENCE, MEETING, SEMINAR, TRAINING, ETC. INFORMATION:

NAME OF CONFERENCE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

DEPARTURE DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ AM PM

RETURN DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ AM PM

WILL YOU USE YOUR PERSONAL VEHICLE FOR TRAVEL? YES NO

I hereby certify the travel expenses requested above will be incurred by me while on official City of Cairo business.

Signed: \_\_\_\_\_

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

Title: \_\_\_\_\_



# City of Cairo

## PER DIEM RATES FOR TRAVEL

<u>City</u>	<u>Rate Per Day</u>	<u>Breakfast</u>	<u>Lunch</u>	<u>Dinner</u>
Athens	\$46.00	\$8.00	\$12.00	\$26.00
Atlanta	\$56.00	\$10.00	\$14.00	\$32.00
Augusta	\$51.00	\$9.00	\$13.00	\$29.00
Columbus	\$46.00	\$8.00	\$12.00	\$26.00
Macon/Forsyth	\$46.00	\$8.00	\$12.00	\$26.00
Metro Atlanta (Outside I-285 Perimeter)	\$46.00	\$8.00	\$12.00	\$26.00
Jekyll Island	\$56.00	\$10.00	\$14.00	\$32.00
Savannah	\$56.00	\$10.00	\$14.00	\$32.00
Other (Not Listed Above)	\$46.00	\$8.00	\$12.00	\$26.00

Revised 7-28-2015

**2015 PER DIEM/MILEAGE REQUEST**

Employee: \_\_\_\_\_

Department: \_\_\_\_\_

Destination: \_\_\_\_\_

\*Map Quest Mileage (RT = Round Trip): \_\_\_\_\_

Date & Time of Departure: \_\_\_\_\_

Purpose of Trip: \_\_\_\_\_

Date & Time of Return: \_\_\_\_\_

Check One	City	Full Day & Incidentals	Breakfast & Incidentals	Lunch & Incidentals	Supper & Incidentals	Charge Expense to account #
	Athens (Clarke County)	\$46.00	\$8.00	\$12.00	\$26.00	
	Atlanta (Inside I-285 Perimeter)	\$56.00	\$10.00	\$14.00	\$32.00	
	Augusta (Richmond County)	\$51.00	\$9.00	\$13.00	\$29.00	
	Columbus (Muscogee County)	\$46.00	\$8.00	\$12.00	\$26.00	
	Macon/Forsyth (Bibb/Monroe)	\$46.00	\$8.00	\$12.00	\$26.00	
	Metro Atlanta (Outside I-285 Perimeter)	\$46.00	\$8.00	\$12.00	\$26.00	
	Jekyll Island (Glynn County)	\$56.00	\$10.00	\$14.00	\$32.00	
	Savannah (Chatham County)	\$56.00	\$10.00	\$14.00	\$32.00	
	Other (If not listed on the list above use this per diem)	\$46.00	\$8.00	\$12.00	\$26.00	

Check meals and fill in the appropriate rates							
	Full Day Rate	Breakfast	Lunch	Supper	Total		
First Day of Travel							
Second Day of Travel							
Third Day of Travel							
Fourth Day of Travel							
Fifth Day of Travel							
Last Day of Travel							
<b>SUB TOTAL</b>							<b>\$0.00</b>

*Map Quest Mileage (Round trip miles from Cairo to Destination)	0.575	\$	-
Number of Days	10 Miles/Day	Total Miles	0.575 \$ -
<b>10 Total Requested</b>			<b>\$0.00</b>

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

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

Supervisor Signature: \_\_\_\_\_

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

Department Head Signature: \_\_\_\_\_

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

Note: Departure from home must be prior to 7:00 AM for allowable breakfast and arrival at home after 6:00 PM for allowable supper



STATE OF GEORGIA  
DEPARTMENT OF REVENUE  
SALES AND USE TAX CERTIFICATE OF EXEMPTION  
GEORGIA PURCHASER OR DEALER  
EFFECTIVE JULY 1, 2000

To: \_\_\_\_\_ (SUPPLIER) \_\_\_\_\_ (DATE)

(ADDRESS)

THE UNDERSIGNED HEREBY CERTIFIES that all tangible personal property purchased or leased after this date will be for the purpose indicated below, unless otherwise specified on a particular order, and that this certificate shall remain in effect until revoked in writing. Any tangible personal property obtained under this certificate of exemption is subject to the sales and use tax if it is used or consumed by the purchaser in any manner other than indicated on this certificate. (Check proper box.)

