

201 EMPLOYEE RELATIONS

Hall County believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that Hall County amply demonstrates its commitment to employees by responding effectively to employee concerns.

202 EQUAL EMPLOYMENT OPPORTUNITY

202.1 NONDISCRIMINATION STATEMENT

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Hall County will be based on merit, qualifications, and abilities. Hall County does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law. Hall County's personnel program shall, at all times, be conducted in accordance with all applicable legislation, ordinances and guidelines.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Human Resources Department. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

Each employee should be aware they have the right to file a charge of discrimination with the Equal Employment Opportunity Commission (EEOC) or other state or federal agency as provided by law. According to the EEOC, the deadline for filing any such charge runs from the last date of alleged unlawful action, not from the date that the complaint to Hall County is addressed.

202.2 HARASSMENT

Hall County is committed to maintaining a work environment that is free of inappropriate or unlawful conduct. In keeping with this commitment, we will not tolerate harassment, discrimination or the unlawful treatment of employees by anyone, including any supervisor, co-worker, vendor, client or citizen of Hall County.

*Hall County Government
Hall County Employee Handbook & Policy Guidelines
Approved December 11, 2008*

202.3 DEFINITION OF HARASSMENT, DISCRIMINATION, AND/OR IMPROPER CONDUCT.

Harassment, discrimination and/or improper conduct consists of misconduct that includes unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status, such as sex, color, race, religion, national origin, age, disability or other protected group status or activity (e.g. opposition to prohibited discrimination or participation in the statutory complaint process) as provided for by law. Hall County will not tolerate conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment. No supervisor or County employee has authority to engage in such conduct. If you feel you have been subject to the type of conduct prohibited by this policy, you must report this conduct. If you feel circumstances warrant, you may bypass your supervisor and directly file a complaint with the Human Resources Department as provided for in this policy. If you make a complaint to your supervisor and no action is taken, you are directed to report the conduct as described below to the Human Resources Department. You should report any improper conduct before it becomes severe or pervasive and you do not have to wait until it rises to the level of an unlawful action.

202.3.1 COMPLAINT PROCEDURE

All employees are responsible for helping to assure that we avoid any form of unlawful treatment. If you feel that you have experienced or witnessed harassment, discrimination or any unlawful treatment, you must immediately notify your supervisor, director, or the Director of Human Resources (preferably in writing within 24 hours). You may also file a complaint with any member of the Human Resources Department staff in their offices. If you are not contacted promptly about your complaint, you are to re-file it with the Director of Human Resources and also send a copy to, or contact, the County Administrator. Hall County forbids retaliation against anyone who has made a complaint or provides information related to a complaint.

Hall County will undertake an objective and appropriate review of any complaint. To the extent practicable and appropriate, Hall County will keep any complaint and the terms of its resolution confidential. Hall County will take corrective action as appropriate, including such discipline up to and including immediate termination of employment. Hall County will undertake corrective action to stop inappropriate conduct before it rises to the level of an unlawful action. You will be notified as to the outcome of your complaint. If you have any questions about the status of your complaint, you should contact the Director of Human Resources or higher level officer.

Each employee should be aware they have the right to file a charge of discrimination with the Equal Employment Opportunity Commission (EEOC) or other state or federal agency as provided by law.

203 BUSINESS ETHICS AND CONDUCT

The successful business operation and reputation of Hall County is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of Hall County is dependent upon our customers' trust and we are dedicated to preserving that trust. Employees owe a duty to Hall County, its customers, and citizens to act in a way that will merit the continued trust and confidence of the public.

Hall County will comply with all applicable laws and regulations and expects its directors, officers, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. If an employee has been charged with any illegal offense, an administrative inquiry may be conducted and disciplinary action may be taken up to and including termination.

No employee shall accept any gift, favor or reward other than a regular salary for any service rendered as an employee of Hall County.

No employee shall in any way knowingly participate in falsifying records including but not limited to purchasing, payment approval, receiving or inventory records, or payroll.

