



**BALDWIN COUNTY REGULAR  
MEETING**  
**February 03, 2026**  
**1601 N Columbia St, Suite 220**  
**6:00 PM**

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**AGENDA**

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

1. Approval of January 20, 2026 regular meeting minutes, work session minutes and executive session minutes.

**ADMINISTRATIVE/FISCAL MATTERS**

2. **Employee Handbook**

Resolution R-2026-09 - approve revised employee handbook - County Manager.

3. **Parks and Recreation**

Resolution R-2026-10 - Adopt the revisions to the Parks and Recreation Policies and Procedures - County Manager.

4. **VOCA - Solicitor General**

Resolution R-2026-11 - Accept and Victims of Crime Assistance Grant for the Solicitor General - County Manager.

5. **VOCA - District Attorney**

Resolution R-2026-12 - Accept and Victims of Crime Assistance Grant for the District Attorney - County Manager.

6. **Sheriff's Office Training Center**

Resolution R-2026-13 - Authorize the purchase of 14.514 acres in Land Lot 238 in the first Land District in the 319th GMD for use as a training facility for the Baldwin County Sheriff's Office- County Manager.

7. **Right of Entry Agreement**

Resolution R-2026-14 - authorize the extension of the Right of Entry Agreement with the Board of Regents of the University System of Georgia on behalf of Georgia

College and State University leasing communications equipment space on the county owned tower on Highway 49 - County Manager.

8. **Performance Review**

Resolution R-2026-15 - Acknowledge the 2025 performance review and committing to corrective action - Commission Chairman.

**9. Golf Course Construction Contract**

Accept bid for golf course construction and authorize County Attorney to prepare a contract - County Manager.

**OLD BUSINESS**

**NEW BUSINESS**

**COUNTY MANAGER'S REPORT**

**PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS**

**EXECUTIVE SESSION**

10. Executive Session to discuss personnel and litigation.

**ADJOURNMENT**

**REMINDERS**

Board of Commissioners Meeting - February 17, 2026 - 6:00 PM in Suite 220 of the Baldwin County Government Center located at 1601 North Columbia Street.



## BALDWIN COUNTY REGULAR MEETING

January 20, 2026

1601 N Columbia St, Suite 220

6:00 PM

Item 1.

### MINUTES

#### PRESENT

Chairman Kendrick Butts  
Vice Chairman Scott Little  
Andrew Strickland  
Sammy Hall  
Emily C. Davis

#### OTHERS PRESENT

Carlos Tobar  
Brandon Palmer  
Dana Lleras  
Bo Danuser

#### CALL TO ORDER

Chairman Kendrick Butts called the January 20, 2026 Baldwin County Board of Commissioners meeting to order at 6:00 PM.

#### INVOCATION

Minister Andrew Jenkins, owner of Slaters Funeral Home, said the prayer.

#### PLEDGE OF ALLEGIANCE

Commissioner Davis led the Pledge of Allegiance.

#### APPROVAL OF MINUTES

Commissioner Little made a motion to approve the January 6, 2026 regular meeting minutes and executive session minutes. Commissioner Davis seconded the motion and the motion passed unanimously.

#### PRESENTATIONS

##### Middle Georgia Elite Bulldogs

Chairman Butts present a Certificate of Recognition to the coaches and team members of the Middle Georgia Elite Bulldogs Football Team in honor of their victory in the 2025 Midsouth Atlanta Youth Football League Championship and the 2025 National Championships. The Commissioners joined the

coaches, team members, and parents at the podium for the presentation. The commissioners and participants took pictures on the government center steps.

### Baldwin County Fire Rescue

Chairman Butts recognized Fire Rescue Chief Phillip Adams to present certificates to the volunteer in the Christmas toy drive.

Chief Adams stated that this past Christmas was the 16<sup>th</sup> year the Baldwin County Fire Rescue had participated in the Kids Yule Love program and they were able to provide 410 children with three individually wrapped presents each. He thanked the businesses and churches that allowed them to place Kids Yule Love collection boxes.

Chief Adams recognized Deputy Fire Chief Sheri Kniep for keeping the project moving, for getting the names of children most in need, and for matching the gift with the child. He also acknowledged Lt. Law and his wife for their efforts. Deputy Chief Kniep thanked Commissioner Davis for bringing Kids Yule Love to Baldwin County. Commissioner Davis thank DC Kniep for keeping it going.

Chief Adams presented Certificates to Deputy Chief Kniep, Nelaine McAfee, Gaynell Singletary, Renee Morgan, Debbie Sand, Asher Lybsger, Kierra Birt, and Eden Chase and acknowledged their work over the years in collecting gifts for Kids Yule Love.

The Commissioners joined Chief Adams at the podium for the presentation and pictures.

Commissioner members thanked the participants for their efforts in getting toys to children throughout the community.

### ADMINISTRATIVE/FISCAL MATTERS

#### Qualifying Fees

Chairman Butts read the caption for Resolution R-2026-03 setting the qualifying fees for 2026 elections.

