



CALL TO ORDER

INVOCATION

READING OF MINUTES

- A. Minutes from Special Called Meeting on December 10, 2024
- B. Minutes from Regular Meeting on December 10, 2024

ELECTION OF MAYOR PRO TEM

APPOINTMENT OF CITY OFFICIALS

- C. Department Heads
City Attorney
Municipal Court Judge (2-year term)
Municipal Court Judge Pro Tem (2-year term)
Municipal Court Solicitor
Municipal Public Defender

REPORTS OF BOARDS AND COMMISSIONS

- D. 1 Appointment - Housing Authority, 5-year term
- E. 2 Appointments - Planning Commission, 3-year terms
- F. 1 Appointment - Tree/Parks Commission, 3-year term
- G. 1 Appointment - Water & Light Commission, 3-year term
- H. 1 Appointment - Urban Redevelopment Agency, interim term

REPORTS ON OPERATIONS BY CITY MANAGER

- I. Schedule City Floating Holiday for 2025

REPORTS AND COMMUNICATIONS FROM MAYOR

NEW BUSINESS

- J. Consideration of an Ordinance to Provide for the Adoption of a Budget, Its Execution and Effect for the Fiscal Year Beginning January 1, 2025 and Ending December 31, 2025

- K. Consideration of a Resolution to Amend the 2025 Pay Plan
- L. Consideration of a Resolution to Amend Personnel Policy Manual
- M. Consideration of an Amendment to Chapter 13, Municipal Court Ordinance
- N. Consideration of a Resolution Setting the Qualifying Fees for the November 4, 2025 General Election
- O. Consideration of a Contract Award for Custodial Care and Cleaning Services for Various City Facilities
- P. Consideration of a 180-day Postponement of the Arbitration Proceedings in the Annexation Request of Sidney Pope Farms

UNFINISHED BUSINESS

- Q. Consideration of Application for Alcohol Beverage License - Tequilas Taqueria Bar and Grill, LLC - Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine - 11 Spence Ave. - Reason: New Owner
- R. Consideration of a Joint Resolution to Dissolve the Hospital Authority of the City of Newnan

VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS

MOTION TO ENTER INTO EXECUTIVE SESSION

- S. Motion to Enter into Executive Session

ADJOURNMENT

CITY OF NEWNAN, GEORGIA
SPECIAL CALLED MEETING
2024

DECEMBER 10,

The special called work session of the City Council of the City of Newnan, Georgia was held on Tuesday, December 10, 2024 at 6:00PM in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

Present

Mayor Keith Brady: Council members present: Ray DuBose, Rhodes Shell, Cynthia Jenkins, Jim Thomasson, Dustin Koritko, Paul Guillaume. Also present: City Manager, Cleatus Phillips; Assistant City Manager, Hasco Craver; Assistant City Manager, Meg Kelsey; City Clerk, Megan Shea and City Attorney, Brad Sears.

Call to Order

Mayor Brady called the meeting to order and delivered the invocation.

A. Public Hearing – FY2025 Budget

Mayor Brady opened the public hearing.

Meg Kelsey, Assistant City Manager, started by congratulating the city on receiving its 35th Distinguished Budget Award for 2024. She explained there was one change to the budget since the books went out and that was an added position in Municipal Court, which is due to some recent legislative changes. She then gave a breakdown of the budget, looking at different funds, expenses and challenges.

Ms. Kelsey explained that when looking at all funds combined, there was an increase of 9.7% from 2024 and the majority of that is from SPLOST. SPLOST 2019 is ending at the end of 2024 and there are still funds there to be expended.

One of the budget challenges is property taxes and the recent HB581 that was passed, that freezes property taxes. Council will need to make decisions on how to address that. Other budget challenges include a decrease in LOST distribution, declining sales receipts, costs of goods and services and budgeting for benefits.

The General Fund is the major fund, and it has seen increases of 39% from 2020 to 2025. Next year is budgeted for only a 3% increase. The budget is balanced, and no reserves were used to balance it. The trends show conservative budgeting. Top revenue sources are sales taxes, LOST and property taxes. There is flat growth with sales tax and 0.37% growth with property tax. Declines in LOST were mostly seen in the summer months and the hope is to hit 0.81% by the end of the year.

House Bill 581 was approved by voters in November 2024 and will cap property assessments on the previous year. Council will have to decide how to address the short fall. Two options are either to vote out of the cap, which would require a resolution, and three public hearings or establish an additional 1% Sales Tax, which would require a local referendum.

Looking at trends of expenses, there were a few years that exceeded budget. In 2022 this was due to the tornado and Caldwell Tanks demo, in 2023 there were parking improvements and purchase of the Sanitation building and then in 2024 there was additional street paving and salary adjustments. Most expenses go to public safety. The biggest expense is wages and benefits. There are 305 full-time employees, 13 part-time and 7 elected officials. The salary increase is proposed at 3% for all employees and changing the pay scales by 2%.

Major operating expenses include contractual services, repairs and maintenance, professional services and vehicle maintenance. There are slight increases in gasoline and liability insurance and there was a decrease made in the transfer to the sanitation fund.

One of the other biggest funds is Sanitation and there is a 3% increase in that. The garbage fees go to AmWaste and the City retains the admin fee and yard debris/bulk fees. There is also the commercial downtown service that is a small portion of the revenue. The expenses are mostly personnel.

Other major funds include SPLOST 2019, which will be primarily street improvements. SPLOST 2025 collections will begin January 1st and receipts are estimated at \$9.2 million. Projects with SPLOST 2025 include several park projects, cemetery master plan, street improvements and network upgrades. ARPA funds were \$15.5 million and 83% has been expensed, mostly on drainage projects and housing.

There are some grant funds budgeted, NSP1 and NSP3, which assist in purchasing abandoned and foreclosed properties. These are mostly pass through funds that go to the Housing Authority and Habitat for Humanity. Then there is \$4.6 mill grant from Economic Development Initiative for housing.

Other minor funds include the Impact Fee Fund, Hotel/Motel Tax Fund and Street Improvement Fund from LMIG and Rental Motor Vehicle Excise Tax Fund.

Significant capital projects include the roundabout at Newnan Crossing Blvd/Stillwood, paving of various streets, replacement of various culverts, Lower Fayetteville Rd. Project and then several parks' projects including additional pickleball courts, Bi-Centennial Park, LINC extensions, parking at Lynch Park and stage improvements at Greenville St. Park.

No one spoke. Mayor Brady closed the public hearing.

ADJOURNMENT

Motion by Councilman Shell, seconded by Councilman Thomasson to adjourn the meeting at 6:26PM.

MOTION CARRIED. (7-0)

Megan Shea, City Clerk

Keith Brady, Mayor

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, December 10, 2024 at 6:30 p.m. in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

CALL TO ORDER

Mayor Brady called the meeting to order and delivered the invocation.

PRESENT

Mayor Keith Brady: Council members present: Ray DuBose, Jim Thomasson, Rhodes Shell, Cynthia Jenkins, Paul Guillaume and Dustin Koritko. Also present: City Manager, Cleatus Phillips; Assistant City Manager, Hasco Craver; Assistant City Manager, Meg Kelsey; City Clerk, Megan Shea and City Attorney, Brad Sears.

READING OF MINUTES

A. Minutes from the Regular Meeting on November 26, 2024

Motion by Councilman DuBose, seconded by Councilman Koritko to dispense with the reading of the minutes of the Regular Council Meeting on November 26, 2024 and adopt them as presented.

MOTION CARRIED. (7-0)

REPORTS OF BOARDS AND COMMISSIONS

B. 1 Appointment – Bicentennial Committee

Motion by Councilman Koritko, seconded by Councilman Thomasson to appoint Joy Levering to the Bicentennial Committee.

MOTION CARRIED. (7-0)

C. 1 Appointment – Christmas Commission, 3-year term

Continue to next agenda.

D. 2 Appointments – Ethics Commission, 2-year terms

Continue to next agenda.

E. 1 Appointment – Keep Newnan Beautiful, 3-year term

Motion by Councilman Koritko, seconded by Councilman Thomasson to appoint Brant Frost V to Keep Newnan Beautiful.

MOTION CARRIED. (7-0)

F. 1 Appointment – Urban Redevelopment Agency, interim term

Continue to next agenda.

NEW BUSINESS

G. Public Hearing – Application for Alcohol Beverage License – J22, LLC dba Supermercado Dos Hermanos – 7 Belk Rd.

Mayor Brady opened a public hearing on the application for a Retail Off Premise (Package) Sales of Malt Beverages and Wine for Supermercado Dos Hermanos at 7 Belk Rd.

A representative of the applicant was present for the hearing. No one spoke for or against the application. Mayor Brady closed the public hearing. The City Clerk advised that all the documentation had been received and everything was in order.

Motion by Mayor Pro Tem Guillaume, seconded by Councilman Koritko to approve the application for a Retail Off Premise (Package) Sales Malt Beverages and Wine License.

MOTION CARRIED. (7-0)

H. Public Hearing – Application for Alcohol Beverage License – Tequilas Taqueria Bar and Grill, LLC – 11 Spence Ave.

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine for Tequilas Taqueria Bar and Grill at 11 Spence Ave.

No one spoke for or against the application. Mayor Brady closed the public hearing.

There was no representative of the applicant present so this item was moved to the next agenda.

I. Public Hearing – Application for Alcohol Beverage License – JW Restaurant Group, LLC – 1329 Bullsboro Dr.

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine for JW Restaurant Group at 1329 Bullsboro Dr.

A representative of the applicant was present for the hearing. No one spoke for or against the application. Mayor Brady closed the public hearing. The City Clerk advised that all the documentation had been received and everything was in order.

Motion by Councilman Koritko, seconded by Councilman Shell to approve the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License.

MOTION CARRIED. (7-0)

J. Public Hearing – Property Owner Request to Demolish Structure at 162 Spring St.

Mayor Brady opened the public hearing.

Bryan Partin, Chief Building Official, stated that the property has not been lived in for some time, it is very run down.

No one spoke for or against. Mayor Brady closed the public hearing.

Motion by Councilman Shell, seconded by Councilman Koritko to approve the request as presented.

MOTION CARRIED. (7-0)

K. Consideration of Amended Pool Operation Agreement between City of Newnan and the YMCA

Councilwoman Jenkins expressed concern that by raising the fees at the pool, people who live in that neighborhood may not be able to afford it anymore. She asked if the Boys and Girls Club has arrangements with the YMCA to use the pool? Mr. Craver said that historically groups like that have agreements to use the pool, usually during off-peak hours.

Motion by Councilman Guillaume, seconded by Councilman Shell to approve the agreement as presented. Opposed: Jenkins

MOTION CARRIED. (6-1)

L. Consideration of a Resolution to Support a FY2025 CHIP Grant Application

Motion by Councilwoman Jenkins, seconded by Councilman Thomasson to adopt the resolution as presented.

MOTION CARRIED. (7-0)

M. Consideration of Project Award for Telephone System Replacement

Motion by Councilman Koritko, seconded by Councilman Thomasson to approve the award as presented.

MOTION CARRIED. (7-0)

UNFINISHED BUSINESS

N. Consideration of Options for the NURA Loan for the Property at 100 E. Washington St. and Information on the HUD Grant, City-Owned Parcels

Mayor Brady stated that he and a few other Councilmembers still have questions and so to give time to get answers and know what action they should take, he suggested moving this item to the second meeting in January.

Motion by Mayor Pro Tem Guillaume, seconded by Councilman Shell to move this item to the January 28, 2025 meeting.

MOTION CARRIED. (7-0)

O. 2nd and Final Reading – Ordinance to Amend the Code of Ordinances, Sec. 2-32, Introduction, Enactment of Ordinances, of Article II, Chapter 2, To Provide for Adoption of Ordinances Upon Introduction

Motion by Councilman Shell, seconded by Mayor Pro Tem Guillaume to adopt the ordinance as presented. Opposed: Jenkins, Koritko

MOTION CARRIED. (5-2)

P. Consideration of Lease Renewal at 27 Clark St. with the Newnan-Coweta Historical Society

Motion by Councilman Thomasson, seconded by Councilman Shell to move this item to Executive Session for discussion.

MOTION CARRIED. (7-0)

VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS

Q. Request from Boss Tree Service to close E. Washington St. between Murray St. and Cole St. for removal of tree

Councilman Koritko asked if this is in coordination with the police department? Chief Blankenship said yes.

Motion by Councilman Shell, seconded by Councilman Thomasson to approve the request as presented.

MOTION CARRIED. (7-0)

MOTION EXECUTIVE SESSION

Motion by Mayor Pro Tem Guillaume, seconded by Councilman Koritko that we now enter into closed session as allowed by O.C.G.A. Section 50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing real estate and legal and that we move, in open session to adopt a resolution authorizing and directing the Mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. Section 50-14-4, and that this body ratify the actions of the Council taken in closed session and confirm that the subject matters of the closed session were within exceptions permitted by the open meetings law at 6:42PM.

MOTION CARRIED. (7-0)

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

Motion by Mayor Pro Tem Guillaume, seconded by Councilman DuBose to adopt the resolution authorizing the Mayor to execute the affidavit stating that the subject matter of the closed portion of the Council was within the exceptions provided by O.C.G.A. Section 50-14-4(b).

MOTION CARRIED. (7-0)

ADJOURNMENT

Motion by Councilman Koritko, seconded by Councilman Shell to adjourn the Council meeting at 7:14pm.

MOTION CARRIED. (7-0)

Megan Shea, City Clerk

Keith Brady, Mayor

AN ORDINANCE TO PROVIDE FOR THE ADOPTION OF A BUDGET, ITS EXECUTION AND EFFECT FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2025 AND ENDING DECEMBER 31, 2025.

Section I.

There is hereby adopted for the fiscal year January 1, 2025 through December 31, 2025, a budget for the City of Newnan, Georgia, based on the budget prepared by the City Manager, as amended by City Council.

Section II. General Fund (100) There is hereby established a General Fund for the City of Newnan with an appropriation of \$37,911,665 for the general operation and legal obligation in 2025.

General Fund Revenues	
Property Taxes	\$9,289,064
Sales Taxes	\$12,300,000
Excise (Franchise) Taxes	\$6,887,000
Occp. Tax & Alcohol Licenses	\$3,464,275
Inspections & Permits	\$529,400
Fines & Forfeitures	\$944,000
Other Local Revenue	\$564,700
Intergovernmental	\$1,080,500
Water & Light Transfers	\$1,850,000
Other Financing Sources	\$1,002,726
	\$37,911,665
General Fund Expenditures	
General Government	\$9,843,522
Public Safety	\$19,292,345
Public Works	\$3,544,068
Community Development	\$4,193,121
Other Services	\$1,038,609
	\$37,911,665

Section III. Street Improvement Fund (200) There is hereby established a Street Improvement Fund for the City of Newnan with an appropriation of \$515,514 for street improvements.

Street Improvements Revenue	
LMIG Contract Revenue	\$495,514
Interest Earnings	20,000
	\$515,514
Street Improvements Expenditures	
Major Streets Maintenance	\$515,514
	\$515,514

Section IV. Confiscated Assets Fund (210) There is hereby established a Confiscated Assets Fund for the City of Newnan with an appropriation of \$82,500 for Public Safety operations. This fund consists of confiscated and condemned funds released by the Superior Court for Police Department purchases.

Confiscated Assets Revenue

DOT Condemnations	\$60,000
Other Police Seizures	\$50,000
Interest Earnings	\$3,180
Fund Balance Reserves	(\$30,680)
	<u>\$82,500</u>

Confiscated Assets Expenditures

Other Seizures Expenditures	\$37,500
Dept. of Treasury Expenditures	\$45,000
	<u>\$82,500</u>

Section V. Opioid Settlement Fund (213). There is hereby established an Opioid Settlement Fund for the City of Newnan with an appropriation of \$100,000 to be transferred to Coweta F.O.R.C.E.

Opioid Settlement Fund Revenue

Local Governments Share of Opioid Settlement	\$100,000
	<u>\$100,000</u>

Opioid Settlement Fund Expenditures

Payment to Other Agencies	\$100,000
	<u>\$100,000</u>

Section VI. Economic Development Initiative Community Empowerment Grant Fund (EDI-CEF Fund 223). There is hereby established an EDI – CEF Grant Fund for the City of Newnan with an appropriation of \$766,000 for housing programs.

EDI-CEF Grant Fund Revenues

Grant Funds Revenue	\$766,000
	<u>\$766,000</u>

EDI-CEF Grant Fund Expenditures

Administrative Services	\$53,662
Professional Services	\$53,662
Other Contractual Services	\$658,676
	<u>\$766,000</u>

Section VII. America Rescue Plan Act Fiscal Recovery Fund (ARPA - 230). There is hereby established an ARPA Fiscal Recovery Fund for the City of Newnan with an appropriation of \$3,022,395 for various previously committed projects.

ARPA Revenue

ARPA 2021- Local Fiscal Recovery Funds	\$3,022,395
Interest Earnings	\$0

	<u>\$3,022,395</u>
ARPA Expenditures	
Building Improvements	\$121,557
Drainage Improvements	\$2,632,317
Police Vehicle	\$202,800
Fire Vehicle	\$65,721
	<u>\$3,022,395</u>

Section VIII. Community Home Investment Program Grant Fund (CHIP – Fund 224). There is hereby established a CHIP Grant Fund for the City of Newnan with an appropriation of \$75,000 for housing programs.

CHIP Grant Revenue	
Grant Fund Revenue	<u>\$75,000</u>
	<u>\$75,000</u>
CHIP Grant Expenditures	
Professional Services	\$4,000
Other Contractual Services	<u>\$71,000</u>
	<u>\$75,000</u>

Section IX. Hotel/Motel Tourism Fund (275) There is hereby established a Hotel/Motel Tourism Fund for the City of Newnan with an appropriation of \$1,440,000 for Tourism Enhancement activities.

Hotel/Motel Tourism Revenues	
Hotel/Motel Tax	<u>\$1,440,000</u>
	<u>\$1,440,000</u>
Hotel/Motel Tourism Expenditures	
Transfer to Explore Newnan - Coweta	\$540,000
Transfer to General Fund	\$540,000
Transfer to Newnan Centre	<u>\$360,000</u>
	<u>\$1,440,000</u>

Section X. Motor Vehicle Rental Excise Tax Fund (280) There is hereby established a Motor Vehicle Rental Excise Tax Fund for the City of Newnan with an appropriation of \$115,000 for Newnan Centre activities.

Motor Vehicle Rental Excise Tax Revenues	
Excise Tax	<u>\$115,000</u>
	<u>\$115,000</u>
Motor Vehicle Rental Excise Tax Expenditures	
Transfer to Newnan Centre	<u>\$115,000</u>
	<u>\$115,000</u>

Section XI. Miscellaneous Grants/Donations Fund (240) There is hereby established a Miscellaneous Grants/Donations Fund for the City of Newnan with an appropriation of \$44,600 for Police and Human Resource grant/donation activities.

Miscellaneous Grants/Donations Revenues	
Wellness Incentive Donations	\$30,000
Grant Funds	\$14,600
	<u>\$44,600</u>
Miscellaneous Grants/Donations Expenditures	
Human Resources – Wellness Programs	\$30,000
Police Department – Materials & Supplies	\$6,000
Police Department – Protective Equipment	\$8,600
	<u>\$44,600</u>

Section XII. Special Purpose Local Option Sales Tax Fund (310) Fund 310, **SPLOST 2019**, was established in 2019 and will expire in 2024. This year's budget includes an appropriation of \$5,766,945 for capital projects.

SPLOST 2019 Revenue:	
Interest Earnings	\$28,000
Fund Balance Reserves	\$5,738,945
	<u>\$5,766,945</u>
SPLOST 2019 Expenditures:	
Information Technology	\$76,821
Streets, Drainage & Sidewalks	\$190,201
Street, Intersection & Parking Improvements	\$4,108,000
Public Works Equipment	\$318,189
Leisure Services	\$41,770
Parks & Recreation	\$1,031,964
	<u>\$5,766,945</u>

Section XIII. Special Purpose Local Option Sales Tax Fund (315) Fund 315, **SPLOST 2025**, was established in 2025 and will expire in 2030. This year's budget includes an appropriation of \$10,755,000 for capital projects and a transfer to Newnan Utilities in the amount of \$1,000,000 for a total of \$11,755,000.

SPLOST 2025 Revenue:	
SPLOST 2025 Receipts	\$9,208,350
Interest Earnings	\$10,000
Transfer from General Fund	\$2,536,650
	<u>\$11,755,000</u>
SPLOST 2025 Expenditures:	
Network Improvements	\$250,000
Cemetery Improvements	\$55,000

Streets, Drainage & Sidewalks Maint.	\$2,000,000
Public Works Equipment	\$350,000
Site Improvements	\$1,200,000
Pickleball Facility Additions	\$900,000
LINC Addition	\$2,000,000
Greenville Street Park Improvements	\$1,000,000
LINC Trailhead & Downtown Park	\$3,000,000
Transfer to Newnan Utilities	\$1,000,000
	<u>\$11,755,000</u>

Section XIV. Impact Fees (375) There is hereby established an Impact Fees Fund for the City of Newnan with an appropriation of \$242,500. In 2004, the City established an impact fee program with funds to be paid into the fund for four major areas of development: Roads and Bridges, Fire, Police and Parks.

Impact Fees Revenues

Roads/Streets/Bridges	\$60,000
Fire Services	\$40,000
Parks/Recreation	\$150,000
Interest Earnings	\$16,500
Fund Balance Reserves	\$60,099
	<u>\$242,500</u>

Impact Fees Expenditures

Lower Fayetteville Road Design	\$242,500
	<u>\$242,500</u>

Section XV. Neighborhood Stabilization Program Grant Fund (NSP1 – Fund 221). There is hereby established an NSP1 Grant Fund for the City of Newnan with an appropriation of \$401,000 for housing programs.

NSP1 Grant Revenue

Grant Fund Revenue	\$400,000
Interest Earnings	\$1,000
	<u>\$401,000</u>

NSP1 Grant Expenditures

Professional Services	\$20,000
Other Contractual Services	\$381,000
	<u>\$ 401,000</u>

Section XVI. Neighborhood Stabilization Program Grant Fund (NSP3 – Fund 222). There is hereby established an NSP3 Grant Fund for the City of Newnan with an appropriation of \$352,000 for housing programs.

NSP3 Grant Revenue

NSP Program Income Revenue	\$350,000
Interest Earnings	<u>\$2,000</u>
	<u>\$352,000</u>
NSP3 Grant Expenditures	
Professional Services	\$5,000
Other Contractual Services	<u>\$347,000</u>
	<u>\$352,000</u>

Section XVII. Sanitation Fund (540)

There is hereby established a Sanitation Fund for the City of Newnan with an appropriation of \$5,313,935. These funds will be used for Brush & Bulk, Administration and Refuse (downtown commercial district).