No employee may buy or charge any goods or services of any amount to the account of Hall County unless following the procedures established through the County Code and regulations established through the Purchasing Office. An exception can be made under genuine emergency conditions, and then such purchase must be confirmed as soon as possible with a proper purchase order. (Full purchasing regulations are available through the Purchasing Department.)

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor and, if necessary, with the Human Resources Department for advice and consultation. Compliance with this policy of business ethics and conduct is the responsibility of every Hall County employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

203.1 CONFLICTS OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which Hall County wishes to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Human Resources Department for more information or questions about conflicts of interest.

Transactions with outside firms must be conducted within a framework established and controlled by the executive level of Hall County. Business dealings with outside firms should not result in unusual gains for those firms. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit either the employer, the employee, or both.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of Hall County 's business dealings. For the purposes of this policy, a relative is any person as defined in the Nepotism/Hiring of Relatives Policy.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to an officer of Hall County as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which Hall County does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving Hall County.

203.2 NON-DISCLOSURE

County employees, by reason of their position, may at times have confidential or privileged information. Employees are prohibited from releasing confidential information they have learned as a result of their position, without specific approval of their department director or the County Administrator. Should an employee receive an Open Records Request, the request should be forwarded to the Department Director or designated appointee, by the end of the business day.

203.3 FULL DISCLOSURE

Any employee having any information that will impact the operations of Hall County should disclose that information to their immediate supervisor, who will in turn inform the department head.

203.4 POLITICAL ACTIVITY RULE

203.4.1 OVERVIEW

Employees of the County are encouraged to exercise their right to vote, but no employee shall make use of County time or equipment to aid a political candidate, party or cause; or use a County position to influence, coerce or intimidate any person in the interest of a political candidate, party, or cause.

203.4.2 SEEKING ELECTIVE OFFICE

Any County employee seeking elective office within Hall County shall, upon declaring candidacy, either resign or submit a request in writing to the County Administrator or appropriate elected department head, for a leave of absence without pay from the date of his/her announcement through the duration of the campaign or the announcement of election results. If elected to office, the employee shall immediately upon the date of election, be separated with the County upon the written request and approval of the County's Administrator or appropriate elected department head. Nothing contained herein shall be construed as providing the employee the right to return to work after the election.

203.4.3 PARTICIPATION IN LOCAL POLITICAL CAMPAIGNS

An employee may not:

- a. Be involved in any political activity that would constitute a conflict of interest; including participation in any aspect of any local political campaign on behalf of or in opposition to any candidate for office within Hall County; including municipal and/or county government offices.
- b. Knowingly solicit, accept, or receive political contributions from any person, to be used in support of or in opposition to any candidate for election within Hall County, including municipal and/or county government offices.
- c. Use, or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person, a job or other advantage for the purpose of influencing the vote or political action of any person.

No employee shall be hired, promoted, favored, or discriminated against with respect to employment because of his/her political opinions or affiliations. An employee violating this section shall be subject to disciplinary action up to and including termination.

**203.4.4 CODE OF ETHICS FOR GOVERNMENT SERVICE –
O.C.G.A. 45-10-1**

Any person in government service should:

- I. Put loyalty to the highest moral principles and to country above loyalty to persons, party or government department.
- II. Uphold the Constitution, laws, and legal regulations of the United States and the State of Georgia and of all governments therein and never be a party to their evasion.
- III. Give a full day's labor for a full day's pay and give to the performance of these duties, his earnest effort and best thought.
- IV. Seek to find and employ more efficient and economical ways of getting tasks accomplished.
- V. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not, and never accept, for himself or his family, favors or benefits under circumstances which might be constructed by reasonable persons as influencing the performance of his governmental duties.
- VI. Make no private promises of any kind binding upon the duties of the office, since a government employee has no private work which can be binding on public duty.
- VII. Engage in no business with the government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.
- VIII. Never use any information coming to him/her confidentially in the performance of governmental duties as a means for making private profit.
- IX. Expose corruption wherever discovered.
- X. Uphold these principles, ever conscious that public office is a public trust.

