

**CITY OF GRANTVILLE  
EMPLOYEE HANDBOOK**

**Adopted: January 1999**

## **WELCOME TO THE CITY OF GRANTVILLE**

Starting a new job is sometimes unsettling and a little confusing. This employee handbook has been developed to help you get acquainted and answer many of your questions.

As an employee of the City of Grantville, the importance of your contribution cannot be overstated. Our goal is to provide the finest quality services to the people and businesses in the City of Grantville and to do this efficiently and effectively.

You are an important part of this process because your work directly influences the City's reputation and how the City is perceived by its residents, taxpayers and other branches and levels of government.

This employee handbook explains our personnel policies and benefits. To be responsive to the City's needs, changes or additions to this handbook may be made from time to time. You will be informed when these changes are made.

We are glad you have joined us and hope you will find your work to be both challenging and rewarding.

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## THE WAY WE WORK

### **A WORD ABOUT THIS HANDBOOK**

This handbook contains a summary of the personnel policies and procedures of the City of Grantville. Additional details may be obtained from the City Manager. If you have any questions regarding policies and procedures, we encourage you to discuss them with the City Manager.

This handbook is intended to provide a better understanding of City policies and procedures. The policies outlined in this handbook should be regarded as guidelines that may change from time to time. **The policies contained in this handbook are not intended to and do not create a contract of employment and may be added to, terminated or changed at any time by the City. Your employment is at will and for no specific period of time. This handbook does not limit your right or the City's right to terminate the employment relationship at any time.**

The City Manager is responsible for administering the policies in this handbook and any amendments thereto that may be subsequently adopted by the City Council. The Mayor or City Manager may establish additional supplemental personnel rules or procedures in keeping with the spirit and intent of the personnel policies as deemed necessary and appropriate.

Upon leaving employment with the City of Grantville, this handbook should be returned to your supervisor.

### **OUR EMPLOYEE RELATIONS PHILOSOPHY**

It is the practice of the City of Grantville to treat each employee as an individual. We try to develop a spirit of teamwork with individuals working together to attain common goals. In order to maintain an atmosphere where goals can be reached, we attempt to provide a workplace that is comfortable and progressive. We firmly believe that by communicating with each other directly, we can resolve problems that may arise and develop mutually beneficial and respectful relationships.

### **EQUAL EMPLOYMENT OPPORTUNITY**

The City of Grantville is an equal opportunity employer. It has been, is, and will continue to be our policy to afford equal employment opportunity to all qualified persons regardless of race, color, religion, age, sex, national origin, or disability.

We will continue to direct our employment and personnel practices toward ensuring equal employment opportunity for everyone; therefore, we intend that all matters related to recruiting, hiring, training, compensation, benefits, promotion, transfers, layoffs, City-sponsored educational, social, and recreational programs, discipline, discharge and all treatment on the job

be free of discriminatory practices. Any employee or applicant who has questions or concerns about our practices is encouraged to contact the Mayor or City Manager and follow the Grievance Procedure outlined in this handbook.

The City has affirmative action compliance obligations and programs. Any applicant or employee who has questions about our affirmative action program is encouraged to contact the Mayor or City Manager. Qualified persons, who have a disability, are disabled veterans or veterans of the Vietnam era and who wish to be considered under the affirmative action program should so advise the Mayor or City Manager. Providing this information is voluntary and refusal to provide the information will not subject the person to any adverse treatment. The information will be kept confidential and only used for proper job replacement and in the interest of the employee's health and safety in accordance with the law. If an employee is disabled, but otherwise qualified, we would like to include them under the affirmative action program. Employees are asked to provide complete information about their skills, their medical/occupational restrictions and the reasonable accommodations that could be made which would enable them to perform the job properly and safely.

### **NON-HARASSMENT POLICY**

The City of Grantville remains committed to an environment that permits an employee to develop and pursue opportunity free from harassment on the basis of national origin, race, color, sex, age, religion or disability. Any employee who feels that they are the subject of harassment or that they have witnessed any harassment should immediately contact their supervisor or the City Manager. If someone in the employee's direct chain of command is the alleged harasser, the employee may proceed outside the chain of command and take his or her complaint directly to the City Manager. All complaints of harassment will be promptly investigated. The City will preserve the confidentiality of harassment complainants and witnesses as much as possible consistent with a thorough investigation. There will be no retaliation against any employee who reports harassing conduct.

Prompt, corrective action, up to and including termination of employment will be taken when an investigation of harassment complaint confirms the allegations.

### **SEXUAL HARASSMENT**

Sexual harassment of any employee, whether unwelcome sexual advances, requests for sexual favors or other mental or physical conduct of a sexual nature is strictly prohibited. Anyone engaging in such conduct is subject to disciplinary action up to and including discharge. Anyone who believes he or she is being subjected to sexual harassment or who has witnessed such conduct must immediately notify his or her supervisor. If the supervisor is involved, the employee does not need to contact that individual first but may proceed directly to the Mayor or City Manager. All complaints of harassment will be promptly investigated. The City will preserve the confidentiality of harassment complaints and witnesses as much as possible consistent with a thorough investigation. There will be no retaliation against an employee who reports harassing conduct.

## **ADVANCEMENT**

The City of Grantville is committed to providing opportunities for all employees to attain higher levels of responsibility based on qualifications and job performance. It should be recognized that advancement opportunities are a function of the total well being of the City, and as such, each employee's efforts directly affect their chances of achieving their respective career goals.

Employees should consult their supervisor or the Mayor or City Manager regarding job requirements for promotion within their area should opportunities arise. Employees should also check the City bulletin board for announcements and requirements for job openings.

## **POSITION AUTHORIZATION**

Upon receipt of recommendations from the City Manager, the City Council shall authorize and establish such full-time positions as deemed necessary by the council to effectively provide the services and conduct the affairs of the City.

Appointments – The Mayor and Council shall make all appointments to fill authorized positions based on abilities that have been successfully demonstrated, relative levels of education, training, and experience of available applicants.

Promotion – A promotion is defined as a move from one position classification to another that is assigned a higher salary range. It shall be the policy of the City to seek qualified applicants for vacant positions giving first consideration to promoting from among those already employed by the City. In the absence of current employees as the most qualified candidate for promotion, vacancies shall be filled by recruiting from outside. A supervisor's recommendation to promote an employee shall be reviewed by and subject to approval by the Mayor of City Manager.

Reinstatement – Reinstatement is defined as an action taken by the City whereby a former employee is re-employed upon approval by the City Council. The recommended salary level and extension of benefits for a reinstated employee are likewise subject to prior approval by the City Council.

Reclassification – Reclassification is a procedure for keeping position classifications up-to-date. When the City Manager finds that a substantial change had occurred in the scope of duties and responsibilities of an existing position, he shall recommend to the City Council that the existing position description be revised; and that the position be reallocated to an appropriate salary range within the compensation plan.