Sanitation Revenues

Yard Debris & Bulk Collections	\$1,261,245
Garbage Fees - Commercial	\$90,000
Garbage Fees Residential	\$3,525,690
Sanitation Administration	\$300,000
Interest Earnings	\$12,000
Transfer from General Fund	<u>\$125,000</u>
	<u>\$5,313,935</u>

Sanitation Expenditures Brush & Bulk

Wages & Benefits	\$405,901
Operations	\$501,114
Depreciation Expense	<u>\$39,000</u>
	<u>\$946,015</u>

Sanitation Expenditures Refuse

Wages & Benefits	\$168,406
Operations	<u>\$73,577</u>
	<u>\$241,983</u>

Sanitation Expenditures Administration

Wages & Benefits	\$396,494
Operations	<u>\$3,729,443</u>
	<u>\$4,125,937</u>

Section XVIII. All revenue received by the City of Newnan from Sources not restricted by law to expenditure for specific purposes may be used in meeting disbursements in Section II. Should the revenue received from such sources exceed the amount estimated, such excess shall be allocated to the General Fund subject to further action by City Council. The total disbursements in any fund shall not exceed the amount appropriated for that fund, including any available fund balances.

Done ratified and passed by the City Council of the City of Newnan, Georgia, in regular session assembled this seventh day of January 2025.

ATTEST:

Megan Shea, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

Cynthia E. Jenkins, Councilmember

Cleatus Phillips, City Manager

Rhodes H. Shell, Councilmember

C. Bradford Sears, Jr. City Attorney

Raymond F. DuBose, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

James J. Thomasson, III, Councilmember



To: Mayor and Council
Date: January 7, 2025
Agenda Item: Consideration of a Resolution to Amend the 2025 Pay Plan
Prepared By: Meg Kelsey, Assistant City Manager

Purpose:

Consideration by the Mayor and Council to amend the minimum and maximum pay ranges by 2%.

Background:

Modification of pay ranges are necessary to address growing inflationary pressures.

Funding:

Funds are provided in the 2025 Budget.

Recommendation:

Staff recommends approval.

Attachments:

1. pay pay proposed amendments
2. 2025 Pay Plan HRS-General
3. 2025 Pay Plan HRS-Police
4. 2025 Pay Plan HRS-Fire

Previous Discussion with Council:

Changes to pay ranges and salary were discussed during the Budget Hearing on December 10, 2024.

RESOLUTION TO AMEND 2025 PAY PLAN

WHEREAS, the City of Newnan has a formal pay plan to provide an equitable basis for assigning pay rates for all employees; and

WHEREAS, the pay plan is annually reviewed and updated to reflect changes in classifications and pay grade assignments; and

WHEREAS, the pay plan has been drafted to adjust all pay grades by 2.0% and

WHEREAS, the pay plan has been drafted to reflect annual hours worked 2080,2184,2904; and

WHEREAS, funds have been provided in the 2025 Budget for the Pay Plan as presented;

NOW, THEREFORE, BE IT RESOLVED, that the 2025 Pay Plan which is attached hereto is adopted by the City Council this 7th day of January 2025 and is effective January 13, 2025.

DONE, RATIFIED AND PASSED by the City Council of the City of Newnan, Georgia, this 7th day of January 2025 in regular session assembled.

Attest:

Megan Shea, City Clerk

Keith Brady, Mayor

Cynthia Jenkins, Councilmember

Witness:

Rhodes Shell, Councilmember

C. Bradford Sears, Jr., City Attorney

Ray DuBose, Councilmember

Cleatus W. Phillips, City Manager

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

James J. Thomasson, III,
Councilmember

**CITY OF NEWNAN, GEORGIA
EMPLOYEES 2080 HOURS
2025 SALARY RANGES BASED ON GRADE
Effective January 13, 2025**

Grade	Classification / Job Title	(N)on or (E)xempt	Minimum	Maximum
1			\$ 21,112.00	\$ 34,028.80
			\$ 10.15	\$ 16.36
2			\$ 22,380.80	\$ 36,067.20
			\$ 10.76	\$ 17.34
3			\$ 23,732.80	\$ 38,251.20
			\$ 11.41	\$ 18.39
4			\$ 25,168.00	\$ 40,560.00
			\$ 12.10	\$ 19.50
5			\$ 26,665.60	\$ 42,993.60
			\$ 12.82	\$ 20.67
6			\$ 28,267.20	\$ 45,572.80
			\$ 13.59	\$ 21.91
7			\$ 29,952.00	\$ 48,318.40
			\$ 14.40	\$ 23.23
8			\$ 31,761.60	\$ 51,188.80
			\$ 15.27	\$ 24.61
9			\$ 34,528.00	\$ 55,640.00
			\$ 16.60	\$ 26.75
10	Beautification Worker	N	\$ 36,566.40	\$ 58,968.00
	Cemetery Maintenance Worker	N	\$ 17.58	\$ 28.35
	Crossing Guard (PT)	N		
	Facilities Attendant (PT and FT)	N		
	Fire Trainee	N		
	Police Officer Trainee	N		
	Receptionist	N		
	Reference Assistant (PT)	N		
	Sanitation Collection Worker	N		
	Street Maintenance Worker	N		
	Trolley Driver (PT)	N		
11	Administrative Assistant	N	\$ 38,750.40	\$ 62,441.60
	Carnegie Program Associate (PT)	N	\$ 18.63	\$ 30.02
	Cemetery Equipment Operator	N		
	Clerk-Municipal Court	N		
	Clerk-Police	N		
	Inmate Crew Supervisor	N		
	Permit Technician	N		
	Sanitation Equipment Operator	N		
	Senior Beautification Worker	N		
	Senior Facilities Attendant	N		
	Senior Street Maintenance Worker	N		
	Street Maintenance/Concrete Finisher	N		

**CITY OF NEWNAN, GEORGIA
EMPLOYEES 2080 HOURS
2025 SALARY RANGES BASED ON GRADE
Effective January 13, 2025**

Grade	Classification / Job Title	(N)on or (E)xempt	Minimum	Maximum
12	Animal Control Officer	N	\$ 41,142.40	\$ 66,310.40
	Communications Operator	N	\$ 19.78	\$ 31.88
	Fleet Coordinator	N		
	Parking Enforcement Officer	N		
13	Facilities Maintenance Technician	N	\$ 43,576.00	\$ 70,241.60
	Sanitation Driver/Collector	N	\$ 20.95	\$ 33.77
14	Administrative Specialist	N	\$ 46,196.80	\$ 74,443.20
	Auditorium Events Coordinator	N	\$ 22.21	\$ 35.79
	Automotive Mechanic	N		
	Customer Service Billing Technician	N		
	Deputy Court Clerk	N		
	Leisure Services Coordinator	N		
	Finance Technician	N		
	Special Events Coordinator	N		
15	Beautification Supervisor	N	\$ 48,963.20	\$ 78,915.20
	Building Inspector	N	\$ 23.54	\$ 37.94
	Code Enforcement Officer	N		
	Communications Coordinator	N		
	Communications Supervisor/TAC	N		
	Erosion Control Inspector	N		
	Human Resources Coordinator	N		
	KNB Coordinator	N		
	Probation Officer	N		
	Street Maintenance Inspector	N		
16	Accounts Payable Specialist	N	\$ 51,896.00	\$ 83,657.60
	Cemetery Maintenance Supervisor	N	\$ 24.95	\$ 40.22
	Customer Service Billing Supervisor	N		
	Lead Mechanic	N		
	Licensing Specialist	N		
	Municipal Court Deputy Clerk	N		
	Street Maintenance Supervisor	N		
	Accounts Receivable Specialist			
17	Beautification Manager	N	\$ 55,036.80	\$ 88,732.80
	Senior Building Inspector	N	\$ 26.46	\$ 42.66
	Senior Facilities Maintenance Supervisor	N		
	Stormwater Coordinator	N		
	IT Systems Analyst	N		
18	Human Resources Specialist	N	\$ 58,323.20	\$ 94,016.00

**CITY OF NEWNAN, GEORGIA
EMPLOYEES 2080 HOURS
2025 SALARY RANGES BASED ON GRADE
Effective January 13, 2025**

Grade	Classification / Job Title	(N)on or (E)xempt	Minimum	Maximum
	IT Senior Systems Analyst	N	\$ 28.04	\$ 45.20
	Planner	N		
	Plans Examiner	N		
	Accountant I			
19	Accountant II	N	\$ 61,796.80	\$ 99,632.00
	Community Development Specialist	E	\$ 29.71	\$ 47.90
	Deputy Building Official	N		
	GIS Analyst II	N		
	Main Street Manager	N		
	Senior Planner	E		
20	Fire Inspector	N	\$ 65,520.00	\$ 105,601.60
	Sanitation Superintendent	E	\$ 31.50	\$ 50.77
	Street Superintendent	E		
	Cemetery Superintendent	E		
21	ARPA/Special Projects Manager	E	\$ 69,430.40	\$ 111,945.60
	Carnegie Director	E	\$ 33.38	\$ 53.82
	City Clerk	E		
	Communications Manager	E		
	Municipal Court Clerk Manager	E		
	Program Manager	E		
22	Assistant Finance Director	E	\$ 73,611.20	\$ 118,684.80
	Business Development Director	E	\$ 35.39	\$ 57.06
	Civil Engineer	E		
	Facilities Maintenance Director	E		
	Fire Marshall	N		
	Leisure Services Director	E		
	Training Captain	N		
23			\$ 78,020.80	\$ 125,756.80
			\$ 37.51	\$ 60.46
24	Chief Building Official	E	\$ 82,742.40	\$ 133,390.40
	Landscape Architect	E	\$ 39.78	\$ 64.13
	Information Technology Director	E		
	Planning and Zoning Director	E		
	Police Captain	E		
25	Finance Manager		\$ 87,692.80	\$ 141,336.00
	Human Resource Manager		\$ 42.16	\$ 67.95
26	City Engineer	E	\$ 92,976.00	\$ 149,864.00

**CITY OF NEWNAN, GEORGIA
EMPLOYEES 2080 HOURS
2025 SALARY RANGES BASED ON GRADE
Effective January 13, 2025**

Grade	Classification / Job Title	(N)on or (E)xempt	Minimum	Maximum
	Deputy Chief of Police Public Works Director	E E	\$ 44.70	\$ 72.05
27	Finance Director Human Resources Director	E E	\$ 98,550.40 \$ 47.38	\$ 158,870.40 \$ 76.38
28			\$ 104,436.80 \$ 50.21	\$ 168,376.00 \$ 80.95
29	Assistant City Manager	E	\$ 110,676.80 \$ 53.21	\$ 178,401.60 \$ 85.77
30	Chief of Police Fire Chief	E E	\$ 117,353.60 \$ 56.42	\$ 189,155.20 \$ 90.94

**CITY OF NEWNAN, GEORGIA
POLICE CERTIFIED 2184 HOURS
2025 SALARY RANGES BASED ON GRADE
Effective January 13, 2025**

2184

Grade	Classification Title	Exempt (E) Non-exempt (N)	Minimum	Maximum
1			\$ 34,201.44 \$ 15.66	\$ 53,005.68 \$ 24.27
2			\$ 26,754.00 \$ 12.25	\$ 55,670.16 \$ 25.49
3			\$ 37,695.84 \$ 17.26	\$ 58,422.00 \$ 26.75
4			\$ 39,595.92 \$ 18.13	\$ 61,348.56 \$ 28.09
5			\$ 41,561.52 \$ 19.03	\$ 64,428.00 \$ 29.50
6			\$ 43,636.32 \$ 19.98	\$ 67,638.48 \$ 30.97
7			\$ 45,820.32 \$ 20.98	\$ 71,023.68 \$ 32.52
8			\$ 48,113.52 \$ 22.03	\$ 74,583.60 \$ 34.15
9			\$ 50,515.92 \$ 23.13	\$ 78,296.40 \$ 35.85
10			\$ 53,049.36 \$ 24.29	\$ 82,227.60 \$ 37.65
11			\$ 55,692.00 \$ 25.50	\$ 86,333.52 \$ 39.53
12	Police Officer	N	\$ 58,487.52 \$ 26.78	\$ 90,636.00 \$ 41.50
13	Police Corporal Police Crime Scene Investigator Police Investigator	N N N	\$ 61,392.24 \$ 28.11	\$ 95,156.88 \$ 43.57
14	Police Detective	N	\$ 64,471.68 \$ 29.52	\$ 99,939.84 \$ 45.76

CITY OF NEWNAN, GEORGIA
POLICE CERTIFIED 2184 HOURS
2025 SALARY RANGES BASED ON GRADE
Effective January 13, 2025

2184

Grade	Classification Title	Exempt (E) Non-exempt (N)	Minimum	Maximum
15	Police Sergeant	N	\$ 67,704.00 \$ 31.00	\$ 104,919.36 \$ 48.04
16			\$ 67,704.00 \$ 32.55	\$ 104,936.00 \$ 50.45
17	Police Lieutenant	N	\$ 74,627.28 \$ 34.17	\$ 115,686.48 \$ 52.97
18			\$ 78,361.92 \$ 35.88	\$ 121,474.08 \$ 55.62
19			\$ 82,293.12 \$ 37.68	\$ 127,567.44 \$ 58.41
20			\$ 86,399.04 \$ 39.56	\$ 133,901.04 \$ 61.31
21			\$ 90,701.52 \$ 41.53	\$ 140,605.92 \$ 64.38
22			\$ 90,729.60 \$ 43.62	\$ 140,628.80 \$ 67.61
23			\$ 95,264.00 \$ 45.80	\$ 147,659.20 \$ 70.99
24			\$ 100,006.40 \$ 48.08	\$ 155,022.40 \$ 74.53
25			\$ 105,019.20 \$ 50.49	\$ 162,780.80 \$ 78.26
26			\$ 110,260.80 \$ 53.01	\$ 170,892.80 \$ 82.16
27			\$ 115,772.80 \$ 55.66	\$ 179,441.60 \$ 86.27
28			\$ 121,576.00 \$ 58.45	\$ 188,448.00 \$ 90.60
29			\$ 127,649.60 \$ 61.37	\$ 197,870.40 \$ 95.13

**CITY OF NEWNAN, GEORGIA
POLICE CERTIFIED 2184 HOURS
2025 SALARY RANGES BASED ON GRADE
Effective January 13, 2025**

2184

Grade	Classification Title	Exempt (E) Non-exempt (N)	Minimum	Maximum
30			\$ 134,014.40 \$ 64.43	\$ 207,729.60 \$ 99.87

**CITY OF NEWNAN, GEORGIA
FIRE CERTIFIED 2904 HOURS
2025 SALARY RANGES BASED ON GRADE
Effective January 13, 2025**

Grade	Classification Title	Exempt (E) Non-exempt (N)	Minimum	Maximum
1			\$ 34,180.08 \$ 11.77	\$ 52,998.00 \$ 18.25
2			\$ 25,708.80 \$ 12.36	\$ 39,873.60 \$ 19.17
3			\$ 37,664.88 \$ 12.97	\$ 58,399.44 \$ 20.11
4			\$ 39,581.52 \$ 13.63	\$ 61,332.48 \$ 21.12
5			\$ 41,556.24 \$ 14.31	\$ 64,439.76 \$ 22.19
6			\$ 43,618.08 \$ 15.02	\$ 67,634.16 \$ 23.29
7			\$ 45,796.08 \$ 15.77	\$ 70,973.76 \$ 24.44
8			\$ 48,090.24 \$ 16.56	\$ 74,545.68 \$ 25.67
9			\$ 50,500.56 \$ 17.39	\$ 78,291.84 \$ 26.96
10			\$ 53,027.04 \$ 18.26	\$ 82,212.24 \$ 28.31
11			\$ 55,698.72 \$ 19.18	\$ 86,306.88 \$ 29.72
12	Firefighter/EMT	N	\$ 58,457.52 \$ 20.13	\$ 90,633.84 \$ 31.21
13			\$ 61,390.56 \$ 21.14	\$ 95,164.08 \$ 32.77
14	Firefighter/Paramedic	N	\$ 64,468.80 \$ 22.20	\$ 99,897.60 \$ 34.40

**CITY OF NEWNAN, GEORGIA
FIRE CERTIFIED 2904 HOURS
2025 SALARY RANGES BASED ON GRADE
Effective January 13, 2025**

Grade	Classification Title	Exempt (E) Non-exempt (N)	Minimum	Maximum
15	Fire Lieutenant	N	\$ 67,692.24 \$ 23.31	\$ 104,921.52 \$ 36.13
16			\$ 71,060.88 \$ 24.47	\$ 110,119.68 \$ 37.92
17	Fire Captain	N	\$ 74,603.76 \$ 25.69	\$ 115,637.28 \$ 39.82
18			\$ 78,349.92 \$ 26.98	\$ 121,445.28 \$ 41.82
19			\$ 82,299.36 \$ 28.34	\$ 127,543.68 \$ 43.92
20			\$ 86,364.96 \$ 29.74	\$ 133,874.40 \$ 46.10
21			\$ 90,691.92 \$ 31.23	\$ 140,582.64 \$ 48.41
22	Battalion Chief (2904 hours)	N	\$ 95,222.16 \$ 32.79	\$ 147,610.32 \$ 50.83
23			\$ 100,013.76 \$ 34.44	\$ 155,015.52 \$ 53.38
24			\$ 105,008.64 \$ 36.16	\$ 162,769.20 \$ 56.05
25			\$ 110,235.84 \$ 37.96	\$ 170,871.36 \$ 58.84
26			\$ 115,753.44 \$ 39.86	\$ 179,409.12 \$ 61.78
27			\$ 121,561.44 \$ 41.86	\$ 188,411.52 \$ 64.88

**CITY OF NEWNAN, GEORGIA
FIRE CERTIFIED 2904 HOURS
2025 SALARY RANGES BASED ON GRADE
Effective January 13, 2025**

Grade	Classification Title	Exempt (E) Non-exempt (N)	Minimum	Maximum
28			\$ 127,630.80 \$ 43.95	\$ 197,849.52 \$ 68.13
29			\$ 133,990.56 \$ 46.14	\$ 207,694.08 \$ 71.52
30			\$ 140,727.84 \$ 48.46	\$ 218,119.44 \$ 75.11



To: Mayor and Council
Date: January 7, 2025
Agenda Item: Consideration of a Resolution to Amend Personnel Policy Manual
Prepared By: Meg Kelsey, Assistant City Manager

Purpose:

Consideration of adopting amendments to the Personnel Policy Manual to address legal and operational updates/corrections.

Background:

Over the last 6 months, City staff has been working with Shannon Smith, an attorney with Elarbee, Thompson, Sapp & Wilson LLP to update the Personnel Policy Manual for both legal and operational updates/corrections. Elarbee, Thompson is a law firm that specializes in employment law and has provided guidance to the city through the GIRMA program for several years. The update was recently shared with the Management Staff and the City Manager, whereby several great suggestions and comments have been incorporated.

Key Amendments include:

Bereavement Pay - not charged to a sick bank, provides 3 days off, unless authorized additional leave by City Manager

Vacation Pay - Employees may take vacation leave as accrued (no waiting period of 6 months).
Modification of Accrual Schedule

Probation Period - Removed throughout the Manual

Performance Reviews - Establishing a new program for continuous and collaborative evaluation of personnel.

Grievance Procedures - Defines grievable and non-grievable actions, Establishes that only three grievable actions go straight to City Manager (Termination, Suspension, Demotion); All Other Grievances go directly to Department Head

Workplace violence - Clarified Weapons Policy

Inclement Weather - Authorizing payment of 1.5 times normal salary for hours worked during state of emergency, authorizing non-essential employee who are directed not to report to receive their normal rate of pay.

Legal Updates

Updated Anti-Harassment Policy

Added Retaliation statement with Whistleblower Act

Updated Disability and ADA to meet Federal and State Laws

Updated Definitions

Removed Social Security and Unemployment Sections

Added Legal Clarification on Workers Compensation

Updated FMLA Policy

Drug Free Workplace Modified

Pregnancy Accommodation

ADD: Amending 9.1 Appeal - Removing Council from Appeal Process

Funding:

Not applicable.

Recommendation:

Staff recommends approval.

Attachments:

1. personnel policy
2. City of Newnan Personnel Policy-2025

Previous Discussion with Council:

Personnel Policy Manual and

RESOLUTION TO AMEND PERSONNEL POLICY MANUAL

WHEREAS, the City of Newnan has a Personnel Policy to provide general guidelines about City's Policy and procedures for employment; and

WHEREAS, the Personnel Policy is reviewed and updated as necessitated, to reflect changes in City's policy and procedures; and

WHEREAS, the City has determined that certain amendments and updates are required to address changes in State and Federal Law; and

WHEREAS, the City recognizes the need to make adjustments to employee benefits related to bereavement pay, vacation pay accruals, and inclement weather.

WHEREAS, Revisions has also been included to modify procedures for grievance appeals and performance reviews to improve structure and communication.

NOW, THEREFORE, BE IT RESOLVED, that the Personnel Policy which is attached hereto is adopted by the City Council this 7th day of January 2025 and is effective January 1, 2025.

DONE, RATIFIED AND PASSED by the City Council of the City of Newnan, Georgia, this 7th day of January 2025 in regular session assembled.

Attest:

Megan Shea, City Clerk

Keith Brady, Mayor

Cynthia Jenkins, Councilmember

Witness:

Rhodes Shell, Councilmember

C. Bradford Sears, Jr., City Attorney

Ray DuBose, Councilmember

Cleatus W. Phillips, City Manager

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

James J. Thomasson, III,
Councilmember

City of Newnan

Personnel Policy

Manual



Welcome to the City of Newnan. We are glad that you have chosen to join our organization and hope that you will enjoy a long and successful career with us. As a member of the team, you will discover that you will be challenged to strive for excellence, which will become a truly rewarding aspect of your career.

This Employee Handbook serves as your comprehensive guide, informing you about the City of Newnan's rules, processes, and expectations. We think that laying a solid foundation is critical to creating a healthy work environment in which everyone may succeed. We respect our personnel as the heart and soul of our organization at the City of Newnan. We recognize that each member of our team brings distinct skills, views, and experiences that add to our team's overall strength. We are working together to build an inclusive and supportive workplace in which everyone feels appreciated, respected, and empowered. We sincerely hope you will take pride in being an important part of the City of Newnan's success.

Please take time to review the policies contained in this handbook and become acquainted with its contents. Welcome to the team once more! We are excited to have you on board, and we look forward to working with you to achieve our objectives and build a bright future.

Cleatus Phillips
City Manager

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NOTE: This version, effective January 1, 2025, supersedes all previous versions.