(GA, L. 1968, p. 1369)

204 NEPOTISM - HIRING OF RELATIVES

The employment of relatives in an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

204.1 DEFINITION OF RELATIVES

Relatives shall be defined as immediate family by blood or marriage to include spouse, parent or guardian, child, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunt, uncle niece, nephew, grandparent, grandchild, stepmother, stepfather, stepson, stepdaughter, stepsister, stepbrother, legally adopted parents and children, or other relative living in the employee's household. For the purpose of this rule, the interpretation of the word spousal is to include a person who lives in an espoused relationship.

204.2 HIRING OF RELATIVES WITHIN THE SAME DEPARTMENT

If it occurs that an individual applies for an advertised position in an area where a relative is employed, that individual's application will be considered by the Human Resources Recruiter, and will be included for interview if the person's qualifications place them in the group to be interviewed. A four-member committee consisting of 1) The Director of the hiring department, 2) Two (2) Directors of completely separate departments, and 3) A representative of the Human Resources Department will interview and make a final decision from those interviewed. If the committee cannot agree by a $\frac{3}{4}$ majority, the final decision on hiring the individual will be made by the Director of Human Resources.

204.3 HIRING RELATIVES WITHIN LINES OF SUPERVISION

No relative can be hired, transferred, or promoted to work in the line of authority or under the direct supervision of a relative. Relatives of department directors and their department supervisors whose span of influence extends throughout the County, such as Human Resources, Finance, and Purchasing, shall not be considered for any covered position within the County.

204.4 GENERAL

Hall County also reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives or individuals involved in a dating relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions. If a relative relationship is established after employment between employees who are in a reporting situation described above, it is the responsibility and obligation of the supervisor involved in the relationship to disclose the existence of the relationship to management. The individuals concerned will be given the opportunity to decide who is to be transferred to another available position. If that decision is not made within 30 calendar days, management will decide who is to be transferred or, if necessary, terminated from employment.

205 IMMIGRATION LAW COMPLIANCE

Hall County is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must complete the form.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Human Resources Department. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

206 OUTSIDE EMPLOYMENT

An employee may hold a job with another organization as long as he or she satisfactorily performs his or her job responsibilities with Hall County. All employees will be judged by the same performance standards and will be subject to Hall County's scheduling demands, regardless of any existing outside work requirements.

If Hall County determines that an employee's outside work interferes with performance or the ability to meet the requirements of Hall County as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with Hall County. Outside employment will present a conflict of interest if it has an adverse impact on Hall County.

County employees are strictly prohibited from pursuing outside business activity on County time. Secondary income sources such as mailing services, etc., are not to interfere with primary business hours. Government time or property is not to be used for personal gain of any kind, in order to avoid any appearance of impropriety.

207 DISABILITY ACCOMMODATION

Hall County is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Those persons needing reasonable accommodation in the application and/or employment process should contact the Human Resources Department.

Post-offer medical examinations are required for all positions. They are given to all persons entering the position only after conditional job offers. Medical records will be kept separate and confidential.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression, and seniority lists. Leave of all types will be available to all employees on an equal basis.

Hall County is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. Hall County will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. Hall County is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

208 EMPLOYMENT PRACTICES

209.1 PURPOSE

The purpose of establishing the following employment practices is to assure fair treatment of applicants and employees without regard to race, gender, color, national origin, religion, age, disability, political beliefs, martial status, veteran status, or non job-related medical conditions.

209.2 RECRUITMENT

Recruitment of candidates for hire by Hall County shall be planned to meet the immediate and long range needs of the County. The Director of Human Resources will make use of such information as turnover, budgeted positions, future departmental needs in order to determine particular recruitments needs. Recruitment efforts shall be directed to assure that all segments of the public have the opportunity to apply and be considered for positions.

209.2.1 FILLING VACANCIES

Vacancies may be filled by promotion, demotion, transfer, reinstatement, probationary appointment or temporary appointment. The Department of Human Resources shall use various methods of publicity and media to provide notice of vacancies to as many qualified personnel as possible and to assure obtaining qualified applicants.

Vacancies shall be announced publicly for a minimum of 14 calendar days by posting in Human Resources and on the Hall County website.

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a. Appointments

The County recognizes two types of appointment procedures that may apply to initial appointments and/or promotions: internal competitive and open competitive appointment procedures. Additionally, the County Commission and County Administrator may appoint staff to positions that are exempt from the rules and who would serve at the pleasure of the appointing authority.

