

301 EMPLOYMENT CATEGORIES

It is the intent of Hall County to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility.

Each employee is designated as either NONEXEMPT or EXEMPT in accordance with federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from overtime pay under the specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by Hall County Human Resources and approval of the County Administrator.

In addition to the above categories, each employee will belong to one of the following employment categories:

301.1 REGULAR

A regular employee has satisfied their probationary or working test period and works a full-time (32 hours or more) schedule. An employee given a probationary appointment shall acquire regular status and official appointment upon satisfactory completion of the working test period which lasts 12 months. Generally, they are eligible for Hall County's benefit package, subject to the terms, conditions, and limitations of each benefit program.

301.2 PART-TIME

Employees who work less than 63 hours per pay period and are not eligible for employee benefits and who do not have rights established by these rules.

301.3 PROBATIONARY

A probationary appointment is an initial appointment to a regular, fulltime position in the Civil Service System. The period of probation is the first 12-months following the appointment and during which the employee can be dismissed without appeal.

301.4 TEMPORARY STATUS

A temporary appointment is an initial appointment to a position for a designated period of time not to exceed six (6) months unless approved by Human Resources.

301.5 TIME LIMITED STATUS

A time limited appointment is an initial appointment to a position established for special programs or projects normally anticipated as being longer than six (6) months but not regular and continuing in nature.

301.6 ACTING CAPACITY STATUS

An employee may serve in an acting capacity only in a position that has been duly established and is vacant or temporarily vacant. Such appointment shall normally not exceed ninety (90) days unless specified.

302 ACCESS TO PERSONNEL FILES

Hall County maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of Hall County, and access to the information they contain must comply with the Open Records Act. Employees who wish to review their own file should contact the Human Resources Department. With reasonable advance notice, employees may review their own personnel files in Hall County's offices and in the presence of an individual appointed by Hall County to maintain the files.

302.1 PUBLIC INSPECTION OF PERSONNEL RECORDS

All personnel records of employees covered under these rules and all other records and material relating to the administration of the personnel system shall be considered confidential and the property of Hall County. Information obtained in the course of official duties shall not be released by any employee other than those with this responsibility as part of official duties. All requests for personnel information must be processed through the Human Resources Director. This release of personnel records is governed under the Georgia Open Records Act. (O.C.G.A. 50-18-70).

302.1.1 Within three (3) work days after the request is received, the Human Resources Department will determine if the requested information can be released;

302.1.2 Verbal requests are acceptable for any employee to see his/her own file with three (3) days advance notice;

302.1.3 A Written request is required for all others who wish to review any personnel records for files;

302.1.4 Requests by anyone other than the employee must be for specific information. General review of one or a number of files is not permissible under the Georgia Open Records Act.

302.1.5 Charges for information from the county's personnel files will be determined at a reasonable hourly rate for staff time and copies.

302.1.6 Items not subject to the Georgia Open Records Act. (O.C.G.A. 50-18-72(2)-(7)) include but are not limited to medical records, personal data such as social security numbers, similar files or related information and third party evaluations.

302.2 DESTRUCTION OF RECORDS

Employee records shall be kept for no less than seven (7) years after termination of employment. Such records may be kept in their original form or in any other form that the Director of Human Resources deems appropriate. Destruction of all other records including correspondence, applications and examinations is governed by and should be in accordance with Georgia Records Management Act (O.C.G.A. 50-18-90) (85)-(503).

302.3 APPLICATION FOR RELEASE

The following explains policies and procedures for release of resumes and applications for employment to the newspaper or other interested citizens:

302.3.1 INFORMATION TO BE RELEASED

In accordance with state law, applications, resumes, or the name of candidates who are applicants in an employment search for a position with Hall County will be released within (3) days after the request has been received. Charges for a special assembling or copying this information will be according to the standing department policy.

302.3.2 INFORMATION TO BE WITHHELD

Evaluations of candidates, or recommendations, or any reference material may not be released. It is required that such information be held as confidential.

a. Rationale of Withholding Information

Case law following the enactment of the 1988 Open Records Law further explains what is and is not to be released from a job search. In making the decision regarding what is released, we must balance the Open Records Law of Georgia with the Personal Privacy Right Laws, which, under tort law, prevents unnecessary public scrutiny. The applicant, as well as the private citizen has rights against "invasion of privacy."

b. Information Regarding Applicants' Qualifications

Discussion of applicants' qualifications and deliberations to come to a decision on an appointment are not open to public meetings. O.C.G.A., Par. 50-14-3(6) excludes from the open meeting requirements, "meetings when discussing or deliberation upon the appointment, employment hiring, disciplinary action, dismissal or performance of a public officer or employee." This exclusion is intended to allow the decision makers to make candid, difficult comparisons of qualifications of candidates for public office employment and to discuss performance after the applicant is selected and actively working.