OVERVIEW AND DISCLAIMER

The City of Newnan's Personnel Policy Manual has been developed to provide general guidelines about the City's policies and procedures relating to employment with the City of Newnan. The highest standards of personal and professional ethics and behavior are expected of the City of Newnan's employees and this manual is a guide to assist employees in becoming familiar with the privileges and obligations of employment. This Personnel Policy Manual provides general information and guidelines about City policies, procedures, expectations, and benefits. The information in this Personnel Policy Manual, however, cannot anticipate every situation or answer every question regarding your employment. The City Manager shall make interpretive decisions for those situations that are not specifically covered by the provisions of this Personnel Policy Manual.

The City of Newnan will provide each employee a copy of this manual upon employment. Employees may also access this manual via the City's Human Resources Information System, where all updates will be published in real time. The manual applies to all employees and compliance with the City's policies is a condition of employment. Additionally, certain job positions may have additional rules and requirements that apply to job duties and responsibilities specific to such position(s). Each employee shall be subject to all rules and requirements that have been established regarding their position with the City. In the event of a conflict in any rules or requirements, the provisions as set forth in this Personnel Policy Manual shall be deemed the controlling provision. Failure to abide by any or all policies is grounds for discipline, up to and including termination.

THIS PERSONNEL POLICY MANUAL IS NOT A CONTRACT, EXPRESSED OR IMPLIED. THE EMPLOYMENT RELATIONSHIP BETWEEN YOU AND THE CITY OF NEWNAN IS "AT WILL" AND CAN BE TERMINATED BY EITHER YOU OR THE CITY AT ANY TIME FOR ANY REASON WITH OR WITHOUT NOTICE. THE CITY MAY, IN ITS SOLE DISCRETION, INTERPRET, REVISE, MODIFY, OR DEVIATE FROM ANYTHING STATED IN THIS PERSONNEL POLICY MANUAL, EXCEPT FOR THE AT-WILL EMPLOYMENT POLICY, WHICH MAY BE MODIFIED ONLY IN WRITING SIGNED BY THE CITY MANAGER AND YOU. IN THE EVENT OF ANY CONFLICT BETWEEN THIS MANUAL AND APPLICABLE LAW OR ORDINANCE, THE LAW OR ORDINANCE SHALL PREVAIL. IN ALL OTHER CASES, THESE POLICIES SHALL APPLY. IN THE EVENT OF ANY AMENDMENT TO ANY ORDINANCE, RULE, OR LAW INCORPORATED IN THIS DOCUMENTS OR UPON WHICH THESE PROVISIONS RELY, THESE POLICIES SHALL BE DEEMED AMENDED IN CONFORMANCE WITH THOSE CHANGES.

SECTION 1: GENERAL PERSONNEL POLICIES

1.0 PURPOSE

These policies are enacted by the City of Newnan in order to further the following goals:

- a. Provide a uniform system of human resources administration;
- b. Ensure that recruitment, selection, placement, promotion, retention, and separation of City employees is based upon employees' qualifications and ability to perform job assignments, and comply with Federal and State laws;
- c. Assist Department Heads and Supervisors in the development of sound management practices and procedures, and to ensure effective, consistent use of human resources throughout the City;
- d. Promote communication between Department Heads, Supervisors, and employees;
- e. Ensure, protect, and clarify the rights and responsibilities of employees.

1.1 DISCRIMINATION AND EQUAL OPPORTUNITY

The City of Newnan is an equal opportunity employer. In accordance with anti-discrimination law, it is the purpose of this policy to effectuate these principles and mandates. The City of Newnan prohibits discrimination and harassment of any type and affords equal employment opportunities to employees and applicants without regard to race, color, religion, creed, national origin, ancestry, sex (including pregnancy), gender (including sexual orientation, gender identity or expression, and status as a transgender or transsexual individual), age, physical or mental disability, citizenship, genetic information, protected veteran status, or any other characteristic protected by law. The City of Newnan conforms to the spirit as well as to the letter of all applicable laws and regulations.

The City will continue to direct employment opportunities and personnel practices toward ensuring equal employment opportunity for everyone. The City intends that all matters related to employment be free of discriminatory practices. Therefore, this manual applies to all terms and conditions of employment, including but not limited to, recruiting, hiring, training, compensation, benefits, promotions, transfers, leave of absence, layoff, recall, City sponsored educational and social programs, training, discipline, discharge, or other terms, conditions, and privileges of employment.

1.2 HARASSMENT

The City is committed to providing a professional work environment that maintains employee equality, dignity, and respect. In keeping with this commitment, the City strictly prohibits and does not tolerate unlawful harassment or bullying against employees or any other covered persons because of race, color, religion, creed, national origin, ancestry, sex (including pregnancy), gender (including sexual orientation, gender identity or expression, and status as a transgender or transsexual individual), age, physical or mental disability, citizenship, genetic information, protected veteran status, or any other characteristic protected by law.

Unlawful harassment, as defined by the EEOC, is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of their race, color, religion, gender, national origin, age, or disability, or that of their relatives, friends, or employees, and that (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment, (2) has the purpose or effect of unreasonably interfering with an individual's work performance, or (3) otherwise adversely affects an individual's employment.

Sexual harassment means any harassment based on someone's sex or gender. It includes harassment that is not sexual in nature (for example, offensive remarks about an individual's sex or gender), as well as any unwelcome sexual advances or requests for sexual favors or any other conduct of a sexual nature, when any of the following is true:

- Submission to the advance, request, or conduct is made either explicitly or implicitly a term or condition of employment.
- Submission to or rejection of the advance, request, or conduct is used as a basis for employment decisions.
- Such advances, requests, or conduct have the purpose or effect of substantially or unreasonably interfering with an employee's work performance by creating an intimidating, hostile, or offensive work environment.

The City will not tolerate any form of harassment, including sexual harassment and/or bullying, regardless of whether it is:

- Verbal (for example, epithets, derogatory statements, slurs, sexually related comments or jokes, unwelcome sexual advances, sexual compliments, flirtations, innuendos, or requests for sexual favors).
- Physical (for example, unnecessary touching, assault, or other inappropriate physical contact).
- Visual (for example, displaying sexually suggestive posters, cartoons, or drawings, sending inappropriate adult-themed gifts, leering, or making sexual gestures).
- Online (for example, derogatory statements or sexually suggestive posting in any social media platform, including Facebook, X (formerly Twitter), Instagram, Snapchat, etc.).

This list is illustrative only and not exhaustive. Bullying, similar to harassment, is unwelcomed or unreasonable conduct that demeans, intimidates, or humiliates people, and often (though not always) is persistent and part of a pattern. No form of sexual harassment will be tolerated, whether in the workplace or at City-sponsored events.

This anti-harassment policy applies to City employees, Department Heads, supervisors, and other staff, whether related to conduct engaged in by fellow employees, supervisors, or someone who is not directly related to the City, such as a vendor, consultant, client, customer, or other City contact.

It shall be the joint responsibility of Department Heads, supervisors, and Human Resources to ensure adherence to this policy. Human Resources will assist in the coordination and implementation of this policy. All Department Heads and supervisors have the duty of ensuring that no individual or employee is subjected to any form of unlawful harassment, including sexual harassment, and of maintaining a workplace free of such harassment.

1.3 RETALIATION

The City complies with all federal and state laws prohibiting retaliation, including, but not limited to, the Georgia Whistleblower Act. No one will be subject to, and the City strictly prohibits, any form of discipline, reprisal, intimidation, or retaliation for good faith reporting of incidents of harassment or discrimination of any kind, pursuing any harassment or discrimination claim, or cooperating in related investigations or for requesting or using a reasonable accommodation. Employees should report instances of retaliation in accordance with the City's reporting procedures.

1.4 EMPLOYEE RESPONSIBILITY: HOW TO REPORT

The City expects employees to report all perceived incidents of harassment, regardless of the position of the alleged offender. Any employee, who has a harassment complaint against a supervisor, co-worker, visitor, customer, or other person, shall bring the problem to the City's attention. Whenever possible, the City prefers that such reports be made in writing.

- a. If an employee believes they have been harassed, they should immediately report the incident to the Human Resources Manager. If the employee is uncomfortable reporting the harassment to the Human Resources Manager, or feels that the complaint was not properly addressed, the employee should report the incident to the City Manager.
- b. The complaint will be thoroughly investigated in a professional manner. The employee will be notified of a decision or of the status of the investigation as soon as possible. There will be no discrimination or retaliation against any individual who files a good-faith harassment complaint, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven.
- c. There will be no discrimination or retaliation against any other individual who participates in the investigation of a harassment complaint. If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action (up to and including dismissal) will be pursued. Disciplinary action will also be taken against individuals who make false or frivolous accusations, such as those made maliciously or recklessly.
- d. Actions taken internally to investigate and resolve harassment complaints shall be conducted confidentially to the extent practicable and appropriate, and consistent with the Georgia Open Records Act, in order to protect the privacy of persons involved.
- e. The availability of this complaint procedure does not prevent individuals who believe they are being subjected to harassing conduct from promptly advising the offender that their behavior is unwelcome and requesting that it be stopped

If a harassment complaint is directed against the Human Resources Manager, the responsibilities assigned above will be transferred to the City Manager.

1.5 DISABILITY

The City has made a commitment to fully comply with the Americans with Disabilities Act (ADA) and ensure equal opportunities for qualified persons with disabilities. The City will make reasonable accommodations for qualified individuals with a disability, if such accommodation will allow the individual to perform the essential functions of their position, unless doing so would result in an undue hardship. If an applicant or employee needs to request a reasonable accommodation, they should contact their immediate supervisor and indicate, in writing, what reasonable accommodation is needed to perform the essential functions of their job. Once the request is received, the City will enter into an interactive process to determine the appropriate reasonable accommodation and whether the City is able to provide such accommodation without an undue hardship. As part of the interactive process, it may be necessary for the City to request information from the individual's health care provider to assess a request for accommodation. Reasonable accommodation may be provided to applicants upon request during an application/interview process.

The City does not discriminate against qualified individuals with disabilities with respect to recruiting, application procedures, hiring, training, compensation, benefits, promotions, transfers, leave of absence, layoff, recall, City sponsored educational and social programs, training, discipline, discharge, or other terms, conditions, and privileges of employment. The City is also committed to not discriminating against any qualified employees or applicants because they are related to, or employed with, a person with a disability.

For questions or more information regarding ADA, please contact the Human Resources Manager.

1.6 PREGNANCY ACCOMMODATION

The City is committed to providing equal employment opportunities to qualified individuals affected by pregnancy and pregnancy related conditions under the Pregnancy Discrimination Act, the Pregnant Workers Fairness Act (PWFA), and all other applicable federal, state and/or local laws. Consistent with this commitment, the City will not discriminate against pregnant individuals based on pregnancy, and will provide reasonable accommodations to qualified applicants and employees with known limitations related to pregnancy, childbirth, or related medical conditions, unless doing so would create an undue hardship.

Requesting a Reasonable Accommodation

Individuals who need an accommodation because of limitations in the ability to perform essential job functions related to pregnancy, childbirth, or related medical conditions are responsible for requesting a reasonable accommodation from their supervisor. The request may be made orally or in writing, although the City encourages employees to make their request in writing and to include relevant information, such as:

- A description of the limitation(s) related to pregnancy, childbirth, or a related medical condition.
- A description of the accommodation being sought.

After receiving a request for reasonable accommodation, the City will engage in an interactive dialogue with the individual to determine the precise limitations related to pregnancy, childbirth, or related medical conditions and explore potential reasonable accommodations that could overcome those limitations and allow the individual to perform essential job functions. Questions regarding a reasonable accommodation request should be directed to the Human Resources Manager.

Lactation/Breastfeeding Breaks

For up to one year after a child's birth, an employee who is breastfeeding will be provided reasonable break times to express breast milk. Break times shall, if possible, run concurrently with any break time already provided to the employee. If the necessary break time does not run concurrently or when additional time is necessary, the break time shall be unpaid. With supervisory approval, the employee may use accrued leave to cover any unpaid break time.

The City will provide a private space that is shielded from view and free from intrusion from co-workers and the public.

1.7 TITLE VI

The City of Newnan gives notice of its policy to assure full compliance with Title VI of the Civil Rights Act of 1964 and related regulations. "Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in programs and activities receiving Federal financial assistance." Specifically, Title VI provides that "no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

The City of Newnan, as a condition of receiving financial assistance from the Federal Transportation Administration, has prepared a statement of procedure to notify beneficiaries of the City's Title VI responsibilities. The Title VI Notification has been placed on the City's website for viewing.

SECTION 2: DEFINITIONS

The following words and phrases as used in these policies shall have the following meanings unless a different meaning is required by the context:

Accrual: Process of receiving a benefit such as vacation or sick leave.

Adverse Action: An action taken by the Department Head or City Manager that results in a suspension without pay, salary reduction, demotion, or dismissal.

Anniversary Date/Date of Hire: The effective date of the individual's latest employment with the City.

Discharge/Dismissal: Termination of an employee by the City.

Doctor: A Doctor of Medicine or osteopathy, podiatrist, dentist, dental surgeon, clinical psychologist, optometrist, nurse practitioner or midwife, clinical social worker, physician assistant, or chiropractor (subject to limitations) currently holding an active State license.

Exempt: Employees exempted from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA).

Grievance: A condition thought to be unjust and grounds for a formal complaint.

They/Them/Their: Use of these gender-neutral pronouns in this document for all employees.

In-Law: A relative by marriage.

Layoff: Termination of an employee by the City for lack of work, lack of funds, or other organizational changes that have taken place.

May: The word may is conditional and implies there is discretion concerning whether a condition exists or an action will take place.

Non-Exempt: Employees subject to the minimum wage and overtime provisions of the FLSA.

Outside Employment: Employment in work outside of the duties as a City employee. This shall include self-employment, other business activity, and ongoing volunteer work, as well as working for a second employer.

Overtime: All work performed by non-exempt employees in excess of the hours permitted under the FLSA work period.

Regular Full-Time Employee: An employee who is assigned to a position that is expected to continue for an indefinite duration, and works a shift schedule that will total no less than 2080 hours per year (which averages 40 hours per week).

Regular Part-Time Employee: An employee who is assigned to a position that is expected to continue for an indefinite duration, and works a shift schedule of less than 28 hours per week.

Retirement: This is a voluntary termination of employment after having satisfied the age and length of employment requirements for City provided retirement benefits.

Shall/Will: These terms are unconditional and imply that a condition exists or an action will take place.

Temporary Employee: An employee who is assigned to a position of specific duration with no expectation of continued employment.

Voluntary Termination: Employee initiated resignation for any reason other than formal retirement

SECTION 3: EMPLOYMENT

3.0 EMPLOYEE PERSONNEL RECORDS

- 3.0.1 The Human Resources Manager is responsible for establishing and maintaining the official personnel file for each employee of the City.
- 3.0.2 Department Heads will forward all relevant personnel documents to Human Resources for inclusion in employee personnel files.
- 3.0.3 Information retained in the personnel file (throughout the association of an employee with the City) includes the employment application, personnel action and discipline forms, administrative correspondence, letters of appreciation or commendation, job performance and training information, and other appropriate information for personnel administration purposes.
- 3.0.4 All information in an employee's file shall be considered confidential. Employee records may be open for review under the following circumstances:
 - a. The employee or their authorized agent may examine all portions of their personnel record. Any agent acting on behalf of the employee must be authorized in writing;
 - b. A licensed physician designated in writing by the employee may examine the employee's medical record;
 - c. The employee's supervisor may examine employment relevant material in the personnel file;
 - d. Any person who files a proper Open Records request pursuant to state law may access portions of a personnel file not specifically exempted by State law;
 - e. An official agent of the State or Federal Government may inspect personnel records to accomplish a proper governmental function; the Human Resources Manager shall determine what information is required for such investigations.
- 3.0.5 Anyone requesting access to a personnel record shall provide satisfactory proof of identity.
- 3.0.6 Former employees may access their records under the Georgia Open Records Act.
- 3.0.7 An employee who objects to material in their file may place a statement in their file about any item which he considers to be inaccurate or misleading.
- 3.0.8 Any employee who willfully allows unauthorized access to personnel records or information contained in personnel records shall be subject to disciplinary action. In addition, any employee who intentionally examines a personnel file without proper authorization shall be subject to disciplinary action.
- 3.0.9 Security and confidentiality of all City employee and applicant information (both paper and electronic) is mandatory and every effort will be taken by all to safeguard this data. All personnel information will be kept strictly confidential with access limited only to those so authorized.

3.0.10 In order to keep City records up to date, employees are required to notify the Human Resources Department within 30 days of any changes in:

- a. Name;
- b. Address and phone number;
- c. Changes in marital status (marriage, divorce);
- d. Status and number of eligible dependents;
- e. Emergency contact information.

3.1 HOURS OF WORK

- 3.1.1 Normal working hours for employees shall be as scheduled by the appropriate Department Heads. Employees will be scheduled so that the needs of the department to deliver services to the citizens are met. Such schedules shall be approved by the Department Head with the concurrence of the City Manager. Employees are expected to be at their work location and ready to begin work at the beginning of their work schedule. The meal period should be scheduled to minimize interruption of service whenever possible.
- 3.1.2 Occasions may arise when service to the citizens can be improved through the adjustment of an employee's work hours. The Department Head, with the concurrence of the City Manager, shall approve any adjustment in work hours.
- 3.1.3 Individual requests for adjustment of working hours for personal reasons must be evaluated in light of the effect on service to citizenry, and the facilitation of teamwork and supervisory assistance with the concurrence of the City Manager.
- 3.1.4 Advance notice of anticipated tardiness is expected; notice of unavoidable tardiness is expected as soon as possible.
- 3.1.5 Notification by another employee, friend, or relative is not considered proper notice, except in an emergency situation where the employee is physically unable to make the notification. In such situations, the employee is expected to subsequently notify the City as soon as the emergency has been resolved and the employee is able to make the notification.
- 3.1.6 Daily attendance records will be maintained by each department, including time keeping records as required by the FLSA for all non-exempt employees. Attendance may be considered in determining promotions, transfers, and continued employment with the City. Frequent tardiness or other attendance irregularities may be cause for disciplinary action.
- 3.1.7 Any employee who does not show up for work and fails to call in to the employer for three consecutive days indicates to the City that they no longer wish to be employed and will be considered to have voluntarily terminated their employment as of the start of work on the third day.

3.2 WORK PERIODS

This section shall not apply to executive, professional, administrative, and all other employees who are exempt from the FLSA. The referenced work periods may be changed to accommodate special work schedules, such as summer maintenance schedules.

- 3.2.1 The work period for any 24-hour shift firefighter shall be 28 days. All firefighters shall work a schedule of 24 hours on and 48 hours off for an average of 216 hours per 28-day period.
- 3.2.2 The work period for any sworn police officer shall be 14 days which coincide with the payroll periods. All sworn officers will be scheduled for an average of 40 or 42 hours per week over a 14-day period, depending on the assignment.
- 3.2.3 The work period for all other City employees shall be a seven-day period beginning on Monday, 12:01 a.m. and continuing to Sunday, midnight. All other City employees will be scheduled for an average 40 hours per week.

3.3 NEPOTISM

- 3.3.1 It is the City's policy that specific relatives will not be employed in regular full or part-time positions where:
 - a. One relative would have the authority to appoint, remove, discipline, or evaluate the performance of the other;
 - b. One relative would be responsible for auditing the work of the other; or
 - c. Other existing circumstances which would place the relatives in a situation of actual or reasonably foreseeable conflict between the City's interest and their own.
- 3.3.2 For clarification of nepotism, immediate family is considered to be the employee's spouse, parent, child, sibling, grandparent, grandchild, niece, nephew, aunt, uncle, stepparent, stepchild mother/father in-law, brother/sister-in-law, son/daughter-in-law, member of a family by the remarriage of a parent, or any person who is a dependent of the employee or who resides in the same household as the employee.
- 3.3.3 When necessary, the exclusion from employment should be limited to the job, work crew, shop or unit where the reason for exclusion exists, and should not bar an individual from the whole work force, unless the reason applies to the whole work force.
- 3.3.4 Should a situation of nepotism occur after the start of employment, one employee will be required to resign from City service or request a transfer to a vacant position in another department for which the employee is qualified. Approval of any transfer request is not guaranteed and will be determined by the City Manager. The City will work with the employees for a reasonable period of time while an employee is actively seeking a transfer. If the employees cannot agree on who will resign or request a transfer, the employee with the least amount of City service will be terminated.

3.4 REEMPLOYMENT

- 3.4.1 The City may consider a former employee for reemployment. Such applicants are subject to the City's usual pre-employment and selection procedures. If rehired within sixty (60) days from the separation date, a full background check may not be required. To be considered, a former employee must have been in good standing at the time of separation from the City. All rehires will be approved by the City Manager prior to onboarding.
- 3.4.2 Former employees with at least twelve (12) months of continuous employment who are rehired within one (1) year of their separation date will retain their original Anniversary Date for employee benefit and accrual purposes. Employees with less than twelve (12) months continuous service at the time of separation or who were separated from service for more than one (1) year will be treated as a newly hired employee. The City's benefit plan documents will take precedence in applying past employment.

3.5 HIRING PROCESS

The Human Resources Department will administer and coordinate the hiring process for all position vacancies and will not discriminate on the basis of any status or condition protected by applicable Federal or State law.

3.5.1 Pre-Employment Drug Testing

- a. Prior to being hired, an alcohol/drug screen is required for all employees. All applicants will be informed in advance that such testing will be required.
- b. Any job applicant who produces a positive drug test result will immediately be disqualified from consideration for employment.
- c. Any job applicant who refuses to consent to a drug and alcohol test will be denied employment and any conditional job offer of employment will immediately be rescinded.
- d. If the physician, official, or lab staff has reasonable suspicion to believe that the job applicant has tampered with the specimen, the applicant will not be considered for employment.
- e. The City of Newnan will not discriminate against applicants for employment because of a past history of drug abuse. It is the current abuse of drugs, preventing employees from performing their job properly, that the City will not tolerate.
- f. Individuals who have failed a pre-employment drug test may initiate another application with the City after a period of not less than 12 months, but they must present themselves as drug free, demonstrated by a drug screening test selected by the City.

Additional details about drug testing are found in Section 7.2 of this manual.

3.5.2 Criminal Background Check

- a. Prospective employees will undergo a criminal background check prior to being hired.
- b. The City recognizes that its need to investigate an individual's criminal history must be balanced with the need to protect the applicant's privacy. City policy prevents employees

from seeking, using, or disclosing personal information except within the scope of their official assigned duties.

