



ADMINISTRATIVE SERVICES COMMITTEE MEETING AGENDA

Commission Chamber

Tuesday, November 12, 2024

1:20 PM

ADMINISTRATIVE SERVICES

- 1.** Discuss city's hiring policy in association with presentation made by Mr. Lawrence Brannen (Justice Impacted Reformation Society, Inc.) an Amendment to Augusta's Equal Opportunity hiring policy. **(Deferred from the October 29, 2024 Administrative Services Committee)**
- 2.** Approve the payment of essential employees as defined in the Augusta Inclement Weather/Emergency Condition Administrative Rule for employees who worked during the period of 5:00pm September 26, 2024 through September 27, 2024. In addition, approve the payment of compensatory time accrued by Fire Department personnel during the period September 26-October 7, 2024.
- 3.** Discuss adding a full time EMA Director in the 2025 budget. **(Requested by Commissioner Sean Frantom)**
- 4.** Discuss the current status of the clerk's office. **(Requested by Commissioner Sean Frantom)**
- 5.** Motion to **approve** the minutes of the Administrative Services Committee held on October 29, 2024.



Administrative Services Committee

November 12, 2024

Discuss City’s Hiring Policy

Department:	N/A
Presenter:	N/A
Caption:	Discuss city's hiring policy in association with presentation made by Mr. Lawrence Brannen (Justice Impacted Reformation Society, Inc.) an Amendment to Augusta's Equal Opportunity hiring policy. (Deferred from the October 29, 2024 Administrative Services Committee)
Background:	N/A
Analysis:	N/A
Financial Impact:	N/A
Alternatives:	N/A
Recommendation:	N/A
Funds are available in the following accounts:	N/A
<u>REVIEWED AND APPROVED BY:</u>	N/A

AGENDA ITEM REQUEST FORM

Commission meetings: First and third Tuesdays of each month – 2:00 p.m.
Committee meetings: Second and last Tuesdays of each month – 1:00 p.m.

Commission/Committee: (Please check one and insert meeting date)

_____	Commission	Date of Meeting _____
_____	Public Safety Committee	Date of Meeting _____
_____	Public Services Committee	Date of Meeting _____
<u>Yes</u> _____	Administrative Services Committee	Date of Meeting <u>10/29/2024</u>
_____	Engineering Services Committee	Date of Meeting _____
_____	Finance Committee	Date of Meeting _____

Contact Information for Individual/Presenter Making the Request:

Name: Lawrence Brannen (The Justice-Impacted Reformation Society Inc.)
Address: 445 Fenwick Street, Augusta GA 30901, United States
Telephone Number: (706) 524-6786
Fax Number: _____
E-Mail Address: exoffendersforreform@gmail.com

Caption/Topic of Discussion to be placed on the Agenda:

Request an Amendment to Augusta-Richmond Equal Opportunity hiring policy. The amendment will add
“Persons with criminal histories” to the policy as a group that shall not be discriminated against
preliminarily, during, and after the hiring process thereby giving persons with criminal histories
“Protected status.”

Please send this request form to the following address:

Ms. Lena J. Bonner	Telephone Number: 706-821-1820
Clerk of Commission	Fax Number: 706-821-1838
Room 806 Municipal Building	E-Mail Address: nmorawski@augustaga.gov
530 Greene Street	
Augusta, GA 30901	

Requests may be faxed, e-mailed or delivered in person and must be received in the Clerk’s Office no later than 9:00 a.m. on the Thursday preceding the Commission meeting and 9:00 a.m. on the Thursday preceding the Committee meeting of the following week. A five-minute time limit will be allowed for presentations.

JUSTIA

There is a newer version of this Section



View our newest version here



2019 Georgia Code

Title 25 - Fire Protection and Safety

Chapter 4 - Firefighter Standards and Training

Article 1 - General Provisions

§ 25-4-8. Qualifications of firefighters generally

Universal Citation:

GA Code § 25-4-8 (2019) ○

[← Previous](#)

[Next →](#)

(a) Except as provided in Code Section 25-4-12, any employee, volunteer, or private contractor of a fire department operating in this state or certified as a firefighter shall, as prescribed by the council:

(1) Be at least 18 years of age;

(2) Not have been convicted of, or pleaded guilty to, a felony in any jurisdiction or of a crime which if committed in this state would constitute a felony under the laws of this state within ten years prior to employment, provided that a person who has been

convicted of a felony more than five but less than ten years prior to employment may be certified and employed as a firefighter when the person has:

(A) Successfully completed a training program following the Georgia Fire Academy curriculum and sponsored by the Department of Corrections;

(B) Been recommended to a fire department by the proper authorities at the institution at which the training program was undertaken; and

(C) Met all other requirements as set forth in this chapter.

The council shall be the final authority with respect to authorizing the employment, appointment, and certification of a person who has been convicted of a felony more than five but less than ten years prior to seeking employment when the person is seeking employment as a firefighter for any municipal, county, or state fire department which employs three or more firefighters who work a minimum of 40 hours per week and has the responsibility of preventing and suppressing fires, protecting life and property, and enforcing municipal, county, and state codes, as well as enforcing any law pertaining to the prevention and control of fires;

(3) Have a good moral character as determined by investigation under procedure approved by the council;

(4) Be fingerprinted and a search made of local, state, and national fingerprint files to disclose any criminal record;

(5) Be in good physical condition as determined by a medical examination and successfully pass the minimum physical agility requirements as established by the council; and

(6) Possess or achieve within 12 months after employment a high school diploma or a general education development equivalency, provided that the council may by rule or regulation prescribe for the waiver of such requirement.

