



CITY OF ST. MARYS
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PERSONNEL COMMITTEE MEETING

October 21, 2008

4:00 p.m.

AGENDA

I. CALL TO ORDER

II. ROLL CALL

QUORUM: YES___ NO___

III. BUSINESS:

A. REDUCTION IN FORCE POLICY

B. DISCIPLINARY POLICY

C. GRIEVANCE & APPEALS POLICY

D. BEREAVEMENT POLICY

E. PAID LEAVE: *Discussion*

F. ANY OTHER CONCERNS PRESENTED BY THE COMMITTEE

IV. ADJOURNMENT:

CITY OF ST. MARYS	Number: Policy 31
REVISED:	Page 1 of 2
SECTION: Employee Relations	Original Date: January 12, 2004
TITLE: Reduction in Force	Approved By: St. Marys City Council

Purpose: To describe procedures related to releasing employees due to lack of work or due to significant economic constraints, requiring a reduction in personnel.

Policy Statement: If it becomes necessary to reduce the number of personnel in any department, selection of employees to be retained shall be based on department operating needs.

Provisions:

A. REDUCTION PLAN

- (1) A plan for the reduction in force and maintenance of essential operation shall be prepared by the Department Head concerned and approved by the City Manager prior to implementation of the plan.
- (2) Employees retained shall be those the Department Head, with the approval of the City Manager, determine are most capable of efficiently and effectively maintaining the Department's essential operations.
- (3) The Department Head and City manager shall, among other considerations, consider past job performance, critical skills & seniority.

B. STATUS OF RELEASED EMPLOYEES

- (1) Employees released due to a reduction in force shall retain the right to consideration for reinstatement to their prior position, if a position becomes available, for a period of one (1) year from the separation date.
- (2) Offers of re-employment to previously released employees will be based on past job performance and seniority.
- (3) Refusal by a released employee to accept a position offered for reinstatement nullifies that employee's right to further consideration for employment.

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(4) Released employees will be given consideration for openings in other departments of the City for which they may qualify.

(5) Employees whose performance is not satisfactory shall be separated by the appropriate method for unsatisfactory performance rather than reduction in force, whenever possible.

CURRENT

CITY OF ST. MARYS	Number: Policy 25
REVISED:	Page 1 of 5
SECTION: Employee Relations	Original Date: January 12, 2004
TITLE: Disciplinary Process	Approved By: St. Marys City Council

Purpose: To establish policy and related procedures to help ensure that unacceptable behavior is corrected.

Policy Statement: In order for the City to function effectively toward accomplishment of its objectives, it is necessary that all employees conduct themselves in a manner that promotes the attainment of these objectives. Accordingly, the City has established this policy to identify unacceptable behaviors and measures to correct those behaviors in order to provide involved employees with the opportunity to continue working for the City.

Application: All employees of the City

Provisions:

A. Termination

It is the City’s intent to terminate the employment of those individuals who do not correct their behavior after being given an opportunity to do so, or who engage in behavior that is so seriously detrimental to the City and its employees that immediate termination is necessary.

B. Discipline

When discipline is necessary, the following guidelines should be considered:

- The purpose of discipline is to correct, not to punish.
- The severity of the discipline should be appropriate for the seriousness of the misconduct.
- Where more than one instance of discipline is necessary to correct misconduct, the discipline should be progressively more severe to impress upon the employee that the misconduct must be corrected.
- The discipline should be timely - as soon as possible and feasible after the event giving rise to the need for discipline, but allowing time for proper investigation and decision on the discipline to be administered.
- The severity of the discipline should be consistent with that administered to other employees under the same or similar circumstances.