- c. Criminal history will be used only for the purpose of evaluating applicants for employment and shall in no way be used to discriminate on the basis of race, color, religion, creed, national origin, ancestry, sex (including pregnancy), gender (including sexual orientation, gender identity or expression, and status as a transgender or transsexual individual), age, physical or mental disability, citizenship, genetic information, protected veteran status, or any other characteristic protected by law. This policy does not automatically exclude all applicants with criminal convictions from consideration for employment. However, failure to disclose a prior conviction on the application may disqualify the applicant from further consideration for employment.
- d. Criminal history will be retained in accordance with state and federal law.
- e. All convictions for crimes revealed through a background check shall be reviewed on a case-by-case basis to determine if the person poses a potential liability to the City of Newnan. The Human Resources Manager and Department Head shall review these reports and make final determinations regarding the suitability of an applicant for a particular position with the concurrence of the City Manager. The Police Chief may be consulted as needed.
- f. Only criminal convictions will be considered in determining an applicant's suitability for employment. Detention or arrest without conviction does not constitute valid grounds for employment decisions and shall not play a role in the employment decision. No individual may be found to be disqualified based on pending charges. However, an individual may ultimately be found ineligible if the previously pending charges result in a conviction which indicates the individual poses a risk to the City.
- g. In determining an applicant's suitability for employment where the applicant under consideration has convictions, the following shall be considered:
 - (i) The direct relationship between one or more of the previous offense(s) and the specific nature of the duties.
 - (ii) The bearing, if any, the prior criminal offense(s) will have on the applicant's fitness or ability to perform one or more such duties;
 - (iii) The applicant's age at the time the criminal offense(s) occurred;
 - (iv) The seriousness of the offense(s), the number of offenses and the circumstances of each; and
 - (v) Whether employment in the position considered would involve risk to property, or to the safety and welfare of employees or the general public.
 - (vi) Any information produced by the applicant or produced on the applicant's behalf regarding the applicant's rehabilitation and good conduct.
- h. In order to comply with the Fair and Accurate Credit Transaction Act (Fair Credit Reporting Act), the City will take the necessary actions to maintain policies and procedures concerning the privacy of, and access to, protected personal information. Information obtained by any means regarding another individual's identity shall be

kept confidential and provided only to those who need to know the information, such as an immediate supervisor. Information that is considered confidential includes, but is not limited to, Social Security numbers, credit card numbers, driver's license numbers, maiden names, protected personal information of employees or others, bank account numbers, medical records, and other such information. Any concerns about compromised information must be reported to Assistant City Manager. Any individual who inappropriately disseminates identity information can be sued individually. Such individuals also may be subject to disciplinary action up to and including termination.

3.5.3 Motor Vehicle History

- a. Those applicants for employment and employees selected for promotion or transfer who drive a City owned or personal vehicle as a part of their duties or who operate heavy equipment or machinery will be subject to a motor vehicle history check.
- b. The Department Head and Human Resources Manager will review an applicant's motor vehicle history when offenses are present.
- c. When the applicant under consideration has violations on the motor vehicle record, the following shall be considered in determining an applicant's suitability for employment or promotion:
 - (vii) The direct relationship between one or more of the previous offense(s) and the specific nature of the duties.
 - (viii) The person's age at the time the prior offense(s) occurred;
 - (ix) The seriousness of the offense(s), the number of offenses and the circumstances of each; and
 - (x) Whether employment in the position considered would involve risk to property, or to the safety and welfare of employees or the general public.

3.6 TESTING

- 3.6.1 New employees and employees seeking promotion may be subject to an examination. Examinations may be developed for certain positions based on the position's responsibilities, the qualifications required, and resources available.
- 3.6.2 The examination may consist of an oral interview/application review, a structured questionnaire, practical tests, written tests, in-basket exercise or assessment center, etc. In all cases, the testing will be job related and designed to determine the candidate's knowledge, skills, and abilities for the position.
- 3.6.3 Some positions require that applicants complete a medical and/or fitness for duty examination. After a conditional offer has been made to an applicant entering or an employee has been selected for promotion to a designated job category, a medical examination will be performed at the City's expense by a health professional designated by the City. The offer of employment or promotion and assignment of duties is contingent upon satisfactory completion of the examination. Current employees also may be required to take medical examinations to determine fitness for duty. Such examinations will be scheduled at reasonable times and intervals and performed at the City's expense.

- 3.6.4 Examination contents are developed by the appropriate department in coordination with Human Resources. Examination contents are confidential and unauthorized disclosure to any candidate is grounds for discipline. In certain situations, outside consultants may be contracted to assist with test development.
- 3.6.5 The Human Resources Manager shall ensure that all testing is based on bona fide occupational qualifications and is job related.
- 3.6.6 The Human Resources Manager shall ensure that reasonable accommodations are made in test procedures to assure that persons with disabilities may be tested in an appropriate manner. The following are some of the ways in which the City may accommodate an applicant with a disability: replace written tests with on-the-job tests or verbal testing; enlarge print in exams; use amplification devices and interpreters.

3.7 AT-WILL EMPLOYMENT

Employment with the City creates an “at will” employment relationship between the City of Newnan and its employees. Nothing contained herein shall be construed to establish or to confer a contractual right of employment. Since employment with the City is based on mutual consent, both the employee and the City have the right to terminate employment at will at any time, with or without cause or notice. Notwithstanding the at-will employment status, the City requests that all employees provide the City with at least a two-week written notice period of intent to voluntarily terminate employment, which the City in its sole discretion may waive. If the notice is not provided, the employee will not be eligible for rehire, unless authorized by the City Manager.

SECTION 4: COMPENSATION

4.0 GENERAL

- 4.0.1 It is the policy of the City and the purpose of the Pay Classification Plan to establish a compensation system that will allow the City to effectively compete for qualified personnel and to ensure that salaries are equitable and commensurate with the duties performed by each employee.
- 4.0.2 The City's pay range schedules include the minimum and maximum pay allowed by grade. The pay range schedule for general and public safety (i.e., police and fire) employees shall be adopted by the City Council. Upon the City Manager's recommendation, the City Council may adopt any amendment to the pay range schedule for the reclassification of a position to a higher or lower pay range.
- 4.0.3 Annual cost-of-living, merit, education, general classification, and promotion adjustments may be granted by the City Council upon recommendation of the City Manager. The City Manager is authorized to consider individual salary adjustments, provided the adjustment is consistent with the adopted pay plan and budget.
- 4.0.4 In the event that the salary of any position is reevaluated by the Human Resources Manager and results in an increased salary range for the position, the employee shall retain his current salary within the range or assume the entry level of the new range, whichever is greater.
- 4.0.5 Jobs with similar duties and responsibilities are assigned to the same salary level. The Human Resources Manager conducts periodic studies of various jobs when there is an indication the employee is working above or below the established responsibilities for the position.
- 4.0.6 The Human Resources Manager shall be responsible for the continuous maintenance and administration of the City's Compensation Plan. This will include an analysis of prevailing rates of pay for similar positions in comparable labor markets and/or organizations, cost-of-living factors, budgetary considerations, and other related factors. On the basis of this information, the City Manager shall recommend to the City Council changes to keep the plan current, uniform, and equitable. Such changes shall generally be submitted with the annual budget to the City Council.
- 4.0.7 The rate of pay for all new employees will ordinarily be the minimum rate in the appropriate salary range. The City Manager, in their sole discretion, may authorize a higher rate of pay for new employees if it is determined that the applicant possesses superior qualifications in comparison to other applicants by virtue of experience, training, or education.
- 4.0.8 The aforementioned pay range schedule is not intended to be read as giving any employee any property interest, or any entitlement to employment, or any increase in pay.

4.1 OVERTIME

- 4.1.1 The City complies with the requirements of the FLSA pertaining to the minimum rate of pay for hours worked in excess of the established work period for non-exempt positions.

- 4.1.2 To be eligible for overtime pay, a non-exempt employee must have actually been present at work for the specified number of hours. Vacation, sick, holiday, compensatory, or other types of leave will not count as hours worked for calculating overtime pay.
- 4.1.3 The City will compensate overtime at the rate of one and one-half times the base hourly rate for hours worked in excess of the number of hours allowed per work period as defined below and in accordance with the FLSA.
- a. Non-exempt employees will be paid at the rate of one and one-half for hours worked in excess of 40 hours per week. The standard workweek for overtime purposes is Monday, 12:01 a.m. through Sunday, midnight.
 - b. Sworn officers will be paid at the rate of one and one-half for hours worked in excess of 86 hours within a 14-day period which coincides with the bi-weekly payroll period.
 - c. Firefighters will be paid at the rate of one and one-half for hours worked in excess of 212 hours in a 28-day work period.
- 4.1.4 Non-exempt employees who are called back to work outside of normal working hours will be compensated at their regular rate of pay for all hours worked and will be compensated for a minimum of two hours pay. The employee must respond within a reasonable time as established by their supervisor.
- 4.1.5 A non-exempt employee may elect to receive compensatory time off in lieu of overtime pay if:
- a. The election is made prior to commencing any work in excess of that outlined in Section 4.1.3 a – c above;
 - b. The request is approved by the immediate supervisor or Department Head as appropriate; and
 - c. The earned compensatory time will not be in excess of maximum accrual amounts allowed in accordance with 4.1.6 below.
 - d. Employees engaged in a public safety activity (law enforcement or fire suppression) may accumulate up to 80 hours of compensatory time.
 - e. All other non-exempt employees may accumulate up to 40 hours of compensatory time.
- 4.1.6 A non-exempt employee may use accrued compensatory time off with the approval of their immediate supervisor or Department Head as appropriate. The request shall not be denied unless the employee's intended absence will unduly disrupt the operations of the work unit or department.
- 4.1.7 Upon termination, a non-exempt employee shall be paid for all accrued and unused compensatory time at the current rate of pay.
- 4.1.8 Records of earned and used compensatory time may be kept by each department. Employee time sheets shall reflect any earned or used compensatory time. The official record will be kept in the Human Resources Information System (HRIS).

- 4.1.9 Before working overtime, a non-exempt employee must obtain supervisor approval. Employees working overtime without approval may be subject to disciplinary action.
- 4.1.10 Hourly employees may take a thirty-minute unpaid meal break per shift. Meal breaks must be taken each day, unless the employee's supervisor specifically approves otherwise. However, there are some positions that may necessitate meal periods different from that which is described herein, and the break criteria for those positions will be established by the individual departments.
- 4.1.11 No non-exempt employee shall work prior to scheduled work hours or after scheduled work hours without specific permission of the supervisor in each instance.

4.2 DEMOTIONS

- 4.2.1 An employee reassigned to a position in a lower classification, regardless of the reason (disciplinary, in lieu of layoff, for reasons of disability or incapacity, department reorganization, by voluntary request, etc.), will receive a reduction in pay commensurate with the nature of the demotion as determined by the Department Head in consultation with the Human Resources Manager.
- 4.2.2 No employee shall be demoted to a position for which they do not possess the minimum qualifications.
- 4.2.3 An employee being demoted shall be notified prior to demotion.
- 4.2.4 Any demotion to prevent layoffs may be reversed if the employee's previous position is reopened.

4.3 PROMOTIONS AND TRANSFERS

- 4.3.1 The City will advertise open positions internally before advertising such positions to the general public. Department Heads are encouraged to choose to fill vacant positions with City employees who possess the requisite skills and qualifications before advertising to the general public, following a policy of upward mobility whenever possible.
- 4.3.2 Transfers may be initiated by the City in instances where the City's best interests may be served.
- 4.3.3 Selection of an employee for promotion (or transfer) is based on City needs and the employee's past work record, education, and knowledge of the job duties, as well as time with the City.
- 4.3.4 If the position is advertised, no offer of promotion or transfer may be made to any employee prior to completion of the recruitment process. Temporary assignments may be made by the Department Head for a specified time or assignment as necessary. Such appointments are made on an "acting" basis and the employee returns to their regular position upon completion of the assignment. The actual salary for "acting" appointments is set by the Department Head in consultation with the Human Resources Manager.

- 4.3.5 Whenever an employee is promoted, the employee will enter the new grade at the entry level or 5%, whichever is greater. The City Manager, in their sole discretion, may authorize a higher rate of pay if it is determined that the employee possesses superior qualifications by virtue of experience, training, or education.

4.4 POSITION DESCRIPTIONS

- 4.4.1 Position descriptions and job specifications shall be maintained by the Human Resources Manager for all positions.
- 4.4.2 The position descriptions should include: Position, Title, Class Code, Department, Pay Grade, FLSA Status, Examples of Duties, Essential Functions, Minimum Qualifications, Selection Guidelines, and any other information that is appropriate for the position.
- 4.4.3 The position description does not constitute an employment agreement between the City and the employee, and is subject to change as the needs of the City and the requirements of the job change.
- 4.4.4 Examples of duties listed in the position description are intended only as illustrations of the various types of work performed. The omission of specific statements of duties does not exclude them from the position if the work is similarly related or a logical assignment to the position.
- 4.4.5 Copies of position description may be requested through the Department Head.
- 4.4.6 Revision of position descriptions and reallocations within the classification plan shall be made as often as necessary to provide current information on positions and classes.

4.5 PERFORMANCE REVIEWS

All employees may be subject to performance evaluations based upon a review program developed by Human Resources and approved by the City Manager. The City fosters a culture of continuous improvement, collaboration, and development and strongly encourages supervisors to provide real-time feedback to employees in instances where improvement may be needed or for exemplary performance. Employees and supervisors are also strongly encouraged to collaboratively establish short-term and long-term goals and meet at least annually to discuss progress and any necessary adjustments.

SECTION 5: BENEFITS

The City is pleased to offer its regular full-time employees and eligible dependents a variety of benefits. The following is intended to only summarize the benefits offered by the City; therefore, employees should refer to official policies and plan documents for specific information. It is the responsibility of each employee to ensure that only eligible dependents take advantage of these benefits. Allowing ineligible dependents to partake in City benefits is grounds for disciplinary action, up to and including termination.

The City reserves the right to amend, modify, change, replace, suspend, or eliminate any benefits at any time, with or without cause, and with or without notice.

5.0 GROUP HEALTH PLAN

- 5.0.1 The City offers group health insurance coverage to all its regular full-time employees and their eligible dependents. The specific coverage of benefits for a plan year is defined in the plan documents.
- 5.0.2 The City pays a percentage of the medical premiums as approved annually by the City Council.
- 5.0.3 Insurance benefits and premiums are subject to change, and employees may be responsible for paying future increases.

5.1 LIFE INSURANCE

- 5.1.1 The City provides life insurance coverage for all its regular full-time employees. The amount of coverage will be determined by the City Council in accordance with the City's annual budget.

5.2 DENTAL INSURANCE

- 5.2.1 The City offers group dental insurance to all its regular full-time employees and their eligible dependents. The cost of the premium is paid in full by the employee.

5.3 CREDIT UNION

- 5.3.1 City employees and their family members are eligible to participate in the Coweta Cities and County Employees Federal Credit Union. The credit union offers a number of services to members including savings programs, loans, and individual retirement accounts (IRAs). All savings and IRA contributions are financed 100% by the employee. The City will not have any responsibility for any amount of any loan obtained by an employee.

5.4 OPTIONAL INSURANCE PROGRAM

- 5.4.1 The City offers a number of optional insurance plans including short and long-term disability, supplemental and dependent life insurance, accident insurance, critical illness insurance, and vision care. These plans are made available at group rates for interested employees. All contributions are financed 100% by the employee.

5.5 DEFERRED COMPENSATION

- 5.5.1 Any full-time employee may invest a portion of their present earnings in an approved deferred compensation plan to be reserved for payment upon retirement. Employees may choose pre- or post-tax options. Under the pretax arrangement, both the deferred amount and earnings on the investments are exempt from current Federal income taxes until the employee receives payment from the plan. Voluntary employee contributions to the program are financed through payroll deductions. Federal regulations limit the maximum amount which may be withheld each year.
- 5.5.2 Employee's voluntary contributions are 100% owned by the employee. When an employee leaves the City, they will be provided directions for accessing all monies owned in their account.
- 5.5.3 Benefits received through this program are in addition to any Social Security or City Retirement Plan benefits for which the participating employee would be eligible.

5.6 RETIREMENT PLAN

- 5.6.1 The City provides a defined benefit retirement plan for all regular full-time employees hired on or before 12/31/2023. The defined benefit retirement plan is fully funded by the City.
- 5.6.2 A participant who meets the requirements of the City's defined benefit retirement plan receives a monthly retirement benefit. The amount of the monthly retirement benefit shall be determined by the Plan's Agreement.
- 5.6.3 The City provides a defined contribution retirement plan for all regular full-time employees hired or rehired on or after 01/01/2024. The City will contribute a minimum of 10.0% of employee's annualized salary to the defined contribution retirement plan. Additionally, the City will make a matching contribution up to 3% of an employee's voluntary contribution to the deferred compensation plan.
- 5.6.4 A participant in the defined contribution retirement plan has a 3 year (33.3%) graded vesting for full ownership of the City's contribution. When an employee leaves the City, they will be provided directions for accessing all monies vested in their account.
- 5.6.5 Under the defined benefit plan, the employee is eligible to receive credit for unused sick leave, in an amount not to exceed 4 months, towards Credited Service. To be eligible, the employee must be actively employed with at least 20 years of service with the City of Newnan at termination and must be eligible for early, normal, or disability retirement.
- 5.6.6 Upon retirement, an employee will be honored by the Mayor and City Council with a plaque and gift. The value of gifts will be determined by the tenure of the employee:

Years of Service	Gift Value
10	\$100.00
15	\$150.00

20	\$200.00
25	\$250.00
30	\$300.00
35	\$350.00
40	\$400.00
45 and up	\$450.00

5.7 WORKERS' COMPENSATION

- 5.7.1 All employees are covered by Georgia Workers' Compensation, which is a program of insurance to protect workers from loss due to an injury caused by an accident arising out of and in the course of employment. The program provides for payment of medical and hospital bills, physical and vocational rehabilitation, and financial compensation while the worker is disabled, either temporarily or permanently, and is unable to work.
- 5.7.2 The City complies with all applicable provisions of the Georgia Workers' Compensation laws. Further details may be obtained from Human Resources or www.sbwc.georgia.gov.
- 5.7.3 Any employee who is injured on the job must report that injury to their supervisor as soon as possible. Employees must be seen by a physician who is a member of the panel that is posted at the employee's location. Failure to follow workers' compensation procedures may result in expenses that will not be reimbursed to you.
- 5.7.4 Workers' Compensation will not pay compensation for the first seven days after a worker is incapacitated. However, those seven days will be compensated if the period of incapacitation reaches or exceeds 21 consecutive days.
- 5.7.5 If the employee is temporarily unable to work, compensation will be based on the average weekly wage over a 13-week period immediately preceding the injury. Generally, the weekly benefit is equal to approximately two-thirds of the employee's average weekly wage up to the maximum allowed by Georgia Code.
- 5.7.6 An employee may use accrued comp, personal, sick, or vacation leave while on Workers' Compensation leave to supplement Workers' Compensation payments up to their standard weekly wage.
- 5.7.7 Neither the City nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in off-duty recreational, social, or athletic activity sponsored by the City.
- 5.7.8 Employees will be required to keep their immediate supervisors informed of any change of status while on workers' compensation leave.
- 5.7.9 Employees returning to work following workers' compensation leave must provide the City with written authorization from the treating physician indicating the employee may return to work and are able to perform their job duties.

5.8 EDUCATION

5.8.1 Tuition and some related expenses for formal specialized training or college level courses in pursuit of a degree where training will be a direct benefit to the City may be paid by the City, contingent on budgeted funds, as follows:

- a. The cost will be paid for courses taken that are related to the employee's current job or to position for which there is a reasonable expectation of promotion. For purpose of this policy a "related" course is:
 - (i) A required course in a curriculum leading to a degree directly applicable to City services and the employee's career path;
 - (ii) One or more courses that will improve the abilities and knowledge of the employee in their current job;
 - (iii) Any course or training assigned by management to improve City operations.
- b. Prior to course enrollment, the employee's request for City participation must be submitted and approved by the Department Head and Human Resources Manager. An employee seeking education benefits from the City must complete and agree to the terms outlined in an "Educational Agreement" signed by the employee and the City. All Educational Agreements are made part of the employee's personnel file. An employee must be a regular full-time employee prior to beginning the course in order to be eligible for reimbursement.
- c. The amount of education expenses (when available) that are reimbursable shall be contingent upon the budget and are subject to change.
- d. Payment of tuition and authorized expenses shall be contingent upon satisfactory completion of the course as defined by the Educational Agreement.
- e. In order to receive tuition reimbursement, the employee must be in an active status for the entire time period of the class(s). An employee who is on inactive status or on a leave of absence of any kind may not be eligible for tuition reimbursement.
- f. Any employee that leaves the City within 24 months of receiving the Educational Reimbursement will be required to repay the City in accordance with the following schedule:
 - (i) **100% repayment if the employee leaves employment within the first 12 months following receipt of reimbursement.**
 - (ii) **75% repayment if the employee leaves employment within 12 to 24 months following receipt of reimbursement.**

5.8.2 Conferences, schools, or short courses of instruction designed to advance specific technical or professional skill(s) shall be subject to approval by the Department Head.

5.9 EMPLOYEE RECOGNITION

5.9.1 Employee tenure shall be recognized at five-year increments during the City's Annual Christmas Luncheon.

Years of Service	Gift Card Amount
5 years	\$25.00
10 years	\$50.00
15 years	\$75.00
20 years +	\$100.00

5.10 VEHICLES

5.10.1 The City of Newnan may provide employees with vehicles to help them in carrying out their job efficiently and effectively. Employees may not use a City vehicle for personal or private business. The only exception to this is commuting to and from work in a City vehicle. Use of a City vehicle for commuting must be authorized by the City Manager for one of the following reasons:

- a. The employee responds to emergency or after hours calls and the cost of providing the vehicle is less than the expense of mileage reimbursements for using a personal vehicle on City business;
- b. The vehicle carries special equipment or personnel to respond to an emergency and delays in getting this equipment or personnel to the scene of the emergency would result in increased danger to the public; or
- c. The vehicle is provided as a fringe benefit of the job.

5.10.2 The City may provide a vehicle or an allowance for the use of a personal vehicle as an additional fringe benefit for selected personnel. The criteria for providing such a benefit shall be:

- a. The City receives intangible benefits by providing the vehicle benefit, such as the speed of response to emergencies or after hours services which justify the benefit; or
- b. Provision of the vehicle benefit is considered to be a part of the total compensation package for the position.

5.10.3 The value of the use of the City's vehicle will be reported as income for tax purposes. The City will withhold appropriate taxes reflecting the value of the vehicle's use and will pay any taxes incurred as an employer.

5.10.4 Any employee who drives a City vehicle is solely responsible for payment of parking tickets and other traffic fines incurred while operating a City vehicle.

5.10.5 Employees who are assigned a vehicle are responsible for ensuring maintenance is scheduled and performed as needed by the City Garage.

5.10.6 Employees who drive City vehicles shall:

- a. Abide by all State and local traffic laws;
- b. Wear a seatbelt at all times. Public Safety employees who are en route to an emergency will wear a seatbelt unless doing so would prevent them from donning protective gear.