302.4 TERMINATED EMPLOYEE REFERENCE POLICY

Previous employees of the County separated due to resignation, termination, layoff, or any other form of separation have the right under privacy laws to expect that we will not release to prospective employers, the general public, or the media, any information other than years of service, job title and duties, and confirmation of an employee's final pay rate.

NOTE: In certain instances the County may be required to disclose information regarding an employee who has engaged in criminal activity

302.5 ADMINISTRATIVE INQUIRY AND REVIEW

Records consisting of material obtained in an investigation related to the suspension, firing, or investigation of a complaint against a public official or employee are confidential. These records, materials, and reports are not to be released until ten (10) days after the investigation has been terminated and the final report has been provided to the County Administrator or authorized elected official. Such information is only to be released from the County Administrator's or authorized elected official's office. As with the release of other sensitive personnel information, the Georgia Open Records Law (O.C. G. A.) must be balanced with tort privacy laws.

303 EMPLOYMENT REFERENCE CHECKS

To ensure that individuals who join Hall County are well qualified and have a strong potential to be productive and successful, it is the policy of Hall County to check the employment references of all applicants.

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 in the application process is subject to discharge from County service. An employee dismissed for such fraud shall be ineligible for re-hire in the County.

304 PERSONAL DATA CHANGES/EMPLOYEE RECORDS

304.1 PERSONAL DATA

It is the responsibility of each employee to promptly notify Hall County of any changes in personal data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personal data has changed, notify the Human Resources Department.

304.2 PERSONNEL TRANSACTIONS & RECORDS

All appointments, separations and other personnel transactions shall be made on Request for Personnel Action forms. A separate file shall be prepared and maintained for each employee and it shall contain the original or copy of all pertinent documents. Permanent files for all County employees shall be kept in the Human Resources Department.

Human Resources shall maintain the primary personnel files on each County Employee subject to these rules. Each department is encouraged to maintain files on each employee.

305 PERFORMANCE EVALUATION

305.1 SIXTH MONTH REVIEW

Upon completion of six months of service, employees in the working test period will be given a performance evaluation. An employee receiving an outstanding performance score (considered 4.0 or higher), may be awarded a pay increase of one-half the annual budgeted amount for all evaluations. Employees serving a working test period as a result of a promotion, demotion, or transfer are not eligible for this increase

305.2 ANNUAL REVIEW

All regular employees shall receive an annual performance and merit review. For employees on leave on their review date, the review may be extended the length of the leave. All increases shall be based on effective measures of job performance. Increases shall be awarded on the following basis:

- Overall rating below 2.5 - No increase
- Overall rating 2.5 to 3.4 - One-half the budgeted percentage
- Overall rating 3.5 and above - full budgeted increase

All wage increases must be authorized by the department director, the Director of Human Resources and the County Administrator or authorized elected department head. Increases are subject to the availability of funds.

306 SALARY ADMINISTRATION

The salary administration program at Hall County was created to achieve consistent pay practices, comply with federal and state laws, mirror our commitment to Equal Employment Opportunity, and offer competitive salaries within our labor market. Compensation for every position is determined by several factors, including job analysis and evaluation, the essential duties and responsibilities of the job, and salary survey data on pay practices of other employers. Hall County periodically reviews its salary administration program and restructures it as necessary. Merit-based pay adjustments may be awarded in conjunction with superior employee performance documented by the performance evaluation process.

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

The Compensation Plan shall provide salary schedules for each classification in the system. Salaries should be consistent between jobs with similar functions as outlined in the Classification Plan. Salary schedules shall include minimum and maximum rates of pay for each class. In establishing salary schedules, consideration shall be given to rates of pay for comparable services in other public and private employers; living costs; benefits provided to employees; the County's financial condition and policies; and other relevant factors.

The Compensation Plan shall constitute the official compensation schedule for positions under the system. Uniform regulations supplementing these rules shall provide for the administration of the plan. The regulations shall make provisions for salary advancement, reductions, and adjustment affecting employees at the time of revision or amendment of the Compensation Plan.

The Compensation Plan shall include pay tables to identify the monetary value for each class in the classified system. Department Directors have the authority to hire employees at a rate between the minimum and midpoint of the assigned grade for the classification. Appointments above the midpoint require the recommendation of the Department Director and approval from the County Administrator

Longevity salary advancements may be granted to an employee whose pay has exceeded the maximum regular salary for his/her class of positions upon completion of two (2) years of additional service from the date of the employee's last performance increase. Such employees become eligible for a longevity salary advancement provided the employee's work performance rating is at or above 3.5 for the two (2) year period.