(b) For the purposes of this Code section, a person shall be deemed to have been convicted of a crime if such person shall have pleaded guilty to a charge thereof before a court or federal magistrate or shall have been found guilty thereof by the decision or judgment of a court or federal magistrate or by the verdict of a jury, irrespective of the pronouncement of sentence or the suspension thereof, unless such plea of guilty or such decision, judgment,

raised seal on the printed copy. Please include your name, date of birth, type of order granted and the year that the order was granted and we will send a copy as soon as time allows. If we cannot locate an order, we will advise via email response.

To qualify for a Pardon for offenses *other than sex offenses which require you to be listed on Georgia's Sex Offender Registry*:

- You must have completed all sentence(s) at least five (5) years prior to applying.
- You must have lived a law-abiding life during the five (5) years prior to applying.
- You cannot have any pending charges.
- All fines must be paid in full.

To qualify for a Pardon for sex offenses which require you to be listed on Georgia's Sex Offender Registry:

- You must have completed all sentences for sex offenses requiring registration at least ten (10) years prior to applying.
- You must have a psychosexual evaluation conducted within 90 days prior to applying. This evaluation must be uploaded to your online application. A list of approved sex offender treatment providers can be found at the following link: **[Approved Sex Offender Treatment Providers](https://docs.google.com/document/d/1L8n9FK_YGQCzP7)** (**https://docs.google.com/document/d/1L8n9FK_YGQCzP7**)

CITY COUNCIL
ATLANTA, GEORGIA

22-O-1748

AN ORDINANCE BY COUNCILMEMBERS JASON WINSTON, MATT WESTMORELAND, ANDREA L. BOONE, BYRON D. AMOS, MICHAEL JULIAN BOND, KEISHA SEAN WAITES AND MARCI COLLIER OVERSTREET AS AMENDED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE TO AMEND THE CITY OF ATLANTA CODE OF ORDINANCES CHAPTER 94 (HUMAN RELATIONS) WHICH PROHIBITS DISCRIMINATION THROUGHOUT THE CITY, TO INCLUDE PERSONS DIRECTLY IMPACTED BY THE CRIMINAL LEGAL SYSTEM IN THE CLASS OF PERSONS WHO MAY BE AGGRIEVED BY ALLEGED DISCRIMINATION OR UNLAWFUL PRACTICES UNDER THE HUMAN RELATIONS CODE, IN ORDER TO COMBAT THE LONG-TERM IMPACTS OF INCARCERATION; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta's Human Relations Code, (Chapter 94, of the City of Atlanta Code of Ordinances), was adopted following the decision of the Georgia Supreme Court in *City of Atlanta v. McKinney*, 265 Ga. 161, 165, 454 S.E.2d 517, 521 (1995), in which the Court held that, the City of Atlanta has the authority to enact certain anti-discrimination laws under its general police power; and

WHEREAS, in adopting the Human Relations Code, the Atlanta City Council found and declared that prejudice, intolerance, bigotry and discrimination and disorder occasioned thereby threaten the rights and proper privileges of its inhabitants and menace the very institutions, foundations and bedrock of a free democratic society (City Code Sec. 94-11); and

WHEREAS, currently the classes of persons which the Human Relations Code seeks to protect from unlawful discrimination include those persons aggrieved by alleged discrimination or unlawful practices due their race, color, creed, religion, sex, marital status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, age, or disability; and

WHEREAS, too often in the United States, people convicted of a crime are forced to be outliers of society unable to vote, find suitable housing, obtain livable wages, own home or support their families without discrimination; and

WHEREAS, in order to combat the long-term impacts of incarceration, it is the desire of the Atlanta City Council to amend the Human Relations Code to include persons directly impacted by the criminal legal system in the class of persons who may be aggrieved by alleged discrimination or unlawful practices under the Human Relations Code; and

WHEREAS, in including persons directly impacted by the criminal legal system in the class of persons protected by the City of Atlanta's Human Relations Code, the Atlanta City Council acknowledges that generally employers have an interest in restricting their hiring and retention of persons with criminal histories in order to protect against claims against negligent hiring; and

WHEREAS, however, an employer's use of an individual's criminal history in making employment decisions may, in some instances, violate the prohibition against employment discrimination under Title VII of the Civil Rights Act of 1964, as amended and therefore Federal Courts have held that employers may not use an applicant's criminal record as an absolute bar to employment, but have allowed employers to consider a prior criminal record as a factor in making individual hiring decisions, as long as the employer took certain factors into account; and

WHEREAS, these factors are: 1) The nature and gravity of the offense or conduct; 2) The time that has passed since the offense or conduct and/or completion of the sentence; and 3) The nature of the job held or sought; and

WHEREAS, accordingly, when the City of Atlanta adopted a policy of prohibiting unfair discrimination against applicants for City employment due to their prior criminal history pursuant to Ordinance 14-O-1399, the Atlanta City Council provided that any adverse hiring decisions based on criminal history must be based on how the criminal history relates to the position's responsibilities in accordance with the following considerations: 1) whether the applicant committed the offense; 2) the nature and gravity of the offense; 3) the time since the offense; and 4) the nature of the job for which the applicant has applied; and

WHEREAS, consistent with the standards employed by the City in order to balance its interest in not unlawfully discriminating against job applicants as a result of their criminal histories, it is the desire of the Atlanta City Council to clarify that nothing in any provisions in the Human Relations Code to include persons directly impacted by the criminal legal system in the class of persons who may be aggrieved by alleged discrimination or unlawful practices under the Human Relations Code shall prohibit employers from making hiring decisions in accordance with the considerations described herein.

THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA HEREBY ORDAINS, as follows:

SECTION 1: The City of Atlanta Code of Ordinances Chapter 94 (Human Relations) Article II Section 94-10 (Definitions) be amended such that the definition of "Discrimination or discriminatory practice or act" shall read as follows (with permanent additions in underlined font and permanent deletions in strikethrough font):

Discrimination or discriminatory practice or act means any action or failure to act, whether by a single act or part of a practice, the effect of which is to adversely affect or differentiate between or among individuals, because of an individual's, or the perception of an individual's race, color, creed, religion,

sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, age, disability, criminal history, or the use of a service animal.

SECTION 2: The City of Atlanta Code of Ordinances Chapter 94 (Human Relations) Article II Section 94-11 (Policy) be amended such that it shall read as follows (with permanent additions in underlined font and permanent deletions in strikethrough font):

Sec. 94-11. Policy.

In the city, with its great cosmopolitan population consisting of large numbers of people of every race, color, creed, religion, sex, marital status, parental status, familial status, sexual orientation, gender expression, national origin, gender identity, criminal history status, and age, many of them with physical and mental disabilities, there is no greater danger to the health, morals, safety and welfare of the city and its inhabitants than the existence of groups prejudiced against one another and antagonistic to each other because of differences of race, color, creed, religion, sex, marital status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, age, criminal history status, and disability. The council finds and declares that prejudice, intolerance, bigotry and discrimination and disorder occasioned thereby threaten the rights and proper privileges of its inhabitants and menace the very institutions, foundations and bedrock of a free democratic society.

SECTION 3: The City of Atlanta Code of Ordinances Chapter 94 (Human Relations) Article II Section 94-37 (Composition; appointment; terms) be amended such that it shall read as follows (with permanent additions in underlined font and permanent deletions in strikethrough font):

Sec. 94-37. Composition; appointment; terms.

The human relations commission shall consist of seven members, divided into three classes-Class A, Class B, and Class C. Class A shall contain three members, and Class B and Class C shall each contain two members. After the phase-in period, members shall hold office for a three-year term staggered so that the membership terms of only one class of members shall expire each year. The initial members shall be appointed and designated to a class by the president of the council no later than January 1, 2001. The term of office of the initial Class A members shall expire on January 1, 2002, the term of office of the initial Class B members shall expire on January 1, 2003; and the term of office of the initial Class C members shall expire on January 1, 2004. After January 1, 2002, at the expiration of the terms of the initial Class A members, one Class A member shall be appointed by the president of council, one shall be appointed by the Mayor and one shall be appointed by the at-large councilmember in Post 1 in coordination with the councilmembers for Districts 1 through 4. At the expiration of the terms of the initial two Class B members, one Class B member shall be appointed by the mayor and one shall be appointed by the at-large councilmember in Post 2 in coordination with the councilmembers for Districts

5 through 8. At the expiration of the terms of the initial two Class C members, one Class C member shall be appointed by the president of council and one shall be appointed by the at-large councilmember in Post 3 in coordination with the councilmembers for Districts 9 through 12. At least one of the commission members appointed by the president of the council shall possess, in addition to the general qualifications set out in the Charter regarding members of the commission, a license to practice law in the State of Georgia and shall be an active member of and in good standing with the State Bar of Georgia. No person shall be appointed for more than two consecutive three-year terms. The membership of the commission shall reflect as nearly as practicable, the diversity of individuals protected under this ordinance and shall be comprised without regard to race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, criminal history status, gender identity, or gender expression.

SECTION 4: The City of Atlanta Code of Ordinances Chapter 94 (Human Relations) Article II Section 94-41 (Functions) subsection (4) be amended such that it shall read as follows (with permanent additions in underlined font and permanent deletions in strikethrough font):

(4) Developing human relations plans and policies for the city and assisting in their execution and making investigations and studies appropriate to effectuate this article and to issue such publications and such results of investigations and research as in its judgment will tend to inform persons of the rights assured and remedies provided under this article, to promote goodwill and minimize or eliminate discrimination because of race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, criminal history status, age, or disability.

SECTION 5: The City of Atlanta Code of Ordinances Chapter 94 (Human Relations) Article V Section 94-110 (Policy) be amended such that it shall read as follows (with permanent additions in underlined font and permanent deletions in strikethrough font):

Sec. 94-110. Policy.

The council declares that it is the policy of the city, in the exercise of its police powers for the protection of the public health, safety, and general welfare, and for the maintenance of peace and good government, to assure equal employment opportunity to all persons, free from restrictions and prejudice based upon race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, criminal history status, age, and disability. The human relations commission established in article II of this chapter is vested with authority to investigate alleged incidents of discrimination and make recommendations to the mayor and appropriate city agency and to secure a response within 30 days pursuant to the provisions of this article in furtherance of this policy and in accordance with the procedures set forth in article VI of this chapter.

SECTION 6: The City of Atlanta Code of Ordinances Chapter 94 (Human Relations) Article V Section 94-112 (Unlawful Employment Practices) be amended such that it shall read as follows (with permanent additions in underlined font and permanent deletions in strikethrough font):

Sec. 94-112. Unlawful employment practices.

(a) *Employer practices.* It shall be an unlawful employment practice for an employer:

(1) To fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his or her compensation, terms, conditions, or privileges of employment, because of such individual's race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, criminal history status, age, or disability; or

(2) To limit, segregate, or classify his or her employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his or her status as an employee, because of such individual's race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, criminal history status, age, or disability.