Additionally, public safety employees are expected to use discretion and good judgment in unbuckling the seat belt while approaching an emergency location;

- c. Immediately summon law enforcement and file a report with their supervisor if they are involved in a vehicular accident or observe damage to their vehicle;
- d. Employees are expected to abide by any departmental procedures for examining their vehicles at the beginning and/or end of the work shift;
- e. All employees are required to use good judgment and safe practices when driving a City vehicle or using communication devices. Texting or other use of handheld devices is not permitted while driving a City vehicle;
- f. The improper, careless, negligent, destructive, or unsafe use or operation of City vehicles (or other City-owned equipment), as well as excessive or avoidable traffic and parking violations, may result in disciplinary action, up to and including termination of employment.

5.11 EMPLOYEE ASSISTANCE PROGRAM

- 5.11.1 The City maintains a counseling and treatment program, referred to as the Employee Assistance Program (EAP), for its employees and their immediate family members. This program, provided by an outside professional medical organization, assists City employees and their immediate family members with a wide range of personal problems that may have a negative effect on their well-being and/or job performance. Some typical problems for which employees may seek professional counseling through the EAP include financial, marital, alcohol and/or drug abuse, coping with stress, death of a family member, divorce, and other family issues.
- 5.11.2 All EAP services are strictly confidential. No information will be made available to the City unless disclosure has been authorized by the employee. The EAP may be used with discipline but will not be a substitute for discipline.
- 5.11.3 Employees should contact the Human Resources Department for more information regarding the EAP.

5.12 OTHER BENEFITS

- 5.12.1 Holiday Bonus: The City Council may authorize a Holiday Bonus for both full and part-time employees. The amounts and conditions of any Holiday Bonus must be approved by resolution of the City Council.
- 5.12.2 Uniforms: The City provides uniforms or an allowance for the purchase of uniforms to certain regular full-time employees. When supplied with uniforms or a uniform allowance, an employee will be required to arrive at work with a clean and presentable uniform every time. Uniforms issued by the City must be worn while on duty and are to be worn solely for work purposes unless authorized by the City Manager.

SECTION 6: LEAVE

Employees are eligible for a number of different types of leave. No employee may engage in outside employment while on leave without the prior approval of the City Manager. Employees who fail to return to work following an approved leave are subject to disciplinary action up to and including termination.

6.0 FAMILY LEAVE – FAMILY AND MEDICAL LEAVE ACT

- 6.0.1 The City complies with the provisions of the Family and Medical Leave Act (FMLA) and will provide employees with up to 12 weeks of unpaid family and medical leave during at 12-month period. Employees seeking leave to care for a covered servicemember with a serious injury or illness may take up to 26 weeks of FMLA leave. The amount of time allowed is determined by federal law depending on the circumstances. Leave may be granted for the following reasons:
- a. Absences related to the birth, adoption, or placement of a child in foster care.
 - b. To bond with a child (leave must be taken within 1 year of the child's birth, adoption, or placement).
 - c. To care for a spouse, child, or parent with a qualifying serious health condition.
 - d. Absences due to the employee's own qualifying serious health condition.
 - e. Absences related to any qualifying exigency arising out of the fact that a spouse, child, or parent of an employee is on active duty or has been called to active-duty status. Please see Human Resources for a complete list of qualifying exigencies.
 - f. In order to care for a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty. Care may be provided by a spouse, child, parent, or next of kin.
- 6.0.2 To be eligible for leave, an employee must have been employed with the City for at least 12 months and worked for a minimum of 1,250 hours during the previous year.
- 6.0.3 An employee is eligible for 12 weeks of unpaid leaving during a rolling 12-month period measured backwards from the date that any FMLA leave is to be taken.
- 6.0.4 Employees who take leave generally will be entitled to return to their position, or a position with equivalent benefits, pay, and other terms and conditions of employment.
- 6.0.5 The City may deny reinstatement to employees who are among the highest paid ten percent of the employees where the denial is necessary to prevent substantial and grievous economic injury to the operations of the City.
- 6.0.6 Employees will not accrue any seniority or employment benefits during any period of unpaid leave.
- 6.0.7 The City will provide coverage under its group health insurance plan for employees who are on FMLA leave under the same conditions as coverage would have been provided if no leave had been taken.

- 6.0.8 Employees must provide at least 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.
- 6.0.9 Leave resulting from the serious illness of a spouse, child, parent, or the employee can be taken intermittently or on a reduced leave schedule when deemed medically necessary by a medical professional.
- 6.0.10 Leave resulting from the birth of a child or the placement of a child for adoption or foster care cannot be taken intermittently or on a reduced leave schedule unless approved by the Department Head and Human Resources Manager.
- 6.0.11 The City will require that any accrued vacation or sick leave be used prior to going on unpaid leave status. The City may elect the order in which employees use accrued leave. Employees receiving pay for paid leave taken during unpaid FMLA leave will be required to comply with paid leave policies. The use of paid leave for unpaid FMLA leave does not extend the 12 or 26 weeks (whichever is applicable) of the FMLA leave period. In no case can the substitution of paid leave for unpaid leave result in an employee's receipt of more than 100% of their salary.
- 6.0.12 Employees who are receiving workers' compensation and/or disability benefits and who are also eligible for FMLA leave will not be required to substitute accrued paid leave for FMLA leave. Those employees may, however, opt to substitute any accrued paid leave to supplement the workers' compensation and/or disability benefits, but in no event may an employee use paid leave to exceed the employee's regular salary.
- 6.0.13 When leave is requested as a result of a serious health condition, the City will require that the employee provide a certification issued by a health care provider. Where there is doubt as to the validity of the certification provided by the employee, the City may require an opinion from a second health care provider, which will be paid for by the City. If there is a conflict between the two opinions, the City may pay for an opinion by a third health care provider. The opinion of the third health care provider will be binding upon both the City and the employee.
- 6.0.14 This manual does not fully describe all the details of the Family and Medical Leave Act. More complete information is available from Human Resources or at www.dol.gov/whd/fmla.

6.1 BEREAVEMENT LEAVE

- 6.1.1 When a death occurs in an employee's immediate family, all regular full-time employees shall receive up to three (3) days off with pay to attend the funeral or make funeral arrangements. For purposes of bereavement leave, immediate family is defined as the employee's spouse or domestic partner, child, stepchild, parents, stepparents, spousal in-laws, siblings, and grandparents. In certain circumstances, the City Manager may grant an additional three (3) days of bereavement leave.
- 6.1.2 If additional time is necessary, it shall be taken as comp, sick, or vacation leave or unpaid leave if vacation leave has been exhausted, with advance authorization by the appropriate Department

Head. Leave for attendance at the funeral of other than immediate family members may be granted as vacation leave, leave without pay, or made up within the same pay period.

- 6.1.3 An employee must notify their immediate supervisor to request time off from work as soon as possible.
- 6.1.4 There is no accrual for bereavement leave days and no payment of unused bereavement days upon separation from employment with the City. The three (3) days do not have to be taken simultaneously.

6.2 HOLIDAYS

- 6.2.1 The City celebrates the following holidays as time off with pay for full-time employees:

New Year's Day	January 1
Martin Luther King Jr. Day	3 rd Monday in January
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 st Monday in September
Thanksgiving Day	4 th Thursday in November
Day After Thanksgiving	
Christmas Eve	December 24
Christmas Day	December 25
Floating Holiday	

- 6.2.2 Generally, if a holiday falls on a Sunday, the following Monday shall be deemed the official holiday. If the holiday falls on a Saturday, the preceding Friday shall be deemed the official holiday. The City Manager may designate another date as the official City holiday in order to better serve the City's needs.
- 6.2.3 To receive pay for an official holiday, the employee must either: (1) work the days immediately before and after the holiday; or (2) be on paid leave on those days.
- 6.2.4 Firefighters (except those in 40-hour positions) shall not observe holidays. Such employees shall be granted holiday time in lieu of holidays. This holiday time may be scheduled as follows:
 - a. Holiday Time: Fire employees receive 180 hours annually which may be scheduled at any time during the year subject to approval by the supervisor. No holiday hours will carry over from one year to the next, nor will remaining holiday hours be paid upon termination.
 - b. Scheduled: Due to the assigned work schedule, every third work period (28 days) employees will be scheduled for ten workdays. Employees will be granted one personal leave day within this work period to reduce the actual number of hours worked in that period to 216.
- 6.2.5 Sworn Officers and Civilian Communications Operators (except those in 40-hour positions) shall not observe holidays. Such employees shall be granted holiday time in lieu of holidays. These hours may be scheduled at any time during the year with supervisor approval. No holiday hours will carry over from one year to the next nor will any remaining holiday hours be paid upon termination.

- 6.2.6 If a general employee must work on a holiday, they shall be granted time off on another date as approved by their Department Head. No employee will receive more time off than he worked on the holiday. Such time off must be taken within 90 days or will be lost.
- 6.2.7 The City retains the discretion, at all times, to modify the holiday schedule (including whether a day is considered a holiday under this policy) with or without notice to employees.

6.3 JURY DUTY/COURT LEAVE

- 6.3.1 Any employee who is required to serve on a jury or as a result of official City duties is required to appear before a court, legislative committee, or quasi-judicial body as a witness in response to a subpoena or other directive, shall be allowed authorized leave with pay. An employee who receives notice of jury duty or witness service must notify their supervisor immediately in order that arrangements may be made to ensure adequate staffing. The City reserves the right to request that an employee who is called for jury duty be excused if their absence would create a hardship on the operational effectiveness of the department.
- 6.3.2 Time spent on jury or court duty will not affect vacation, sick, or personal leave accruals, unless the employee's jury or court duty occurs while the employee is on vacation or personal leave.
- 6.3.3 Employees who appear in court as the plaintiff or defendant in any action not related to their official duties shall not be paid for time away from work unless accrued vacation or other leave is used to cover that time.
- 6.3.4 Employees must return to work immediately upon completion of jury duty; however, no more than the regularly scheduled number of hours including both jury duty and work shall be required. If excused as a juror on any given day, the employee is expected to contact his supervisor and report to work as instructed. An employee may be required to present a statement from the court indicating jury service.

6.4 UNPAID LEAVE OF ABSENCE

- 6.4.1 Requests for an Unpaid Leave of Absence (other than Family Medical or Military Leave) shall be made in writing to the Department Head and must provide specific reasons for the request, the desired start date, and date of return. The Department Head shall grant, modify, or deny the request based upon the best interests of the City, giving due consideration to the reasons provided by the employee and to the requirements of any applicable State and Federal laws. No Unpaid Leave of Absence will be granted unless all other accrued hours have been exhausted.

6.5 MILITARY LEAVE

The City of Newnan complies with all State and Federal laws applying to employees who are members of the United States Armed Forces, Reserve Forces, National Guard, or Coast Guard.

- 6.5.1 The authority for this policy is derived from the provisions of Georgia law §38-2-279 and the Uniformed Services Employment and Reemployment Rights Act (USERRA) and applies to all City

employees who are affiliated with the United States Armed Forces, National Guard, or Coast Guard.

6.5.2 Employees who are voluntarily or involuntarily called to active duty are protected under the provisions of USERRA. This act provides specific protections in the area of reemployment rights, freedom from discrimination and retaliation, and health insurance protection.

6.5.3 Employer's Responsibilities

- a. The City is obligated to release employees for service with the United States Armed Forces, Reserve Forces, National Guard, or Coast Guard when the employee participates in:
 - (i) Annual Training
 - (ii) Inactive Duty Training Assemblies (weekend drills)
 - (iii) Voluntary or Involuntary call-up
- b. Ordered military duty shall result in no loss of seniority status or benefits that would have normally accrued if the employee had not been absent for such purposes.
- c. The City is obligated to grant Military Leave with pay to the employee for absences not exceeding 18 workdays per Federal fiscal year (October 1 – September 30) in accordance with Georgia law. For purposes of applying this policy, a workday will be counted as eight hours. The City will not require the employee to use accrued vacation for such purposes. The employee may, however, request the use of vacation or leave without pay to supplement absences exceeding those covered by the 18-day Military Leave allowance. All other military leave is unpaid.

6.5.4 Employee's Responsibilities

- a. The employee is responsible for providing the Department Head with copies of all military orders that result in a leave of absence for military duty. Orders must specify the dates of absence, promulgation authority, letter order number, and signature of issuing authority.
- b. Employees are required to notify their supervisors at the earliest possible date upon learning of scheduled military duty.
- c. Employees who fail to return to work within the time frame allowed by USERRA without receiving an extension in advance are subject to the City's conduct rules, established policy, and general practices pertaining to absences from work, which may include disciplinary action.
- d. Inactive duty training dates (weekend drills) should be provided to the Department Head as soon as available if the dates conflict with scheduled employment with the City.

6.5.5 After voluntary or involuntary call to active duty, if the employee meets the legal criteria for reemployment, by law, they will be restored to the job and benefits they would have attained had they not been absent due to military service or, in some cases, a comparable job.

6.5.6 This manual does not describe all the rights and responsibilities under USERRA. Contact Human Resources or www.dol.gov/compliance/laws/comp-userra.htm for more details.

6.6 SICK LEAVE

All regular, full-time employees shall be entitled to sick leave as follows:

- 6.6.1 A full-time employee shall be entitled to use accrued sick leave from the date of employment. Sick leave shall be granted at the rates of 3.08 hours for each pay period. All firefighters, except those in 40-hour positions, shall earn 4.62 hours for each pay period.
- 6.6.2 Sick leave shall accrue to a maximum of 720 hours. All firefighters, except those in 40-hour positions, shall accrue sick leave to a maximum of 1080 hours.
- 6.6.3 To accrue sick leave, an employee must be in paid status (either working or on paid leave) for the full pay period prior to the accrual date. Sick leave shall not accrue during leaves of absence without pay.
- 6.6.4 Sick leave may be approved for absences due to personal illness or physical incapacity, sickness of an immediate family member, involuntary or forced quarantine, pregnancy or pregnancy-related condition, or death in the immediate family. For purposes of sick leave, immediate family is defined as spouse or domestic partner, child, or stepchild.
- 6.6.5 Sick leave may be used for doctor or dental appointments. Employees are required to provide at least one day's notice prior to using sick leave for doctor or dental appointments or, in the case of same-day appointments, as much advance notice as possible.
- 6.6.6 An employee who is on sick leave for a period of five days or longer shall provide medical certification containing medical facts necessitating the need for the absence, the anticipated length of absence from work, and any physical restrictions upon return to work. An employee with a pattern of absence not related to FMLA may be asked to provide medical certification of the need for absences.
- 6.6.7 Sick leave requests are subject to approval by the Department Head or designated supervisor. If an employee wishes to use sick leave, they must notify their Department Head or designated supervisor immediately. Notification should be made at least one hour prior to the beginning of the scheduled workday. An employee who fails to notify the Department Head or designated supervisor may not be paid for the time taken prior to notification.
- 6.6.8 An employee who is on sick leave shall advise their supervisor prior to each shift regarding their condition and expected date of return to duty.
- 6.6.9 An employee who becomes ill while on approved vacation leave may be granted sick leave for the period of illness.
- 6.6.10 No sick leave will be granted in excess of the amount accrued and available to the employee. An employee may utilize accrued vacation when sick leave has been exhausted. If the employee has exhausted vacation, the employee may request time off without pay.
- 6.6.11 Sick leave accrued by an employee cannot be transferred to another employee.

- 6.6.12 An employee using sick leave may not actively work for another employer where they are gainfully employed without specific written permission of the City Manager.
- 6.6.13 Employees who resign, retire, or are laid off by the City are eligible for payment of one-tenth of all accrued and unused sick leave. An employee who is discharged is not eligible for payment of any accrued sick leave.
- 6.6.14 In the event of an employee's death, one-tenth of all accrued and unused sick leave will be paid to the employee's beneficiary, or estate.

6.7 VACATION LEAVE

- 6.7.1 The City provides vacation leave with pay to regular full-time employees. A full-time employee will be permitted to use accrued vacation leave from the date of employment.
- 6.7.2 A regular full-time employee working the basic 40-hour (or 40- or 42-hour workweek in the case of sworn police officers) workweek shall accrue vacation leave at the following rates:

Years of Service	Accrual Per Pay Period	Annual Accrual	Days Per Year	Maximum Accrual	Personal Days
0 – 2	3.08	80	10	120	2
2 – 5	3.69	96	12	144	2
5 – 9	4.31	112	14	168	2
9+	4.92	128	16	192	2

- 6.7.3 All firefighters assigned to a 24-hour shift shall accrue vacation leave in at the following rates:

Years of Service	Accrual Per Pay Period	Annual Accrual	Days Per Year	Maximum Accrual	Personal Days
0 – 2	4.62	120	5.0	180	1
2 – 5	5.54	144	6	216	1
5 – 9	6.46	168	7.0	252	1
9+	7.38	192	8	288	1

- 6.7.5 To accrue vacation leave, an employee must be in a paid status for the prior pay period.
- 6.7.6 The date of hire shall be used as the basis for determining vacation leave accrual rates.
- 6.7.7 Employees with an accumulated balance on December 31, 1991, may retain their balance.
- 6.7.8 Employees may accrue up to 150% of their annual vacation accrual amount; however, payout will be limited to the annual accrual rates shown in 6.7.3 and 6.7.4 above.
- 6.7.9 Vacation leave shall be scheduled at such times as the Department Head finds most suitable after considering the wishes of the employee and the requirements of the department and must be approved in advance by the Department Head.

- 6.7.10 In order to plan for coverage of job duties, employees must give their Department Head at least three weeks' notice for vacation leave request of over five days.
- 6.7.11 Vacation leave accrued by an employee cannot be transferred to another employee.
- 6.7.12 Paid holidays occurring during vacation leave are not charged to vacation leave.
- 6.7.13 Upon termination, an employee shall be paid for accrued and unused vacation leave accrued through the date of separation subject to the following:
- a. The estate of an employee who dies while employed by the City is entitled to be paid for all accrued and unused vacation leave in the employee's account subject to the limits in (b.) below.
 - b. The maximum payment for vacation leave upon termination shall be subject to the annual accrual limits outlined in Section 6.7.3 and 6.7.4. Employees who have an accumulated balance for the period prior to January 1, 1992 shall be paid for that balance in addition to the current balance.
 - c. Upon resignation or retirement from City employment, a regular full-time employee who provides the City at least two weeks' notice of such resignation or retirement shall be paid at the normal rate of pay as of the pay period immediately preceding such resignation or retirement for their unused vacation leave.
 - d. An employee who is discharged from employment shall forfeit any right to payment for accrued and unpaid vacation leave.

6.8 EDUCATIONAL LEAVE

The City offers educational leave to encourage all regular, full-time employees to continue their education in order to maintain and improve skills and knowledge useful in their current positions or necessary for assuming additional responsibilities in the future.

- 6.8.1 Absence from work while voluntarily pursuing a course of study, whether job related or not, shall be subject to approval by the Department Head. An employee requesting educational leave must provide at least 30 days' notice of a course schedule and/or anticipated times the employee expects to use educational leave. An employee will not be compensated for any such absence during regular work hours. Continued approval of time off to pursue advancement in education is contingent upon meeting all job responsibilities.
- 6.8.2 Employees may, from time to time, be required to attend training when it will benefit the City. Employees assigned to attend courses by the Department Head will be compensated for classroom time in the same manner as if on the job.
- 6.8.3 Disapproval of educational leave cannot be appealed under the City's grievance procedure.

SECTION 7: CONDUCT

7.0 DRUG-FREE WORKPLACE POLICY

The City of Newnan is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any City worker illegally uses drugs on or off the job, comes to work under the influence of drugs or alcohol, possesses, distributes, or sells drugs in the workplace, or abuses alcohol on the job. Therefore, the City of Newnan has established the following policy.

- 7.0.1 Substance and alcohol abuse by City employees during assigned working hours, in City buildings, on City grounds, or while conducting City business off City premises is prohibited. This shall include the use of illegal substances, the abuse of prescription medications, and the use or abuse of alcohol.
- a. It is a violation of policy for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the use of illegal drugs on or off the job.
 - b. It is a violation of this policy for any employee to report to work under the influence of, or while possessing in their body, blood, or urine, illegal drugs in any detectable amount.
 - c. No employee shall report to work under the influence of, or impaired by, alcohol.
 - d. Employees are prohibited from using prescription drugs illegally, i.e. to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than as prescribed. Nothing in this policy precludes the appropriate use of legally prescribed medications used in accordance with the terms prescribed, so long as such use does not impair the employee's ability to safely perform their job duties and responsibilities.
 - e. An employee who is under the influence of alcoholic beverages at any time while on City business or at any time during normal working hours, whether on City of Newnan property or not, shall be guilty of misconduct.
 - f. An employee shall be determined to be under the influence of alcohol if the employee's normal faculties are impaired due to the consumption of alcohol, and/or if the employee tests positive for the presence of alcohol. Failure to submit to a substance abuse test is considered misconduct.
- 7.0.2 Random and Periodic Drug Testing - Employees in safety sensitive-positions and employees whose primary job duties require maintenance or operation of a motor vehicle or motorized equipment shall be required to submit to a drug/alcohol screening test at random or on a periodic basis. Selection of these employees will be coordinated by the Human Resources Manager. The following positions are considered safety-sensitive for the purpose of this section:
- a. Sworn personnel and school crossing guards in the Police Department.
 - b. Certified fire personnel.
 - c. Equipment operators or other personnel whose primary job duties require the operation of motor vehicles or other motorized equipment and those that repair and maintain such equipment.

- d. The City Manager, with the approval of the Mayor and Council, may designate additional positions that are deemed to be safety-sensitive and subject to testing on a random or periodic basis.

7.0.3 Drug and/or Alcohol Screening Test Based on Reasonable Suspicion :

- a. Reasonable suspicion means a reasonable belief based on specific objective facts and inferences drawn from those facts. Situations that may give rise to a conclusion that an employee is under the influence of drugs and/or alcohol include, but are not limited, to the following:
 - (i) An employee is involved in a physical or verbal altercation on the job.
 - (ii) An employee has an excessive number of incidents or accidents on the job.
 - (iii) An employee exhibits unusual behavior such as slurred speech, lethargic behavior, behavior inappropriate or inconsistent with the circumstances, blood-shot eyes, unsteady walking or unsteady movements on the job, or other physical signs consistent with the possible influence of alcohol or a controlled substance.
 - (iv) An employee has an odor of alcohol or marijuana on their person while on the job.
 - (v) An employee is in possession of alcohol, drugs, or drug paraphernalia on the job.
- b. An employee shall be required to submit to drug and/or alcohol testing when there is reasonable suspicion to believe that such employee is under the influence of drugs and/or alcohol during assigned working hours or while otherwise on City duty or in control of City property.
- c. Supervisors who suspect an employee is under the influence of drugs and/or alcohol shall immediately report the incident to their supervisor or Department Head.
- d. The determination of whether reasonable suspicion exists shall be made by the Department Head or by the highest-ranking supervisor on duty at the time. The facts underlying the determination of reasonable suspicion shall be disclosed to the employee at the time the demand to submit to testing is made.
- e. Following the determination that reasonable suspicion exists, the employee shall be transported to and from the testing site by the employee's supervisor or designee. Following the testing procedure, appropriate arrangements will be made to transport the employee home.
- f. The supervisor shall document in writing, within the next working day, the specific facts, symptoms or observations that formed the basis for determining that reasonable suspicion existed to warrant the testing of the employee. All documents created in connection with the determination of reasonable suspicion shall be forwarded to Human Resources and the City Manager.
- g. The City will provide training to assist supervisory personnel in identifying drug and alcohol use among employees. Such training shall be directed toward helping supervisors to recognize the conduct and behavior giving rise to a reasonable suspicion of drug or alcohol use.