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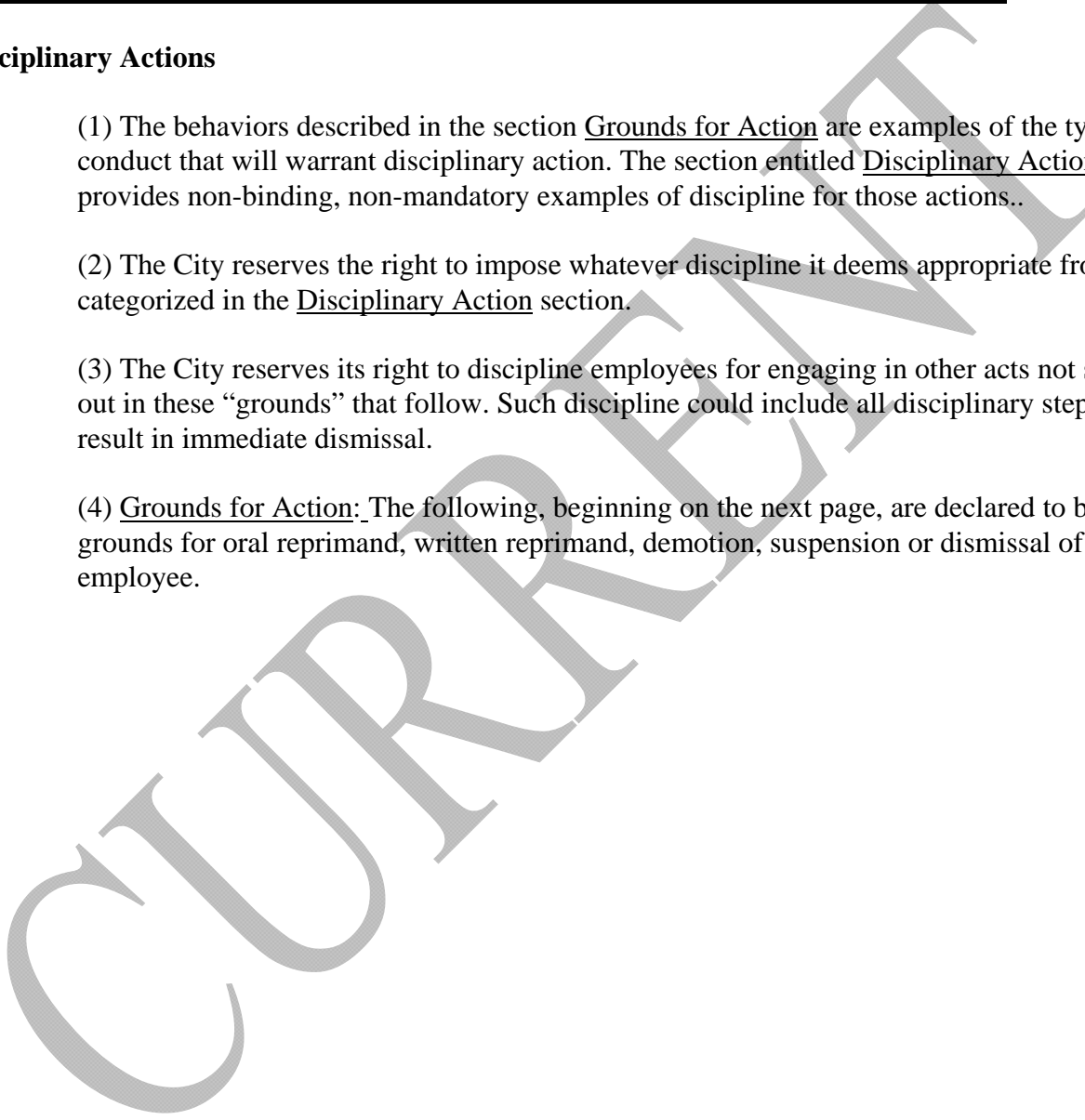
C. Disciplinary Actions

(1) The behaviors described in the section Grounds for Action are examples of the type of conduct that will warrant disciplinary action. The section entitled Disciplinary Action provides non-binding, non-mandatory examples of discipline for those actions..

(2) The City reserves the right to impose whatever discipline it deems appropriate from those categorized in the Disciplinary Action section.

(3) The City reserves its right to discipline employees for engaging in other acts not spelled out in these “grounds” that follow. Such discipline could include all disciplinary steps or result in immediate dismissal.

(4) Grounds for Action: The following, beginning on the next page, are declared to be grounds for oral reprimand, written reprimand, demotion, suspension or dismissal of any employee.



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GROUP 1

- 1) Carelessness or lack of attention in following supervisory instructions or written procedures and policies that results in inefficiency or reflects adversely upon the City.
- 2) Conduct of personal activities or inefficient use of time during the work period.
- 3) Within a 12-month period: Any single day of unexcused absence including unjustified requests for leave.
- 4) Carelessness or improper use likely to result in excessive wear or minor damage to City property and equipment. This includes unauthorized personal use of a City vehicle.
- 5) Inconsiderate attitude or actions in dealings with the public and fellow employees.
- 6) Personal conduct that reflects discredit upon the City.
- 7) Violation of dress code.

DISCIPLINARY ACTION

Step 1: First Violation - The appropriate supervisor, after discussing the violation with the employee, shall prepare a written warning and provide copies for the employee, the Department Head, and the employees personnel file. Such warnings shall be removed from the file if no further violations occur within one year from the warning.

Step 2: Second Violation or single violation of more than one separate item on the Group 1 list within one year.. - The employee shall be suspended without pay for three (3) days upon the approval of the Department Head, Human Resources and the City Manager. Documentation of the action shall be provided to the employee and the Human Resources Director for placement into the employee's file.

Step 3. Additional violations within a year following Step 2 - Subject to review of the case and approval by the Department Head, Human Resources and the City Manager, the employee shall be dismissed.

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GROUP 2

- 1) Carelessness or improper use of city property, funds and equipment or other personal actions while on duty that are likely to result in major property damage and/or minor personal injury.
- 2) Conviction of any legal misdemeanor offense committed while on duty or on city premises.
- 3) Use of abusive language and/or rudeness and disrespect in dealing with fellow employees or with public on city business, including but not limited to, derogatory statements regarding another race and comments that create a situation of sexual harassment.
- 4) Violation of the specific "Conflict of Interest" policies prohibiting certain types of political activity.
- 5) Insubordination - willful failure to follow reasonable instructions or city policies in situations not involving emergency conditions or creating personal injury or danger.