## **CATEGORIES OF EMPLOYMENT**

**ORIENTATION PERIOD** – Full-time and part-time employees are considered to be in an Orientation Period during their first ninety days of employment. This period of time is for the employee to become familiar with the job duties and work requirements and for the supervisor to evaluate the employee's suitability for the job. At the end of this period, the employee will be evaluated and may receive an adjustment to his/her pay based on merit. Temporary or contract employees who have worked with the City for five months or more prior to becoming a regular employee will not go through an orientation period and will not be eligible for the six month review and potential increase in pay but will be reviewed at the same time as other regular employees.

**Regular, Full-Time Employees** – Employees of the City who are not temporary or hired on a contract basis and who regularly work at least 36 hours per work week are considered Regular, Full-Time Employees.

**Regular, Part-Time Employees** – Employees of the City who are not temporary or hired on a contract basis and who regularly work fewer than 36 hours per workweek are considered Regular, Part-Time Employees. Regular, Part-Time Employees are not eligible for employee benefits unless specifically noted.

**Temporary Employees** – Individuals who work with the City pursuant to an agreement with an employment agency and who are employees of the agency and not the City are Temporary Employees. Individuals hired for a specific period of time or until the completion of a particular project are also considered Temporary Employees. Temporary Employees are not eligible for employee benefits, unless specifically noted.

**Contract Employees** – Contract employees are individuals hired pursuant to an individual written employment contract that governs their employment relationship with the City. Contract employees must abide by the guidelines in this handbook except where such guidelines are expressly contradicted by the terms of their employment contract with the City. The benefits, if any, for which a Contract Employee is eligible, shall be spelled out in the terms of the employment contract.

## **SUGGESTIONS AND IDEAS**

The City encourages suggestions by employees that improve the quality and level of service provided to our citizens and within City government. While it is recognized that not all suggestions can or will be implemented and that all suggestion must pass the litmus test of "cost vs. benefit", adoption of such improvements reflect positively on the employee and are considered to be integral to fully effective job performance.

## **OTHER PERSONNEL MATTERS**

An employment issue that is not specifically included in the handbook or any question which may arise relating to policies not expressly set out herein shall be resolved at the discretion of the Mayor and City Manager.

## **YOUR PAY AND PROGRESS**

### **STAFF COMPENSATION PLAN**

Position Title and Salary – The Staff compensation Plan as adopted by the City Council on April 13, 1998 is on file in the Clerk's office and is effective as of October 1, 1999. The Compensation Plan designates classes of positions and titles and establishes salary ranges for each classified staff position that is under the direction of the City Manager. The plan shall be administered by the City Manager in accordance with the appropriation for staff services as set out in the City budget adopted annually by the City Council. The annual compensation for an authorized full-time position shall be no less than the minimum nor exceed the maximum amount designated for the salary range to which the position is assigned, except that the City Council may approve the City Manager's recommendation for reclassification to a higher or lower salary range. The City Manager shall keep the City Council advised regarding the annual compensation for all employees.

Starting Salary – The starting salary for a staff employee shall normally be set at the entry level designated in the Compensation Plan for the particular position title. However, the City Council may assign a higher starting salary if it is determined that the applicant possesses superior qualifications in comparison to other applicants by virtue of past performance, experience, training and education. The City Council may assign a lower salary range if it determines that an applicant has potential for acceptable performance, but is in need of additional experience.

Consideration for Merit Salary Increase – Based on the Mayor and City Manager's continuing evaluation of staff performance, an employee may be considered quarterly for a possible merit pay increase. Merit pay increases are not awarded automatically each quarter without evidence of superior work performance. Merit increases may also be awarded upon a new employee's satisfactory completion of an Orientation Period. The City Manager shall determine the rate of merit pay increase. Examples of performance factors considered are initiative, attitude, and application of time, reliability, knowledge of work, quality and quantity of work, punctuality and attendance.

Exceptional Salary Increases – An employee who performs in an outstanding manner and whose work is well above expectations and vital to the City's continued successful operation may be considered at any time for special merit pay increase of an amount determined by the Mayor and City Manager within the assigned pay range. However, the total compensation for all staff employees shall not exceed the total appropriation for personnel services approved by the City Council.



Anniversary Date for Merit Pay Consideration – The anniversary date for merit pay consideration shall be their anniversary of joining the City service for all employees who have completed one or more years of service with the City. For staff members with less than twelve months service, a merit increase may be given at any time upon review and recommendation of the respective department head with the Mayor or City Manager's approval.

Advances – It is the policy of the City that there will be no advances against your pay.

### **RECORDING YOUR TIME**

All employees are required to complete a weekly time card accurately reporting all hours worked. All absences (including vacation, illness, accidents, death in the family, etc.) should be reported on the employee's time card. Each employee must sign his/her time card indicating that the time listed is correct.

### **PAYDAY**

Pay Period - Employees shall receive a salary payable each week, with paychecks being distributed on Friday morning. When the pay day falls on a holiday, employees normally will be paid on the last working day before the holiday. If there is an error in your paycheck, advise your supervisor immediately. Your check will not be given to another person unless you authorize it in writing.

Payroll Deductions – Federal and State laws require certain deductions from your earnings, including income withholding and social security taxes. No deductions, other than those legally required, will be made from your paycheck without your consent. You may authorize deductions for participation in medical, dental and other insurance plans.

Garnishments – Federal and State laws require the City to make deductions from your earnings to pay creditors who bring garnishment proceedings against you. Please protect your interests and good credit standing in the community by keeping your pay free from entanglements. Repeated garnishments may subject you to progressive discipline.

### **PERFORMANCE REVIEWS**

By observation and in consultation with departmental directors, the City Manager shall review the quality of performance of each employee annually. Each employee's job performance will be evaluated by his/her supervisor, department head or the City Manager depending on which one has the best first hand knowledge of such employee's performance. Such evaluation shall include consideration of accomplishments, strengths and weaknesses in consultation with the employee. The employee shall be informed about his/her progress or lack of progress, what improvements need to be made and the amount of merit increase, if any, that is justified by the

employee's quality of performance. Timing for the evaluation is typically quarterly; informal evaluation discussions may occur throughout the year.

At the time of your job performance review, you will have an opportunity to read your performance appraisal form and discuss your performance rating with you evaluator. You are encouraged to ask you evaluator questions you may have regarding your individual performance or performance standards. Your evaluation provides and opportunity for you and your supervisor to discuss your career goals. It also offers you the chance to discuss your feelings about your job. You are encouraged to bring questions, problems and matters regarding your job to the attention of your supervisor or to utilize the Grievance Procedure to appeal your performance review.

At the time of your performance evaluation, you will be asked to review and sign the performance evaluation form. Your signature on the performance evaluation form does not necessarily indicate agreement with the contents of that form but merely indicates that you have seen and understand the contents of that appeal.