- 7.0.4 Testing after Accident or Injury - All employees involved in a work-related incident should expect to be tested promptly for drug and/or alcohol use.
- 7.0.5 The selection of drugs to be tested for includes, but is not limited to:
- a. Marijuana
 - b. Sedatives
 - c. Methaqualone
 - d. Opiates/narcotics
 - e. Stimulants
 - f. Amphetamines
 - g. Benzodiazepines
 - h. Hallucinogens
 - i. Alcohol
- 7.0.6 Prescription Drug Use:
- a. Employees using any prescription medication while on the job shall do so in strict accordance with medical directions. It is the employee's responsibility to notify the prescribing physician of the duties required by the employee's position and to ensure that the physician approves the use of the prescription medication while the employee is performing their duties. The abuse and/or inappropriate use of legally prescribed drugs is prohibited and shall be deemed a violation of this policy. Job performance or attendance deficiencies resulting from abuse and/or inappropriate use shall be cause for disciplinary action. If an employee's behavior or job performance gives rise to a reasonable suspicion that the employee is abusing or inappropriately using prescription medication, the employee may be required to submit to drug testing and to take a leave until such time as the employee is cleared to return to work by the employee's physician and the Human Resources Manager.
 - b. It is a violation of this policy for an employee to share prescription medication with any other person.
- 7.0.7 List of Medications – Employees and job applicants shall, upon request, provide the testing lab a list of those prescriptions and over-the-counter medications that they have recently used. The list of medications shall be disclosed only to medical review officials who will determine whether the non-negative result was due to the lawful use of any of the listed medications.
- 7.0.8 Consent:
- a. Before a drug and/or alcohol test is administered, employees and job applicants will be asked to sign a consent form authorizing the test and permitting release of test results to the City and a medical review officer.
 - b. Any job applicant who refuses to consent to a drug and alcohol test shall be denied employment and any conditional job offer of employment shall immediately be rescinded.
 - c. Any employee who refuses to sign the consent form or to submit to a drug and/or alcohol test as required in this policy shall be subject to dismissal. Failure to appear at the designated collection site to take the test when so directed or any attempts to adulterate a test sample or frustrate, impair, or otherwise impede the testing process will be considered a refusal to submit to drug testing.

7.0.9 Testing Laboratory Guidelines:

- a. All testing procedures shall be administered and accounted for by an approved laboratory and/or medical facility that is operating in compliance with the National Institute of Drug Abuse (NIDA) guidelines.
- b. Appropriate steps will be taken by the testing agency to ensure privacy during the test collection process, while at the same time, preserving the integrity of the samples collected.
- c. Whenever an initial test for drugs and/or alcohol is found to be positive, the laboratory will then carry out additional tests pursuant to laboratory testing guidelines to confirm that the initial positive indication was correct. If the second procedure also indicates the presence of drugs or alcohol, the test result is considered a confirmed positive result.
- d. If a test result is reported as diluted, the employee will be asked to take a retest. A second diluted test result will be considered as a refusal to produce a valid specimen and thus a refusal of the test.

7.0.10 Confidentiality of Test Results – All information from an employee’s or job applicant’s drug and alcohol test shall be confidential and only available to the supervisor, Department Head, Human Resources Manager, City Manager and those with a need to know. Disclosure of test results to any other person, agency or organization shall be prohibited unless written authorization is obtained from the employee or job applicant. The results of a positive drug or alcohol test shall not be released until the results are confirmed.

- a. Employees who have a positive confirmed test result may explain or contest the results to the City within two (2) working days after the City contacts the employee and shows the positive test result as it was received from the laboratory. An employee’s timely explanation or challenge of a positive result does not guarantee such employee will not be subject to disciplinary action, up to and including termination.

7.0.11 Disciplinary Action:

- a. First Positive Test – Except as otherwise provided in this policy, the first instance of a confirmed positive drug test will result in suspension without pay and the requirement to participate in a drug or alcohol rehabilitation program. If the incident or occurrence that precipitated the drug test involved a violation of rules or policies other than this policy, the employee may be subjected to disciplinary action as appropriate for the conduct, up to and including termination.
 - (i) Employees with a positive test result will be removed from their job and may not return to work until they pass a drug and/or alcohol test, are recommended for a return to duty by the medical reviewing officer, and consent to unannounced drug and/or alcohol testing for a period of at least one (1) year.
 - (ii) If an employee is unable to return to work because of treatment, and has exhausted their paid leave accruals (sick and vacation), he may apply for a leave without pay in accordance with Section 6 of this manual.

- b. Second Positive Test – An employee with a positive test result for a second time will be dismissed immediately.
 - c. Immediate Dismissal – The following shall be grounds for immediate dismissal:
 - (i) Distributing controlled substances while on the job.
 - (ii) Operating a City vehicle or motorized equipment or a sworn officer discharging a weapon while illegally under the influence of drugs and/or alcohol.
 - (iii) Felony conviction for violation of drug laws.
 - d. Additional Factors to be Considered – Additional factors may be reviewed to determine appropriate disciplinary action for violations of this policy including:
 - (i) Public safety personnel shall be held to a higher standard.
 - (ii) Specific positions of leadership in the City will be held to a higher standard (e.g. supervisors and Department Heads).
 - (iii) Prior violation of drug and/or alcohol laws and regulations.
 - (iv) Any other occurrence or circumstance that indicates a need to impose enhanced disciplinary sanctions.
- 7.0.12 Consistent with the Federal Drug-Free Workplace Act of 1988, an employee shall report to the Human Resources Manager within five (5) working days, any arrests or conviction made under a criminal drug or alcohol law and any charges made under a drug or alcohol law for which conviction could cause the loss of driving privileges. The Human Resources Manager shall investigate and make appropriate recommendations. Failure to report this to the Human Resources Manager is grounds for further discipline.
- 7.0.13 Voluntary EAP – Voluntary participation in an EAP prior to a request to submit to a drug or alcohol test is encouraged, and such participation shall be kept confidential. No disciplinary action shall be implemented because an employee volunteers to participate in such a program. Employees who, prior to being requested to take a drug or alcohol test, voluntarily identify themselves as a drug or alcohol abuser and obtain counseling and rehabilitation through the City's EAP will not be disciplined for their drug and/or alcohol abuse if they thereafter refrain from violating this policy.
- 7.0.14 Mandatory Employee Assistance Program (EAP) – Upon the first non-negative test result or determination that an employee has been under the influence of drugs or alcohol, the City will refer the employee to an EAP for assessment, counseling and rehabilitation. Referral to and compliance with the EAP is mandatory.
- 7.0.15 Any employee who has received a suspension or been placed on leave pending an investigation into the possible violation of this policy or who has been found to be in violation of this policy will be required to submit to a drug or alcohol test prior to being allowed to return to work. 7.1.15 The Georgia Workers' Compensation Drug-Free Workplace certifications program (O.C.G.A. 34-9-410) is part of the Official Code Annotated.

7.1 ELECTRONIC MAIL (E-MAIL), INTERNET, AND SOCIA MEDIA

- 7.1.1 The City of Newnan recognizes that the use of the Internet has many benefits for the City and its employees and, therefore, the e-mail system and internet access are provided to assist employees in the performance of their duties. The City's equal employment opportunity and non-harassment policies apply fully to use of the internet and e-mail transmissions. It is the responsibility of each employee to ensure that this technology is used for proper business purposes and in a manner that does not compromise the confidentiality of proprietary or other sensitive information.
- 7.1.2 Email messages reflect the City's image and should, therefore, be composed in a professional manner that is similar to messages sent on City letterhead. Employees should be aware that their email messages are subject to PUBLIC DISCLOSURE, either through open records laws or through discovery in legal proceedings involving the City, the employee, or another employee. Thus, it is expected that employee statements in emails and other electronic files will reflect favorably on the City and on the employee. The City's policies regarding email communications apply equally to the attachments to emails and to the messages or bodies of emails.
- 7.1.3 Employees are prohibited from using City computers, email, and internet access to:
- a. Send, solicit, print, copy, or reply to messages, images, or jokes that relate to race, color, religion, creed, national origin, ancestry, sex (including pregnancy), gender (including sexual orientation, gender identity or expression, and status as a transgender or transsexual individual), age, physical or mental disability, citizenship, genetic information, protected veteran status, or any other characteristic protected by law.
 - b. Send, solicit, print, copy, or reply to messages that are disparaging or defamatory or spread gossip, rumors, or innuendos about employees, citizens, or outside parties.
 - c. Send, solicit print, copy or reply to sexually oriented messages or images, or messages with obscene or adult oriented language.
 - d. Operate a business, conduct an external job search, solicit money for personal gain, campaign for political causes or candidates, or promote or solicit funds for a religious or other personal cause.
 - e. Send out personal mass emails to multiple parties.
 - f. Engage in any email or internet activity that interferes with their job performance or those of other employees, including knowingly running or installing on any computer system or network any program intended to damage or to place excessive load on a computer system or network.
 - g. Engage in online gambling or access pornographic or other inappropriate websites.
 - h. Gain unauthorized access to any data or computer network system.
 - i. Intentionally seek our information on, obtain copies of, or modify files or other data that are confidential under federal, state, or local law unless specifically authorized to do so once the legal conditions for release are satisfied.
 - j. Attempt to circumvent data-protections schemes or uncover security loopholes, including attempts to mask the identity of an account or machine.

- k. Attempt to monitor or tamper with another user's electronic communications or reading, copying, changing, distributing, or deleting another user's files or software without the explicit consent of the owner.
 - l. Access websites that charge money for access without approval from one's supervisor.
 - m. Engage in any conduct that violates federal, state, or local law or that intends to lead to a violation of the same.
 - n. Engage in any activity that compromises the integrity of the City's computer and electronic communications system.
- 7.1.4 Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful, inappropriate, offensive (including offensive material concerning race, color, religion, creed, national origin, ancestry, sex (including pregnancy), gender (including sexual orientation, gender identity or expression, and status as a transgender or transsexual individual), age, physical or mental disability, citizenship, genetic information, protected veteran status, or any other characteristic protected by law), or violates the City's equal employment opportunity policy and/or its non-harassment policy may not be downloaded from the internet or displayed or stored in City computers. Employees encountering or receiving this kind of material should immediately report it to their supervisor or the Human Resources Manager. Employees who receive messages with inappropriate content should notify the sender that such email is prohibited.
- 7.1.5 E-mail created and/or received which defines or establishes policy is considered a public record and must be retained (either electronically or on hard copy) in accordance with State records retention schedules.
- 7.1.6 Employees are reminded that all work produced is subject to discovery in legal proceedings. This includes data on hard drives, cell phone storage, removable drives, and work performed for the City on home computers.
- 7.1.7 Only City employees are allowed access to City computer systems. Employees may not share passwords with or otherwise allow any third party to access any City computer or email account without a legitimate business reason and prior authorization from the City Manager.
- 7.1.8 Employees may not illegally copy material protected under copyright law or make that material available to others for copying. Any employee who uses City computers is responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other material that may be downloaded or copied.
- 7.1.9 Employees are not allowed to access file sharing websites at any time. This includes music/video file sharing sites as well as Torrent websites and similar applications.
- 7.1.10 No employee shall use their City email address for personal business, including banking, personal newsletters, advertisements, or as contact for social networking sites unless business related and approved by the Department Head.

7.1.11 Email is not guaranteed to be private or confidential. All electronic communications are the property of the City of Newnan. Therefore, the City of Newnan reserves the right to examine, monitor, and regulate email messages, directories and files, and Internet usage, in its discretion in the ordinary course of business.

7.1.12 Social Media Postings:

- a. The City of Newnan recognizes that social media can be a powerful communications tool for sharing ideas and exchanging information. With the rise of social media use, the way in which City employees communicate internally and externally continues to evolve. While this creates new opportunities, it also carries additional responsibilities for employees.
- b. For the purposes of this policy, social media should be understood to include any website or forum that allows for the open communication on the internet including, but not limited to:
 - (i) Social Networking Sites (i.e., LinkedIn, Facebook, Instagram, Snap Chat).
 - (ii) Micro-blogging Sites (i.e., X (formerly Twitter)).
 - (iii) Blogs (i.e., including company and personal blogs).
 - (iv) Online Encyclopedias (i.e., Wikipedia).
 - (v) Video and photo-sharing websites (i.e., YouTube; Flickr; TikTok).
- c. Each employee of the City who engages in social media activity must take personal responsibility for ensuring that such activity is consistent with all policies of the City, including, but not limited to, those pertaining to making false or misleading statements, promoting or endorsing violence or illegal activity, promoting or endorsing the abuse of alcohol or drugs, disparaging individuals or groups based on any characteristics protected by law, or otherwise engaging in conduct unbecoming an employee of the City, bringing discredit to the City, or interfering with or detrimental to the mission or function of the City.
- d. Employees should think carefully before posting online, since they are responsible for anything posted. Despite privacy policies, employees cannot always be sure who will view, share, or archive the information that is posted. The City reserves the right to inspect or monitor any social media activity engaged in by its employees using City-owned computers or other electronic equipment or devices.
- e. Employees should remember that any conduct, online or otherwise, that negatively or adversely impacts the employee's job performance or conduct, the job performance or conduct of other co-workers or adversely affects the City's business interests may be cause for disciplinary action.
- f. Employees must refrain from engaging in any social media activity that disqualifies them from performing, or in any way reasonably calls into question their ability to objectively perform, any essential function of their jobs. Examples of such functions include, but are not limited

to, testifying, making hiring or promotion decisions or recommendations, conducting performance evaluations, and determining eligibility for City programs.

- g. All personnel policies of the City relating to employee conduct apply equally to conduct that occurs through social media. This includes, but is not limited to, policies relating to discrimination, harassment, retaliation, workplace violence, conflicts of interest, and political activity.
- h. All employees are strongly encouraged to report any violations of this policy by any other employee if an employee believes that any such violation may compromise the safety or well-being of other employees. Any employee wishing to report concerns about another employee's safety or well-being should report their concerns to their Department Head, Human Resources, or the City Manager.
- i. Absent prior approval from the City Manager, employees are prohibited from posting, transmitting, displaying, or in any other way, broadcasting information regarding City business including but not limited to:
 - (i) Video, audio, photographs, or other images or files relating to City business or which memorialize law enforcement actions of the City.
 - (ii) Confidential or privileged information of the City, any current or former employee of the City, or any applicant for employment with the City.
- j. Social Media Outreach as part of an approved program
 - (i) Employee online conduct should not violate this or any other applicable policy of the City of Newnan.
 - (ii) Freedom of Information Act and e-discovery laws and policies apply to social media content and therefore content must be able to be managed, stored, and retrieved to comply with these laws.
 - (iii) When social networking sites are used as a means of communication with Citizens as part of an approved business program, employees must ensure that all material posted or otherwise disseminated reflects favorably on the City.
- k. Personal Use of Social Media
 - (i) Employees will limit their use of social media during working hours or on equipment provided by the City unless such use is work-related or authorized by a Department Head or the City Manager.
 - (ii) Employees will not use City of Newnan provided email addresses to register on social media networks, blogs, or other websites for personal use.
 - (iii) Employees are prohibited from directly or indirectly representing themselves to be speaking on behalf of the City.

- (iv) When postings are not part of a City program or official business, employees should express only personal opinions online. If an employee chooses to post online content relating to the City of Newnan, the employee must make it clear that they are not speaking on behalf of the City of Newnan. Any online activity relating to or impacting the City should be accompanied by a disclaimer stating that “The postings on this website are my own and do not necessarily reflect the views of the City of Newnan.” This disclaimer must be visible and easy to understand. However, employees should understand that no disclaimer will shield an employee from the imposition of discipline for social media activity that otherwise violates this policy.
- (v) The City reserves the right to require any employee to remove immediately any posted or uploaded text, audio or video recordings, photographs/images, etc. (even if previously approved) if such posted material constitutes a violation of this policy or other City policies.

7.1.13 Personal use of the City’s computer and electronic communications system is a privilege that may be revoked at any time. The City has sole discretion to determine what constitutes reasonable personal use and whether personal use is interfering with the performance of one’s job duties.

Nothing in this policy is intended or will be applied in a manner that violates any employee’s constitutional rights, including rights to freedom of speech, expression, and association, or federal or state rights to engage in any statutorily-protected activity.

7.2 STANDARDS OF CONDUCT

Employees are expected to follow the laws of the State of Georgia, the ordinances of the City, and the adopted standards for performance and conduct. The infractions listed, while not all-inclusive, define violations of City policy that will result in disciplinary action, up to and including dismissal from employment. Nothing herein should be construed as a guarantee of continued employment or an erosion of the at-will employment relationship defined in these policies.

Additionally, since City employment is a position of public trust, certain infractions which breach that trust may lead to more severe disciplinary action.

7.2.1 Standards of Conduct

a. Absences

- (i) Failing to obtain approval prior to any absence from work, except in the case of a proven emergency, and failing to timely notify or call in each shift absent. An employee who is absent without authorized notification for three (3) consecutive workdays shall be considered to have abandoned their position and resigned from City employment at the start of the workday of the third day.
- (ii) Leaving Work Area or Duty Assignment without Authorization: Absence from the work area or duty assignment during a work period without permission of the

appropriate supervisor. This includes leaving a work area for a lunch or rest break, or at the end of a work shift without proper relief.

- (iii) Excessive Absence: An attendance record of recurring absences, even though all or a majority of the absences were necessary and/or excused. This also includes a pattern of absenteeism, such as consistent absences on the day preceding or following the employee's regular days off or absence on the same day of each week or month.
 - (iv) Excessive Tardiness: The failure to follow established work schedules. This includes reporting late at the beginning of the work shift, leaving early, or returning late from lunch or rest breaks, all without approval.
 - (v) Improper use or abuse of leave: Use of leave time for purposes other than designated purpose or seeking improper extensions of leave.
- b. Unauthorized Use of City Property, Equipment, Time, or Personnel: The use of any City property, equipment, time, or personnel for any purpose other than official City business.
 - c. Sabotage: Participation in a willful act of destruction or attempted destruction of City property, equipment or data. Intentional corruption of a City operation.
 - d. Theft or Stealing: The unauthorized taking of any property that belongs to the City, an employee, or any other person. This includes the use of City issued cards, such as fuel, purchasing, or other types of cards, for any purpose other than official city business in accordance with approved operating procedures.
 - e. Insubordination: A willful, deliberate, and unacceptable refusal to obey a reasonable order that relates to an employee's job function. An unwillingness to submit to authority; insolence. Includes both an expressed or nonverbal refusal to obey a proper order as well as a deliberate failure to carry out an order or an unreasonable delay in completing an order.
 - f. Negligence: The failure to use ordinary or reasonable care in, or the omission of or inattention to, the performance of assigned duties and responsibilities. Negligence is synonymous with carelessness and signifies lack of care, caution, attention, diligence, or discretion.
 - g. Willful Falsification: Includes lying, willful misrepresentation, and/or willful falsification, omission of any fact, or intent to deceive whether oral or written. This includes, but is not limited to, time (including punching the time card of another employee), attendance (leave), employment status, employment applications, travel vouchers, and work or production reports.
 - h. Failure to Cooperate with an Investigation: This can include unwillingness to speak with a duly appointed investigator, giving false or misleading information during an investigation, or failing to disclose information relevant to the investigation which the employee possesses.
 - i. Arrest or Conviction of a Crime: Conviction of a crime where such conviction adversely affects the employee's ability to perform their job, or which adversely affects the City's ability to carry out its assigned mission.
- (i) Any employee convicted of a felony offense after May 1, 2009 must notify Human Resources within three (3) business days.

- (ii) Any employee who is arrested shall notify the Human Resource Manager within three (3) business days to determine if the arrest will have a negative impact on

the employee's ability to work or will adversely impact the City. The Human Resources Manager will consult with the City Attorney as necessary to protect the City's interests as well as the employee's.

- j. Horseplay: Actions that, even though intended to be mischievous or prankish, disrupt or have the effect of disrupting the work of the participants or other employees, or actions that may result in injury to others or damage to property.
- k. Sleeping on Duty: The failure of an employee to remain awake while on duty.
- l. Loafing: Continued and deliberate idleness during work periods that results in the employee's failure to perform assigned tasks. This includes, but is not limited to, deliberately wasting time, excessive personal cell phone usage/texting, excessive use of computer for non-business purposes, engaging in idle talk or gossip, or conducting personal business during work hours.
- m. Gifts and Favors: No employee may accept significant gifts or services from anyone who might expect to receive anything in return from the City. Gifts or services valued at more than \$25 will be considered significant for purposes of this policy. No employee may grant any improper favor, service, or object of value in the discharge of their duties. Improper favors include but are not limited to, intentional non-enforcement of codes, policies or procedures, and specific actions designed to bestow favor on the gift giver.
- n. Conduct Unbecoming an Employee: Conduct, whether on or off the job, which adversely affects the employee's reputation or ability to continue to perform their current job, or which reasonably could undermine public confidence or otherwise create concern on the part of fellow employees, residents, or other agencies with which the City interacts.
- o. Unsatisfactory Work Performance: The failure to satisfactorily meet the minimum performance standards that specifically relate to the employee's duties and responsibilities. This includes the failure to obtain or maintain a current license or certificate required for performing the job and/or failure to use safety equipment or to comply with safety requirements. An employee's failure to meet established work standards may involve continued inefficiency, inability to perform assigned duties, and/or substandard performance of assigned duties.
- p. Outside Employment: City employees shall avoid outside employment that might lead to a conflict of interest, or appearance of a conflict of interest, or have a negative impact on performance of City duties. Any employee wishing to engage in outside employment must submit a written request to their Department Head for approval for each requested occurrence. If outside employment is continuous, the employee must submit a written request at the beginnings of each calendar year.
- q. Political Activities: Neither the position nor City time shall be used for political activity. Employees may express their political opinions privately. Employees are encouraged to vote for the candidate of their choice. Employees will avoid any political activity which may create an opportunity for conflict of interest. No employee may use any City supplies or equipment for political or partisan purposes. Any employee who qualifies as a candidate for a City of Newnan or Coweta County elective office must forfeit their position with the City.
- r. Unauthorized Solicitation: The solicitation of an employee by another employee, including the distribution of material and requests to purchase goods, for any purpose not specifically authorized by the City while either employee is on duty.