DISCIPLINARY ACTION

Step 1: First Violation - The employee shall be suspended without pay for three days upon approval of the Department Head, Human Resources and City Manager. Documentation of the action shall be placed into the employee's personnel file.

Step 2: Second Violation or violation of another item on the Group Two list within one year after the first violation. Subject to the review and approval of the Department Head, Human Resources and City Manager, the employee shall be dismissed.

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GROUP 3

DISCIPLINARY ACTION

- 1) Conviction of a felony.
- 2) Falsification or unauthorized use or disclosure of city records.
- 3) Willful misuse or embezzlement of city funds.
- 4) Willfully appropriating for personal use, causing damage to equipment or property of the city; causing damage to the property of others while on duty or on city property.
- 5) Reporting to work while under the influence of intoxicants or illegal drugs.
- 6) Consumption, sale or unauthorized possession of alcoholic beverages or illegal drugs while on duty.
- 7) Unauthorized possession of firearms.
- 8) Being the aggressor in a fight, violent attack or physical threats to others while on duty or on city property.
- 9) Being a proven aggressor in a situation or sexual harassment at any time in connection with the job.
- 10) Abuse of authority or status as an employee or official of the City for personal gain or to harm or intimidate others.

Subject to review and approval of the Department Head and Human Resources and City Manager, the employee shall be dismissed.

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SECTION: Employee Relations	Original Date: DRAFT
TITLE: Disciplinary Process	Approved By: St. Marys City Council

Purpose: To establish policy and related procedures to help ensure that unacceptable behavior is corrected.

Policy Statement: In order for the City to function effectively toward accomplishment of its objectives, it is necessary that all employees conduct themselves in a manner that promotes the attainment of these objectives. Accordingly, the City has established this policy to identify unacceptable behaviors and measures to correct those behaviors in order to provide involved employees with the opportunity to continue working for the City. The City’s policy on discipline is a progressive process, and disciplinary actions of lesser severity than discharge should be taken in an attempt to correct an employee’s unacceptable behavior or incorrect attitude whenever possible, before proceedings for discharge are initiated. However, the City reserves the right to impose whatever discipline it deems appropriate from those categorized in the disciplinary actions. Additionally, no employee has the right or guarantee to any progressive disciplinary actions as a prerequisite to the initiation of proceedings of his or her discharge.

Application: All employees of the City

Provisions:

Disciplinary action may take any of the following forms:

1. **Reprimand** - A reprimand shall be defined as written documentation to the employee from the supervisor where the employee is advised and cautioned about his/her unsatisfactory work performance or misconduct. Reprimands will be placed in the employee’s official personnel file in the Department of Human Resources.
2. **Suspension** - A suspension shall be defined as temporarily prohibiting an employee from performing his/her duties as a result of the employee's unsatisfactory work performance or misconduct. The suspension period shall be without pay.
3. **Involuntary Demotion** - An involuntary demotion shall be defined as a reduction of the pay range of an employee and a change in job duties and responsibilities as a result of the employee's unsatisfactory work performance or misconduct.
4. **Discharge** - A discharge shall be defined as an involuntary separation from employment initiated by the employing authority as a result of the employee's unsatisfactory work performance or misconduct.

CODE OF CONDUCT AND MINIMUM DISCIPLINARY ACTIONS

RULE NUMBER	OFFENSES & DEFICIENCIES ON/OFF JOB	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
1	Gambling, lottery or engaging in any game of Chance at City work stations at any time.	Written instruction & cautioning	Instruction & 3 days suspension or dismissal	Instruction & 5 days suspension or dismissal	Dismissal
2	Engaging in horseplay, scuffling, wrestling, Throwing things, malicious mischief, distracting the attention of others, catcalls or similar type of disorderly conduct.	Written instruction & cautioning, 3 days suspension or dismissal	Instruction & 3 to 5 days suspension or dismissal	Dismissal	
3	Sleeping during working hours unless otherwise provided as in the Fire Department	Written instruction & cautioning	Instruction & 3 to 5 days suspension or dismissal	Dismissal	
4	Wasting time, loitering or leaving assigned work area during working hours without authorization.	Written instruction & cautioning	Instruction & 3 to 5 days suspension or dismissal	Dismissal	
5	Threatening, intimidating, coercing, or interfering with fellow employees or supervisors at any time, including abusive language.	Written instruction & cautioning, 3-5 days suspension or dismissal	Instruction & 3-5 days suspension or dismissal	Instruction & 5 days suspension or dismissal	Dismissal
6	Unauthorized distribution of written or printed material of any description.	Written instruction & cautioning	Instruction & 5 days suspension or dismissal	Dismissal	
7	Deliberately destroying, misusing, or damaging public property or any City property or equipment or the property and equipment of any employee.	Written instruction & cautioning	Instruction & 3-5 days suspension or dismissal		
8	Unauthorized use, possession or operation of any City property or any City property or equipment or the property and equipment of any employee.	Written instruction & cautioning	Instruction & 3-5 days suspension or dismissal		