## **YOUR EMPLOYMENT BENEFITS**

### **HOLIDAYS**

The City shall observe the following as holidays. When a holiday falls on Saturday the preceding Friday shall normally be observed, when a holiday falls on Sunday the following Monday shall normally be observed:

New Year's Day	Labor Day
Observance of Martin Luther King Jr.'s birthday*	Thanksgiving
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Eve
	Christmas Day

\*shall be observed on the day observed by the State of Georgia.

Should your schedule necessitate working a holiday, you may arrange with your supervisor to take a paid holiday at another time.

Leave for other holidays observed by an employee may be arranged via request for annual leave or personal leave without pay, if submitted and approved by the City Manager.

Holiday pay does not accrue or is not paid to an employee unless the individual is at work the days immediately before and immediately after the holiday. To be eligible to receive holiday pay, an employee must work the day before and after a holiday, unless taking a pre-approved vacation day.

## **ANNUAL LEAVE**

The City provides paid annual leave for all Full-Time employees who have completed 12 full months of service. Annual leave is paid at the employee's normal rate of pay. Annual leave cannot be accrued or carried over from year to year. In December of each year, an employee may request in writing "payment in lieu of time-off" for any unused annual leave, or the time will be lost on December 31 of each year. (Once payment in lieu of time-off has been requested and paid, the employee will not be eligible for any annual leave days off for the remainder of the year (with or without pay). It is the employee's responsibility to ensure that they will not need an annual leave day, prior to requesting payment in lieu of time-off).

New employee's annual leave will be pro-rated based on their start date, due to annual leave being calculated on the calendar year rather than anniversary date. **A new employee may not request annual leave until they have worked continually for an initial period of 12 months with the city.** The waiting period is necessary for orientation, training and evaluation purposes.

Annual leave may be used for any purpose. Requests for foreseeable leave should be submitted for approval to your supervisor in advance of your scheduled leave; whenever possible. This will ensure that the timing is mutually convenient for you, other employees, and the City. Consequently, it is advisable to make requests well in advance for popular periods (ex: school vacations).

In the event that two or more staff request leave for the same time or period, and all requests cannot be accommodated, the immediate supervisor will make a determination, taking into account individual circumstances and the time of application.

In the event of unforeseeable leave, as with any absence, an employee must call-in if he/she is unable to report to work.

Upon resignation or termination, any accrued but unused annual leave will be included in the employee's final pay calculation. An employee who resigns without giving a two week notice will not receive payment for accrued but unused annual leave. The following is the schedule for determining annual leave days earned:

1 to 3 years	.83 days per month (2 weeks)
4 to 7 years	1.25 days per month (3 weeks)
8 + years	1.67 days per month (4 weeks)

## **SICK LEAVE**

The City will continue normal compensation for any Full-Time employee with accrued sick leave. As with any absence an employee must call-in if he/she is unable to report to work due to injury or illness. All absences due to injury or illness must be accurately reflected on the employee's timecard. For an illness or injury that may extend beyond 10 days, see the sections in this handbook on Leave of Absence, Short-Term Disability plan and Medical Leave of Absence. Employees will be allowed to accumulate sick leave up to a maximum total of 20 days. At no time will an employee be allowed to exceed the 20 day maximum.

Sick leave will begin accumulating when a new employee begins employment with the City; however, **use of sick leave is not allowed until the employee has completed a total of 6 months employment.** The following is the schedule for determining sick leave days earned:

\*1.54 hours per week (10 days per year)

\*At any point in time, if the 1.54 hours per week will cause the employee's sick leave accrual to surpass the maximum 20 days, the hours will not be added. At such time the addition will not permit the hours to exceed 20 days sick leave; it will begin accruing again up to the 20 day maximum.

Evidence or abuse of Annual Leave or Sick Leave benefits may lead to disciplinary action up to and including dismissal.

## **SICK LEAVE DONATION PROGRAM** *(effective October 24, 2011)*

### **I. Eligibility**

A City of Grantville full-time employee who has completed 1,040 hours is eligible to receive transfers of sick leave time from other City employees where absences from work are required due to the serious illness or injury of one of the following people:

1. The employee;
2. The employee's dependents or the employee's spouse;
3. The employee's parents.

Employee's eligible for workers compensation **are not** eligible for the Sick Leave Donation Program. Eligibility for transfers will be effective only after the applicant has used all accrued sick leave, vacation time and compensatory time. Nothing in this policy will be construed to limit or extend the maximum allowable absence under the Family Medical Leave Act (FMLA).

## **II. Use of Donated Benefits**

**A.** All donated time will be transferred into the recipient's sick leave bank. Once transferred, such benefits may be used in accordance with the applicable sick leave, FMLA provisions, and City personnel policies.

**B.** The eligible employee must complete the "Sick Leave Donation Program Application" and the "Informed Consent for Release of Data" accompanied by the medical verification of the employee's illness. It is the requesting employee's responsibility to obtain medical verification on the "Employee Request for Sick Leave" and/or "Family Medical Leave Certification of Physician or Practitioner," whichever applies. Illness, prognosis, and expected date to return to work **must** be attached to the application and signed by the eligible employee's primary medical doctor. If donations are being received due to serious illness or injury of persons other than the employee themselves, the same forms must be completed.

**C.** Donations must be made in one (1) hour increments. For every one (1) hour of sick, vacation or compensatory time donated by the donor, the recipient will be credited with one (1) hour of sick leave. The pay levels of the two employees shall not affect the transaction.

**D.** All applications for donations will be reviewed by the City Manager to determine adherence to these guidelines.

## **III. Administration**

**A.** Properly completed and signed application forms should be returned to the Assistant City Clerk in the Administration Department. If the eligible employee is unable to sign their application for donations, a signature from a family member is required. If the application is not approved, notification will be sent to the employee and the employee's immediate supervisor of the reason for denial.

**B.** Once the "Donation Program for Serious Illness Application Form" has been approved, data concerning the donation shall be maintained by the Administration Department on a confidential basis. The Assistant City Clerk will process the approved donations through the accounting system.

**C.** Donors must indicate to whom and how much of their own sick leave they will donate within the parameters of this program. Donations are strictly voluntary. "Sick Leave Donation Forms" must be sent to the Assistant City Clerk in the Administration Department for processing. Employees who choose to voluntarily donate sick time must maintain a minimum balance of 24 hours of sick time in their account.

**D.** Once donated time has been transferred to the eligible employee, neither the donor nor the eligible employee may revoke the transaction. Unused sick leave shall not be returned to the donor but will remain in the eligible employee's sick leave bank.

**E.** A maximum of 1044 hours may be received by any eligible employee for each incident. Should the employee return to full duty, no additional donations will be allowed.

F. All donation forms shall be date-stamped when received in the Administration Department and shall be submitted in the order received. Donated time shall be available for use by the eligible employee only **after** the Administration Department has had an opportunity to verify and enter the required data.