(b) *Employment agency practices.* It shall be an unlawful employment practice for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of his or her race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, criminal history status, age, or disability, or to classify or refer for employment any individual on the basis of his or her race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, age, or disability.

(c) *Labor organization practices.* It shall be an unlawful employment practice for a labor organization:

(1) To exclude or to expel from its membership, or otherwise to discriminate against, any individual because of his or her race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, criminal history status, age, or disability;

(2) To limit, segregate, or classify its membership or applicants for membership, or to classify or fail or refuse to refer for employment any individual, in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his or her status as an employee or as an applicant for employment, because of such individual's race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, criminal history status, age, or disability; or

(3) To cause or attempt to cause an employer to discriminate against an individual in violation of this section.

(d) *Training programs.* It shall be an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs to discriminate against any individual because of his or her race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, criminal history status, age, or disability in admission to, or employment in, any program established to provide apprenticeship or other training.

(e) *Printing or publication of notices or advertisements indicating prohibited preference, limitation, specification, or discrimination; occupational qualification exception.* It shall be an unlawful employment practice for an employer, labor organization, employment agency, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to print or publish or cause to be printed or published any notice or advertisement relating to employment by such an employer or membership in or any classification or referral for employment by such a labor organization, or relating to any classification or referral for employment by such an employment agency, or relating to admission to, or employment in, any program established to provide apprenticeship or other training by such a joint labor-management committee, indicating any preference, limitation, specification, or discrimination, based on race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, criminal history status, age, or disability, except that such a notice or advertisement may indicate a preference, limitation, specification, or discrimination based on religion, sex, or disability when religion, sex, or disability is a bona fide occupational qualification for employment and, in the case of disability, the employer, labor organization, employment agency, or joint labor-management committee has made reasonable accommodation for the disability to the full extent required by the Americans With Disabilities Act, codified at 42 U.S.C. § 12101.

(f) *Prohibition of discriminatory use of test scores.* It shall be an unlawful employment practice for a respondent, in connection with the selection or referral of applicants or candidates for employment or promotion, to adjust the scores of, use different cutoff scores for, or otherwise alter the results of, employment related tests on the basis of race, color, creed, religion, sex, domestic relationship status,

parental status, familial status, sexual orientation, national origin, gender identity, gender expression, criminal history status, age, or disability.

(g) *Impermissible consideration of protected factors in employment practices.* Except as otherwise provided in this subchapter, an unlawful employment practice is established when the complaining party demonstrates that race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, criminal history status, age, or disability was a motivating factor for any employment practice, even though other factors also motivated the practice.

SECTION 7: The City of Atlanta Code of Ordinances Chapter 94 (Human Relations) Article V Section 94-112 (Exclusions from unlawful employment practices) be amended to add new subsections (3) and (4) which shall read as follows (with permanent additions in underlined font):

(3) Any adverse employment decision based on criminal history status shall not be considered a violation of this Chapter where such a decision was based on how the criminal history related to the position's responsibilities in accordance with the following considerations: 1) whether the applicant committed the offense; 2) the nature and gravity of the offense; 3) the time since the offense; and 4) the nature of the job for which the applicant has applied.

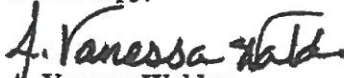
(4) Notwithstanding any other provision in this section, nothing in this Chapter shall prohibit an employer from making an adverse employment decision based on criminal history status when related to positions where certain convictions or violations are a bar to employment in that position under state or federal law, including but not limited to positions that involve work with children and positions in law enforcement.

SECTION 8: That the amendments in this ordinance shall become effective immediately upon approval.

SECTION 9: That the Municipal Clerk is instructed to retain all legislative history references in the codified version of Chapter 94, including Editor's notes, and shall not delete any such references, but shall amend them to include reference to this ordinance.

SECTION 10: That all ordinances and part of ordinances in conflict herewith are hereby waived to the extent of the conflict.

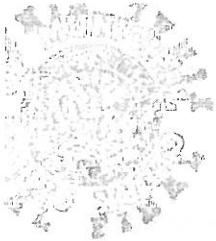
A true copy,


A. Vanessa Waldon
Deputy Municipal Clerk

ADOPTED *as amended* by the Atlanta City Council
APPROVED per City Charter Section 2-403

OCT 17, 2022
OCT 26, 2022

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of
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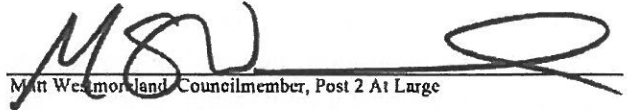


**CITY COUNCIL
ATLANTA, GEORGIA**

22-O-1748

SPONSOR SIGNATURES


Jason H. Winston, Councilmember, District 1


Matt Westmoreland, Councilmember, Post 2 At Large

CITY COUNCIL
ATLANTA, GEORGIA

22-O-1748

AN ORDINANCE BY COUNCILMEMBERS JASON WINSTON, MATT WESTMORELAND, ANDREA L. BOONE, BYRON D. AMOS, MICHAEL JULIAN BOND, KEISHA SEAN WAITES AND MARCI COLLIER OVERSTREET AS AMENDED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE TO AMEND THE CITY OF ATLANTA CODE OF ORDINANCES CHAPTER 94 (HUMAN RELATIONS) WHICH PROHIBITS DISCRIMINATION THROUGHOUT THE CITY, TO INCLUDE PERSONS DIRECTLY IMPACTED BY THE CRIMINAL LEGAL SYSTEM IN THE CLASS OF PERSONS WHO MAY BE AGGRIEVED BY ALLEGED DISCRIMINATION OR UNLAWFUL PRACTICES UNDER THE HUMAN RELATIONS CODE, IN ORDER TO COMBAT THE LONG-TERM IMPACTS OF INCARCERATION; AND FOR OTHER PURPOSES.