- s. Violating any City ordinance or federal or state law.
- t. Violating any of the provisions or policies of this Personnel Manual, including the City's anti-discrimination, harassment, and retaliation policies.
- u. Violating departmental policies, procedures, directives, etc.
- v. Gambling on City property or City work sites.
- w. Release of confidential information from official records without proper authorization.
- x. Any other reason that the City, in its sole discretion, warrants disciplinary action.

7.3 DRESS POLICY

Employees are expected to maintain a professional business appearance while on duty. All employees will dress in a manner that is neat, clean, moderate, and non-controversial.

7.3.1 General Guidelines

- a. Employees must be pristine in personal cleanliness and hygiene.
- b. Hair (including facial hair where permitted) is to be kept clean and groomed and meet departmental standards and policies. Hair may not interfere with safety.
- c. Use of perfumes, colognes, or other obvious fragrances should be kept to a minimum while in the workplace.

7.3.2 Uniformed Employees – The City provides uniforms for employees holding certain positions in the City. Employees required to wear a uniform are expected to wear it properly and keep it well maintained. Regardless of the position, the uniform identifies the wearer as a City employee. Proper wear and care of the uniform reflects favorably on the employee and the City. Uniforms should be properly pressed.

7.3.3 Non-Uniformed Employees – While working, all attire is expected to be appropriate professional business attire suited for the type of work the employee is performing. Any employee who has contact with the public should present a neat, professional appearance.

7.3.4 Enforcement of the dress code policy will be maintained by the Department Head. Employees violating this policy are subject to disciplinary action which may include being sent home to change, without pay or mileage allowance. If the problem persists, you may be subject to disciplinary action, up to and including discharge.

7.4 WORKPLACE VIOLENCE AND WEAPONS POLICY

7.4.1 Statement of Policy - The City is concerned about the well-being and personal safety of its employees and anyone doing business with the City. The City consequently strictly prohibits workplace violence. Acts of violence and/or threats of violence, whether expressed or implied toward individuals in the City workplace, are prohibited and will not be tolerated. All reports of incidents will be taken seriously and will be addressed appropriately.

This prohibition against threats and acts of violence applies to all persons involved in the operation of the City, including but not limited to, City personnel, and contract and temporary workers. 7.5.2 Definition of Workplace Violence - Workplace violence is any conduct that is severe, offensive, or intimidating enough to make an individual reasonably fear for their personal safety or the safety of family, friends, or property. Examples of workplace violence include, but are not limited to:

- a. Threats or acts of violence or behavior that causes a reasonable fear or intimidation response and occurs on City premises, no matter what the relationship is between the City and the perpetrator or victim of the behavior;
- b. Threatening behavior off City premises, where the perpetrator is someone who is acting as an employee or representative of the City at the time;
- c. Cases where the victim is an employee who is exposed to the threatening conduct because of work for the City; or
- d. Any case where there is a reasonable basis for believing that violence may occur against the targeted employee or others in the workplace.

Any employee who is in possession of an unauthorized firearm, weapon, or other dangerous or hazardous devices or substances will be subject to disciplinary action, which may include immediate termination.

7.4.2 Examples of conduct that may be considered threats or acts of violence under this policy include, but are not limited to:

- a. Threatening physical or aggressive contact directed toward another individual or engaging in behavior that causes a reasonable fear of such contact;
- b. Threatening an individual or their family, friends, associates, or property with physical harm or behavior that causes a reasonable fear of such harm;
- c. Intentional destruction or threat of destruction of the City's or another's property;
- d. Harassing or threatening physical, verbal, written, or electronic communications, including verbal statements, phone calls, emails, letters, faxes, website materials, diagrams or drawings, gestures, social media postings, and any other form of communication that causes a reasonable fear or intimidation response in others;
- e. Stalking. Stalking is defined as a pattern of conduct over a period of time, however short, which evidences a continuity of purpose and includes physical presence, telephone calls, emails and any other type of correspondence sent by any means;
- f. Veiled threats of physical harm or like intimidation or statements, in any form, that lead to a reasonable fear of harm or an intimidation response;
- g. Communicating an endorsement of the inappropriate use of firearms or weapons of any kind;
- h. Unauthorized possession of weapons of any type. Employees may not carry, possess, or transport a weapon, while on duty or otherwise acting in the course of their employment, including inside any City government building, on the grounds of any City property, and inside a City-owned vehicle. Employees may not wear any uniform or other visible article of

clothing that identifies them as a City employee while carrying, possessing, or transporting a weapon. Weapons include, but are not limited to:

- (i) Any weapon which, per applicable law, is legal or illegal to possess.
 - (ii) Any firearm, loaded or unloaded, assembled or disassembled, including pellet, “BB”, and stun guns.
 - (iii) Knives over three inches in length (and similar instruments) other than those present in the workplace for approved work purposes or for the specific purpose of food preparation and service.
 - (iv) Any switchblade knife.
 - (v) Brass knuckles, metal knuckles, and similar weapons.
 - (vi) Bows, crossbows, and arrows.
 - (vii) Explosives and explosive devices, including fireworks, ammunition, and/or incendiary devices.
 - (viii) Throwing stars, nun chucks, clubs, saps, and any other item commonly used as, or primarily intended for use as a weapon.
 - (ix) Self-defense chemical sprays (Mace, pepper spray) in canisters or containers larger than two ounces.
 - (x) Any object that has been modified to serve as, or is employed as, a weapon.
- i. Exceptions to prohibitions on firearms. Certified and sworn law enforcement officers may bring firearms into a City building or carry a firearm on other City property, including City-owned vehicles. Arson investigators acting in the line of duty may also possess firearms on City property.
 - k. Firearms in vehicles. Employees who wish to keep a firearm in a non-City-owned vehicle that is parked on City property should ensure that the firearm is locked and stored out of sight.

7.5 CELL PHONE POLICY

- 7.5.1 While at work, employees are expected to exercise the same discretion in using personal cell phones as they do for company phones. Excessive personal calls or texting interfere with productivity and are distracting to others. If cell phone use becomes a distraction or interferes with job performance, the employee may be prohibited from using the cell phone while at work.
- 7.5.2 Cell phones are provided to certain employees for work related communications. Such phones are to be used primarily for business purposes. A pattern of charges deemed to be excessive or non-business related may result in loss of the phone or other disciplinary measures.
- 7.5.3 The City values the safety of its employees and reminds them of the inherent dangers related to driving while using cell phones. All City employees are expected to be mindful of safety and exercise good judgment when using cell phones while driving. Georgia is a “hands-free” state and Georgia law prohibits drivers from having a phone in their hand or touching any part of their body while driving. Texting is not permitted while driving a City vehicle.

- 7.5.4 Employees who have been issued a cell phone are expected to protect the equipment from loss, damage, or theft. Upon resignation or termination of employment, the employee will be expected to return the cell phone and all related accessories provided by the City (charger, protective case, etc.).

7.6 WORKPLACE RELATIONSHIPS

- 7.6.1 The City recognizes the right of individuals to privacy in their personal relationships; however, because romantic or other personal relationships between employees can adversely impact the conduct of the City's activities, the City reserves the right to take action when such relationships have the potential to impact the City's activities.
- 7.6.2 It is not possible to outline all the scenarios which would cause concern to the City, but some of the more obvious include where one employee is a Department Head or supervisor of another involved employee, where a personal relationship creates a conflict of interest, creates conflict in the workplace, interrupts the work of one of the employees involved, or causes a negative impact on the work environment.
- a. Employees are expected to limit personal exchanges during working time and in working areas so that others are not distracted or offended by such exchanges and so that productivity is maintained.
 - b. Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate by a reasonable person while anywhere on City premises, whether during working hours or not.
 - c. Employees who allow personal relationships with coworkers to affect the working environment will be subject to appropriate provisions of disciplinary the disciplinary policy. Failure to change behavior and maintain expected work responsibilities is viewed as a serious disciplinary matter.
 - d. Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace. An exception to this principle, however, is romantic or sexual relationships between supervisors and subordinates.
 - e. Department Heads, supervisors, or anyone else in sensitive or influential positions must disclose the existence of any relationship with another coworker that has progressed beyond a platonic friendship. Disclosure may be made to the immediate supervisor or the Human Resources Manager. This disclosure will enable the City to determine whether any conflict of interest exists because of the relative positions of the individuals involved.
- 7.6.3 At the City's discretion, an employee may be demoted or transferred from their employment to an alternative position or terminated to avoid potential harmful impact on the City's activities. Refusal of a demotion or transfer to an alternative position will be deemed a voluntary resignation.
- 7.6.4 The provisions of this policy apply regardless of the sexual orientations of the parties involved.

7.8 CITY PROPERTY

Employees are entrusted with the use of public equipment and supplies. Employees are responsible for maintaining all City property with due diligence and must report all losses, thefts, or damage of City property to their immediate supervisor in writing as soon as possible. Employees must also report any damage to City property by members of the public. Employees who fail to notify the City of damage to City property or who are deemed responsible for the loss or damage of City property due to careless or negligent use may be subject to disciplinary action up to and including termination.

All City property assigned to an employee must be returned in good, working condition upon separation of employment.

SECTION 8: DISCIPLINE

The City will take steps to ensure that discipline is fair, consistent, and appropriate for the infraction and employee's disciplinary history. An employee who fails to perform assigned duties adequately or who violates City policies will be disciplined. Disciplinary actions taken will depend on the degree of severity and circumstances of the violation. In some cases, the severity and circumstances of a violation may warrant an adverse action, including termination, without any prior corrective action.

8.0 TYPES OF ACTIONS

Disciplinary actions fall into two general classes:

8.0.1 Corrective Action: A formal means of advising the employee that a problem, deficiency, or situation exists and must be corrected.

- a. Warning – An explanation of a relatively minor problem, deficiency, or situation and the corrective action that must be taken. The employee should be advised by their Department Head or other appropriate supervisor that the discussion constitutes a warning and that failure to correct the problem or further infractions will result in further discipline up to and including termination. The Department Head or supervisor shall document that this warning has taken place, including the date, time, and circumstances of the situation on the appropriate disciplinary form.
- b. Reprimand – A statement of a more serious problem, deficiency, or situation and the corrective action that must be taken. Depending on the severity of the incident, the reprimand may be the first step in the disciplinary process or may follow a warning. The reprimand should be provided by the Department Head or other appropriate supervisor and will advise the employee that failure to correct the problem or further infractions will result in additional discipline up to and including termination. The Department Head or supervisor shall document that this reprimand has taken place, including the date, time, and circumstances of the situation on the appropriate disciplinary form.

8.0.2 Adverse Action: An action taken by the Department Head or City Manager that results in a suspension without pay, salary reduction, demotion, or termination.

- a. Suspension Without Pay – Forced absence from the job without pay that allows the employee time to reflect on the severity of an infraction or substandard work performance. The length of the suspension will be determined by the Department Head or City Manager and will not exceed 30 days.
- b. Demotion – Reassignment to a lower-level position for disciplinary purposes or other involuntary reasons. A demotion may take place only if a lower-level position is open and the employee is qualified to perform the work at the lower position. A demotion will result in a decrease in salary.
- c. Termination – Involuntary discharge from employment with the City as a punitive measure or when other action taken did not resolve an identified problem or situation. In some situations, termination may be the first and only step in the disciplinary process.

- 8.0.3 Employees subject to disciplinary action are not required to sign written document(s) of notification; receiving the notifying document(s) is adequate. Should an employee refuse to sign the disciplinary form, it shall be sufficient to have a witness sign the form indicating that the document was given to the employee.
- 8.0.4 The City reserves the right to modify disciplinary courses of action as necessitated by individual circumstances and may demote, suspend, dismiss, or lay off employees with or without cause since all employment with the City is at-will and no right to continued employment exists.

SECTION 9: GRIEVANCE PROCEDURE

9.0 GRIEVANCE

- 9.0.1 The term “grievance” as used in this policy means concerns, gripes, problems, and feelings of discontent or dissatisfaction held by an employee, whether perceived or actual. Any employee who experiences or observes an infringement of City policy should report it immediately using the steps outlined herein. No employee should assume the City is aware of a problem or violation of its policies. Complaints and concerns must promptly be brought to the City’s attention so that the City can take the necessary steps to correct any problem.
- 9.0.2 For purpose of this policy, a grievable action is an action, decision, incident, or condition in the workplace that negatively affects the terms and conditions of an employee’s employment in a material way and that is not specifically designated herein as non-grievable. Grievable matters may be either disciplinary or non-disciplinary. The following are examples of grievable actions:
- a. An adverse action (defined in Section 8.0.2) that has been taken against an employee, which negatively affects their employment status.
 - b. The existence of unsafe or unhealthy working conditions.
 - c. The erroneous or capricious application of City policies.
 - d. Unlawful discrimination.
 - e. Violation of any federal, state, or local law.
- 9.0.3 Non-grievable actions. The following are non-grievable actions:
- a. Written or oral reprimands or other forms of informal discipline that do not rise to the level of an adverse action (defined in Section 8.0.2).
 - b. Separation, furlough, demotion, transfer, reduced work hours, or other changes to the employee’s terms and conditions of employment due to layoff, reduction-in-force, reorganization or restructuring of the department, or other economic or budgetary considerations.
 - c. Level of compensation or benefits (unless based on an alleged failure to pay overtime compensation or an improper deduction).
 - d. Position classification (unless based on an alleged misclassification as exempt from overtime compensation).
 - e. Performance reviews, including content or rating, except where the employee can show that the performance review resulted in an adverse action or was the result of unlawful discrimination, harassment, or retaliation.
 - f. Duties, responsibilities, or assignments if within the relevant position description or a reasonable extension thereof and that do not result in demotion or salary reduction.
 - g. Transfers, shift changes, or work schedule changes, unless such changes were not based on an alleged failure to follow or apply established policies or procedures. Note that transfers, shift changes, or work schedule changes based on a bona fide business need generally will be upheld.

- h. Ordinances, resolutions, budgets, or any other action taken by the City Council or that are otherwise not within the jurisdiction or control of the City Manager.
 - i. Any alleged failure to promote not based on an alleged failure to follow or apply established promotional policies or procedures.
 - j. Security measures, including decisions and actions made and actions taken based on reasonable security considerations.
 - k. Temporary or short-term changes to the employee's terms and conditions of employment due to emergency or other exigent circumstances.
 - l. Referrals to an Employee Assistance Program (EAP).
 - m. Issues that are pending or that have already been addressed through the grievance procedure.
- 9.0.4 An employee may file a written grievance with their Department Head within three (3) working days of the occurrence of an issue that may be considered a grievance. For purposes of applying this policy, the City Manager shall be considered the Department Head for any employee reporting directly to the City Manager. The Department Head shall respond to a written grievance in writing within three (3) working days following receipt of the grievance. In the event the Department Head believes they will require more than three (3) working days to review the matter(s) raised in the grievance, they shall so advise the employee within the original three (3) working day period and provide a new date by which the employee may expect a response.
- 9.0.5 An employee who wishes to file a grievance concerning an adverse employment action that involves a demotion, suspension, or termination of employment may file a written grievance with the City Manager within three (3) working days of the demotion, suspension, or termination of employment.
- 9.0.6 Employees are assured of freedom from reprisal or discrimination because of their presentation of a grievance. No retaliatory action of any kind will be taken against any employee for the good faith filing of a complaint of discrimination, harassment, or retaliation or participating as a witness in any investigation of such grievance, or for filing any other grievance permitted under this policy.

9.1 APPEAL

Within five (5) working days following a grievance decision rendered by a Department Head or the Assistant City Manager, an employee shall have the right to appeal the decision, in writing, to the City Manager. The City Manager will review the matter, together with all attendant documents and resolutions, including any additional documents provided by the grievant. The City Manager will meet and confer with the grievant concerning the matter and within a reasonable time formulate a written response and solution to the grievance, communicating the same to the grievant. The decision rendered by the City Manager will be considered final (i.e., not subject to any further appeal).

SECTION 10: SAFETY POLICY

The City of Newnan maintains that its employees are its most important assets. Every effort will be made to maintain an atmosphere free from potential accidents, fire hazards, and health problems. Every assignment will have safety precautions built into it and employees must comply with all safety standards and regulations.

10.0 DEPARTMENT HEAD/SUPERVISOR RESPONSIBILITIES

It is the policy of City that every employee is entitled to work under the safest conditions reasonably possible. Every reasonable effort will be made to provide and maintain a safe and healthy workplace, safe equipment, and proper materials, and to establish and insist upon safe methods and practices at all times. It is the basic responsibility of every employee to make safety a part of their daily concern.

Employees are obligated to observe all guidelines governing safety and appropriate conduct, to properly use the safety equipment provided, and to follow common-sense safety practices. Employees should always be conscious of the safety of others, as well as themselves. Employees should always observe the following guidelines:

- a. Observe all safety rules, practices, and procedures.
- b. Promptly report any unsafe conditions, accidents, damaged or malfunctioning vehicles or equipment, any employee who is performing his or her job in an unsafe manner, or any other type of hazardous situation.
- c. Only operate equipment assigned to the employee and for which the employee has received full training.
- d. Use proper safety clothing, equipment, and personal protective equipment wherever provided, assigned, or required, as designated for the work performed.
- e. Wear a seat belt when in a City vehicle, when driving on City business, or when operating any vehicle on City premises.
- f. Use appropriate, safe methods to lift heavy objects, and use back braces, handcarts, or other devices to assist with lifting or moving activities.
- g. Never endanger themselves or other individuals through inappropriate actions, horseplay, practical jokes, or by taking unnecessary chances.
- h. Be prepared for fire or other emergency situations. Know what to do, what actions to take, where to go, and the location of exits, firefighting equipment, and alarm pulls within the work environment.
- i. Observe proper maintenance practices to keep work areas, vehicles, tools, or other equipment in a clean, safe, and operable condition.

Reporting Safety Hazards or Deficiencies – Any employee who believes that a safety or health risk exists must report the matter to their supervisor so that the City may take appropriate action. The employee should make this report immediately upon detection of the safety or health risk. A safety or health risk may consist of, among other things, a condition in the workplace or the work methods of other employees.

Reporting Employee Injuries or Accidents – All workplace injuries and accidents must be reported immediately to the employee's immediate Supervisor, or Department Director. This ensures prompt and appropriate medical treatment, allows for timely completion of reports as required by law, and enables eligible employees to qualify for coverage as quickly as possible. Except for emergencies (in which case

the employee should seek emergency treatment), if medical attention by a physician is needed, the employee must use one of the physicians specifically listed on the Workers' Compensation Notice posted by the City in a conspicuous place and on the City internal website (intranet). Failure to report an injury or to receive medical treatment from a physician on the posted panel may jeopardize payment of medical bills or other benefits under workers' compensation insurance.

Response to Emergency Situations* – Employees should become familiar with emergency plans established within their assigned department or work area, as well as with their assigned role in the event of an emergency situation.

*A call to 9-1-1 may be appropriate first, in the judgment of the staff or managers involved.

Decisions may need to be made quickly to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing. Nothing in this policy is intended to prevent quick action to stop or reduce the risk of harm to anyone, including requesting immediate assistance from law enforcement or emergency response resources.

Safety Violations – Accidents, injuries, damaged equipment, or destruction of materials or property can cause needless suffering, inconvenience, and expense to the City or its employees. As a result, any such actions by employees that could be avoided by utilizing appropriate safety practices may result in disciplinary action up to, and including, termination.

Office Closings – Information about reporting procedures when the City closes (or postpones opening) due to inclement weather or other situations, will be posted on the internal site and communicated to all employees.

Risk Management/Safety Committee – The City Manager has the discretion to create a Risk Management/Safety Committee to provide oversight of a risk management program for the City or to participate in a risk management program established by an approved municipal association. The purpose of the risk management program is to minimize the adverse effects of loss through identification and assessment of actual and potential losses, loss prevention, risk financing, and claims control.

10.1 EMPLOYEE RESPONSIBILITIES

All City of Newnan employees are required, as a condition of employment, to develop safe work habits and contribute in every manner possible to the safety of themselves, their coworkers, and to the general public.

10.1.1 Therefore, it is expected that employees shall:

- a. Comply with all City and department safety policies, rules and regulations.
- b. Wear protective clothing and equipment as prescribed for the assigned job.
- c. Comply with all safety instructions as issued by supervisors.
- d. Report all accidents, injuries, and near misses immediately to their supervisor.
- e. Request training or retraining if unsure about proper equipment usage.
- f. Be constantly on the alert for unsafe conditions or unsafe practices and report these to their supervisor in the interest of safety and efficiency so corrective action may be taken.
- g. Actively participate in all safety training classes.

SECTION 11: INCLEMENT WEATHER and EMERGENCIES

- 11.0.1 While the City strives to remain open for business during normal work hours, the City may be forced to close temporarily or have limited operations due to severe weather or other emergency situations. The City Manager, in consultation with the Mayor and Council, will make the decision about staffing requirements during an emergency or weather event.
- 11.0.2 Each department will designate which positions are essential to emergency operations. All other positions will be considered non-essential, but subject to recall depending on the type of emergency.
- 11.0.3. The City manager will notify Department Heads of the status of City operations, and which non-essential employees (if any) will be needed. Additional non-essential employees may be called in at a later time as circumstances dictate. It is the employee's responsibility to become informed as to the status of City operations and whether their attendance is needed.
- 11.0.4 In an emergency, any employee deemed non-essential will not report to work unless requested. Non-emergency operations and services, including issuing building permits, or occupational tax certificates as well as burials and building inspections will not be conducted during City emergencies.
- 11.0.5 In the event that the City Manager/Mayor makes the decision to close City Hall and other non-essential functions, non-exempt employees will be compensated at their normal rate of pay.
- 11.0.6 In some cases, it may be necessary for employees to work during an emergency. If a State of Emergency has been declared by the City, State, or Federal authorities, employees who are required to work as authorized by the Department Head will be paid a rate of 1.5 times their normal salary for hours worked during the emergency.
- 11.0.7 If you are advised to evacuate the building:
 - a. Stop work immediately; do not collect personal belongings.
 - b. Walk quickly to the nearest exit. Do not run.
 - c. Proceed to a parking lot near the building. Be present and accounted for during a roll call.
 - d. Do not reenter the building until instructed or otherwise cleared to do so.



To: Mayor and Council
Date: January 7, 2025
Agenda Item: Consideration of an Amendment to Chapter 13, Municipal Court Ordinance
Prepared By: Jada Blankenship, Municipal Court Manager

Purpose:

Amend sec.13-42 in the Code of Ordinances to comply with House Bill 456. The amendments provide for a two-year term of office for the Judge as well as adding language for removal.