- Internal Competitive

It will be the County's policy and first preference to promote and transfer from within whenever possible. Internal competitive appointments shall be limited to current employees whenever a satisfactory pool of qualified applicants is available internally. Announcements of such vacancies will be made on a Countywide basis. Certain sworn or certified positions in the Sheriff and Fire Department may be posted only within that department based on qualifications required for the position.

- Open Competitive

Open competitive appointment procedures are the normal practice of the County. When a vacancy occurs, a recruitment plan will be developed and implemented by the Director of Human Resources. The County will select the best-qualified applicant by using appropriate screening methods as determined by the Director of Human Resources.

b. Reclassification

Appointment of a current employee to a new position, for which a vacancy is not created by reclassifying the incumbent, may be authorized by the County Administrator. Reclassifications may or may not be associated with an increase in pay and are not considered promotions.

c. Promotion

Promotion is the advancement of an employee from a job within one class to a job in another class having a higher salary range.

d. Transfer

A vacancy may be filled by the transfer of an employee from another position of a comparable class. A transfer of an employee from one department to another department shall have the acknowledgment of both appointing authorities concerned and the County Administrator.

209.2.2 PUBLIC ANNOUNCEMENT OF JOB VACANCIES

Public announcements of vacancies shall specify the job title, general duties to be performed, minimum and/or necessary qualifications, final date on which applications will be received, a statement that Hall County is an Equal Opportunity Employer, and that applications are subject to public disclosure under the Georgia Open Records Law, and that Hall County is a DrugFree Workplace.

209.2.3 APPLICATIONS

a. Forms

Applications shall be made on the form prescribed by the Director of Human Resources. Resumes may be accepted for certain positions. The Director of Human Resources shall be custodian of all applications. Applications shall be completed in full and will require information covering training, experience, education, and other job-related information. Any data required for equal opportunity purposes or other legal purposes shall be obtained on documents to be kept separately from the application form. Applications shall be signed by the applicant attesting to the truth of all statements contained in the application form. All individuals hired by Hall County must complete an application prior to employment.

b. Denial

No individual shall be denied the right to file an application for employment for any open position; however, the Director of Human Resources may establish a system for acceptance of applications. Certain classified positions may be regarded as open for continuous recruitment of qualified applicants, while other positions may be classified as closed until such time there is an announced vacancy.

c. Active Status

Applications will be active for a period of not more than six (6) months with the exception of Public Safety applications. Public Safety applications will remain active for a period of twelve (12) months from the date of receipt and/or completion of any examination requirements(s)

209.2.4 INVESTIGATION OF CANDIDATE'S HISTORY

The Director of Human Resources, or appointed designee, may investigate a candidate's employment, training, educational, criminal, credit and driver's history to verify the statements contained in the application. Any employee who is hired, but later found to have misrepresented or withheld any information during the job application process, is subject to discharge from County service. An employee dismissed for such fraud shall be ineligible for re-hire in the County.

209.2.5 EXAMINATIONS AND OTHER REQUIREMENTS

Examinations shall be practical in nature, rated impartially and constructed to reveal the candidate's capacity for the particular class or position, his/her general background, related knowledge, skills, and abilities. The Human Resources Director may use or approve any job-related selection methods that will maximize reliability and objectivity. The selection procedures shall measure or sample job behaviors or knowledge, skills and representative work samples, rating of training, education, and/or experience. The Human Resources Director may also utilize tests which fairly examine the ability and fitness of all applicants to perform efficiently the duties of the position to be filled.

209.2.6 EMPLOYEE MEDICAL EXAMINATIONS

All applicants recommended for employment are required to successfully complete a post employment offer health and drug screen and be recommended by a licensed medical examiner as able to perform the job for which s/he is being considered. Each applicant will be given the screenings by a physician and/or medical facility chosen by the County. The nature of the post employment offer health and drug screenings shall be uniform and consistent with the classes of positions. In complying with state and/or federal requirements established for certain protective services positions, the County will follow the prescribed screening procedures.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know.