CODE OF CONDUCT AND MINIMUM DISCIPLINARY ACTIONS

RULE NUMBER	OFFENSES & DEFICIENCIES ON/OFF JOB	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
9	Tardiness (Guide: three (3) times in a thirty day period)	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension or dismissal	Dismissal
10	Excessive unexcused absenteeism.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension	Dismissal
11	Productivity or workmanship not up to required standard of performance.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension	Dismissal
12	Fighting, provoking or instigating a fight	Instruction & 3-5 days suspension or dismissal	Dismissal		
13	Insubordination by the refusal to perform work assigned or to comply with written or verbal instructions of the supervisory force or discourtesy to persons with whom he/she comes in contact while in the performance of his/her duties.	Instruction & 3-5 days suspension or dismissal	Dismissal		
14	Immoral, unlawful, or improper conduct or indecency, whether on or off the job which would tend to affect the employee's relationship to his/her job, fellow workers' reputations or good will in the community.	Instruction & 3-5 days suspension or dismissal	Dismissal		
15	Falsification of personnel or City records including but not limited to: employment applications, accident records, purchase orders, time sheets, or any other report, record or application.	Instruction & 3-5 days suspension or dismissal	Dismissal		

CODE OF CONDUCT AND MINIMUM DISCIPLINARY ACTIONS

RULE NUMBER	OFFENSES & DEFICIENCIES ON/OFF JOB.	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
16	Absence without authorized leave or permission. If the absence is for 3 consecutive workdays, the employee will have been deemed to have abandoned the position and resigned from City employment	Instruction & 3-5 days suspension or dismissal	Dismissal		
17	Theft or removal from City locations without proper authority any City property or property of any employee.	Instruction & 3-5 days suspension or dismissal	Dismissal		
18	Carelessness which affects the safety of personnel, equipment, tools, or property or causes materials, parts, or equipment to be damaged or scrapped.	Instruction & 3-5 days suspension or dismissal	Dismissal		
19	Willful neglect in their performance of assigned duties.	Instruction & 3-5 days suspension or dismissal	Dismissal		
20	Willful violation of statutory authority, rules, regulations or policies, including departmental policies.	Instruction & 3-5 days suspension or dismissal	Dismissal		
21	Continual and willful failure to pay just debts or continual and willful failure to make provision for the payment of just debts.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension or dismissal	Dismissal
22	Failure to work overtime, holidays, special hours or special shifts after being scheduled according to overtime and stand-by duty policies or failure to respond to call during adverse weather conditions or emergencies.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension or dismissal	Dismissal
23	Taking more than specified time for meals or rest periods.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension or dismissal	Dismissal

CODE OF CONDUCT AND MINIMUM DISCIPLINARY ACTIONS

RULE NUMBER	OFFENSES & DEFICIENCIES ON/OFF JOB	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
24	Where the operations are continuous, an employee shall not leave his/her post at the end of his/her scheduled shift until he/she is relieved by his/her supervisor or his/her relieving employee on the incoming shift.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension or dismissal	Dismissal
25	Violating a safety rule or safety practice.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension	Dismissal
26	Failure to report an accident or personal injury in which the employee was involved while on the job.	Written instruction & cautioning	Instruction & 5 days suspension or dismissal	Dismissal	
27	Creating or contributing to unsafe and unsanitary conditions or poor housekeeping.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension or dismissal	Dismissal
28	Failure to keep the department and/or Human Resources notified of proper address or telephone number (if any).	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension or dismissal	Dismissal
29	Making or publishing of false, vicious, or malicious statements concerning any employee, supervisor, the City or its operations.	Instruction & 3-5 days suspension or dismissal	Dismissal		
30	Posting or removing any material on bulletin boards or City property at any time unless authorized.	Written instruction & cautioning	Instruction & 3-5 days suspension or dismissal		
31	Refusal to give testimony in accident investigations or cooperating in administrative hearings or investigations.	Written instruction & cautioning	Instruction & 3-5 days suspension or dismissal		

CODE OF CONDUCT AND MINIMUM DISCIPLINARY ACTIONS

RULE NUMBER	OFFENSES & DEFICIENCIES ON/OFF JOB	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
32	Habitual failure to punch your own time card (Guide: three (3) times in a thirty (30) day period.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension or dismissal	Dismissal
33	Knowingly punching the time card of another employee; having one's time card punched by another employee or unauthorized altering of a time card.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension	Dismissal
34	Failure to report an accident or personal injury in which the employee was involved while on the job.	Written instruction & cautioning	Instruction & 5 days suspension or dismissal	Dismissal	
35	Making false claims or misrepresentations in an attempt to obtain sickness or accident benefits, workers' compensation benefits.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension or dismissal	Dismissal
36	Unauthorized possession of firearms, explosives, or weapons on City property.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension or dismissal	Dismissal
37	Concerted curtailment or restriction of production or interference with work in or about the City's work stations, including, but not limited to, instigating, leading, or participating in any walkout, strike, sit-down, stand-in, slowdown, refusal to return to work at the scheduled time for the scheduled shift.	Written instruction & cautioning	Instruction & 3-5 days suspension or dismissal		
38	Pleading guilty or nolo contendere to, or being found guilty by a jury or court of a misdemeanor involving physical violence, theft, driving under the influence of alcohol or drugs or possession or sale of drugs, regardless of whether or not adjudication is withheld and probation imposed.	Written instruction & cautioning	Instruction & 3-5 days suspension or dismissal		
39	Failing to comply with licensure and certification requirements.	Instruction & 3-5 days suspension or dismissal	Dismissal		