### **JURY DUTY**

Should an employee be called for jury duty or subpoenaed as a witness, a paid leave of absence will be granted. The employee must notify their supervisor of their selection for jury duty or being subpoenaed, and provide a copy of the selection notice or subpoena. Employees are expected to make adequate arrangements for the continuation of their regular assignments while serving on a jury or as a witness. Employees required to attend court due to being charged with a crime are not eligible for this leave. Employees required to serve as jurors will only be paid the difference in their compensation for jury duty and their normal wages.

### **BEREAVEMENT LEAVE**

An employee requesting a leave of absence to attend the funeral of an immediate family member will receive time off with pay for up to three regularly scheduled work days. Arrangements for additional time off without pay as a personal leave of absence must be approved by the Mayor or the City Manager. The City understands that a death in the family can be a difficult time and we will make reasonable efforts to accommodate your leave request under these circumstances.

For the purpose of this policy, immediate family is defined as the employee's: Spouse, child, father, mother, brother, sister, grandparents or any of the above as they pertain to your spouse.

### **LEAVE OF ABSENCE**

Employees may receive a leave of absence without pay for good and sufficient personal reasons, and provided that no significant disruption to the City's activities will result. Each case will be considered individually. Requests for a leave of absence must be submitted in writing to the City Manager. A granted leave will be without compensation and benefits. Employees on a leave without pay may be required to make contributions for health, life insurance and retirement benefits. Employees on leave without pay will not lose any employment benefits or seniority accrued before the date on which leave commenced. An unpaid personal leave of absence, if approved, will be granted for a minimum of one (1) week or up to (30) days.

Requests for a leave of absence for other than military leave or Family and Medical Leave Act leave should be made with the full understanding that while we will make every effort to have a comparable position with comparable pay for you when you return from leave, we cannot guarantee that your same position will be available upon your return.

Reinstatement will be dependent upon an available opening for which you are qualified. If you do not report to work at the end of your personal leave of absence, you will be assumed to have voluntarily resigned.

### **FAMILY AND MEDICAL LEAVE ABSENCE**

Employees who are eligible for family and medical leave may take up to twelve (12) weeks of unpaid leave in a one (1) year period under the following circumstances:

- The birth of a child
- The placement of a child with the employee for adoption or foster care;
- To care for a family member of the employee with a serious health condition; or
- When the employee has a serious health condition which renders the employee unable to perform the functions of his or her job.

The one-year period is measured by looking at the twelve-month period immediately prior to the date on which leave is requested. Reduced or intermittent leave is available for the serious health condition of the employee or a family member when it is medically necessary. Employees on approved family or medical leave who accept other employment without the City's approval will be terminated. Upon a request for leave for one of the above reasons, the City may furnish the employee with more information about the conditions and procedures for utilizing Family and Medical Leave.

This policy is not a substitution for paid days off. You are required to use all accumulated paid days off while you are on family or medical leave.

Eligibility – There are two conditions that must both be met to be eligible for Family and Medical Leave.

- To be eligible, employees must work at a job site at which there are 50 or more employees. Employees are not eligible for leave if the aggregate number of employees employed by the City within a 75 mile radius of that job site is less than 50; AND
- To be eligible, an employee must have been employed by the City for at least twelve (12) months and must have worked a minimum of 1,250 hours during the previous 12-month period.

Procedures – If the leave is foreseeable then the employee must provide the City with notice thirty (30) days in advance. If leave is not foreseeable, then notice should be given as soon as possible. Notice must be given to the City Manager on the "Family and Medical Leave Request Form." An employee requesting leave for his or her own or a family member's serious health condition must provide the City with proper medical certification. If you intend to take such leave, contact the City Manager to get the appropriate request and certification forms.

Medical Certification – Certification for an employee's serious medical condition must include a statement that the employee is unable to perform the functions of his or her position.

Certification for leave to care for a family member with a serious medical condition must include an estimate of the amount of time the employee is needed to care for that family member. Both types of certification must include (a) the date on which the serious health condition commenced; (b) the probable duration of the condition; and (c) the appropriate medical facts within the knowledge of the health care provider about the condition. The City may require a second medical opinion, at its own expense. If the first and second opinions differ, the City, again at its own expense, may require the binding opinion of a third health care provider, approved jointly by the employee and the City. The City may also require periodic recertification. Certification forms must be completed and returned to the City Clerk fifteen (15) days after the request unless circumstances make this impossible.

**Benefits** – Employees will not lose any employment benefits or seniority accrued before the date on which leave commenced. Employees who take family or medical leave will normally be restored to the same or an equivalent position upon their return to work. Employees who take family or medical leave will continue to be responsible for paying their portion of health insurance premiums. The City Clerk will provide information on how this payment can be arranged. Failure to make timely payments may result in cancellation of the insurance coverage. Generally, when an employee does not return to work within or at the end of any leave period and remain at work for at least 30 days, the employee will be required to repay the portion of the insurance premium which was paid during the unpaid portion of the leave.

### **MILITARY LEAVE**

The City complies with all relevant state and federal laws concerning military leave obligations. Employees who have Reserve obligations or who are called to active duty should inform your supervisor as early as possible. Any employee, other than a temporary employee, who is a member of any force of the organized militia or of any reserve force or reserve component of the armed forces of the United States will be allowed leave of absence for ordered military duty without loss of pay for a period not exceeding a total of 18 calendar days in any one calendar year and not exceeding 18 calendar days in any one continuous period of absence. This means that if there is a difference between military pay for ordered military duty and employee's salary, the City will pay the difference between regular compensation and the amount received as base pay from military service. If the Governor declares an emergency or an employee is called to active duty from the National Guard, that employee shall be paid for up to 30 days in one year, not to exceed 30 consecutive days. All other military leave is unpaid. An employee may elect to take annual leave instead of time off without pay for unpaid military leave. Time during which an employee is on ordered military duty shall not constitute an interruption of continuous employment. No employee shall be subjected directly or indirectly to any loss or diminution of time, service, increment, vacation, holiday privileges, or any other right or privilege by reason of such absence or be prejudiced with reference to continuance in employment, reemployment, reinstatement, transfer, or promotion by reason of such absence.



### **TIME OFF TO VOTE**

Employees are permitted time off to vote in any municipal, county, state or federal political party primary or election for which such employee is qualified and registered to vote on the day on which such primary or election is held. The time taken off to vote must not exceed two hours, is unpaid leave and is permitted only if your supervisor is informed at least one (1) working day in advance that an individual plans to take time off to vote. The City may specify the hours during which the employee may be absent from work to vote. If the polls open at least two hours before the employee is scheduled to arrive at work or the polls close two hours after the employee is scheduled to leave work, then time off to vote is not allowed.

### **SEVERE WEATHER**

Under certain adverse weather conditions and other circumstances recognized by the City, the City may grant unpaid time off. These instances occur on a case by case basis and the City reserves the right to authorize time off on a discretionary basis. In questionable instances of adverse or inclement weather, employees should first call into the office.