The resolution was presented as follows:

**RESOLUTION R-2026-03**  
**A RESOLUTION BY THE BOARD OF COMMISSIONERS OF BALDWIN COUNTY**  
**SETTING QUALIFYING FEES FOR THE 2026 ELECTION AND**  
**AUTHORIZING PUBLICATION OF SAME**

**WITNESSTH:**

WHEREAS, O.C.G.A. § 21-2-131(a) requires the governing authority of each county, not later than February 1 of any year in which a general primary, nonpartisan election, or general election is to be held, to fix and publish a qualifying fee for each county office to be filled in the upcoming primary or election; and

WHEREAS, a general primary, nonpartisan election, and general election are scheduled to be held in 2026;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Baldwin County, as the governing authority of Baldwin County, does hereby set qualifying fees for candidates for the county offices to be elected in 2026 as set forth in Exhibit "A" attached hereto.

BE IT FURTHER RESOLVED, that the County Clerk is authorized and directed to publish the list of qualifying fees in accordance with the requirements of O.C.G.A. § 21-2-131 no later than February 1, 2026.

THIS RESOLUTION is adopted and made effective this 20<sup>th</sup> day of January, 2026.

**BALDWIN COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_

Kendrick Butts, Chairman,  
Baldwin County Board of Commissioners  
(SEAL)

ATTEST:

Bo Danuser, County Clerk  
Baldwin County, Georgia  
DATE ADOPTED \_\_\_\_\_

**EXHIBIT A**  
**2026 QUALIFYING FEES**

<u>POSITION</u>	<u>QUALIFYING FEE</u>
COUNTY COMMISSION	
DISTRICTS 3, 4, 5	\$180.00
STATE COURT JUDGE	\$1,971.42
BOARD OF EDUCATION	
DISTRICTS 1, 5	\$180.00

County Attorney Brandon Palmer stated that the commission had to set the qualifying fees for the offices up for election this year. he presented the positions and the fees.

Commissioner Little made a motion to approve the qualifying fees. Commissioner Strickland seconded the motion and the motion was approved unanimously.

**2026 LMIG**

Chairman Butts read the caption for Resolution R-2026-04 authorizing the 2026 Local Maintenance and Improvement Grant application be submitted to the Georgia Department of Transportation.

County Manager Carlos Tobar stated this was a formality, there was no road list; the road list would come out later in the year.

Commissioner Little made a motion to approve the LMIG application. Commissioner Davis seconded the motion and the motion passed unanimously.

Commissioner Hall stated that for clarification, this did not commit the county to paving any particular roads, this was applying for a lump sum. Mr. Tobar responded that Commissioner Hall was correct, the commission would vote on the road list later.

Chairman Butts called the question with the motion passing unanimously.

### WIOA Grant Applications

Chairman Butts read the caption for Resolution R-2026-05 authorizing a Workforce Innovation and Opportunity Act Grant AFR31-23-06-011 for the Dislocated Worker Program.

County Manager Tobar stated that the contract to administer the Georgia Workforce Innovation and Opportunity Grant ended June 30, 2026 and suggested another fiscal agent manage the grant after the contract expired. Mr. Tobar stated that the commissioners would have to make the decision to notify the Workforce Innovation and Opportunity Grant people that Baldwin County would cancel the contract at the end of June 30<sup>th</sup>; it was important for the county staff focus on Baldwin County.

There was a discussion about Baldwin County administering the grant for 25 years, that there were 11 counties in the group, focusing account staff on Baldwin County, voting on these grants first and then voting on whether or not to continue with administering the grant, the county was contracted until June 30<sup>th</sup>, 2026 and discontinue and giving notice of cancelling the agreement.

Commissioner Hall made a motion for the county to service the four grants on the agenda through June 30, 2026 and discontinue the contract on June 30<sup>th</sup> for these four grants.

Commissioner Little seconded the motion.

The discussion continued about other grants under the WIOA grant program and which grants would not be renewed. Commissioner Hall clarified that his motion was for the four grants that were on this agenda and would continue to serve those until June 30<sup>th</sup>. Commissioner Little stated that he understood that the motion was to end the contact – to not renew it as of June and that would call for any of the grants, not just these four.

Commissioner Little withdrew his second because he thought the motion was to not renew in June.

Commissioner Strickland seconded Commissioner Hall's motion.

The grant applications were as follows:

### WIOA Dislocated Worker Program Grant

Resolution R-2026-05 authorizing Workforce Innovation and Opportunity Act Grant AFR31-23-06-011 for the Dislocated Worker Program

### RESOLUTION R-2026-05

A RESOLUTION TO AUTHORIZE AN APPLICATION BE SUBMITTED FOR THE GEORGIA WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) GRANT AFR31-23-06-011 FOR FUNDING THE DISLOCATED WORKER PROGRAM FOR THE PERIOD OF DECEMBER 1, 2025 THROUGH JUNE 30, 2026; AND FOR OTHER PURPOSES.

WHEREAS, the Baldwin County Board of Commissioners desire to continue to receive funding from the Georgia Workforce Innovation and Opportunity Act (WIOA) Grant Number AFR31-23-06-011 FAIN 23A55AW000013; and

WHEREAS, the Grant provides funding of \$260,000 for the period of December 1, 2025 through June 30, 2026.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Baldwin County, Georgia, and it hereby resolved by authority of the same, as follows:

1. Incorporation of Recitals. The above stated recitals are true and correct and are incorporated as though fully set forth herein.
2. Authorization of Grant Application. The Board of Commissioners hereby authorizes the preparation and submission of a Georgia Workforce Innovation and Opportunity Act (WIOA) Grant.
3. Authorization of Chairman. The Board of Commissioners hereby authorizes the Chairman of the Baldwin County Board of Commissioners to sign any documentation or take any other action necessary or reasonably required to carry out, give effect to, and consummate the application and administration of the Grant and to take all action necessary in conformity therewith.
4. Severability. In case any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, but this Resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.
5. Repeal of Conflicting Resolutions. Any and all resolutions in conflict with this Resolution this day passed be and they are hereby repealed.
6. Effective Date. This Resolution shall take effect immediately upon its adoption.