CODE OF CONDUCT AND MINIMUM DISCIPLINARY ACTIONS

RULE NUMBER	OFFENSES & DEFICIENCIES ON/OFF JOB	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
40	Pleading guilty or nolo contendere, or being found guilty by a jury or court of a felony, regardless of whether or not adjudication is withheld and probation imposed.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension or dismissal	Dismissal
41	Use of bribery or political pressure to secure appointment or advantages.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension	Dismissal
42	No employee shall request, use, or permit the use of, whether directly or indirectly, any publicly owned, public-supported property, vehicle, equipment, or labor service, or supplies (new, surplus, scrap or obsolete) for the personal convenience or the private advantage of said employee or any other person.	Written instruction & cautioning	Instruction & 5 days suspension or dismissal	Dismissal	
43	Engaging in any act(s) of sexual harassment.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension or dismissal	Dismissal
44	Violation of the City's Code of Ethics.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension or dismissal	Dismissal
45	Violation of Drug Free Workplace Program and/or Addenda thereto by any covered employee. This rule/penalty is in addition to any other action required by the Program or Addenda and supersedes any other Rules of Conduct applicable to the same conduct.	Written instruction & cautioning	Instruction & 5 days suspension or dismissal	Dismissal	
46	Any violation of two or more offences within a 1-year period.	Instruction & 3-5 days suspension or dismissal	Dismissal		
47	Has favored or discriminated against any applicant or employee because of political, religious, or labor affiliations, or because of sex or marital status.	Instruction & 3-5 days suspension or dismissal	Dismissal		

CODE OF CONDUCT AND MINIMUM DISCIPLINARY ACTIONS

RULE NUMBER	OFFENSES & DEFICIENCIES ON/OFF JOB	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
48	Being dishonest, including but not limited to deception, fraud, lying, cheating or theft.	Instruction & 3-5 days suspension or dismissal	Dismissal		
49	Willful misuse or embezzlement of city funds.	Dismissal			
50	Violation of dress code or failing to follow hygiene practices.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension or dismissal	Dismissal
51	Smoking in non-smoking areas; including buildings and vehicles.	Written instruction & cautioning	Instruction & 3 days suspension	Instruction & 5 days suspension or dismissal	Dismissal
52	Active political endorsement while on duty.	Instruction & 3-5 days suspension or dismissal	Dismissal		
54	Violation of two or more rule offenses within a one year period	Instruction & 3-5 days suspension or dismissal	Dismissal		

CITY OF ST. MARYS	Number: Policy 26
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SECTION: Employee Relations	Original Date: January 12, 2004
TITLE: Grievances	Approved By: St. Marys City Council

Purpose: To establish procedures for employees of the City of St. Marys to use when they feel that they have been treated unfairly and wish an opportunity to have their concerns addressed.

Policy Statement: It is the intent of the City to treat all employees fairly and consistently in matters related to their employment and to provide employees the opportunity to have their complaints fairly heard and answered.

Application: All full-time and part-time City employees who have completed at least one year of satisfactory service.

A. GRIEVANCE

A grievance, as used in this policy, is limited to a complaint an employee has regarding issues related to matters of employment. This complaint may include, but is not limited to employee discipline, discharge and involuntary transfer, promotion and demotion. Compensation and benefits shall not be a proper subject for procedure except as it may involve alleged incorrect application of the City’s compensation and benefit plans.

B. DISCIPLINARY REVIEW COMMITTEE

The Disciplinary Review Committee is the entity that has the responsibility of hearing employee appeals to determine whether or not there was a violation of a personnel policy/city ordinance; to determine if punishment was appropriate; and, to decide if there are extenuating circumstances.

1. The City Manager appoints a Disciplinary Review Committee consisting of nine (9) members. The members shall represent a cross section of City employees. Employees filing the appeal will choose five (5) employees from the list of nine (9) to hear their appeal. If an appeal is initiated by or involves an employee of a department of which a committee member is also an employee, such member shall be disqualified from participating in the hearing of that appeal.
2. Terms of Office: Three (3) years with the term of office of each member staggered so that the three (3) year term of office of at least one member expires each year
3. Interim Appointments: The City Manager shall appoint replacements to positions that become vacant. Such replacements shall be for the unexpired terms of the positions being filled.
4. Authority: The Committee may:
 - a) call for files, records and papers pertinent to any investigation;
 - b) determine the order of the testimony of witnesses;
 - c) secure the services of a recording secretary;

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- d) evaluate all evidence and testimony; and,
- e) the Committee shall not rule on the performance of the supervisor or department head in the action, only the action taken. No recommendations for discipline of others shall be made by the Committee.