## **ON THE JOB**

### **WORKING HOURS**

The City's workweek runs from Monday through Friday, with normal operating hours scheduled from 8:00 a.m. – 5:00 p.m. The normal daily work schedule for employees consists of an eight-hour day within a 24-hour period. Business requirements may require some employees to work outside of their normal schedule. Managers and supervisors will try to inform employees well in advance of any such requirement.

All employees considered "non-exempt" under the Fair Labor Standards Act will be paid at the rate of time and one-half (1 ½ times their regular rate of pay) for all hours worked in excess of 40 in one week. Unscheduled absences or time off for sickness, emergencies, or other personal reasons will not be considered hours worked for overtime purposes. Non-exempt employees who work on City recognized holidays will be paid their regular rate for the extra hours worked in addition to their holiday pay. However, no "pyramiding" of paid holiday work time (included in weekly overtime computation) is allowed.

Non-exempt employees are responsible for reporting any overtime hours worked so that the proper compensation amount can be calculated. Alternatively, in lieu of overtime, compensatory time may be accrued in the same manner as overtime.

Employees considered "exempt" under the Fair Labor Standards Act will not be paid for overtime or hours worked in excess of 40 hours per week.

Employees who falsify their own or others time cards will be subject to severe disciplinary action up to and including dismissal.

### **ATTENDANCE AND PUNCTUALITY**

Each employee is important to their department and the City. It is essential that employees report for work on a punctual basis. It should be recognized that absence affects our overall efficiency and places additional requirements on fellow employees.

If an employee must be absent, it is their responsibility to make advance arrangements with their supervisor. This may entail submission of a written request for leave or, in an emergency or illness, a call to your supervisor.

If an emergency is likely to cause you to be late in arriving for work, you are expected to telephone your supervisor and give the expected time of your arrival. When circumstances prevent you from coming to work or reporting to work on time, you should notify your supervisor within one hour of your regular starting time. If you are physically incapacitated, you should have a family member or someone else call in for you; otherwise, you are expected to discuss your problem directly with your supervisor. If you are unable to reach your supervisor, you should talk with the City Clerk. Information passed through a friend or fellow employee will not be considered adequate notice.

You are expected to report in every day you are absent unless you have been placed on an approved leave of absence. Failure to report in for any reason may be considered an unexcused absence and repetition may lead to termination of employment. Continued tardiness or other patterns of irregular attendance will be handled in a similar fashion. Attendance is considered a measure of dependability and is taken into consideration in the selection of employees for transfer or promotion.

### **BULLETIN BOARDS/SOLICITATION & DISTRIBUTION**

Bulletin Boards are provided for official City business, announcements, holiday notices, job openings, policies and procedures. Employees should periodically check the boards for new announcements. Bulletin boards shall not post commercial or political advertising or any other activity, meetings or announcements unless sponsored by the City.

The City prohibits all solicitation for contributions, memberships in clubs or organizations, signatures for petitions or the sale of consumer products, or other outside business when the employee soliciting or being solicited is supposed to be working. Distribution of literature or employees is prohibited at all times in the work area.

Non-employees may not solicit for any purpose or engage in distribution of any literature or commercial goods of any kind in work areas.

## **EMPLOYEE PERSONNEL RECORDS**

The City retains employment records for all employees in the designated administrative office. The City requires employees to keep their employment history current by submitting notice of change of address, telephone number, educational status, marital and benefit status, etc. immediately. Notice of change should be submitted to the City Clerk on the status change form provided.

## **EMPLOYMENT CHECKS, REFERENCES AND RECOMMENDATIONS**

All inquiries regarding employment opportunities or about former or present employees must be referred to the City Clerk. This includes unemployment claims, verification of employment, loan verification, requests for disability insurance information, reference checks etc. should the employee wish the City to release any or all information to an outside party for such purposes as loan approvals or reference checks, the employee must first inform the City Clerk in writing and sign an "Authorization for Release of Personal Data".

The confidential nature of all personnel histories cannot be over-emphasized. Unauthorized disclosure of personnel history of any other employee may result in action up to and including termination of the employee(s) involved in the disclosure.

## **DRUG TESTING**

Mandatory drug testing is performed on all new hires, before promotions are given, for any employee that operates heavy equipment and after any employee is involved in any accident involving city equipment.

*(Effective 10.28.13)*

## **CONFLICTS OF INTEREST**

The City recognizes the problem of conflicts of interest in the work place and believes the City has a legitimate right to know of possible conflicts between an employee's own interest and those of the City.

Personal activities or involvement from which personal benefit or obligation may potentially result should be avoided as it may create or appear to create a conflict with your responsibility and loyalty to the City. Before accepting any gifts, gratuities or other things of value from any co-employees, or organizations or individuals with or seeking official relationships with the City, you should first contact your Department Director. Prior to engaging in any outside employment, an employee must obtain approval from his/her Department Director. Failure to comply with this policy may result in discipline up to and including immediate discharge.

The protection of the City's interests requires that each employee be free of any material investment, association, or other relationship that could conflict with their responsibility to

act objectively in matters that affect the City. Our policy requires that each employee disclose any potential conflict of interest to the City. Further, it is also your continuing obligation as an employee to observe the requirements of this policy at all times.

Each employee should provide, in writing, a description of any potential conflict of interest to his/her Department Director and City Manager for inclusion in their respective personnel history file.

### **CONFIDENTIAL MATTERS**

Upon employment with the City and as a condition of continuing employment, the City requires that all employees (including temporary employees) agree to protect the confidential affairs of the City. Disclosure of confidential information is prohibited and may result in disciplinary action up to and including immediate discharge. Unauthorized disclosure of another employee's payroll or medical information may lead to action up to and including termination of the employee(s) involved. It is the City's policy not to discuss payroll, personnel or related issues with spouses of employees. Any inquiries should be made directly by the employee.

The City also requires that employees not disclose to anyone, other than authorized City representatives, any information which has not been cleared for public disclosure, released to the news media, published in a newsletter, or otherwise approved for general distribution. No information, records, or material concerning the City may be used, released or discussed with anyone outside the office or with other employees without the authorization of the City Clerk, and all open records requests should be directed to the City Manager and the City Attorney. Violation of this policy may result in immediate discharge and may result in civil and criminal liability.

### **POLITICAL ACTIVITY**

No employee shall be permitted to solicit funds for political or partisan purposes during working hours, use any supplies or equipment of the City for political purposes or be a candidate for or accept appointment to any municipal political office while employed by the City. This shall not be interpreted to prohibit any employee from engaging in political campaigning on the employee's off-duty time.

## **EMPLOYMENT OF RELATIVES**

In recognizing that there are situations where romantic, familial or other personal relationships between employees can adversely impact the conduct of the City's activities, the City has a policy perspective on such relationships.

Basically, the City recognizes the right of individuals to privacy in their personal relationships and the City will only involve itself where such relationships have the potential to impact the City's activities.