SO RESOLVED, this 20<sup>th</sup> day of January, 2026.

BALDWIN COUNTY, GEORGIA

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Kendrick Butts, Chairman  
Baldwin County Board of Commissioners

ATTEST:

(SEAL)

Bo Danuser, County Clerk  
Baldwin County Georgia  
DATE ADOPTED \_\_\_\_\_

**WIOA Dislocated Worker Program Grant**

Resolution R-2026-06 authorizing Workforce Innovation and Opportunity Act Grant AFR31-24-25-06-011 for the Dislocated Worker Program.

**RESOLUTION R 2026-06**

A RESOLUTION TO AUTHORIZE AN APPLICATION BE SUBMITTED FOR THE GEORGIA WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) GRANT AFR31-24-25-06-011 FOR FUNDING THE DISLOCATED WORKER PROGRAM FOR THE OF PERIOD OF DECEMBER 1, 2025 THROUGH JUNE 30, 2026; AND FOR OTHER PURPOSES.

WHEREAS, the Baldwin County Board of Commissioners desire to continue to receive funding from the Georgia Workforce Innovation and Opportunity Act (WIOA) Grant Number AFR31-24-25-06-011 FAIN 24A55AW000059; and

WHEREAS, the Grant provides funding of \$260,000 for the period of December 1, 2025 through June 30, 2026.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Baldwin County, Georgia, and it hereby resolved by authority of the same, as follows:

1. Incorporation of Recitals. The above stated recitals are true and correct and are incorporated as though fully set forth herein.
2. Authorization of Grant Application. The Board of Commissioners hereby authorizes the preparation and submission of a Georgia Workforce Innovation and Opportunity Act (WIOA) Grant.
3. Authorization of Chairman. The Board of Commissioners hereby authorizes the Chairman of the Baldwin County Board of Commissioners to sign any documentation or take any other action necessary or reasonably required to carry out, give effect to, and consummate the application and administration of the Grant and to take all action necessary in conformity therewith.
4. Severability. In case any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, but this Resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.
5. Repeal of Conflicting Resolutions. Any and all resolutions in conflict with this Resolution this day passed be and they are hereby repealed.
6. Effective Date. This Resolution shall take effect immediately upon its adoption.

SO RESOLVED, this 20<sup>th</sup> day of January, 2026.

BALDWIN COUNTY, GEORGIA

---

Kendrick Butts, Chairman  
Baldwin County Board of Commissioners

ATTEST:

(SEAL)

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Bo Danuser, County Clerk  
Baldwin County Georgia  
DATE ADOPTED \_\_\_\_\_

#### WIOA Dislocated Worker Program Grant

Resolution R-2026-07 authorizing Workforce Innovation and Opportunity Act Grant 44-24-2606-011 for the Dislocated Worker Program.

## RESOLUTION R 2026-07

A RESOLUTION TO AUTHORIZE AN APPLICATION BE SUBMITTED FOR THE GEORGIA  
WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) GRANT 44-25-26-06-011 FOR  
FUNDING THE DISLOCATED WORKER PROGRAM FOR THE OF PERIOD OF JANUARY 1, 2026  
THROUGH DECEMBER 31, 2026; AND FOR OTHER PURPOSES.

WHEREAS, the Baldwin County Board of Commissioners desire to continue to receive funding from the Georgia Workforce Innovation and Opportunity Act (WIOA) Grant Number 44-25-26-06-011 FAIN 25A55AW000130; and

WHEREAS, the Grant provides funding of \$45,000 for the period of January 1, 2026 through December 31, 2026.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Baldwin County, Georgia, and it hereby resolved by authority of the same, as follows:

1. Incorporation of Recitals. The above stated recitals are true and correct and are incorporated as though fully set forth herein.
2. Authorization of Grant Application. The Board of Commissioners hereby authorizes the preparation and submission of a Georgia Workforce Innovation and Opportunity Act (WIOA) Grant.
3. Authorization of Chairman. The Board of Commissioners hereby authorizes the Chairman of the Baldwin County Board of Commissioners to sign any documentation or take any other action necessary or reasonably required to carry out, give effect to, and consummate the application and administration of the Grant and to take all action necessary in conformity therewith.
4. Severability. In case any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, but this Resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.
5. Repeal of Conflicting Resolutions. Any and all resolutions in conflict with this Resolution this day passed be and they are hereby repealed.
6. Effective Date. This Resolution shall take effect immediately upon its adoption.

SO RESOLVED, this 20<sup>th</sup> day of January, 2026.

BALDWIN COUNTY, GEORGIA

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Kendrick Butts, Chairman  
Baldwin County Board of Commissioners

ATTEST:

(SEAL)

Bo Danuser, County Clerk  
Baldwin County Georgia  
DATE ADOPTED \_\_\_\_\_

## WIOA Apprenticeship Expansion Fund Program Grant

Resolution R-2026-08 authorizing Workforce Innovation and Opportunity Act Grant SAEF-25-26-06-011 for the apprenticeship Expansion Fund Program Grant.