5. Committee Chair: The Committee shall agree on which of its five members shall be Chair of the Committee. The Chair shall:

- a) preside at all meetings unless he/she designates another Committee member to do so;
- b) take proper action to ensure a fair, thorough, orderly, and expeditious hearing;
- c) have authority to direct the activities of the Committee and the parties shall abide by Chair's decisions. If a committee member objects to the Chair's decision, a majority vote of the Committee will govern.

C. Disciplinary Hearing Procedure

Any regular employee who has been suspended without pay, demoted, or discharged pursuant to this policy shall be entitled to request a hearing pursuant to this policy. The hearing, which shall be the exclusive procedure available to the disciplined employee, shall be conducted as follows:

1. The employee shall, within five (5) calendar days of receipt of notice of the discipline, file a written request for a hearing with the City Manager to include the five (5) employees he/she has selected from the list of nine (9) employees from the Disciplinary Review Committee.
2. Within five (5) working days after receipt of the written request for a hearing, the City Manager will forward the request to the Disciplinary Review Committee, who shall, no later than five (5) calendar days following receipt of the request for a hearing, schedule a hearing date. The purpose of such hearing shall be to provide the employee an opportunity to demonstrate that the termination of his or her employment was in material violation of this policy or was otherwise unlawful.
3. No later than three (3) working days prior to such hearing, the employee shall file with the Hearing Officer a written statement specifying why the suspension, demotion or termination was in material violation of the termination policy or was otherwise unlawful.
4. At the hearing, the employee will have the right to present evidence (either documentary or witnesses), confront and cross-examine any witnesses against him or her, and make any statements on his or her own behalf. The employee is entitled to have an attorney represent him or her at his or her own expense at the appeals hearing if he or she wishes.
5. Within five (5) working days of the conclusion of the hearing, the Hearing Officer shall submit a written report and recommendation to the City Manager concerning the issues addressed at the hearing, unless the Hearing Officer notifies the City Manager and the employee that an extension of time is required. The record and evidence submitted at the hearing will be made available to the City Manager. A copy of the report will simultaneously be submitted to the employee.

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Procedures:

D. STEP 1: INFORMAL

Whenever possible, grievances should be resolved by a discussion of the issue between the grievant and his/her supervisor no later than five (5) working days of the alleged grievable action. If the issue is not resolved, then the employee may proceed to Step 2.

E. STEP 2: FORMAL

1. The employee requests a review in writing by the respective Department Head.
2. The request for review must be submitted no later than five (5) working days of the alleged grievable action.
3. The Department Head must render a written decision concerning the action within two (2) working days.
4. If the employee is not satisfied with the decision reached in Step 2, he/she may proceed to Step 3.

F. STEP 3: FORMAL

1. The employee must present the grievance, in writing, to the Human Resources Director within five (5) working days from the receipt of a decision reached in Step 2.
2. The Human Resources Director shall schedule a hearing with the Disciplinary Review Committee within three (3) working days.
3. The Committee shall conduct such investigations and fact findings as may be necessary and will give its written recommendation to the City Manager within five (5) working days after the hearing.
4. The City Manager has the final authority over the recommendations made by the Committee.
5. The City Manager will provide a written decision to all parties within ten (10) working days after the receipt of the Committee's recommendation.

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SECTION: Employee Relations	Original Date: DRAFT
TITLE: Grievance	Approved By: St. Marys City Council

Purpose: To establish procedures for employees of the City of St. Marys to use when they feel that they have been treated unfairly and wish an opportunity to have their concerns addressed.

Policy Statement: It is the intent of the City to treat all employees fairly and consistently in matters related to their employment and to provide employees the opportunity to have their complaints fairly heard and answered.

Application: All full-time and part-time City employees.

A. POLICY

This grievance procedure is provided to employees as a guideline for expressing concerns about employment and the application of the City of St. Marys Personnel Policy. This procedure is not applicable to disciplinary matters and does not alter the employment at-will relationship between the City and its at-will employees. This process is the exclusive procedure available to the affected employee to obtain review of the action.

B. GREIVABLE ISSUES

1. Allegations of unlawful discrimination because of race, color, sex, national origin, disability, age, or religious or political opinions or affiliations.
2. Retaliation for using this grievance procedure.
3. Treatment considered unfair by an employee, such as coercion, reprisal, harassment or intimidation.
4. Improper or unfair administration of employee benefits or conditions of employment such as vacations, fringe benefits, promotions, retirement, holidays, salary or seniority.
5. Unsafe or unhealthy working conditions.
6. Selection of an individual to fill a position that is in direct violation of the City of St. Marys Personnel Policy

C. NON-GRIEVABLE ISSUES

1. Performance responsibilities, expectations, and performance reviews.
2. Temporary work assignments.
3. Budget and organizational structure, including the number or assignments of positions in any organizational unit.
4. Termination, demotion, reassignment, layoff from duties because of lack of work, or other actions resulting from a reduction in the work force or job abolition.