It is not possible to outline all scenarios which would cause concern to the City, but some of the more obvious include:

- Where one employee has access to sensitive, confidential information or to information not generally available to all employees.
- Where one employee is a manager or supervisor of the other involved employee.

The City will treat any situations of this nature on a case-by-case basis. However, employees should be aware in advance that a likely outcome of such relationships is that one of the employees involved may have to terminate employment to avoid potential adverse impact on the City's activities.

## **DRESS CODE**

Employees are expected to maintain the highest standards of personal cleanliness and present neat, professional appearance at all time. Our professional image is an important aspect of our organization. Whether or not your job responsibilities place you in direct contact with City officials, state officials, legislators or the public, you represent the City with your appearance as well as your actions. The properly attired man or woman helps to create a favorable image for the City. Situations in which inappropriate attire is worn and/or any exceptions to the dress code will be addressed by the employee's Department Director in consultation with the City Manager or Mayor. Employees who are improperly attired may be required to leave work to change their attire. Employees will not be compensated for the time they are away from work to change improper attire.

## **Uniforms**

At some point during your employment with the City, you may be issued a uniform to wear during working hours. Should the City issue uniforms for employees, it will be the requirement that the uniform MUST be worn each and every day while performing work for the City or while representing the City in any way. Employees arriving at the beginning of the work day not wearing a uniform will be required to immediately return home to retrieve it; and the employee will not be compensated for the time they are away from work to change into the uniform.

## **STANDARD OF CONDUCT**

The City endeavors to employ responsible individuals and believes that the vast majority of employees are responsible citizens who understand and respect the rights and property of their fellow employees and that of the City. However, when large groups work together, reasonable rules are necessary for the orderly conduct of the operation. To this end, the City has in effect and will establish from time to time such reasonable rules as it considers necessary to ensure the orderly and efficient conduct of its business, to assure the safety of its employees and property, and to comply with applicable laws. During working hours employees are expected to comply with rules established by the City. Failure to do so may result in discharge or other appropriate disciplinary measures.

The violation of any of these rules will result in disciplinary action ranging from an oral correction to discharge:

- Habitual tardiness or absenteeism
- Failure to report immediately to the supervisor any job-related accident or injury or unsafe working condition
- Failure to report an off-the-job accident or injury which may affect the performance of your job.
- Smoking in restricted areas
- Gambling during work or on City property
- Working on personal business or projects on City time
- Creating or contributing to unsanitary or disorderly housekeeping conditions
- Failing to notify the City promptly when you will be absent from work or late to work
- Soliciting employees while either the person being solicited or the person doing the soliciting is on work time. This applies to selling of any type; solicitation of memberships, pledges, or subscriptions; circulating petitions; or collecting money
- Conduct which endangers you or another employee
- Unauthorized use of City tools, equipment, telephones or other City property
- Failure to use safety equipment required by the City or to comply with safety rules
- Distribution of literature or printed material of any kind in the work area or during work time or posting or removing notices, signs or other written materials

- Remaining on or coming onto City work premises during off-duty hours for purposes other than to work without advance approval (Employees may report early and/or leave late due to transportation arrangements)
- Sleeping, loafing on the job, engaging in horseplay, throwing anything that may harm another, playing jokes or otherwise distracting or startling others, acting in a disorderly manner or being away from your work station unnecessarily
- Refusal or failure to carry out instructions fully or to perform work assignments as required by supervisory personnel
- Gross negligence or abuse resulting in the damage or destruction of tools, machinery, equipment, products, materials, or other property belonging to the City or to others
- Removing City property from your work site without written authorization
- Operating or tampering with City equipment which you have not been authorized to use or repair
- Restricting work production, encouraging or persuading others to restrict work production or supporting an interruption of work

The First Violation of the Following may result in immediate discharge

- Obtaining materials or tools on fraudulent orders or misrepresentations
- Bringing and/or consuming alcohol, drugs, or narcotics at work or working on the job under the influence of alcohol, drugs or narcotics. From time to time there may be City-sponsored events where alcoholic beverages may be served and employees are expected to conduct themselves in an orderly manner
- Carrying explosives or unauthorized weapons on a worksite
- Deliberate action causing damage or destruction or waste of tools, machinery, equipment, product, materials or other property belonging to the City, a City official or a fellow worker
- Giving false information in making application for employment or pursuant to any City inquiry or investigation
- Immoral or indecent conduct on a work site, including abusive or threatening language to any employee and the making of false or malicious statements or defaming another employee, City official or the City
- Fighting or attempting bodily injury to others on a work site except in clear cases of self-defense

- Stealing or hiding any property of other employees, persons, City officials or the City
- Failure to return to work from an authorized leave-of absence
- Being absent three (3) consecutive days without calling in
- Divulging confidential information to an unauthorized person or making any disclosure of confidential information regarding the City to any person, agency, publication, radio or television station without authorization from the City. (See confidential information)
- Abusive conduct toward a fellow employee, City official or member of the public

Please remember these are only examples of violations which may result in disciplinary action or immediate discharge. Other situations of a similar nature may arise and these too may result in various degrees of discipline or discharge.

### **DISCIPLINE PROCEURES**

Your supervisor is responsible for ensuring that City policies, procedures and rules are followed and for taking disciplinary action when the rules are not observed. Disciplinary action taken depends on the severity of the violation as stated under the section on Standards of Conduct. Disciplinary actions generally follow a progressive disciplinary process. This process includes an Oral Correction for a first violation of the Standards of Conduct, a Written Warning for the second violation, a Final Notice for the third violation, and Termination for the fourth offense. Disciplinary actions for violations of the City rules are compounded while the discipline is in effect. For example, a Written Warning for excessive absenteeism, followed by an act of insubordination would result in a Final Notice. Disciplinary Action is generally in effect for a rolling one-year period. This means that if a Written Warning is given in February, a violation in July of that same year will result in a Final Notice. However, if a Written Warning is given in February and another violation does not occur until after February of the following year, the original Written Warning will not result in a Final Notice for the subsequent violation. Note, however that discipline may be accelerated and an employee may be terminated for a first violation depending on the severity of the conduct. In addition, all employees of the City are employees at will and this policy is not intended to change that relationship.

To ensure consistent treatment, all disciplinary action is subject to review pursuant to the Grievance Procedure. Should an employee feel that he/she has been disciplined unjustly or too harshly, the employee may follow the Grievance Procedure stated in this handbook to appeal such discipline.

The Mayor or City Manager may demote, suspend, dismiss or lay off employees with or without cause, as all employment with the City is at-will and no right to expected continuation of employment exists.



## **GRIEVANCE PROCEDURES**

Good communications with all employees is desired. A healthy organization requires that employees freely and openly discuss problems with their supervisors and management.

The City is no different than any other company in that occasional mistakes and/or misunderstandings will inevitably occur. When a problem arises, employees are encouraged to come forward and discuss their views with their supervisor. In most situations, employees can receive a timely answer from their supervisors.