### **RESOLUTION R-2026-08**

A RESOLUTION TO AUTHORIZE AN APPLICATION BE SUBMITTED FOR THE GEORGIA WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) GRANT SAEF-25-26-06-011 FOR FUNDING THE STATE APPRENTICESHIP EXPANSION FUND PROGRAM FOR THE OF PERIOD OF JULY 1, 2025 THROUGH JUNE 30, 2027; AND FOR OTHER PURPOSES.

WHEREAS, the Baldwin County Board of Commissioners desire to continue to receive funding from the Georgia Workforce Innovation and Opportunity Act (WIOA) Grant Number SAEF-25-26-06-011 FAIN 23A60AP000150; and

WHEREAS, the Grant provides funding of \$250,000 for the period of July 1, 2025 through June 30, 2027.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Baldwin County, Georgia, and it hereby resolved by authority of the same, as follows:

1. **Incorporation of Recitals.** The above stated recitals are true and correct and are incorporated as though fully set forth herein.
2. **Authorization of Grant Application.** The Board of Commissioners hereby authorizes the preparation and submission of a Georgia Workforce Innovation and Opportunity Act (WIOA) Grant.
3. **Authorization of Chairman.** The Board of Commissioners hereby authorizes the Chairman of the Baldwin County Board of Commissioners to sign any documentation or take any other action necessary or reasonably required to carry out, give effect to, and consummate the application and administration of the Grant and to take all action necessary in conformity therewith.
4. **Severability.** In case any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, but this Resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.
5. **Repeal of Conflicting Resolutions.** Any and all resolutions in conflict with this Resolution this day passed be and they are hereby repealed.
6. **Effective Date.** This Resolution shall take effect immediately upon its adoption.

SO RESOLVED, this 20<sup>th</sup> day of January, 2026.

BALDWIN COUNTY, GEORGIA

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Kendrick Butts, Chairman  
Baldwin County Board of Commissioners

ATTEST:

(SEAL)

Bo Danuser, County Clerk  
 Baldwin County Georgia  
 DATE ADOPTED \_\_\_\_\_

Commissioners Little, Strickland, Hall and Davis voted aye. Chairman Butts voted no. The motion passed.

### Golf Course Design and Construction

Chairman Butts read the caption for Resolution R-2026-09 authorizing an agreement with MYDGolf, LLC for the design and construction of Little Fishing Creek Golf Course improvements.

County Manager Tobar discussed the design and construction agreement with MYDgolf, LLC. stating the commission previously paid Mr. Young for the design of the improvement, last meeting the commission approved the purchase order for the irrigation, tonight they were voting for the contract for the design and construction management, and on February 3<sup>rd</sup> they would be voting to award a contract for the construction which would include installing the irrigation, shaping the bunkers and greens, and planting the grass.

Commissioner Little made a motion to approve the design and construction agreement with MYDgolf, LLC. Commissioner Strickland seconded the motion and the motion passed unanimously.

### Habitat for Humanity

Chairman Butts stated that the next item on the agenda was to authorize the Chairman to sign a letter for Habitat for Humanity for a CHIP grant application.

County Manager Tobar stated that he would edit the letter to remove 1928 Irwinton Road, it would show the three Vinson Highway properties that were previously approved for the Congressionally directed spending request.

Commissioner Little made a motion to authorize the Chairman to sign a letter of support for Habitat for Humanity's application for a 2026 CHIP Grant application.

Commissioner Davis asked that the minutes reflect that the letter of support would not include the Irwinton Road address and only include the three Vinson Highway properties.

Commissioner Hall asked about the County's obligation from the grant. Mr. Tobar responded that the letter was for Habitat and the county would only pay for one title search.

Chairman Butts called for the vote and the motion passed unanimously.

### OLD BUSINESS

There was no old business discussed.

### NEW BUSINESS

There was no new business discussed.

## COUNTY MANAGER'S REPORT

County Manager Tobar gave his Manager's Report updating the Commissioners on:

- Middle Georgia Regional Library would have the plan reveal for the Collins P. Lee Memorial Library at their next board meeting, construction bids should go out in February
- the University of Georgia Extension Office was building a community garden at 311 Linda Drive to be named Unity Harvest Garden – they needed volunteers and would host classes on how to can.
- Galvanized water lines inventory continues
- SCADA was on hold
- The Smith-Sibley sewer extension was waiting for comments from the Army Corp of Engineers
- CDBG sewer line construction was under way
- 2025 CHIP demolition set to begin in February and Habitat would start construction on the new homes this winter and then the engineers would finalize the sewer lines.
- the 2026 CHIP target areas had been selected and a budget was being completed, there may be a third home assessed
- Road resurfacing had punch list items remaining
- Road entrance into Smith-Sibley would begin this week
- the Oconee Height Streetscape environmental would hopefully be done within 38 days
- Roberts Road Bridge replacement should be going out to bid within a week or so
- The terminal apron expansion and lower ramp expansion environmental assessment required an amendment to the handbook from the FAA and was required for all environmental assessments throughout the country. GDOT would have to review the revised environmental assessment and make a determination
- Harrisburg Park improvements were about three weeks away from the metal building being installed at the community center, then they would finish the concrete and pave the parking lot. The playground equipment would be ordered through a national bid. The park would be opened while the community center and the library were being done.
- 2024 CHIP grant construction began on the 5<sup>th</sup> house
- 2026 CHIP grant is almost submitted
- Rural Housing Initiative site visit had been planned for January 29<sup>th</sup> with the One Georgia Authority so two hurdles had been cleared
- Congressionally directed spending request was still being waited on
- the Recreation Policy and Personnel Handbook should be ready for vote on February 3<sup>rd</sup>
- the District Base Land Use draft was still under review
- Code Enforcement deadline was February 1<sup>st</sup>, anyone who had not made progress would be turned over the District Attorney.