Workflow List:

Atlanta City Council	Completed	09/19/2022 1:00 PM
Public Safety & Legal Administration Committee	Completed	09/26/2022 1:00 PM
Atlanta City Council	Completed	10/03/2022 1:00 PM
Public Safety & Legal Administration Committee	Completed	10/10/2022 1:00 PM
Atlanta City Council	Completed	10/17/2022 1:00 PM

HISTORY:

09/19/22 Atlanta City Council REFERRED WITHOUT OBJECTION

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

RESULT:	REFERRED WITHOUT OBJECTION	Next: 9/26/2022 1:00 PM
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09/26/22 Public Safety & Legal Administration CommitteeHELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE [4 TO 2]	Next: 10/3/2022 1:00 PM
MOVER:	Dustin Hillis, Chair, District 9	
SECONDER:	Mary Norwood, District 8	
AYES:	Dustin Hillis, Byron D Amos, Mary Norwood, Marci Collier Overstreet	
NAYS:	Andrea L. Boone, Keisha Sean Waites	
ABSENT:	Michael Julian Bond	

10/03/22 Atlanta City Council RETURNED AS HELD

RETURNED AS HELD TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

MEMBERS PRESENT: HILLIS, AMOS, BOONE, NORWOOD, COLLIER OVERSTREET & WAITES

RESULT:	RETURNED AS HELD	Next: 10/10/2022 1:00 PM
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10/10/22 Public Safety & Legal Administration CommitteeFAVORABLE AS AMENDED

RESULT: FAVORABLE AS AMENDED [6 TO 0] **Next: 10/17/2022 1:00 PM**
MOVER: Dustin Hillis, Chair, District 9
SECONDER: Byron D Amos, District 3
AYES: Hillis, Amos, Bond, Boone, Overstreet, Waites
ABSTAIN: Mary Norwood

10/17/2022 Atlanta City Council ADOPTED AS AMENDED

RESULT: ADOPTED AS AMENDED [13 TO 0]
MOVER: Dustin Hillis, Councilmember, District 9
SECONDER: Alex Wan, Councilmember, District 6
AYES: Bond, Waites, Winston, Farokhi, Amos, Dozier, Bakhtiari, Wan, Shook, Hillis,
Boone, Overstreet, Lewis
ABSENT: Matt Westmoreland
AWAY: Mary Norwood

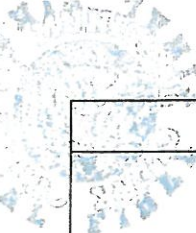
22-O-1748

AN ORDINANCE BY COUNCILMEMBERS JASON WINSTON, MATT WESTMORELAND, ANDREA L. BOONE, BYRON D. AMOS, MICHAEL JULIAN BOND, KEISHA SEAN WAITES AND MARCI COLLIER OVERSTREET AS AMENDED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE TO AMEND THE CITY OF ATLANTA CODE OF ORDINANCES CHAPTER 94 (HUMAN RELATIONS) WHICH PROHIBITS DISCRIMINATION THROUGHOUT THE CITY, TO INCLUDE PERSONS DIRECTLY IMPACTED BY THE CRIMINAL LEGAL SYSTEM IN THE CLASS OF PERSONS WHO MAY BE AGGRIEVED BY ALLEGED DISCRIMINATION OR UNLAWFUL PRACTICES UNDER THE HUMAN RELATIONS CODE, IN ORDER TO COMBAT THE LONG-TERM IMPACTS OF INCARCERATION; AND FOR OTHER PURPOSES.

VOTE RECORD - ORDINANCE 22-O-1748						
<input type="checkbox"/> ADOPTED <input type="checkbox"/> ADVERSED <input type="checkbox"/> FAVORABLE <input type="checkbox"/> ACCEPTED AND FILED <input type="checkbox"/> FIRST READING <input type="checkbox"/> SECOND READING <input type="checkbox"/> THIRD READING <input type="checkbox"/> FOURTH READING <input type="checkbox"/> FIFTH READING <input type="checkbox"/> REFERRED TO COMMITTEE <input type="checkbox"/> HELD IN COMMITTEE <input type="checkbox"/> TABLED <input type="checkbox"/> DEFERRED <input type="checkbox"/> RECONSIDERED <input type="checkbox"/> FILED <input checked="" type="checkbox"/> ADOPTED AS AMENDED <input type="checkbox"/> AMENDED <input type="checkbox"/> ACCEPTED <input type="checkbox"/> SUBSTITUTED <input type="checkbox"/> AMENDED SUBSTITUTE <input type="checkbox"/> FILED BY COMMITTEE <input type="checkbox"/> REFERRED TO ZRB AND ZC <input type="checkbox"/> REFERRED WITHOUT OBJECTION <input type="checkbox"/> ADOPTED ON SUBSTITUTE <input type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED <input type="checkbox"/> FORWARDED WITH NO RECOMMENDATI <input type="checkbox"/> REFERRED TO SC <input type="checkbox"/> FILED WITHOUT OBJECTION <input type="checkbox"/> FAILED <input type="checkbox"/> FORWARDED TO FC/NQ						
			YES/AYE	NO/NAY	ABSTAIN	ABSENT
	MICHAEL JULIAN BOND	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MATT WESTMORELAND	VOTER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	KEISHA SEAN WAITES	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JASON H WINSTON	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	AMIR R FAROKHI	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	BYRON D AMOS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JASON DOZIER	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	LILIANA BAKHTIARI	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ALEX WAN	SECONDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	HOWARD SHOOK	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MARY NORWOOD	VOTER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	AWAY
	DUSTIN HILLIS	MOVER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDREA L. BOONE	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MARCI COLLIER OVERSTREET	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ANTONIO LEWIS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