1. Resale, rental or leased only, including but not limited to the purchase for resale of gasoline and other motor fuels.
2. Materials for further processing, manufacture or conversion into articles of tangible personal property for resale which will become a component part of the property for sale, or be coated upon or impregnated into the product at any stage of its processing, manufacture or conversion and nonreturnable materials used for packaging tangible personal property for shipment or sale. Containers or other packaging materials purchased for reuse are not exempt.
3. Machinery used directly in the manufacture of tangible personal property for sale purchased as additional, replacement or upgrade machinery to be placed into an existing plant in this State.
4. Direct Pay Permit authorized under Regulation 560-12-1-.16. The holder of a Direct Pay Permit must pay the 3% Second Motor Fuel Tax to suppliers on purchases of gasoline.
5. For use by Federal Government, State Government, any county, municipality or public school system of this State, when supported by official purchase orders or for use by Hospital Authorities created by Article 4, Chapter 7, of Title 7, and County or City Housing Authorities created by Article 1, Chapter 3 of Title 8. The State of Georgia, counties, municipalities, public schools, Hospital and Housing Authorities of Georgia must pay the 3% Second Motor Fuel Tax to suppliers.  
A Georgia Sales and Use Tax Certificate of Registration Number is not required for this exemption.
6. Aircraft, watercraft, motor vehicles and other transportation equipment manufactured or assembled, sold and delivered by the manufacturer or assembler for use exclusively outside this State, or delivery of the crafts is for the sole purpose of removing same under its own power when it does not lend itself more reasonably to removal by other means.  
A Georgia Sales and Use Tax Certificate of Registration Number is not required for this exemption.
7. Aircraft, watercraft, railroad locomotives and rolling stock, motor vehicles and major components of each, which will be used principally to cross the borders of this State in the service of transporting passengers or cargo by common carriers and by carriers who hold common carrier and contract carrier authority in interstate or foreign commerce under authority granted by the United States government. Replacement parts installed by carriers in such craft or vehicles which become an integral part of the craft or vehicle are likewise exempt. Private and contract carriers are not exempt.

MUNICIPAL GOVERNMENT

(TYPE OF BUSINESS ENGAGED IN BY THE PURCHASER)

(COMMODITY CODE)

I declare, under penalties of false swearing, that this certificate has been examined by me and to the best of my knowledge and belief is true and correct, made in good faith, pursuant to the sales and use tax laws of the State of Georgia.

City of Cairo

(PURCHASER'S FIRM NAME)

065-00-2553

(CERTIFICATE OF REGISTRATION NO.)

PO Box 29/119 North Broad Street, Cairo, Georgia 39828

(ADDRESS)

By Mwan S. Saincloth

(SIGNATURE)

Title Finance Director

(OWNER, PARTNER, OFFICIAL)

A supplier is required to have only one certificate of exemption form on file from each purchaser buying tax exempt. The supplier must exercise ordinary care to determine that the tangible personal property obtained under this certificate is for the purpose indicated. Suppliers failing to exercise such care will be held liable for the sales tax due on such purchases. For example, a supplier cannot accept a Certificate of Registration number bearing a "214" prefix since these are issued to a Contractor which has been deemed to be the consumer and is required to pay the tax at the time of purchase.



**STATE OF GEORGIA  
CERTIFICATE OF EXEMPTION OF LOCAL HOTEL/MOTEL EXCISE TAX**

**ATTENTION: GEORGIA HOTEL AND MOTEL OPERATORS**

Effective April 2, 1987, Act Number 621 amending Official Code of Georgia Annotated Section 48-13-51 provides that Georgia state or local government officials or employees traveling on official business should not be charged county or municipal excise tax on lodging, often referred to as local hotel/motel tax.

Upon verification of the identity of the government official or employee identified below, Georgia hotel and motel operators are required to exempt the individual from any applicable tax(es), as outlined below.