There was a discussion about the code enforcement violation notices and the commissioners requested that the Manager provide them with a status report on the cases as they were resolved.

## PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS

There were no public comments.

## EXECUTIVE SESSION

Commissioner Little made a motion to enter into executive session to discuss personnel and acquisition of real estate. Commissioner Hall seconded the motion and the motion passed unanimously.

The commissioners move into executive session at 6:40 PM.

Commissioner Strickland made a motion to adjourn the closed session. Commissioner Little seconded the motion and the commissioners moved into open session at 7:55 PM.

**ADJOURNMENT**

Commissioner Little made a motion to adjourn the meeting. Commissioner Davis seconded the motion and the motion passed unanimously.

The January 20, 2025 commission meeting was adjourned at 7:55 PM.

Submitted,

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Kendrick Butts, Chairman  
Board of Commissioners

ATTEST:

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Bo Danuser, County Clerk  
Baldwin County



# BALDWIN COUNTY BOARD OF COMMISSIONERS

## WORK SESSION

January 20, 2026

1601 N Columbia St, Suite 220

5:00 PM

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Item 1.

### MINUTES

#### PRESENT

Kendrick Butts, Chairman  
Scott Little, Vice Chairman  
Andrew Strickland  
Sammy Hall  
Emily C. Davis

#### OTHERS PRESENT

Carlos Tobar  
Brandon Palmer  
Bo Danuser

#### CALL TO ORDER

Chairman Butts called the January 20, 2026 work session to order at 5:00 PM.

#### ADMINISTRATIVE/FISCAL MATTERS

##### Recreation Department Policies

County Manager Carlos Tobar passed out the updated version of the Recreation Department Policies.

The Commissioners discussed the edits including that if a child is a witness to a crime the same rules apply as if the child was a victim of the crime. There was a discussion about cruelty to children.

Commissioner Davis expressed concern for schools not being charged for storing equipment at the recreation department. There was a discussion about the schools using the recreation department and their use of facilities and rooms without a fee.

Frank Specht addressed the commission regarding the recreation department. He stated he was in complete agreement with having a recreation department, it was good for the community. He continued stating that as a property tax payer, the recreation department should pay its own bills and the tax payer should not have to pay for anyone else's use of the park. He prosed that a comprehensive study of the recreation department be conducted and find out what each program costs and make the participants pay for the services they used; it couldn't all be done by the taxpayers.

There was a consensus from the commissioners to have the County Manager cause a recreation department comprehensive study be commissioned.

## Property Donations to Land Bank

County Manager Tobar discussed the donation of 1928 Irwinton Road and 1650, 1660, and 1670 Vinson Highway to the Land Bank with the condition that the Land Bank turned the property over to Habitat for Humanity for development. The commissioners discussed that fact that Habitat would apply for a 2026 CHIP grant, they discussed the cost for the title searched and that 3 had already been done, they discussed that cleanup had already been done, no transfer would be done if Habitat did not get the grant, and getting county surplus properties back on the tax digest.

There was a discussion about gifting property to non-profits other than Habitat for Humanity, giving other non-profits access to purchase county property, allowing other non-profits an opportunity to purchase 1928 Irwinton Road, and putting the property up for sale to anyone who wanted it, non-profit or not.

There was a discussion about making county properties available to all developers. Mr. Tobar responded that no one had expressed interest in purchasing properties and putting the Irwinton Road property out for bid.

Chairman Butts stated that it was his understanding that 1928 Irwinton Road would be put up for bid and if no bids were received, then the property would be given to the Land Bank with the stipulation the Land Bank deed the property to Habitat for Humanity and that provisions be included in any sale that the property would return to the county if not developed.

There was a discussion about disposing of other properties and getting properties back on the tax digest.

The commissioners requested a list of county owned properties.

## Personnel Handbook

County Manager passed out information to the commissioners on the personnel handbook. The commissioners reviewed the information.

## ADJOURNMENT

Commissioner Little made a motion to adjourn. Commissioner Strickland seconded the motion and the motion passed unanimously.

The January 20, 2026 work session was adjourned at 5:47 PM.

Submitted,

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Kendrick Butts, Chairman

ATTEST:

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Bo Danuser, County Clerk  
Baldwin County, Georgia

A RESOLUTION TO AMEND THE RULES AND REGULATIONS APPLICABLE TO EMPLOYEES ~~OF THE~~ BALDWIN COUNTY BOARD OF COMMISSIONERS KNOWN AS THE BALDWIN COUNTY BOARD OF COMMISSIONERS EMPLOYEE HANDBOOK; AND FOR OTHER PURPOSES.