- FAVORABLE ON SUBSTITUTE
- FAVORABLE/SUB/AMENDED
- FAVORABLE/SUB/AMND/COND
- FAVORABLE/AMND/COND
- FAVORABLE AS AMENDED
- RETURNED AS HELD
- FAVORABLE ON CONDITION
- FAVORABLE/SUB/CONDITION
- QUADRENNIALLY TERMINATED
- QUESTION CALLED
- ROUTED TO COW
- SUSTAINED
- OVERRIDDEN
- NOT ACCEPTED BY COMMITTEE
- SUSTAINED W/O OBJECTION
- TABLED W/O OBJECTION
- HELD IN COW
- POSTPONED
- RETAINED AS HELD
- REFER TO ZRB AND ZC W/O OBJECTION
- AUTOMATICALLY TERMINATED (FILED)

[Unanimous]

Certified by Presiding Officer	Certified by Clerk
 <p>CERTIFIED 10/17/2022 ATLANTA CITY COUNCIL PRESIDENT <i>Dang Simpson</i></p>	<p>CERTIFIED 10/17/2022 MUNICIPAL CLERK <i>[Signature]</i></p>
<p>Mayor's Action <i>See Authentication Page Attachment</i></p>	

ADOPTED BY COUNCIL

10/17/2022



MAYOR'S ACTION AUTHENTICATION PAGE

22-O-1748

**Adopted by the Atlanta City Council
October 17, 2022**

APPROVED

OCT 26 2022

**WITHOUT SIGNATURE
BY OPERATION OF LAW**

MAYOR'S ACTION



Administrative Services Committee Meeting

Meeting Date: November 12, 2024

AO Extend Storm Period & Fire Department Comp Time Payout

- Department:** Administrator’s Office / Fire Department
- Presenter:** Ms. Tameka Allen, City Administrator
- Caption:** Approve the payment of essential employees as defined in the Augusta Inclement Weather/Emergency Condition Administrative Rule for employees who worked during the period of 5:00pm September 26, 2024 through September 27, 2024. In addition, approve the payment of compensatory time accrued by Fire Department personnel during the period September 26-October 7, 2024.
- Background:** The Augusta Inclement Weather/Emergency Condition Administrative Rule (AR-11) provides for additional pay for essential employees called in to work during emergency conditions. AR-11 stipulates that 24-hour essential employees will accrue compensatory time (comp time) rather than additional pay for their shifts during these periods.
- Analysis:**

Hurricane Helene hit Augusta in the early morning of September 27, 2024. On October 18, 2024, the Augusta Commission approved applying AR-11 to the storm response period of September 28-October 7, 2024. The current item would extend the application of AR-11 to the period of 5:00pm September 26, 2024 through September 27, 2024, for employees who worked overnight on the night of the storm and who were called in immediately afterward.

In addition, the Fire Department is requesting to pay out the comp time accrued by 24-hour personnel during the storm period, as permitted under Section 500.131 of the Personnel Policies & Procedures Manual.
- Financial Impact:** Costs can be absorbed within each department’s 2024 operating budget.
- Alternatives:** Do not approve applying AR-11 to the additional period and/or the Fire Department comp time payout.
- Recommendation:** Approve the payment of essential employees as defined in the “Augusta Inclement Weather/Emergency Condition Administrative Rule” effective date January 19, 2011 for employees that worked during the emergency period of 5:00pm September 26, 2024 through September 27, 2024. In addition, approve the payment of compensatory time accrued by Fire Department personnel during the period September 26-October 7, 2024.

Funds are available in the following accounts: Costs can be absorbed within each department's 2024 operating budget.

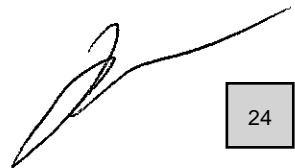
REVIEWED AND APPROVED BY: N/A

Augusta Inclement Weather/Emergency Condition Administrative Rule

1. **Statement of Purpose:** The purpose of this Administrative Rule is to establish the guidelines for the operation of the government during inclement weather and emergency conditions and clarify the compensation for employees carrying out the essential governmental services during delayed business operation.

2. **Operation of Government During Inclement Weather/Emergency Condition**
 - 2.1 The Administrator in conjunction with the Mayor and EMA Director will determine the status of the operation of the government in the event of inclement weather or other emergency situations.
 - 2.2 The EMA Director in the course of the operation of Emergency Management Agency will consult with the necessary agencies as to the status of the weather/emergency condition and its impact on roadways, trees, electricity etc.
 - 2.3 If the EMA Director deems that there is inclement weather/emergency condition that will have a hazardous or safety impact on normal government operations, the Director will notify the Administrator.
 - 2.4 The Administrator will, based upon the information conveyed by the EMA Director, determine whether the government will operate under normal business hours or delayed business hours.
 - 2.5 The Administrator will relay his/her decision to the Mayor.
 - 2.6 Administration will place the status of the operation of the government on the Information Line.
 - 2.7 Administration will notify the media of the hours of operation of the government.