Tax	Acceptable Payment Methods	Required Form(s) – Provided by the Traveler
Occupancy Tax (local, county, or municipal lodging, or excise tax)	ALL payment methods accepted (Personal or Government payment)	State of GA Certificate of Exemption of Local Hotel/Motel Excise Tax

A copy of this exemption form must be maintained with hotel tax records to document the individual's status as a government official or employee traveling on official business. If you have any questions, please contact the traveler's accounting or fiscal office contact, identified below.

**CERTIFICATION:**

This is to certify that the lodging obtained on the date(s) identified below was required in the discharge of my official duties for the named agency, and qualifies for exemption of the local hotel/motel excise tax under Official Code of Georgia Annotated Chapter 48-13 (as amended by Act 621, Georgia Laws 1987).

Signature of Official or Employee \_\_\_\_\_ Date \_\_\_\_\_

**Please complete below:**

Name of Official or Employee \_\_\_\_\_

Title of Official or Employee \_\_\_\_\_

Government Agency Represented \_\_\_\_\_

Accounting/Fiscal Office Contact Name \_\_\_\_\_ Phone No. \_\_\_\_\_

Date(s) of Lodging \_\_\_\_\_

**NOTE:** Government officials or employees are also exempt from Georgia State Sales Tax when individuals submit the "Department of Revenue Sales Tax Certificate of Exemption Form (ST-5)" to hotel operators. The payment methods that are applicable to the exemption of this sales tax are either a State of Georgia issued credit card or payments made by directly billing the governmental organization.

CITY OF CAIRO

TRAVEL EXPENSE FORM – CHARGED EXPENSES

Employee: \_\_\_\_\_ Department/Division \_\_\_\_\_

Destination: \_\_\_\_\_ Dates Traveled: \_\_\_\_\_

Purpose of Trip: \_\_\_\_\_

Credit Card # \_\_\_\_\_

Transportation – City Vehicle \$ \_\_\_\_\_  
(attach receipt)

Hotel/Motel \$ \_\_\_\_\_  
(attach receipt)

Description of "Other Expenses: Other \$ \_\_\_\_\_  
(attach receipt)

\_\_\_\_\_

\_\_\_\_\_ Total \$ \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I certify that the above-listed expenses are authorized and were disbursed for the benefit of the City of Cairo.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Date

CITY OF CAIRO

TRAVEL EXPENSE FORM – CASH EXPENSES

(NOT covered by Per Diem)

Employee: \_\_\_\_\_ Department/Division: \_\_\_\_\_

Destination: \_\_\_\_\_ Dates Traveled: \_\_\_\_\_

Purpose of Trip: \_\_\_\_\_

Toll Charges \$ \_\_\_\_\_  
(attach receipt)

Parking Fees \$ \_\_\_\_\_  
(attach receipt)

Business-related Telephone Calls \$ \_\_\_\_\_

Description of "Other Expenses" Other \$ \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Total to be Paid to Employee \$ \_\_\_\_\_

**I certify that the above-listed expenses are authorized and were disbursed for the benefit of the City of Cairo.**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Date



**APPENDIX H**  
**ALCOHOL AND DRUG POLICY**  
**COMMERCIAL MOTOR VEHICLE DRIVERS**

## **ALCOHOL AND DRUG TESTING POLICY FOR COMMERCIAL MOTOR VEHICLE DRIVERS**

OVERVIEW – The purpose of this policy is to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles.

An employee who holds a Commercial Driver’s License (CDL) operates a commercial motor vehicle (CMV), which is defined by the Department of Transportation (DOT) as the following:

- the vehicle has a gross weight rating or gross combination weight rating of 26,001 or more pounds; or
- the vehicle is designed to transport more than 15 persons, including the driver; or
- the vehicle is used in the transportation of hazardous materials

Employees refusing to submit to a required alcohol or controlled substance test will be terminated.

Applicants refusing to submit to a required alcohol or controlled substance test will be terminated.