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D. PROCEDURE

Any complaint filed shall follow the procedure outlined below, shall refer to the provision or provisions of the Personnel policy, practice, procedure, rule or regulation alleged to have been violated and shall adequately set for the facts pertaining to the alleged violation.

Step 1: The employee shall present a complaint in writing to his/her immediate supervisor, within five (5) working days of the alleged grievable issue. Discussions shall be informal for the purpose of settling differences in the simplest and most direct manner. The immediate supervisor shall reach a decision and communicate it in writing to the complaining employee generally within five (5) working days from the date the complaint was presented.

Step 2: If the complaint is not resolved in Step 1, the complaining employee shall, within five (5) working days, forward the written complaint to the Department Head. The Department Head shall, within a reasonable time frame (generally five (5) working days), meet with the complaining employee to determine the facts of the case. The Department Head will notify the complaining employee of his decision, in writing, within a reasonable time frame (generally five (5) working days) following the date of the meeting, unless such time is mutually extended in writing. If the Department Head is the immediate supervisor and responded to the complaint in Step 1, the complaining employee may proceed to Step 3.

Step 3: If the complaint is not settled at Step 2, the complaining employee shall, within five (5) working days, forward the written complaint to the Human Resources Director. The Human Resources Director shall meet with the complaining employee within five (5) working days after receipt of the complaint. The Human Resources Director shall ascertain the facts and forward to the City Manager or his/her designee within a reasonable time frame (generally five (5) working days) after the meeting. The City Manager or his/her designee will have five (5) working days to consult with any of the parties involved and render a decision in writing to the employee, unless this period is extended in writing by mutual agreement. The decision of the City Manager or his/her designee shall be the final authority to the grievance process.

E. WITHDRAWAL OF GRIEVANCE

An employee may withdraw a grievance at any time. Any withdrawal should be put in writing and submitted to the Human Resources Director. Once withdrawn, however, it may not be reinstated. If the employee does not meet the time constraints outlined in this policy, the appeal will be considered withdrawn.

HUMAN RESOURCES CONSULTATION

Employees should note that the Human Resources Department is available to provide employees consultation on a problem and any other assistance at any time prior to or during the grievance procedure.

CITY OF ST. MARYS	Number: Policy 26
REVISED:	Page 1 of 2
SECTION: Employee Relations	Original Date:
TITLE: Appeals	Approved By: St. Marys City Council

Purpose: To Provide a process for employees to appeal disciplinary actions.

Policy Statement: It is the intent of the City to treat all employees fairly and consistently in matters related to their employment and to provide employees the opportunity to have their complaints fairly heard and answered.

Application: All full-time and part-time City employees who have completed at least one year of satisfactory service.

A. POLICY

Any regular employee, that is not probationary, who has been suspended, demoted, or terminated from employment shall be entitled to request a hearing with the City Manager or his/her designee pursuant to this policy. Before the hearing with the City Manager, if the action was not taken by the Department Head, the affected employee shall have the opportunity to discuss the action with the employee's Department Head or, if unavailable, with an appropriate designee to resolve the matter, if possible, before a hearing occurs. This process is the exclusive procedure available to the affected employee to obtain review of the action. The employee may contact the Human Resources Department for guidance with this procedure.

B. PROCEDURE

1. The employee shall, within five (5) working days of receipt of notice of the discipline, file a written request for a hearing with the City Manager or his/her designee.
2. Within a reasonable time frame (generally five (5) working days) after receipt of the written request for a hearing, the City Manager will schedule a hearing date. The purpose of such hearing shall be to provide the employee an opportunity to demonstrate that the adverse action to which he/she was subjected was not in compliance with the City of St. Marys Personnel policy or was otherwise unlawful.
3. No later than three (3) working days prior to such hearing, the employee and the decision-maker shall provide the City Manager or his/her designee a list of the witnesses and evidence they anticipate they will present at the hearing as well as a written statement specifying why the suspension, demotion or termination was not in compliance with the termination policy or is in error. Failure to provide the witness, evidence list and written statement will be considered to be a withdrawal of the appeal. Upon request, either party may receive a copy of the opposing party's list of witnesses and evidence. The City is not responsible for securing the attendance of witnesses or providing copies of documents at the hearing for the employee or decision-maker.
4. At the hearing, the employee will have the right to present evidence (either documentary or witnesses), confront and cross-examine any witnesses against him/her, and make any statement

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his/her own behalf. The employee is entitled to have an attorney represent him/her at his/her own expense at the appeals hearing if he or she wishes. Only documentary evidence, witness testimony, and statements relevant to the issues raised in the written statement will be permitted during the hearing.

5. The City Manager or his/her designee shall render a written decision within a reasonable time frame (generally, five (5) working days) following the appeal hearing. The period allowed for making a decision may be extended by the City Manager or his/her designee, with prior written notification given to the employee. The City Manager or his/her designee may affirm, modify or reverse the recommendation of the Department Head.
6. The City Manager or his/her designee shall provide a copy of the written decision to the affected employee, Human Resources Director and Department Head.
7. The decision of the City Manager or his/her designee shall be the final authority to the disciplinary appeal process.