306.1 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. Upon promotion, an employee will receive a five (5) percent increase for one grade promotion and a ten (10) percent increase for two or more grades, or to the minimum of the new grade, whichever is more, not to exceed the maximum pay for the new pay grade. Upon the date of promotion, an employee begins a new working test period. The next salary review date will be one year from the date of promotion and every year thereafter. If the promotion and annual review dates are within thirty (30) days of each other, the employee will receive both annual review increase and the appropriate promotion increase.

306.2 DEMOTION

An employee who is reclassified by demotion shall have his/her salary reduced in accordance with Policy 308.6.1 Demotion. A demotion of one grade results in a 5% reduction; a demotion of two or more grades results in a reduction of 10% or more (depending on the number of pay grades involved). A newly reduced rate of pay is not to exceed the maximum of the new class. Exceptions to this provision must be approved by the County Administrator.

306.3 ACTING CAPACITY AND TEMPORARY PAY

306.3.1 TEMPORARY VACANCY

A temporarily vacant position is an authorized position in the current year's budget that has been temporarily vacated due to termination, disability, or leave-of-absence, and is required to be staffed by a full-time regular employee.

306.3.2 ACTING CAPACITY

The employee working in an acting capacity shall be expected to fully perform all the normally assigned duties of the position on a temporary basis until the incumbent returns to their assigned position or a full-time replacement is appointed.

306.3.3 DURATION OF ACTING CAPACITY ASSIGNMENT

An employee required to temporarily perform in a higher level job classification and perform the actual duties normally assigned to the duly authorized vacant position for a period of 30 consecutive working days (13 shifts for firefighters) or more, may be eligible for a temporary pay increase.

306.3.4 ACTING CAPACITY PAY

The amount of the temporary pay increase, if authorized, will be no less than 2.5% or the minimum of the salary range of the position being filled, whichever results in the higher wage. At the sole discretion of the County Administrator, the temporary pay may be set at a higher level.

306.3.5 AUTHORIZATION

A personnel action form shall be completed and approved by the Department Director or authorized elected official and the Human Resources Director on any employee placed in an acting capacity; and the same procedure shall be followed upon discontinuation of that employee's functioning in this status. The employee serving in an acting capacity will be provided a copy of the personnel action form authorizing the additional pay.

306.3.6 APPEAL PROCEDURE

An employee who believes s/he is serving in an acting capacity and should be receiving additional compensation shall notify in writing his/her immediate supervisor. If not satisfied with the decision of the supervisor, the employee may appeal the decision by following the chain of command up to and including appealing to the Civil Service Board. The Board's decision on this matter is final. Such a written notice must be received within the first three months of the assignment in question.

306.4 COMPENSATION PLAN REVIEW

A review of the Compensation Plan shall be done by the Human Resources Department at least once every two years. A review of the Compensation Plan of Hall County should take into consideration such factors as:

- the competitiveness of Hall County wages versus the labor market
- living costs and
- such others as may be considered relevant.

306.5 FINAL COMPENSATION APPROVAL AUTHORITY

Through the budgetary process the Board of Commissioners shall have final authority in all matters concerning the Compensation Plan.

307 CLASSIFICATION PLAN

307.1 CLASS SPECIFICATIONS

Class specifications are written to define each group or class and are intended to be descriptive and explanatory, not restrictive. They are designed to indicate the kinds of positions that should be allocated to a class as determined by duties and/or responsibilities, and shall not be construed as prescribing what the duties or responsibilities of any particular job in a department shall be. The use of an illustration of duties shall not be regarded as exclusive of other duties not mentioned that are similar in nature.

307.1.1 MINIMUM QUALIFICATIONS

Minimum qualifications are comprehensive statements of the minimum background, education and experience required.

307.1.2 REVISIONS TO CLASSIFICATION PLAN

Revisions to the Classification Plan may be made to reflect new or changed conditions or work practices within the classified service. Suggested revisions and amendments shall be presented to the County Administrator. If additional funds are required such changes are subject to budgeting approval of the County Commission.

307.1.3 ADDITION OF JOBS

Additional positions can be authorized by the County Commission as part of the budget process. Additionally, Department Director's may request reallocation of existing staff, reclassification of existing positions, or the creation of a new classification. These requests are to be developed through Human Resources and approved by the County Administrator.