### **REQUIRED ALCOHOL TESTS**

- Post Accident – conducted after an accident on covered employees whose performance contributed to an accident and for all fatal accidents even if the driver is not cited for a moving traffic violation. Employees must be tested within eight (8) hours of accident.
- Reasonable suspicion – conducted when a trained supervisor observes behavior or appearance that is characteristic of alcohol misuse.
- Random – conducted on a random unannounced basis just before, during or just after performance of safety-sensitive functions. (25% of covered employees)

### **ALCOHOL TESTING SITE**

Alcohol Testing will be administered by a breath alcohol technician (BAT) at the Cairo Police Department, 4 South Broad Street, 229-378-3096.

### **ALCOHOL TESTING PROCEDURES**

The rules require breath testing using an evidential breath testing (EBT) device approved by the National Highway Traffic Safety Administration (NHTSA). Two breath tests are required to determine if an employee has a prohibited alcohol concentration. A screening test is conducted

first. If the alcohol concentration is 0.02 or greater a second confirmation test must be conducted. The driver and the technician conducting the breath test complete the alcohol testing form to ensure that the results are properly recorded. The confirmation test, if required must be conducted using an EBT that prints out the results, date and time, a sequential test number, and the name and serial number of the EBT to ensure the reliability of the results.

### **EFFECTS OF POSITIVE TEST RESULTS**

If an employee has alcohol concentration of 0.02 or more when tested before, during or just after performing safety sensitive function, he or she will be terminated.

### **REQUIRED DRUG TESTS**

- Pre-employment – conducted before applicants are hired or after an offer to hire, but before they actually perform safety-sensitive function for the first time. Also required when employees transfer to a safety-sensitive (driver) position.

A driver is exempt if:

- (1) with the previous 30 days the driver had participated in a drug testing program that complied with DOT regulations.
  - (2) while in the program, he or she had been tested within the previous six months or had participated in a random drug testing program for the previous 12 months (from the date of application with the employer)
  - (3) the employer ensures that no previous employer has records of a violation by the driver within the previous six months.
- Post-Accident – conducted after an accident on covered employees whose performance contributed to an accident and for all fatal accidents even if the driver is not cited for a moving traffic violation. Employees must be tested within at least thirty-two (32) hours of the accident.
  - Reasonable suspicion – conducted when a trained supervisor observes behavior or appearance that is characteristic of drug misuse.
  - Random – conducted on a random unannounced basis just before, during or just after performance of safety-sensitive functions (50% of covered employees)

All urine specimens are analyzed for the following drugs:

- 1.) Marijuana (THC metabolites)
- 2.) Cocaine
- 3.) Amphetamines
- 4.) Opiates (including heroin)
- 5.) Phencyclidine (PCP)

## **DRUG TESTING SITE**

The collection agent for urine specimens is Grady General Hospital, 1155 5<sup>th</sup> Street S. E., Cairo, Georgia.

The testing laboratory for this policy is SmithKline Beecham, 3175 Presidential Drive, Atlanta, Georgia 30340

## **EFFECTS OF POSITIVE TEST RESULTS**

Following a determination that an employee has used the drugs prohibited under these rules as determined through testing, the employee will be terminated.

## **DRUG TESTING PROCEDURES**

Drug testing is conducted by analyzing an employee's urine specimen. The drug testing procedures include split specimen procedures. Each urine specimen is subdivided into two bottles labeled as a "primary" and a "split" specimen. Both bottles are sent to a laboratory. Only the primary specimen is opened and used for the urinalysis. The split specimen bottle remains sealed and is stored at the laboratory. If the analysis of the primary specimen confirms the presence of illegal, prohibited drugs, the driver has 72 hours to request the split specimen be sent to another Department of Health and Human Services (DHHS) certified laboratory for analysis. This split specimen procedure essentially provides the driver with an opportunity for a "second opinion".

## **CONFIDENTIALITY**

All employee testing records are confidential. Test results and other confidential information may only be released to the employer and the substance abuse professional. Any other release of this information may be made with the employee's written consent.

## **RECORD KEEPING**

DOT regulation requires CMV employers to retain for a minimum of five years. Any records of employees whose alcohol test results indicate alcohol concentration of .02 or greater, as well as any refusals by an employee who take the required tests. Driver referrals and valuations, calibration records, and calendar year summaries must also be kept for at least five years.