C. Withdrawal of Appeal

An employee may withdraw an appeal at any time. Any withdrawal should be put in writing and submitted to the Human Resources Director. Once withdrawn, however, it may not be reinstated.

If the employee does not meet the time constraints outlined in this policy, the appeal will be considered withdrawn.

D. Human Resources Consultation

Employees should note that the Human Resources Department is available to provide employees consultation on a problem and any other assistance at any time prior to or during the appeal procedure except during the appeal hearing.

CITY OF ST. MARYS	Number: Policy 13
REVISED:	Page 1 of 1
SECTION: Leaves of Absence	Original Date: January 12, 2004
TITLE: Bereavement Leave	Approved By: St. Marys City Council

Purpose: To establish the provisions for leave taken by employees to attend funeral services for the death of an immediate family member.

Provisions:

(1) Bereavement leave of three working days will be granted, with pay, for an employee absent from duty as a result of death in the immediate family. For purposes of this policy, immediate family means spouse, child, parent, parent-in-law, sibling, grandparent, or any relative who is domiciled in the employee's household. A regular employee may receive up to three (3) days pay while off attending funeral services. It is understood that these days will be any three (3) consecutive days which include the day of the funeral, and further that these days must be regularly scheduled work days for the employee. In order to be eligible for this pay, the employee must be on the active payroll at the time of death.

CURRENT

CITY OF ST. MARYS	Number: Policy 13
REVISED:	Page 1 of 1
SECTION: Leaves of Absence	Original Date: January 12, 2004
TITLE: Bereavement Leave	Approved By: St. Marys City Council

Purpose: To establish the provisions for leave taken by employees to attend funeral services for the death of an immediate family member.

Provisions:

(1) Bereavement leave of three working days will be granted, with pay, for an employee absent from duty as a result of death in the immediate family. For purposes of this policy, immediate family means spouse, child, parent, parent-in-law, sibling, grandparent, grandchild, sibling-in-law, grandparent-in-law or any relative who is domiciled in the employee's household. A regular employee may receive up to three (3) days pay while off attending funeral services. It is understood that these days will be any three (3) consecutive days which include the day of the funeral, and further that these days must be regularly scheduled work days for the employee. In order to be eligible for this pay, the employee must be on the active payroll at the time of death.

CITY OF ST. MARYS	Number: Policy 19
REVISED: November 13, 2006	Page 1 of 2
SECTION: Benefits	Original Date: January 12, 2004
TITLE: Paid Leave	Approved By: St. Marys City Council

Purpose: To establish how paid leave is earned by employees of the City of St. Marys.

Policy Statement: The City has a combined paid leave policy, which provides for paid leave due to illness, temporary disability or pre-approved personal and vacation leave. Employees are encouraged to use their accrued leave time.

Application: All full-time employees

Responsibilities:

- (1) Employees must request leave of more than four (4) hours, except in case of emergency, at least two weeks before such leave is taken.
- (2) The immediate supervisor may approve leaves of less than four (4) hours.
- (3) The Department Head must approve employee's leave if it is more than four (4) hours.
- (4) Department Heads shall approve employee requests as quickly as possible with consideration to scheduling and fairness to other employees.
- (5) Department Heads must request approval of their vacation time from the City Manager.

Provisions:

(A) ACCRUALS

- (1) Paid leave is accrued as follows:

Years of Service	Accrued per Month
0 to 2 years	10 hours
2 up to 5 years	12 hours
5 up to 10 years	16 hours
Over 10 years	20 hours

- (2) Employees shall continue to accrue vacation time while on authorized paid leaves.

CITY OF ST. MARYS	Number: Policy 19
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SECTION: Benefits	Original Date: January 12, 2004
TITLE: Paid Leave	Approved By: St. Marys City Council

(B) SCHEDULING

- (1) Paid leave shall be taken in units of whole days, half days and quarter days only.
- (2) Employees will be encouraged to take at least one week of vacation, or total amount earned if less than one week, during each year.
- (3) The City allows a maximum accumulation of ninety (90) days paid leave to be carried over into the following calendar year.
- (4) The Department Head will schedule vacation times for the department and try to accommodate employee's vacation time requests. In cases where employees in the same work unit have requested the same vacation times, the employee's seniority will be considered.
- (5) The supervisor must receive approval from the Department Head regarding any exceptions made from this procedure.
- (6) Upon termination, employees shall receive pay for all accrued leave at the employee's current rate of pay.

(C) SALE OF PAID LEAVE

- (1) Eligible employees may sell up to 80 hours of leave once in a calendar year (defined as a period of 12 months), by meeting the following criteria:
 - (a) employee must have already taken 40 consecutive hours of leave during the previous 12 month period, prior to selling leave;
 - (b) employee must have a minimum of 120 hours of leave remaining, after the selling leave.