307.1.4 DEPARTMENTAL RESPONSIBILITY

Department directors are responsible for submitting to the Human Resources Department new job descriptions for all affected positions each time a section or division is substantially reorganized or major changes in duties or responsibilities occur for any job. All changes are subject to approval of the County Administrator and subject to budgetary consideration. The Human Resources Department shall be responsible for maintaining an official copy of the job classification plan and Classification Specifications for each position in the system. A copy of the plan shall be available for inspection by the public under reasonable conditions during business hours.

308 WORKING TEST PERIOD

All newly hired employees and employees appointed, transferred or promoted to a position in the County's classified Civil Service system shall be required to satisfactorily complete the working test period. The working test period, or probationary period, shall be considered an integral part of the selection process.

308.1 PROMOTION CONSIDERED A NEW WORKING TEST PERIOD.

A promoted employee will be under a working test period for the first twelve months on the new job. If it is determined that the employee is unsuitable for the position the department director may return the employee to the position he/she previously occupied if it is vacant. If not vacant, the department director or designee may attempt to place the employee in a comparable position for which the employee meets the requirements. Returning a working test employee to his/her previous classification must be done during the working test period and is not appealable to the Civil Service Board.

308.2 EXTENSIONS

The probationary/working test period may be extended with the recommendation of the department director and approval by the Human Resource Director. The department director is responsible for requesting the extension at least four (4) weeks prior to the end of the working test period. Working test extensions shall be considered only when extenuating circumstances exist or it is believed that an extension will result in improved job performance.

308.3 RIGHTS

During the working test period, a newly hired employee does not have the right to expect continued employment in his/her position and employment can be terminated at any time without the right of appeal. Probationary employees are not covered by progressive discipline or due process procedures. A promoted employee in a working test period retains the same employment status and protection he/she had in the position from which he/she was promoted.

308.4 PERFORMANCE APPRAISALS DURING WORKING TEST - PROBATIONARY PERIODS

A performance appraisal will be performed for probationary/working test employees at the end of six (6) months and not less than fifteen (15) calendar days prior to the end of the probationary/working test period. A performance appraisal report must be completed and accepted before allowing a probationary employee to attain regular status.

308.5 ACTIVE WORK STATUS

Only time in active work status shall be counted toward completion of the probationary/working test period. An employee in a probationary/working test period who is absent on leave for a period of more than two weeks, will have the amount of time he/she was absent added back onto the probationary/working test period. Each employee must be actively at work on the day their probationary period ends in order to be considered on regular status. In the case where they are not at work on that date, they will be considered regular status the day they return to work if the absence is less than two (2) weeks in duration.

308.6 DEMOTION

A reduction of a regular or working test employee to a position of a lower class is a demotion. A lower class means a class having a lower maximum salary than that of the class in which the individual is presently employed. A demotion may be made for cause or may be made on a voluntary or involuntary basis, provided the employee meets the qualifications for the position to which s/he is being demoted. An employee who is demoted shall retain the same employment status in the lower position that he/she had in the higher, except that if the demotion is to the position from which the employee was promoted, the employment status will be that of the original position. In the event of an involuntary demotion, the department head must give written notification to the employee being demoted of the action being taken, describe the action causing the demotion and give reason for the demotion and notify the employee of their appeal rights.

An employee who is reclassified by demotion shall have his/her salary reduced. A demotion of one grade results in a 5% reduction; a demotion of two or more grades results in a reduction of 10% or more (depending on the number of pay grades involved). A newly reduced rate of pay is not to exceed the maximum of the new class. Exceptions to this provision must be approved by the County Administrator.

308.6.1 DEMOTION FOR CAUSE

Demotion for cause is a demotion based on unfitness to perform assigned duties, negligence or inefficiency in performing duties, or for misconduct, insubordination or other justifiable causes.

308.6.2 VOLUNTARY DEMOTION

Voluntary demotion is a demotion based on an employee's request to be assigned to a position of a lower class.

308.6.3 DEMOTION THROUGH TRANSFER

An employee may apply for a position that has a lower pay grade than his/her current position. In these cases, the hiring department head may request to the Human Resources Department that the employee not receive a decrease in pay. Such requests require the approval of the County Administrator.

308.6.4 All demotions are subject to approval by the Human Resources Director and County Administrator.

309 SEPARATION FROM SERVICE

An employee may be separated from the service of Hall County by any of the following methods:

309.1 RESIGNATION

An employee shall submit to his/her supervisor written notice of resignation at least fourteen (14) days in advance of the date of resignation. Immediately upon receipt of such notice of resignation the supervisor shall forward the same to the department director or designee and then to the Human Resources Department. Failure to comply with this regulation shall be entered on the service record of the employee and may result in a denial of re-employment. Hall County does not have an obligation to honor a request to rescind a resignation once it has been accepted.