3. **Personnel Reporting to Work During Inclement Weather/Emergency Condition**
 - 3.1 Group I Emergency Personnel
 - Designated Emergency Personnel
 - Emergency Management Agency Personnel
 - Administration
 - Administrator
 - Deputy Administrator(s)
 - Sheriff Personnel
 - Personnel designated in accordance with Richmond County Sheriff Policy and Procedure.
 - Fire Department Personnel
 - Personnel designated in accordance with Fire Department Emergency Operation Procedures.
 - 911 Emergency Communication Personnel
 - Personnel to report in accordance with 911 Emergency Communication Operation plan.



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Designated Department Heads

Departments Directors, as designated by the Administrator, must report to determine needed personnel in accordance with the departmental emergency operation plan. Administration will notify Designated Department Heads of the need to report based on the circumstances of the inclement weather.

Marshal Department Personnel

Personnel to report in accordance with Marshal Department and Emergency Operation Personnel procedures.

Group I Emergency Personnel must report to work regardless of the nature of the weather or emergency conditions unless a bona fide reason for not reporting is provided. Failure to provide a bona fide reason for non-report will be addressed in accordance with the Augusta Progressive Discipline Policy.

3.2 Group II Non-Emergency Personnel

Non-Emergency Personnel as Assigned by the Group I Designated Department Directors

The Group I Designated Department Directors will assign the personnel needed for the operation of the government or the carrying out of government services during delayed business hours. Dependent upon the nature of the inclement weather or emergency condition these departments will then determine the personnel required for the purposes of government operation.

Group II Non-Emergency Personnel who are notified that they are required to report to work during delayed hours must so report unless a bona fide reason for not reporting is provided. Group II Personnel that do not report to work and that do not provide a valid bona fide reason for non-report will be disciplined in accordance with the Augusta Progressive Discipline Policy.

4. Compensation

- 4.1 Provided that funding has been approved by the Commission and is available (as determined by the Administrator), all salaried (exempt and non-exempt) employees who are willing and ready to report to work will be placed on paid Administrative Leave for any delayed operational hours observed by Augusta, Georgia.
- 4.2 Provided that funding has been approved by the Commission and is available (as determined by the Administrator), Group I Emergency Personnel and Group II Non-Emergency Personnel, other than essential twenty-four hour operations personnel, reporting to work during delayed operational hours will be paid their regular rate of pay for hours worked in addition to the Administrative Leave pay.
- 4.3 Essential twenty-four hour operations personnel who are required to work during delayed operational hours shall receive Comp. Time equivalent to the numbers of hours actually worked.

- 4.4 Group I Emergency Personnel and Group II Non-Emergency Personnel who do not report to work at their scheduled time and have provided a valid reason for non-reporting will have these hours deducted from their vacation leave. If the employee does not have any vacation time available, he/she will receive these hours off without pay.
- 4.5 Employees that are scheduled to be off of work on a work day with delayed operation hours for personal reasons, including vacation, sick, workers' compensation, FMLA and LWOP, will not receive Administrative Leave pay for the delayed operational hours because such employees were not willing and ready to report to work.
- 4.6 Employees that are away on training or on administrative leave with pay during inclement weather will not have these hours charged against their vacation accruals because they were not regularly scheduled to report their Augusta worksite.
- 4.7 Once a regular schedule is declared by Administration, all employees must return to work or take appropriate and approved leave.
- 4.8 Employees who are dismissed early due to the official closure of the government are to be paid for the workday.
- 4.9 Employees leaving early due to inclement weather when no official closure has been announced will be charged accrued leave.
- 4.10 Each Department will be responsible for maintaining proper leave records.


Frederick L. Russell, Administrator

11/19/11
Date

Acknowledged and received by: _____

employed in a recreational establishment, organized camp, or non-profit educational conference center if: a) the establishment does not operate for more than seven (7) months in any calendar year; OR b) during the preceding calendar year, its receipts for any six (6) months of the year were not more than thirty-three and one-third (33 1/3%) percent of its average receipts for the other six (6) months of the year. As a matter of policy, persons employed by Augusta, Georgia, in a capacity falling within the above referenced FLSA exemption shall be paid straight time for all hours worked.

Section 500.130 Overtime for Part-time, Non-exempt Employees

Part-time, non-exempt employees who work more than their normal work schedule but less than the FLSA maximum hours for the appropriate work cycle will be paid at straight time. When hours worked exceed FLSA maximums for the appropriate work cycle, part-time employees will be paid overtime at time and one-half (1.5) of the regular rate.

Section 500.131 Compensatory Time Policy for Non-Exempt Staff

The Fair Labor Standards Act (FLSA) authorizes local governments to grant compensatory time (comp time) off at a rate of one and half (1.5) hours for each overtime hour worked in lieu of cash overtime compensation. However, comp time shall only be applicable to non-exempt employees.

Comp time accrued and used in the same FLSA work cycle is used as straight time (e.g. a non-exempt employee works three (3) hours past his normal schedule on the third day of a seven (7) day FLSA work cycle. The employee then uses the accrued comp time on the sixth day of the same FLSA work cycle. The time is used as straight time (three hours), since the use of the comp time took place in the same FLSA work cycle.) Comp time is allowed at the discretion of the Elected Official/Department Director. Comp time must be provided in accordance with an agreement or understanding with employees prior to the time being worked. The employee has the right to request the use of accumulated comp time. Department/office administrators must allow for the use of the comp time within a reasonable period following the employee's request to take the time off unless the operation of the government would be unduly disrupted by the employee's absence from work. The employee is entitled to receive full compensation for unused accumulated comp time when employment is terminated.