If there is a problem, please discuss the matter with your supervisor first. If you are not satisfied with the response from your supervisor, you should indicate your concerns in writing and submit them to your supervisor. Generally, your supervisor will respond within five working days if your supervisor is in the office during that time. If your supervisor's written response is not satisfactory, then you should submit an appeal of your supervisor's action or determination in writing to your Department Director within ten working days of receiving your supervisor's response. The Department Director may investigate the matter independently and will try to inform you in writing of his/her determination within ten working days if he/she is in the office during that time. If you remain unsatisfied with the response you have received, you should submit a written appeal to the City Manager within ten working days of receiving your department head's response. If the response you receive from the City Manager is not satisfactory, you may request a meeting with the Mayor, City Manager, your Department Director and your supervisor to discuss your concerns.

We encourage employees to use this procedure when, from time to time, they have complaints or misunderstandings regarding any employment practice, including performance reviews and payroll issues.

## **SMOKING IN THE WORKPLACE**

The City is committed to providing a safe and healthy environment for its employees, City officials and visitors. For this reason, smoking is permitted only in designated smoking areas. Designated smoking areas are noted as areas outside the Glanton Municipal Complex building and the Employee break room only.

## **DRUG AND ALCOHOL POLICY**

A drug-free workplace is necessary to maintain a safe and productive workplace. Therefore, the use, presence in the body, manufacture, sale, distribution, or possession of drugs by employees while working or while present in work areas is prohibited.

Over-the-counter drugs and drugs prescribed by a physician for an employee's personal use in quantities not exceeding specified dosage are not subject to this policy. Employees using medication prescribed by a physician or using over-the-counter drugs are responsible for reading the warning labels, consulting with their physician, or otherwise knowing any potential effect such drugs might have on their ability to perform their jobs and, if impairment is possible, to report such use to their supervisor prior to working.

The use, sale, distribution or possession of alcohol by employees; while working or while present in work areas, or working while under the influence of alcohol is prohibited. From time to time there may be City-sponsored events where alcoholic beverages may be served and employees are expected to conduct themselves in an orderly manner.

In compliance with state law, if an employee notified the City Manager of a drug problem and agrees to attend an approved treatment program, that employee will not be terminated solely for the drug dependence for one year if the employee adheres to the treatment program. This option is available only one time during any five-year period. This policy does not prevent the restructuring of an employee's duties to take the drug dependence into account.

In compliance with state law, following a first conviction for the manufacture, distribution, sale or possession of drugs, an employee shall be suspended for two months and the employee must attend an approved drug abuse treatment and education program. Following a second such conviction, the employee shall be terminated and shall be ineligible for public employment for five years.

The Federal Drug-Free Workplace Act applies to all federal grant recipients and all employers with federal procurement contracts of \$25,000 or more and requires that covered employers certify to the federal government that they do the following:

- Publish a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the employer's workplace and specifying the actions that will be taken against employees for violations;
- Notify employees in this same statement that, as a condition of employment, the employee must abide by the terms of the statement and notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction;

- Establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the employer's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs and the penalties that may be imposed on employees for drug abuse violations;
- Require that each employee involved in federal work be given a copy of the employer's drug-free workplace statement;
- Notify the granting agency within 10 days after receiving notice of an employee's conviction under any criminal drug statute conviction for a violation occurring in the workplace;
- Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee convicted under any criminal drug statute conviction for a violation occurring in the workplace; and
- Making a good faith effort to continue to maintain a drug-free workplace

### **GENERAL SAFETY RULES AND HAZARD COMMUNICATION**

The City makes every reasonable effort to provide and maintain safe working conditions and information regarding chemical hazards. You are expected to cooperate by working in a safe manner and encouraging others to work in a safe manner to prevent accidents. You have a special obligation to report immediately any unsafe condition that might result in an accident to you, your co-workers or the public. All such reports should be given to the City Manager.

Security of City premises is a responsibility shared by all employees. City property and personal property should be safeguarded by the exercise of prudence and caution at all times. When leaving work, check your work area to make sure that City and personal property are appropriately secured.

You should practice safety on the job, at home, driving, or wherever you may be. Injuries are not only painful but may mean loss of earnings as well. Please inform us of any unsafe conditions.

### **General Safe Practices**

- Smoke only in designated areas and nowhere else
- Avoid all horseplay
- Practice good housekeeping. Each person is responsible for good housekeeping in his/her own work area
- Use, adjust and repair equipment only when authorized by your supervisor. Treat all electrical wires as live until proven otherwise
- Bend your knees when lifting and get help for heavy loads
- Don't guess – when in doubt ask
- Never handle any chemical unless you are trained to do so
- Ensure that all containers of hazardous chemicals are properly labeled
- Know where Material Safety Data Sheets are maintained and review them periodically. Report accidents or injuries or unsafe conditions immediately

### **Fire Prevention**

Fire is a common enemy. You have a personal responsibility to protect City facilities from damage by fire. Preventing a fire by reducing hazards is much easier than putting out a fire. A fire could cause the City serious financial loss and loss of work and pay for all employees. We need your cooperation to help eliminate any and all fire hazards. Report any fire promptly. Do not empty ashtrays into wastebaskets.

### **First Aid**

If you are injured, report immediately to your supervisor or the City Clerk.

### **GOOD HOUSEKEEPING**

Good Housekeeping not only improves the appearance of our workplace, but it also helps prevent fires, accidents and personal injury. Clear work areas, machines and floors also enable us to maintain a high standard of quality and efficiency in our work.

At the end of the workday, please straighten your work area, secure confidential materials and turn off any lights at your workstation.

## **TRAVEL EXPENSE POLICY**

### **Travel Expense Statement**

The claims of employees or reimbursement of actual travel expenses while traveling on official business of the City shall be submitted on a travel expense statement approved by the City Clerk before reimbursement is made. All actual travel expense shall be verified by receipts.

### **Reimbursable Expenses**

Any employee of the City shall be reimbursed for the following business related expenses:

- **Transportation**

Transportation by common carrier shall be reimbursed at the actual amount expended for such transportation

Travel by private automobile shall be reimbursed at the approved rate. This rate is subject to change. Employees shall be informed of any rate change upon its effective date. The travel expense statement shall include the date, purpose, actual mileage and destination of each trip. An employee shall be reimbursed only for travel related to the purpose of the trip. Any travel incidental to a business trip shall also be included in the total number of miles traveled. No reimbursement shall be allowed for any employee receiving a car allowance.

\*When an employee is reimbursed for travel by mileage at the approved rate, there will be no allowance for motor fuel in addition to the mileage reimbursement.

- **Subsistence**

Expenses incurred for personal meals shall be reimbursed. Reasonable charges for room service shall be reimbursed.

- **Hotel**

Expenses incurred for lodging shall be reimbursed. The City shall pay single occupancy. Any additional cost incurred to upgrade shall be paid by the employee.

- **Miscellaneous**

Tips, parking and toll fees, telephone, telegraph charges, etc. shall be reimbursed to an employee traveling on City business.