Any records related to the collection process and to training are required to be kept for a minimum of two years. Records of negative (passing) test results must be retained for one year. Records related to the collection process include collection log books, documents relating to the random selection process, EBT equipment calibration documentation, documents generated in connection with decisions to administer reasonable suspicion and post accident tests, medical explanation of an employee's inability to provide adequate breath for testing, and any other explanations of why an employer failed to administer an alcohol test required by DOT.



**APPENDIX I**

**ALCOHOL AND DRUG POLICY**

**DEPARTMENT OF TRANSPORTATION GAS PIPELINE**

# CITY OF CAIRO

## DEPARTMENT OF TRANSPORTATION

### DRUG AND ALCOHOL TESTING POLICY

#### FOR EMPLOYEES WHO PERFORM OPERATING MAINTENANCE OR EMERGENCY- REPOSE FUNCTIONS ON A GAS PIPELINE FACILITY

#### PURPOSE

The purpose of this policy is to reduce accidents that result from the misuse of alcohol and drugs, thereby reducing fatalities, injuries and property damage; and to comply with the drug and alcohol testing standards promulgated by the U. S. Department of Transportation.

#### WHO MUST BE TESTED

Any employee who would perform any operating, maintenance, or emergency response function on a pipeline is subject to drug and alcohol testing under the Federal regulations.

#### REQUIRED DRUG TESTS

**Pre-employment** – conducted before applicants are hired or after an offer to hire, but before they actually perform safety-sensitive function for the first time. Also required when employees transfer to a safety-sensitive position.

**Post-accident** – conducted as soon as possible but no later than 32 hours after an accident, each employee whose performance either contributed to the accident or cannot be completely discounted as a contributing factor to the accident.

**Reasonable suspicion** – conducted when a trained supervisor observes physical behavioral, or performance indicators of probable drug use.

**Random** - conducted on a random unannounced basis (50% of covered employees are tested during a 12 month period – calendar year).

All urine specimens are analyzed for the following drugs:

- 1.) Marijuana (THC metabolite)
- 2.) Cocaine
- 3.) Amphetamines
- 4.) Opiates (including heroin)
- 5.) Phencyclidine (PCP)

## **DRUG TESTING SITE**

The collection agent for urine specimens is Grady General Hospital, 1155 5<sup>th</sup> Street S. E. Cairo, Georgia.

The testing laboratory for this policy is **Kroll 1111 Newton St. Gretna, LA 70053**

## **PENALTY FOR NOT SUBMITTING TO A DRUG TEST**

Any employee who refuses to submit to a drug test will be terminated. In addition, applicants who refuse to submit to a drug test will no longer be considered a candidate for employment.

## **DISCIPLINARY ACTION POSITIVE DRUG TEST**

Following a determination that an employee has used the drugs prohibited under these rules as determined through testing, the employee will be terminated.

## **DRUG TESTING PROCEDURES**

Drug testing is conducted by analyzing an employee's urine specimen. The drug testing procedures include split specimen procedures. Each urine specimen is subdivided into two bottles labeled as a "primary" and a "split" specimen. Both bottles are sent to a laboratory. Only the primary specimen is opened and used for the urinalysis. The split specimen bottle remains sealed and is stored at the laboratory. If the analysis of the primary specimen confirms the presence of illegal, prohibited drugs, the driver has 72 hours to request the split specimen be sent to another Department of Health and Human Services (DHHS) certified laboratory for analysis. This split specimen procedure essentially provides the driver with an opportunity for a "second opinion".

## **CONFIDENTIALITY**

All employee testing records are confidential. Test results and other confidential information may only be released to the employer and the substance abuse professional. Any other release of this information may be made with the employee's written consent.

## **RECORD KEEPING**

For a minimum period of one year:

- a.) Records of employee drugs test results that show employees passed a drug test

For a minimum period of three years:

- a.) Records that demonstrate the collection process conforms to this part.
- b.) Records confirming that supervisors and employees have been trained as required by this part.