The FLSA requires the paying out of or "cashing out" of comp time upon separation from Augusta, Georgia service. When compensatory time is cashed out upon separation of employment, it must be paid at the regular rate the employee is earning at the time it is cashed out, or the average regular rate received by the employee during the past three years, whichever is higher.

Department Directors/Elected Officials may choose to cash out comp time periodically at any time during the employee's tenure with the approval of the Augusta, Georgia Board of Commissioners. When time is cashed out by a Department/Office on occasions other than separation from Augusta, Georgia service, it must be paid at the regular rate the employee is earning at the time it is cashed out. (Funds must be available in the department budget for use in cashing out comp time.)

Section 500.132 Maximum Comp Time Accrual

The FLSA establishes the maximum amount of comp time that employees can accrue. The maximum accrual limit for employees engaged in work associated with public safety, emergency response and seasonal work is 480 hours. For employees in all other areas, the maximum accrual is 240 hours. Any hours worked over these limits must be paid to the non-exempt employee.



Administrative Services Committee

November 12, 2024

EMA Director

Department:	N/A
Presenter:	N/A
Caption:	Discuss adding a full time EMA Director in the 2025 budget. (Requested by Commissioner Sean Frantom)
Background:	N/A
Analysis:	N/A
Financial Impact:	N/A
Alternatives:	N/A
Recommendation:	N/A
Funds are available in the following accounts:	N/A
<u>REVIEWED AND APPROVED BY:</u>	N/A



Administrative Services Committee

November 12, 2024

Current status of clerk’s office

Department:	N/A
Presenter:	N/A
Caption:	Discuss the current status of the clerk’s office. (Requested by Commissioner Sean Frantom)
Background:	N/A
Analysis:	N/A
Financial Impact:	N/A
Alternatives:	N/A
Recommendation:	N/A
Funds are available in the following accounts:	N/A
<u>REVIEWED AND APPROVED BY:</u>	N/A



Administrative Services Committee Meeting

November 12, 2024

Minutes

Department:	N/A
Presenter:	N/A
Caption:	Motion to approve the minutes of the Administrative Services Committee held on October 29, 2024.
Background:	N/A
Analysis:	N/A
Financial Impact:	N/A
Alternatives:	N/A
Recommendation:	N/A
Funds are available in the following accounts:	N/A
<u>REVIEWED AND APPROVED BY:</u>	N/A



ADMINISTRATIVE SERVICES COMMITTEE MEETING MINUTES

Commission Chamber
Tuesday, October 29, 2024
1:05 PM

ADMINISTRATIVE SERVICES

PRESENT:

Commissioner Francine Scott
Commissioner Tony Lewis
Commissioner Sean Frantom
Commissioner Jordan Johnson

Also present:

Mayor Garnett Johnson
Commissioner Wayne Guilfoyle
Commissioner Stacy Pulliam
Commissioner Catherine McKnight

ADMINISTRATIVE SERVICES

1. Update from the Administrator & Fire Chief on the schedule of locations for tree removal and debris cleanup. **(Requested by Commissioner Francine Scott)**

Received as information without objections.

2. Motion to approve to receive as information an update on the implementation of the ADP HRIS system. Go-live is set for January 1, 2025. Training for the Augusta employees will begin in phases with Directors, Manager/Assistant Directors and employees in October.

Received as information without objections

3. **Min. Dante Barley** regarding the hiring of city bus drivers.

Received presentation as information.

Motion made by Commissioner Lewis. Seconded by Commissioner Frantom

Motion carries 4-0

4. **Mr. Lawrence Brannen** (Justice Impacted Reformation Society, Inc.) regarding an Amendment to Augusta's Equal Opportunity hiring policy.
Motion to refer this to the next Administrative Services Committee and discuss the city's hiring policy in association with presentation made by Mr. Lawrence Brannen (Justice Impacted Reformation Society, Inc.) an Amendment to Augusta's Equal Opportunity hiring policy.

Motion made by Commissioner Johnson. Seconded by Commissioner Sean Frantom.

Motion carried 4-0

5. Motion to **approve** the minutes of the Administrative Services Committee held on **October 8, 2024**

Approved without objections.

ADDENDUM: Added without objections.

Mr. Chris Johnson, Tax Commissioner of Richmond County, and I'm joined by the Deputy Chief Appraiser, Mr. Brian Funk from the Tax Assessor's Office. And we just wanted to give a brief update on the First Amendment that's on our ballot. It's House Resolution 1022 and It is derived from House Bill, 581. And the amendment reads, Shall the Constitution of Georgia be amended so as to authorize the General Assembly to provide by general law for a statewide homestead exemption that serves to limit increases and assess value of homesteads. But which at, but which any county consolidated government, municipality, or local school system may opt out upon completion of certain procedures. And the reason we wanted to give an update on this particular amendment is that if this, if the voters of Georgia, passes this constitutional amendment, this body will have to make a decision whether or not to opt in. And that means you just do nothing. If the voters not only of Richmond County, but the state of Georgia say that they want this amendment to pass, then we are automatically opted in unless you take a one-time opportunity to opt out. If you should decide to opt out, it means that the amendment takes effect on January 1st, but all the procedures associated with opting out have to be completed by March 1st. That means pretty much in the end of November, December, some decisions have to be made by this body.