309.2 ABANDONMENT OF JOB

An employee who is absent from work for three (3) consecutive working days without calling in to report the absence will be considered to have voluntarily abandoned his/her job.

309.3 LAYOFF/REDUCTION IN FORCE

Any involuntary separation not related to an employee's performance or conduct shall constitute a layoff or reduction in force. The duties previously performed by any laid-off employee may be reassigned to another employee holding a position in the appropriate job class. When a layoff is necessary, department directors shall provide the number and the names of the employees to be laid-off to the Director of Human Resources, to ensure that such action is carried out orderly and equitably.

309.3.1 REASONS FOR LAYOFF/REDUCTION IN FORCE

The County reserves the right to have a reduction in force due to:

- Economic reasons – shortage of funds, materials or work;
- Abolishment of a position;
- Material changes in the duties of a job or the organization; and/or
- Any other related reason that does not reflect dissatisfaction with the service of the employee.

309.3.2 ORDER OF LAYOFF

Should it become necessary to reduce the number of employees, the department director shall furnish to the Director of Human Resources the names and job titles of the employees to be laid-off and the order in which such layoff shall be effected. Such employees shall be laid-off on the basis of length of service with the County, length of service in class, and performance appraisals for the last three (3) years.

309.3.3 SPECIAL CASES

There may be cases when a department director might determine that the retention of a certain employee is essential to the efficient and effective operation of the department because the employee possesses special skills or abilities. A director wishing to retain an employee in preference to another shall submit a written request to the Human Resources Director. Such notification shall set forth in detail the specific skills and abilities possessed by the employee to be retained and the reason why said employee is essential to the effective operation of the department.

309.3.4 NOTICE OF LAYOFF TO EMPLOYEES

Employees to be laid-off shall be notified in writing by the department director at least fourteen (14) days prior to the effective date of the layoff. As an alternative, the employee may be laid-off without notice of 14 days if separation pay is provided.

309.3.5 DEMOTION IN LIEU OF LAYOFF

Any regular employee scheduled to be laid-off shall have the right to be demoted to a lower classification provided that a vacancy exists and such employee is qualified to fill the position in the lower classification.

309.4 LOSS OF REQUIRED CERTIFICATION OR LICENSE

Employees must maintain required licenses and certification and failure to do so may result in disciplinary actions up to and including termination.

309.5 RETIREMENT

The retirement of an employee shall consist of the voluntary separation of an employee who has met the requirements under the provisions of the applicable pension plan.

309.6 DEATH

Separation shall be effective as of the date of the death of the employee. All compensation due to such employee as of the effective date of separation shall be paid first to the surviving legal spouse of such employee. If there is no legal spouse, payment will go to the beneficiary as designated in the applicable executed documents, or lacking such documents, to the estate of the employee as may be determined by law.

309.7 TERMINATION

Once the recommendation to terminate an employee is made, the department director prepares all separation documents. These documents must be completed and signed by the Human Resources Director and the department director, preferably no later than the effective date of the termination or as soon as possible thereafter.

309.7.1 PRE-TERMINATION HEARING PROCEDURES:

- a. Determine the precise reason for termination
- b. Review previous documentation of warnings and employee counseling relevant to the reason for termination.
- c. Review the case with the Director of Human Resources and when appropriate, the County Administrator.
- d. Pre-Termination Hearing:
 - Advise the employee in writing that you intend to terminate him/her; however, the employee must have the opportunity to respond to the supervisor's reasons for dismissal prior to being discharged.
 - Consider the employee's response
 - Notify the employee of a decision
 - Advise the employee in writing of the decision and of appeal rights.

Note: The above mentioned procedure is also used in cases of suspension without pay.

309.7.2 TERMINATION PROCEDURES FOR JOB ABANDONMENT:

- a. Review the case with the Director of Human Resources and, when appropriate, the County Administrator
- b. Send a letter advising the employee that you intend to proceed with termination unless a response is received from him/her within five (5) days after sending the letter
- c. If the employee responds, advise him/her of your intention to terminate employment and give him/her the opportunity to respond.
- d. If no response is received within five (5) days after the initial letter, follow up with letter of termination. Advise the employee of appeal rights.

309.7.3 RETURN OF PROPERTY

Employees must return all Hall County property immediately upon request or upon termination of employment. Where permitted by applicable laws, Hall County may withhold from the final paycheck the cost of any items that are not returned when required. Hall County may also take all action deemed appropriate to recover or protect its property.