Background:

The current term of office for Municipal Court Judge is 1 year. House Bill 456 provides for a 2-year term of office and adds removal language. The effective date of this Bill was July 1, 2024. The provisions will take effect for the city upon the judge(s) being re-appointed by the council.

Funding:

N/A

Recommendation:

Adopt the amended ordinance to comply with state statute.

Attachments:

1. Chapter 13 Amended Municipal Court Ord (7-22-2024)
2. HB 456

Previous Discussion with Council:

None

ORDINANCE NO. _____

**AN ORDINANCE BY THE MAYOR AND CITY COUNCIL FOR THE CITY
OF NEWNAN, GEORGIA; TO AMEND CHAPTER 13, MUNICIPAL
COURT, OF THE CODE OF ORDINANCES TO PROVIDE AN EFFECTIVE
DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES
IN CONFLICT HERewith; AND FOR OTHER PURPOSES**

WHEREAS, the City of Newnan had previously established a Municipal Court under its Code of Ordinances adopted in 1972 now codified as Chapter 13, Municipal Court of the Code of Ordinances of the City of Newnan; and

WHEREAS, Chapter 13, Municipal Court was amended to add the position of Prosecuting Attorney and the position of Municipal Court Clerk; and

WHEREAS, after a review of the recently passed House Bill 456 by the 2024 Georgia General Assembly, it has been determined that an update of Chapter 13, Municipal Court is in order to comply with the legislation; and

NOW, THEREFORE BE IT ORDAINED, by the Mayor and City Council of the City of Newnan and it is hereby ordained by the authority of same as follows:

SECTION ONE: Section 13-42 Selection; term, of Article II, Chief Judge, of Chapter 13, Municipal Court, of the Code of Ordinances of the City of Newnan is hereby deleted in its entirety and a new Section 13-42 Selection; term, of Article II, Chief Judge, of Chapter 13, Municipal Court, is hereby adopted to read as follows:

Sec. 13-42. - Selection; term.

Annually at their first regularly scheduled meeting in January, the city council shall elect a chief judge for the city, who shall hold the office for two years, pursuant to a written contract for services, unless sooner removed as provided for herein and until a successor is elected and qualified.

SECTION TWO: Article II, Chief Judge, of Chapter 13, Municipal Court, of the Code of Ordinances of the City of Newnan is hereby amended by adding a new Section 13-44, Removal, to read as follows:

Section 13-44. – Removal.

The Chief Judge may be removed during his or her term of office by a two-third's vote of the entire membership of the governing authority of the municipal corporation for:

- A. Willful misconduct in office;
- B. Willful and persistent failure to perform duties;
- C. Habitual intemperance;
- D. Conduct prejudicial to the administration of justice which brings the judicial office into disrepute; or
- E. Disability seriously interfering with the performance of duties, which is, or is likely to become, of a permanent character.

SECTION THREE: Section 13-61, Office established, selection, term, of Article III, Associate Judges, of Chapter 13, Municipal Court, of the Code of Ordinances of the City of Newnan is hereby deleted in its entirety and a new Section 13-61, Office established, selection, term, of Article III, Associate Judges, of Chapter 13, Municipal Court is hereby adopted to read as follows:

Section 13-61. Section 13-61, Office established, selection, term,

There is established the office of Associate Judge (or Judges) who shall be elected by the City Council at its first regularly scheduled meeting in January and who shall hold the office for two years, pursuant to a written contract for services, unless sooner removed as provided for herein and until a successor is elected and qualified.

SECTION FOUR: Article III, Associate Judge, of Chapter 13, Municipal Court, of the Code of Ordinances of the City of Newnan, is hereby amended by adding a new Section 13-63, Removal, to read as follows:

Section 13-63, Removal

The Associate Judges may be removed during his or her term of office by a two-third's vote of the entire membership of the governing authority of the municipal corporation for:

- A. Willful misconduct in office;
- B. Willful and persistent failure to perform duties;
- C. Habitual intemperance;
- D. Conduct prejudicial to the administration of justice which brings the judicial office into disrepute; or
- E. Disability seriously interfering with the performance of duties, which is, or is likely to become, of a permanent character.

SECTION FIVE: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION SIX: If any section, clause, sentence or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.

SECTION SEVEN: This ordinance shall become effective immediately upon its adoption by the City Council.

SO ORDAINED, by the City Council of the City of Newnan and ordained by the authority of same, this _____ day of _____, 2024.

ATTEST:

L. Keith Brady, Mayor

Megan Shea, City Clerk

Cynthia E. Jenkins, Councilmember

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

Rhodes H. Shell, Councilmember

Cleatus Phillips, City Manager

Raymond F. DuBose, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

James J. Thomasson, III, Councilmember

House Bill 456 (AS PASSED HOUSE AND SENATE)

By: Representatives Gunter of the 8th, Lumsden of the 12th, Scoggins of the 14th, Silcox of the 53rd, and Collins of the 71st

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 32 of Title 36 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding municipal courts, so as to increase the term for
3 municipal court judges from one year to two years unless otherwise provided for in a
4 municipality's charter; to provide for removal of municipal court judges for breach of
5 contract; to provide for an effective date and applicability; to provide for related matters; to
6 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 32 of Title 36 of the Official Code of Georgia Annotated, relating to
10 general provisions regarding municipal courts, is amended by revising paragraph (1) of
11 subsection (a) of Code Section 36-32-2, relating to appointment of judges, as follows:

12 "(a)(1) Notwithstanding any other provision of this chapter or any general or local Act,
13 the governing authority of each municipal corporation within this state having a
14 municipal court, as provided by the Act incorporating the municipal corporation or any
15 amendments thereto, is authorized to appoint a judge of such court. Any individual
16 appointed as a judge under this Code section shall possess such qualifications as set forth

H. B. 456

- 1 -

in Code Section 36-32-1.1 and shall receive such compensation as shall be fixed by the governing authority of the municipal corporation. Notwithstanding the failure of the governing body of a municipal corporation to enter into a written agreement or enact an ordinance as provided for in this paragraph, any individual appointed as a judge under this Code section shall serve for a minimum term of ~~one year~~ two years from the date of appointment as reflected in the minutes of the municipal corporation, unless such municipal corporation's charter provides for a longer term, and until a successor is appointed or if the judge is removed from office as provided in Code Section 36-32-2.1. Such term shall be memorialized in a written agreement between such individual and the governing authority of the municipal corporation or in an ordinance or a charter. If such term is memorialized in a written agreement, such agreement shall not include any geographic limitation concerning a judge's eligibility to serve and shall not contain any provision that a judge serve in an at-will capacity."

SECTION 2.

Said article is further amended by revising subsection (b) of Code Section 36-32-2.1, relating to removal of judges, as follows:

"(b)(1) A judge may be removed during his or her term of office by a two-thirds' vote of the entire membership of the governing authority of the municipal corporation for:

(A) Willful misconduct in office;

(B) Willful and persistent failure to perform duties;

(C) Habitual intemperance;

(D) Conduct prejudicial to the administration of justice which brings the judicial office into disrepute; or

(E) Disability seriously interfering with the performance of duties, which is, or is likely to become, of a permanent character.

(2) A municipality may define in its charter further conduct that may lead to a judge's removal.

(3) Where a municipality has entered into a written agreement with an individual memorializing the terms and conditions of his or her appointment as judge, and the municipality alleged a breach of the agreement:

(A) Written notice of such breach shall be given to the judge;

(B) The judge shall have up to 30 days after receiving the notice to cure the alleged breach;

(C) Where a municipality seeks to remove a judge for breach of the agreement, such removal during a judge's term shall only occur in the event of a material breach; and

(D) Removal for a material breach may only be done subject to the provisions of subsection (c) of this Code section."

SECTION 3.

This Act shall become effective on July 1, 2024, and shall apply to written agreements entered into on or after such date.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

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WALTER D. SANDERS
(1909 - 1989)
WILLIS G. HAUGEN
(1924 - 2014)

TO: The City Council of the City of Newnan

CC: Cleatus Phillips, City Manager

FROM: C. Bradford Sears, Jr., City Attorney
Sanders, Haugen & Sears, P.C.

DATE: December 16, 2024

RE: Setting Qualifying Fees for the 2025 General Election

MEMORANDUM

The Official Code of Georgia Annotated Section 21-2-131 provides that the governing authority set the qualifying fees for candidates for the office of Mayor and Councilmembers for election District Two Post A and Post B and the notice be published in the Newnan Times Herald before February 1, 2021.

The fees are set by law at three percent (3%) of the annual salary of the office, in the case of the Mayor the fee shall be \$300.00 and in the case of the Councilmembers said fees shall be \$165.00.

I am enclosing herewith resolution setting the qualifying fees for the General Election.

These resolutions should be adopted at the January 7, 2025 meeting.

Email to: cphillips@newnanga.gov
mshea@newnanga.gov

**RESOLUTION SETTING QUALIFYING FEES FOR
THE NOVEMBER 4, 2025 GENERAL ELECTION**

WHEREAS, the Charter of the City of Newnan provides for a General Election to be held on the first Tuesday following the first Monday in November, 2025, to elect a Mayor for the City of Newnan and to elect Councilmembers for election District Two Post A and election District Two Post B for the City of Newnan, said date being November 4, 2025; and

WHEREAS, Section 21-2-131 of the Official Code of Georgia Annotated provides for the governing authority to set qualifying fees for candidates for said office before February 1, 2025.

THEREFORE, BE IT RESOLVED that the fee for qualifying for election for the Mayor shall be Three Hundred Dollar (\$300.00) and Councilmembers for election district Two Post A for a four year term and election district Two Post B for a four year term shall be One Hundred Sixty Five Dollars (\$165.00).

IT IS SO RESOLVED this 7th day of January, 2025.

ATTEST:

Megan Shea, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

Cynthia E. Jenkins, Councilmember

Cleatus Phillips, City Manager

Rhodes H. Shell, Councilmember

Raymond F. DuBose, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

James J Thomasson III, Councilmember



To: Mayor and Council
Date: January 7, 2025
Agenda Item: Consideration of a Contract Award for Custodial Care and Cleaning Services for Various City Facilities
Prepared By: Mark Johnston, Facilities Maintenance Director

Purpose:

Newnan City Council may consider awarding a contract for custodial care and cleaning services for city facilities.

Background:

Over the past decade, the city has experienced growth in the number of public facilities. With that growth, the demand for janitorial services has grown.

In 2018, city staff recommended, and the Newnan City Council approved, a contract with a local janitorial service provider. However, within a few years, the local provider was acquired by a national chain and the level of service began to diminish.

Confronted with escalating costs and a noticeable decline in service quality with the current contractor, staff recognized the pressing need to reevaluate the city's cleaning service strategy and pursue a more effective solution.

On Friday, November 1, 2024, a Request for Qualifications (RFQ) for cleaning services was released.

Initially, six companies expressed interest, but only three attended the mandatory site visit meeting. All three companies submitted their qualifications by the deadline on December 10, 2024.

Of the 3 companies that submitted qualifications, 2 met the requirements and were subsequently interviewed.

The companies interviewed were:

Southern Cleaning Services
356 Jackson St
Newnan, GA 30263

Caseco Team LLC
530 Dickson Springs Rd
Fayetteville, GA 30214

As part of the interview, each firm was asked to submit a sealed fee proposal for consideration.

Southern Cleaning Services submitted a monthly fee of \$11,545.00

Caseco Team LLC submitted a monthly fee of \$22,788.00

The proposed FY 2025 annual budget includes \$141,000 for custodial care and cleaning services.

Funding:

General Fund

Recommendation:

City staff is supportive of entering into a contract with Southern Cleaning Services.

Attachments:

1. Custodial Care and Cleaning Services Fee Proposals

Previous Discussion with Council:

The Newnan City Council, through the annual budget, appropriates funds for custodial care and cleaning services.

**Custodial Care and Cleaning Services for Various City
Facilities
For the City of Newnan (Short-Listed firms ONLY)**

Proposed Monthly Cleaning Costs
\$11,545.00

Carpet Cleaning Costs
\$.35 per sq/ft

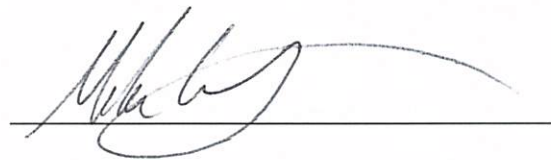
VCT/Floor Polishing Costs \$.55 per sq/ft

Drop-In Service Calls
\$ 33/Hour

Emergency Service Calls \$ 33/Hour

Respectfully submitted,

Signature of Individual:



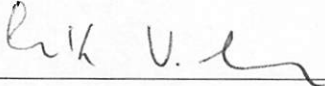
Doing Business as/for:
Southern Cleaning Services

Email Address:
mwessinger@southern-cleaning.com

PRICING

Item	Cost
Proposed Monthly Cleaning (177.3 hrs/wk) + Day Porter - Includes 5% discount of \$1,085/mo	\$22,788 /mo
Carpet Cleaning using Hot Water Extraction method	15.5¢ /sq ft
Carpet Cleaning using Dry Shampoo method	9.3¢ /sq ft
Carpet Cleaning using Bonnet Pad method	8¢ /sq ft
Carpet Cleaning using Absorbent Compound method	20¢ /sq ft
Tile / VCT Strip and Refinish	20¢ /sq ft
Tile / VCT Hi-Speed Buffing	4¢ /sq ft
Drop-In Service Calls	\$30 /full hr
Emergency Service Calls	\$50 + \$30 /full hr

Respectfully submitted,

Erika Cordero, Managing Member
By 

Signature

Caseco Team LLC
Company

erika.cordero@casecoteamllc.com
Email Address

December 19, 2024
Date



To: Mayor and Council
Date: January 7, 2025
Agenda Item: Consideration of a 180-day Postponement of the Arbitration Proceedings in the Annexation Request of Sidney Pope Farms
Prepared By: Cleatus Phillips, City Manager

Purpose:

Consideration of a 180 day postponement of the arbitration proceedings in the annexation request of Sidney Pope Farms.

Background:

On October 22, 2024, Council voted to authorize the annexation application for Sydney Pope Farms, 267 acres located on North Highway 16, to begin the annexation consideration process and to notify Coweta County of such application. The Coweta County Board of Commissioners later voted to object to the annexation and the Department of Community Affairs proceeded to successfully sit an arbitration panel. The current deadline of decision for the arbitration panel is February 15, 2025.

This annexation application triggered a Development of Regional Impact (DRI), which is a transportation study and set of binding recommendations for traffic improvements associated with the proposed development. The kick-off meeting for the DRI is scheduled for January 13, 2025. It is anticipated that the DRI process will take approximately 120 days to complete, which is well past the arbitration panel deadline of February 15, 2025.

Staff believes it is important for the arbitration panel to have the DRI Final Report available before issuing their ruling. The DRI Final Report may also allow an opportunity to settle the objection thus not requiring the sitting of the panel.

Funding:

N/A

Recommendation:

In accordance with OCGA 36-36-115 (a)(1)(A), staff recommends that the City Council agree to a 180 day postponement of the arbitration panel. (In order for the 180 day postponement to take effect, the Board of Commissioners must also mutually grant approval)

Attachments:

None

Previous Discussion with Council:

N/A

APPLICATION FOR TRANSFER OF ALCOHOL BEVERAGE LICENSE

Name: **Tequilas Taqueria Bar and Grill, LLC**

Licensee: **Rixy Canales**

License Representative: **N/A**

Type License: **Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages & Wine**

Location: **11 Spence Ave.**

TO THE CITY COUNCIL: REASON – NEW OWNER

(1) The above application with supporting documents and application fee has been filed in the City Clerk's office; reviewed by the appropriate departments of the City and appears to be (complete). (Sec 3-33)

If incomplete, reasons

(2) The citizenship requirements (have) been met. (Sec. 3-34)

If not, reasons

(3) Residency requirements (have) been met. (Sec. 3-35)

If not, reasons

(4) The location appears (to comply) with zoning requirements. (Sec 3-37)

If not, reasons

(5) The location of the proposed premises appears (to comply) with the distance requirements set forth in Sec. 3-39.

If not, reasons _____

(6) All taxes or other debts to the City (are) current. (Sec 3-38)

If not, reasons _____

(7) A publisher's affidavit (has) been filed showing the notice requirement (has) been complied with. (Sec 3-40 (a))

(8) An affidavit from the applicant certifying posting of the proposed premises (has not) been filed. (Sec. 3-40(b))

N/A

Respectfully submitted,

Megan Shea
City Clerk



To: Mayor and Council

Date: January 7, 2025

Agenda Item: Consideration of a Joint Resolution to Dissolve the Hospital Authority of the City of Newnan

Prepared By: Hasco Craver, Assistant City Manager

Purpose:

Newnan City Council may consider a resolution to dissolve the Hospital Authority of the City of Newnan

Background:

The Hospital Authority of the City of Newnan was created by the Hospital Authorities Law of the State of Georgia and by resolution of the City of Newnan in 2002 to support the financing of improvements to medical facilities in the City of Newnan. The work of the Authority is complete. The Authority has no assets (financial, etc.). At the October 22, 2024 City Council Meeting, City Staff was instructed to work to formally dissolve the Authority. A quorum of the Authority met on Thursday, December 12, 2024 to consider a Joint Resolution to Dissolve the Authority (please find a copy of the resolution attached herein). The Authority voted unanimously to support the resolution. At this point, the Newnan City Council may consider the same resolution. Upon consideration, the Resolution will be shared with the Georgia Department of Community Affairs as well as the Secretary of State.

Funding:

N/A

Recommendation:

City Staff is supportive of the Resolution as presented.

Attachments:

1. A JOINT RESOLUTION TO DISSOLVE THE HOSPITAL AUTHORITY OF THE CITY OF NEWNAN (002)

Previous Discussion with Council:

Newnan City Council directed City Staff to pursue the dissolving of the Authority at the October 22, 2024 meeting.

A JOINT RESOLUTION TO DISSOLVE THE HOSPITAL AUTHORITY OF THE CITY OF NEWNAN, GEORGIA, PURSUANT TO THE PROVISIONS OF THE CONSTITUTION AND THE HOSPITAL AUTHORITIES LAW OF THE STATE OF GEORGIA; BY THE CITY COUNCIL OF THE CITY OF NEWNAN, GEORGIA AND THE BOARD OF DIRECTORS (TRUSTEES) OF THE HOSPITAL AUTHORITY OF THE CITY OF NEWNAN, GEORGIA; TO PROVIDE FOR NOTICE TO THE SECRETARY OF THE STATE OF GEORGIA OF THE ADOPTION OF THIS RESOLUTION; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE FOR EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, pursuant the Hospital Authorities Law, O.C.G.A. Section 31-7-70, et seq., as amended (the “Act”), and by a resolution of the Mayor and Council of the City of Newnan adopted on November 12, 2002, the Hospital Authority of the City of Newnan (“Authority”) was duly established (“Adopting Resolution”); and

WHEREAS, the Authority at the request of Newnan Hospital, Inc. (the “Institution”) assisted in the financing or refinancing of certain additions, extensions and improvements to its medical facilities and the acquisition of certain medical facilities and properties, located in the City of Newnan (the “Project”); and

WHEREAS, Piedmont Hospital Inc. has acquired the assets and facility of the institution and later constructed a new health care facilities in the area of The City of Newnan; and

WHEREAS, all financial participation in the Project arranged by the Authority and the City of Newnan, on behalf of the Institution has been paid in full; and

WHEREAS, the Authority has never owned or leased any real or personal property which would need to be disposed of; and

WHEREAS, the Authority has never had any employees; and

WHEREAS, the Authority has never had and does not have any cash funds, or other liquid assets, to be disposed of, and

WHEREAS, the City Council of the City of Newnan and the Board of Directors/ Trustees of the Hospital Authority of the City of Newnan acknowledge and agree that there no longer exists in the City of Newnan the need for the Hospital Authority of The City of Newnan.

NOW, THEREFORE, BE IT RESOLVED by the city council for the City of Newnan, Georgia, and the Board of Directors/ Trustees of the Hospital Authority of The City of Newnan and it is hereby resolved by the authority of the same, that there be and there is hereby determined and declared to no longer exist the future need for a Hospital Authority (as more fully described and defined in the Hospital Authorities Law, Ga. Laws 1964, p.499, codified at O.C.G.A. Section 31-7-70 et seq.) to function in the City of Newnan, Georgia, for the purpose of developing

and employment opportunities in said City, thereby promoting the general welfare of its citizenry. As such needs are pursuantly and for the future adequately provided for by Piedmont Hospital Inc, City of Hope Inc, and other medical providers.

BE IT FURTHER RESOLVED, by the aforesaid authority, that the public body corporate and known as the Hospital Authority of the City of Newnan which was created upon the adoption of The Adopting Purchaser is hereby dissolved pursuant to O.C.G.A § 31-7-89.

BE IT FURTHER RESOLVED, by the aforesaid authority, that the Hospital Authority of the City of Newnan shall be dissolved as of the date of final adoption by the City Council of the City of Newnan and the Board of Directors (Trustees) of the Hospital Authority of the City of Newnan.

BE IT FURTHER RESOLVED, by the aforesaid authority, that a copy of this resolution dissolving the Hospital Authority of The City of Newnan be sent to the office of the Secretary of State of the State of Georgia and to the Georgia Department of Community Affairs.

SO RESOLVED AND ADOPTED IN OPEN SESSION, regularly assembled by the City Council of the City of Newnan this _____ day of _____, 2025.

ATTEST:

Megan Shea, City Clerk

REVIEWED:

C. Bradford Sears, Jr., City Attorney

Cleatus Phillips, City Manager

L. Keith Brady, Mayor

Cynthia E. Jenkins, Councilmember

Rhodes H. Shell, Councilmember

Raymond F. DuBose, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

James J. Thompson III, Councilmember

SIGNATURES CONTINUED ON NEXT PAGE

SO RESOLVED AND ADOPTED IN OPEN SESSION, regularly assembled, this _____
day of ____, _____

By the Board of Directors/Trustees of the Hospital Authority of the City of Newnan

Attest: _____
Mark Whitlock, Secretary

Rhonda McLendon, Chairman

Dr. Rebecca Gibson, Director

Theo D. Mann, Director

REVIEWED:

C. Bradford Sears, Jr.
Attorney for City of Newnan
Hospital Authority

Motion to Enter into Executive Session

I move that we now enter into closed session as allowed by O.C.G.A. §50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing

And that we, in open session, adopt a resolution authorizing and directing the Mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. §50-14-4, and that this body ratify the actions of the Council taken in closed session and confirm that the subject matters of the closed session were within exceptions permitted by the open meetings law.

Motion to Adopt Resolution after Adjourning Back into Regular Session

I move that we adopt the resolution authorizing the Mayor to execute the affidavit stating that the subject matter of the closed portion of the council meeting was within the exceptions provided by O.C.G.A. §50-14-4(b).