WITNESSETH:

WHEREAS, Baldwin County (the “County”) is a duly formed political subdivision of the State of Georgia;

WHEREAS, the Baldwin County Board of Commissioners (“Board of Commissioners”) has determined that various amendments to the Baldwin County Board of Commissioners Employee Handbook are desirable and necessary to enhance the operations of Baldwin County and the Baldwin County civil service system; and

WHEREAS, said amendments are further required to ensure compliance with all applicable local, state, and federal laws.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Baldwin County, Georgia, and it is hereby resolved by authority of the same, as follows:

1. **Incorporation of Recitals.** The above stated recitals are true and correct and are incorporated as though fully set forth herein.
2. **Adoption of Amended Handbook.** The Board of Commissioners hereby adopt the amended Baldwin County Board of Commissioners Employee Handbook attached hereto as Exhibit “A”.
3. **Severability.** In case any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.
4. **Repeal of Conflicting Resolutions.** Any and all resolutions in conflict with this resolution this day passed be and they are hereby repealed.
5. **Effective Date.** This Resolution shall take effect immediately upon its adoption.

SO RESOLVED, this 3rd day of February, 2026.

BALDWIN COUNTY BOARD OF COMMISSIONERS

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Kendrick Butts  
Chairman

---

Emily C. Davis  
Commissioner

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Sammy Hall  
Commissioner

ATTEST:

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Bo Danuser  
Baldwin County Clerk

---

Andrew Strickland  
Commissioner

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Scott Little  
Commissioner

[SEAL]

DATE ADOPTED \_\_\_\_\_

# **BALDWIN COUNTY**

## **BOARD OF COMMISSIONERS**

### **EMPLOYEE HANDBOOK**

[Inset Baldwin County's Seal here]

**\*THIS HANDBOOK COVERS ALL CLASSIFIED EMPLOYEES  
EXCEPT THE SHERIFF'S DEPARTMENT**

**\*PAY PLAN AND JOB CLASSIFICATIONS ARE REFERENCED IN  
COUNTY BUDGET DOCUMENT**

**\*JOB DESCRIPTIONS ARE FILED IN THE COUNTY  
ADMINISTRATIVE OFFICE**

Adopted February 3, 2026

# Baldwin County Board of Commissioners

## *Employee Handbook*

Item 2.

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### **100 General Provisions**

Effective Date:

Revision Date:

### **101 Introduction**

Baldwin County welcomes you as an employee. Baldwin County is committed to ensuring that you have a positive work environment in which to pursue your career. To assist in creating such an environment, Baldwin County expects its employees to meet the following minimum employment standards:

- (a) **Honesty and Integrity.** All County employees should be honest and ethical. Always.
- (b) **Have Regular and Prompt Attendance.** You cannot be productive and fulfill our purpose and our commitment to the public if you are not here. Those people that are here are the only ones that are contributing and adding value to our community.
- (c) **Positive Attitude.** Your attitude and demeanor are infectious. When it is positive, both you and the County can accomplish great things. That is our standard and our expectation. If you have a problem, let's get it addressed through the proper channels quickly. Negativism is nonproductive and harmful. It is inconsistent with our mission.
- (d) **Be Courteous and Helpful to the Public.** Not one of us should ever forget that our customers and citizens provide us our jobs. They deserve excellent service and to be treated with respect.
- (e) **Be Productive.** Use all your abilities, everyday, to accomplish our mission. Our work is too important, and our standards too high, to spend our time doing anything other than our best. Expect excellence from yourself.
- (f) **Respect Yourself and Each Other.** The County will not allow bias based on disability, race, gender, religion, or national origin. Jokes and other behaviors that demean or insult others are not appropriate and will not be tolerated.
- (g) **Be Safe.** Most of us work with equipment and vehicles and under conditions that expose us, and the public, to safety hazards. Accidents hurt everyone. Be careful and use safety equipment.
- (h) **Work Smart.** Be responsible for your own performance and set high

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## *Employee Handbook*

standards for yourself. Be creative. Always try to do the right thing.

- (i) **Be Accountable.** Make yourself responsible for your own performance. Do not make excuses or blame others when problems arise. Take it upon yourself to solve problems. Supervisors should always give credit where it is due.
- (j) **Be Committed.** We all spend a significant part of our lives at work. Let's make it count for something. Let's make a difference!

## **102 Code of Ethics for Public Service**

It is the policy of the Baldwin County Board of Commissioners to uphold, promote, and demand the highest standards of ethics from all of its employees. County employees shall conduct themselves in accordance with the Code of Ethics for Government Service (O.C.G.A. § 45-10-1):

There is established for and within the state and for and in all governments therein a code of ethics for government service which shall read as follows:

### --CODE OF ETHICS FOR GOVERNMENT SERVICE--

Any person in government service should:

- I. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or government department.
- II. Uphold the Constitution, laws, and legal regulations of the United States and the State of Georgia and of all governments therein and never be a party to their evasion.
- III. Give a full day's labor for a full day's pay and give to the performance of his duties his earnest effort and best thought.
- IV. Seek to find and employ more efficient and economical ways of getting tasks accomplished.
- V. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not, and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.

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- VI. Make no private promises of any kind binding upon the duties of office, since a government employee has no private word which can be binding on public duty.
- VII. Engage in no business with the government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.
- VIII. Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profit.
- IX. Expose corruption wherever discovered.
- X. Uphold these principles, ever conscious that public office is a public trust.

### **103 Purpose of Employee Handbook**

Your Employee Handbook provides general information about Baldwin County policies, procedures, expectations, and benefits. The information in this Handbook, however, cannot anticipate every situation or answer every question regarding your employment. Therefore, the policies set forth in this Handbook may not apply in every situation. The County Manager shall make interpretive decisions for those situations that are not specifically covered by the provisions of this Handbook.