For a minimum period of five years:

- a.) Records of employee drug test results that show employees failed a drug test, and the type of test failed and records that demonstrate rehabilitation, if any, and include the following information:

\* The functions performed by employees who failed a drug test



- \* The prohibited drugs which were used by employees who failed a drug test
- \* The disposition of employees who failed a drug test (termination, rehabilitation, leave without pay)
- \* The age of each employee who failed a drug test

b.) A record of the number of employees tested, by type of test

### **REQUIRED ALCOHOL TEST**

**Post-Accident Testing** – Following an accident as defined in the definitions section of this policy, the supervisor will promptly test each surviving covered employee for alcohol if that employee's performance contributed to the accident or cannot be completely discounted as a contributing factor to the accident. Each employee involved is required to submit to an alcohol test within two hours of the accident. If a test is not administered within eight hours following the accident, the supervisor will stop trying to conduct an alcohol test and will prepare and keep on file a written report explaining why the alcohol test was not conducted.

An employee who is subject to post-accident testing who fails to remain readily available for such testing including notifying the supervisor of his/her location if he/she leaves the scene of the accident prior to submission to an alcohol test, may be deemed to have refused to submit to testing.

The employee must remain available for alcohol testing and may not consume any alcohol for eight hours following the accident or until the alcohol test has been conducted. Employees should, however, seek and obtain emergency medical care whenever necessary.

### **DISCIPLINARY ACTION FOR ALCOHOL MISUSE**

A covered employee who has an alcohol test administered and is found to have alcohol concentration of 0.02 or greater will be terminated.

#### **Pre-Duty Use Within Four Hours**

Covered employees may not use alcohol within four hours prior to performing covered functions, or, if an employee is called to duty to respond to an emergency, within the time period after the employee has been notified to report for duty. If the supervisor has actual knowledge that a covered employee has used alcohol within four hours prior to performing covered functions or within the time period after the employee has been notified to report for duty, the employee will not be permitted to perform or continue to perform covered functions.

#### **Penalty for Not Submitting to an Alcohol Test**

Any employee who refuses to submit to an alcohol test will be terminated.

#### **Alcohol Testing Site**

Alcohol Testing will be administered by a breath alcohol technician (BAT) at the Cairo Police Department, 4 South Broad 229-378-3096.

## **RECORD KEEPING**

For a minimum period of five years:

- a.) Records of employee alcohol test results with results indicating an alcohol concentration of 0.02 or greater.
- b.) Documentation of refusals to take required alcohol test.
- c.) Calibration documentation of each EBT used in alcohol testing, including records of the results of external calibration checks.
- d.) Employee referrals and evaluations
- e.) Management Information System (MIS) annual alcohol misuse report data
- f.) Documents pertaining to “missed tests.”

For a minimum period of two years:

- a.) Records related to the collection process (except calibration of EBT devices).
- b.) Records related to training
- c.) Records of the inspection and maintenance of each EBT used in employee testing
- d.) Documentation of the Public gas system’s compliance with the quality assurance procedure for each EBT it uses for alcohol testing.
- e.) Records of the training and proficiency testing of each BAT used in employee testing for the Public gas system.

For a minimum of one year:

- a.) Records of employee alcohol test results with results indicating alcohol concentration below 0.02.

## **CONTRACTOR’S COMPLIANCE**

All contractors who contract to perform an operating, maintenance, or emergency-response function on a pipeline are required to provide the City with a copy of the contractor’s drug policy. Employees who are contractors or employed by a contractor to perform DOT-covered functions of the City must pass a drug test as required by 49, Part 199 before being hired. The City is responsible for ensuring that all contractors who perform DOT-covered functions are in compliance with the requirements of the DOT.

All contractors shall be required to provide the city with quarterly statistical drug testing data. The City will conduct regular audits to monitor the contractor’s drug testing program.

## **RULES ON THE DISCLOSURE OF DRUG AND ALCOHOL INFORMATION AND RECORDS**

The Personnel Director will maintain all drug and alcohol-related testing information, including all test results and other appropriate records, in a secure manner to prevent the disclosure of such information to unauthorized personnel.

A covered employee is entitled, upon written request, to obtain copies of any records pertaining to the employee’s use of drugs and alcohol, including any records pertaining to his or her alcohol tests. The Personnel Director will promptly provide the requested records.

The Personnel Director will make records available to a subsequent employer upon receipt of the written request from the covered employee. Disclosure by the subsequent employer is permitted only as expressly authorized by the terms of the employee’s written request.