## **RESIGNATION AND TERMINATION**

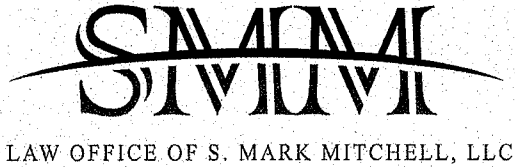
Employees who voluntarily resign from employment are expected to give two weeks notice and, employees who do not provide two weeks written notice of their intent to resign and employees with less than one year of service with the City will not receive payment for accrued unused personal leave.

Employees who are terminated will receive payment for any unused accrued personal leave.

Employees who are terminated will not be eligible for re-hire.

**Revisions:**

*October 8, 2012 – Sick Leave Donation Program (effective October 24, 2011)*  
*October 28, 2013 – Drug Testing (effective October 28, 2013)*



Monday, January 10, 2022

Robert Royce  
36 Hill Top Circle  
Grantville, GA 30220

RE: City of Grantville, Georgia- Open Records Request

Dear Mr. Royce:

I represent the City of Grantville, Georgia, and your request pursuant to the Georgia Open Records Act (O.C.G.A. § 50-18-70 *et seq*) for “1) Copy of any and all emails City Attorney Mark Mitchell, while acting in the capacity of City Attorney, sent to or received from District Attorney Cranford on December 21, 2021 between 10:10 am and 6:18 pm” has been forwarded to me for response.

In response to your request, all responsive public records are enclosed.

If you have any questions or need any additional information, please do not hesitate to contact me.

With best regards, I remain

Yours very truly,

S. Mark Mitchell

Enclosure

cc: Robi Higgins, City Clerk

37 Calumet Parkway  
Suite F-103  
Newnan, Georgia 30263

Phone: 770.800.2327  
Facsimile: 770.847.7326  
**MARKMITCHELLLAW.COM**



## Mark Mitchell

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**From:** Herb Cranford <hcranford@pacga.org>  
**Sent:** Tuesday, December 21, 2021 10:21 AM  
**To:** Mark Mitchell  
**Subject:** FW: Grantville Evidence Issue  
**Attachments:** OPEN RECORDS REQUEST EVIDENCE PROPERTY LOGS.pdf; OPEN RECORDS REQUEST EVIDENCE ROOM LOGS.pdf; COWETA COUNTY COMMUNICATION RESPONSE CASE NUMBERS.pdf; CITY REPSONSE SUPERIOR COURT APPILCATION NO RECORDS ON FILE.pdf

Mark,

I received the below email and the four attachments from Robert Royce. There is nothing here that raises an articulable reasonable suspicion that a crime has occurred, so I will not be requesting any law enforcement agency conduct an investigation. However, it occurred to me to make you as city attorney aware of OCGA 17-5-54, which governs the disposition of property by a law enforcement agency. My understanding is that a rightful property owner could have a civil cause of action against a municipality if property were disposed of contrary to this code section. The only reference I could find to a criminal violation of law regarding the disposal of property in the possession of a law enforcement agency is OCGA 17-5-54(h) which cites to OCGA 50-18-102(c), which essentially makes it a misdemeanor to alter/steal/destroy any records relating to the acquisition or disposition of firearms. I've quoted both code sections below for your reference.

OCGA 17-5-54(h) Records shall be maintained showing the manner in which each personal property item came into possession of the law enforcement agency, a description of the property, all efforts to locate the owner, any case or docket number, the date of publication of any newspaper notices, and the date on which the property was retained by the law enforcement agency, sold, or discarded. All agencies subject to the provisions of this Code section shall keep **records of the firearms** acquired and disposed of as provided by this Code section as well as records of the proceeds of the sales thereof and the disbursement of such proceeds in accordance with records retention schedules adopted in accordance with Article 5 of Chapter 18 of Title 50, the "Georgia Records Act." (my emphasis added)

OCGA 50-18-102(c) The alienation, alteration, theft, or destruction of records by any person or persons in a manner not authorized by an applicable retention schedule is a misdemeanor.

Sincerely,

Herb Cranford  
District Attorney  
Coweta Judicial Circuit  
Coweta County Justice Center  
72 Greenville St.  
Newnan, GA 30263  
770-254-7300  
[hcranford@pacga.org](mailto:hcranford@pacga.org)  
[www.dacowetacircuit.org](http://www.dacowetacircuit.org)





*"Justice, Honor, Humility"*

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**From:** Robert Royce <robertroyce@protonmail.com>  
**Sent:** Monday, December 20, 2021 4:49 PM  
**To:** Herb Cranford <hcranford@pacga.org>  
**Subject:** Grantville Evidence Issue

Mr. Cranford,

On December 3, 2021, I submitted an Open Records Act request to the City of Grantville requesting a copy of the Police Department's evidence / property logs (see attached). I then expanded my request with an additional Open Records Act submission (see attached).

On or about December 15, 2021, I received a partial compliance (evidence logged in but not evidence removed from the evidence room) for my request (see attached). I noticed the entries on page 2 were very limited as compared to page 1 when Investigator Ethridge was controlling the evidence room. On page 2 is when Chief Whitlock took over the evidence logs. A visual inspection shows obviously something wrong. I then checked and noticed the evidence I had submitted back in early July (which I have a receipt from Investigator Ethridge - thumb drive and documents) were never logged into the evidence room. If my high profile "accusation" evidence never made it what about other evidence.

On December 15, 2021, I submitted an Open Records Act request to Coweta County Communication Center for all case numbers issued to Grantville Police Officers on the dates there was no entry in the evidence log.

On December 16, 2021, I received a list of about 200 case numbers issued to Grantville Police Officers. That request only covered all the dates between April 6, 2021 to November 30, 2021 when Whitlock controlled the log(see attached) One point of interest is that Investigator Ethridge's log entries covered the winter months and Whitlock's entries covered the summer months which normally generates more police activity. During the time Whitlock was in control of the logs from April 6, 2021 to November 30, 2021 there were only 6 entries of evidence being logged into the evidence room out of 200 case numbers issued.

I think both of us can agree that does not add up.

I don't know how this can be explained, but I would hope Grantville is not keeping two sets of evidence logs and other documents associated with evidence and failing to log some evidence.

It is my understanding (I could be wrong) that before evidence can be destroyed, sold or retained for agency use a Superior Court Judge needs to approve the activity through a submitted written request by the agency. Former Grantville Police Officer

Jon McIntyre stated to me he witnessed Chief Whitlock and Officer Terri Moultrie "cleaning out" the evidence room this past summer. The city has no records of the police department submitting a request to the Superior Court and they do not have any records of the Superior Court authorizing evidence destruction or any sort of permanent removal (see attached). I can't say if evidence was destroyed this past summer when the evidence room was "cleaned out". I never asked Mr. McIntyre about that issue.

Respectfully submitted,

Robert Royce