Baldwin County reserves the right to change or revise the policies contained herein when such action is deemed necessary. Proposed changes may be recommended at any time by the County Manager, Department Heads, Elected Officials, Human Resources Manager, Commissioners, or any employee. Such recommendations for changes should be submitted to the Human Resources Manager.

***This Handbook is not intended to and does not create an employment contract between Baldwin County and its employees. Your employment is for no specific period of time, and this Handbook does not limit your right or Baldwin County's right to terminate your employment at any time for any reason or no reason. The employment at will relationship exists for all employees, unless otherwise specified by state law.***

# Baldwin County Board of Commissioners

## *Employee Handbook*

### **104 Applicability**

This Employee Handbook is intended to apply to all employees of Baldwin County, except for employees of the Sheriff. The broad application of this Handbook will ensure that all employees of Baldwin County are treated equally. Moreover, the provisions contained in this Handbook establish uniform procedures for handling employment situations that facilitate efficiency and productivity.

### **105 Administration**

This Employee Handbook shall be administered by and under the direction of the County Manager. However, powers and duties designated to the County Manager in this Handbook may be delegated by the County Manager to Department Heads, who, upon approval of the County Manager, may further delegate such authority to subordinates.

If, at any time during the operation of this Employee Handbook, the position of County Manager is vacant, the Human Resources Manager or any interim official designated by the Baldwin County Board of Commissioners will be responsible for administration of the Employee Handbook until the County Manager position is filled by the Board of Commissioners.

### **106 Departmental Operating Rules and Regulations**

Departmental Operating Rules and Regulations (sometimes referred to as “Standard Operating Procedures” or “SOPs”), not in conflict with this Handbook, may be established and used by any Department Heads as applicable. All such Departmental Operating Rules and Regulations and subsequent amendments thereto adopted pursuant to this Section shall be submitted to the County Manager for maintenance in the County Manager’s office. The Board of Commissioners has no involvement with the creation, administration, or enforcement of any Departmental Operating Rules and Regulations. In the event that a conflict arises between an employee’s conduct or performance required by Departmental Operating Rules and Regulations and the conduct or performance required by this Policy Manual, then the rule or regulation requiring the higher standard of conduct or performance shall control.

### **107 Revisions to Employee Handbook**

This Employee Handbook may be amended in whole or in part from time to time in the sole discretion of the Baldwin County Board of Commissioners in order to maintain legal compliance, operative effectiveness, and desired workplace conditions. Amendments will be provided to all employees upon adoption and incorporated into the handbook.

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### **200 Baldwin County Government Structure**

Effective Date:

Revision Date:

### **201 Role of Board of Commissioners**

The Board of Commissioners establishes levels of service and appropriates funds to meet the needs of the County. The Board of Commissioners also has control of all property belonging to the County. By adopting ordinances and resolutions, pay and benefit programs, and other actions, the Board of Commissioners provides the basic tools for management to guide, motivate, attract, and retain a productive work force. The Board of Commissioners or any individual Commissioner shall not give orders to any subordinates of the County Manager, either publicly or privately. The Board of Commissioners or any individual Commissioner may make inquiries or exchange information with the County Manager or Department Head, but they cannot issue directives as to the administration and enforcement of this Employee Handbook. The day-to-day operations and employee management shall be the sole responsibility of the County Manager or his/her designee. Except as provided herein, neither the Board of Commissioners nor any individual Commissioner shall become involved or interfere in the day-to-day operations of the County or personnel matters including, but not limited to, issues pertaining to hiring, placement, Promotion, Lateral Transfer, Demotion, Dismissal, or grievances. All issues that arise should be directed to the County Manager or the Human Resources Manager.

### **202 Role of County Manager**

The County Manager is the chief administrative official of Baldwin County and is responsible for the day-to-day operations of the County. In addition to numerous other duties, the County Manager issues rules, regulations, policies, and procedures and provides direction and guidance regarding allocation of the County's resources to achieve the desired objectives of the County Government. The Administrative staff is also the liaison between the Board of Commissioners, County Departments, and the general public. Operational decisions, once approved by the Board of Commissioners, are dispersed from the County Manager's Office for action.

### **203 Constitutional Officers Enumerated**

The constitutional officers of the County are:

- (1) Judge of the Probate Court

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## *Employee Handbook*

(2) Clerk of the Superior Court

(3) Tax Commissioner

(4) Sheriff

Unless the aforementioned constitutional officers elect to be covered by the County's personnel policies, each constitutional officer shall promulgate personnel policies and procedures applicable to the constitutional officer's employees.

### **204    Role of Department Head**

The Department Head is responsible for ensuring the optimum performance of his/her Department by providing leadership, guidance and direction to achieve organizational goals and assuring the overall integrity of the Department. The Department Head shall be responsible for disciplinary actions of their direct subordinates and shall consult with the Human Resources Manager prior to taking any such disciplinary action. Any disciplinary actions taken by the Department Head shall be documented in writing and provided to the Human Resources Manager.

### **205    Role of Supervisors**

The Supervisor ensures satisfactory performance, enforces rules and ensures compliance with applicable rules and regulations. A Supervisor, or other designated manager, is responsible for giving positive guidance and correcting or responding to improper action or misconduct witnessed even when the subject is not a direct subordinate. The Supervisor shall be responsible for disciplinary actions of their direct subordinates and shall consult with the Department Head and Human Resources Manager prior to taking any such disciplinary action. Any disciplinary actions taken by the Supervisor shall be documented in writing and provided to the Human Resources Manager.