Information regarding an individual's drug and alcohol testing or rehabilitation may be released only upon the written consent of the individual, except that such information must be released regardless of consent to the Administrator or the representative of a state agency upon request as part of an accident investigation. Statistical data related to drug testing and rehabilitation that is not name specific and training records must be made available to the Administration or the representative of a state agency upon request.

## **DEFINITIONS**

**Accident** – means an incident reportable under 49 CFR Part 191 involving gas pipeline facilities, which includes all parts of those physical facilities through which gas moves in transportation, including but limited to pipe, valves, and other appurtenances attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holder, and fabricated assemblies.

An incident on a gas pipeline is defined as follows:

- A. An event that involves a release of gas from a pipeline and:
  - 1. A death or personal injury necessitating inpatient hospitalization; or
  - 2. Estimated property damage, including cost of gas lost, to the operator or others, or both, of \$50,000 or more.
- A. An event that is significant, in the judgment of the operator, even though it did not meet the criteria of paragraph 1.

**Air Blank** – means a reading by any evidential breath testing device (EBT) of ambient air containing no alcohol.

**Alcohol Use** – means the consumption of any beverage, mixture, or preparation, including any medication, contain alcohol.

**Breath Alcohol Technician (BAT)** – means an individual who is authorized to operate an EBT and has received appropriate training to do alcohol testing on the D. O. T. course and the instrument being used.

**Covered Employee** – means a person who is an employee of the Public gas system, or who is an employee of a contractor engaged by the Public gas system, and who performs work on a pipeline or an operation, maintenance, or emergency-response function regulated by the U. S. Department of Transportation, as provided in 49 CFR Part 192, 193, and 195.

**Covered Function (safety-sensitive function)**- means an operation, maintenance, or emergency-response function that is performed on a pipeline and is regulated by the U. S. Department of Transportation, as provided in 49 CFR Part 192, 193, and 195.

**Fail a drug test** – means that the confirmation test result shows positive evidence of the presence under DOT procedures of a prohibited drug in an employee's system.

**Pass a drug test** – means that initial testing or confirmation testing under DOT procedures does not show evidence of the presence of a prohibited drug in a person's system.

**Performing (a covered function)** – means an employee is considered to be performing a covered function (safety-sensitive function) during any period in which he or she is actually performing, is ready to perform, or is immediately available to perform such covered functions.

**Prohibited drug** – means any of the following substances specified in this policy marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP).

**Refusal to Submit (to an alcohol test)** – means that a covered employee fails to provide an adequate breath for testing without a valid medical explanation after receiving notice of the requirements to be tested or engages in conduct that clearly obstructs the testing process.

**Screening Test (or initial test)** – means an analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath specimen.

**Substance Abuse Professional (SAP)** – means a licensed physician (Medical Doctor or Doctor of Osteopathy) or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol-related disorders.

# City of Cairo

## ACKNOWLEDGEMENT OF D.O.T. ALCOHOL AND DRUG TESTING POLICY

### FOR EMPLOYEES WHO PERFORM OPERATING, MAINTENANCE OR EMERGENCY- RESPONSE FUNCTIONS ON A GAS PIPELINE FACILITY

NAME: \_\_\_\_\_

POSITION: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_

CHECK ONE:                      \_\_\_\_\_ Applicant                      \_\_\_\_\_ Employee

A copy of the City of Cairo Alcohol and Drug Testing Policy for Gas Pipeline Facility has been reviewed and given to me.

I understand that under this policy I will be subject to Alcohol and Drug Tests for the following:

- Pre-Employment (drugs only)
- Post-Accident
- Reasonable Suspicion
- Random (drugs only)

\_\_\_\_\_  
DATE

\_\_\_\_\_  
APPLICANT OR EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PERSONNEL DIRECTOR

APPENDIX J

COMPUTER POLICY/INTERNET ACCESS POLICY

# City of Cairo

## Computer Policy/Internet Access Policy

I have read and agree to comply with the terms of this policy governing the use of the computer network. I understand that violation of this policy may result in disciplinary action, including possible termination and civil and criminal penalties.

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Signature

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Date

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Printed Name