### **206    Role of County Employees**

The Employee's role is to perform assigned duties efficiently, effectively and professionally and to be flexible in adjusting with the changing nature of the County Government's functions based on the expectations of both management and the public. The employee must be courteous and respectful of the public with whom the employee interacts.

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### **300 Statement of Baldwin County Policy**

Effective Date:

Revision Date:

### **301 Equal Employment Opportunity**

Baldwin County is an equal opportunity employer. It is the policy of Baldwin County to provide an equal employment opportunity to qualified persons without regard to race, color, religion, sex, national origin, age, disability, genetic information, uniformed service status, sexual orientation, gender identity, transgendered status, pregnancy, childbirth, or related medical conditions or any other legally protected category. This policy relates to all phases of employment, including, but not limited to, Recruitment, Appointment, Promotion, Lateral Transfer, reduction in force, separation, training, compensation, and benefits. All decisions regarding hiring, placement, Promotion, Lateral Transfer, Demotion, Dismissal, or any other term or condition of employment will be based upon the qualification and performance of the employee or prospective employee.

In addition, Baldwin County will not discriminate against any qualified employee or Applicant on the basis of a physical or mental disability. It is the policy of Baldwin County to comply with The Americans with Disabilities Act (ADA) of 1990. To that end, Baldwin County will strive to provide reasonable accommodations to assist disabled individuals to perform essential job functions, as long as the requested accommodation is reasonable, does not cause the County undue hardship, and enables the employee or applicant an equal employment opportunity.

If you have any concerns regarding Baldwin County's equal employment opportunity or ADA policies, report those concerns to the Human Resources Manager.

### **302 Workplace Environment**

Baldwin County is committed to ensuring that all employees enjoy a work environment free from intimidation, harassment, and violence. These issues are discussed in more detail below. If you have any concerns regarding your workplace environment, report those concerns to the Human Resources Manager. Please refer to Chapter 1200, Section 1203 for procedures for reporting harassment.

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### **303 Workplace Safety**

The County is concerned about the well-being and personal safety of its employees and all individuals conducting business or otherwise interacting with the County. Consequently, County employees shall be prohibited from transporting, carrying or possessing weapons of any kind in the course and scope of their employment unless job-related and specifically required as a condition of employment by the County Manager.

The paragraph above shall have no application to County elected or appointed officials, constitutional officers and their respective employees, and any other County officer or agent for whom an exemption is authorized by law.

### **304 Smokefree Environment**

Consistent with the public health concerns addressed by the adoption of the Georgia Smokefree Air Act of 2005, all Baldwin County property, enclosed buildings, and vehicles are hereby declared to be smoke-free areas. This includes, but is not limited to, cigarettes, cigars, e-cigarettes, and vaporizers.

Outdoor areas where cigarette smoking is permitted will be formally designated as such by the Baldwin County Board of Commissioners.

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### **400 Classification Plan**

Effective Date:

Revision Date:

### **401 The Classification Plan**

The Classification Plan is based upon a categorical designation of Job Descriptions. In turn, each Job Description is grouped into a corresponding Grade within the Classification Plan, which governs the pay scale for that Job Description.

### **402 Administering the Classification Plan**

The County Manager or his/her designee shall be responsible for administering the Classification Plan, with the opportunity for assistance of any Third-Party Administrator retained by the County. Reorganization of Departments in the Classification Plan may be requested by the County Manager, with final approval of such reorganization by the Board of Commissioners.

### **403 Official Copy of the Classification Plan**

The County Manager shall maintain a master copy of the Classification Plan.

### **404 Job Descriptions**

Job Descriptions endeavor to describe the duties and responsibilities for each position; however, Job Descriptions do not necessarily include all of the duties of the position. The language of a Job Description does not limit the authority that the County Manager, Elected Officials or Department Heads have to add, withdraw, or eliminate duties, functions, and responsibilities applicable to particular jobs or positions. The County Manager or his or her designee shall communicate any changes to responsibilities applicable to a particular job or position to the affected employee.

### **405 Minimum Qualifications**

The Minimum Qualifications contained in each Job Description are considered comprehensive statements of the minimum required education, experience, and other qualifications for all positions as evidence of an employee's ability to perform the work properly and shall be strictly followed. Other qualifications cannot be considered in lieu of, or in substitution of, the Minimum Qualifications established. The Human Resources

# Baldwin County Board of Commissioners

## *Employee Handbook*

Manager, or his/her designee, will review and determine whether Applicants meet Minimum Qualifications as detailed further in Chapter 600 – Recruitment.

### **406 Procedures for Adopting New Job Descriptions**

(a) Responsibilities of the County Manager

The County Manager or his/her designee shall be responsible for overseeing the creation of new Job Descriptions consistent with the procedures contained in this Section.

(b) Request for New Job Description

Whenever a Department Head requests a new position that would require the adoption of a new Job Description, a request must be submitted to the County Manager. In addition, the County Manager and the Board of Commissioners each have the authority to request the creation of a new Job Description with the input from the affected Elected Official/Department Head. The request must describe in detail the intended duties of the requested position. An interview of the requesting party and/or all other affected Elected Officials and Department Heads may be required by the County Manager in order to verify the information submitted.

(c) Review of Request by County Manager

Upon receipt and verification of the request, the County Manager shall conduct or caused to be conducted an analysis of the request for the purposes of creating a new Job Description, placing the Job Description into the appropriate Grade within the Classification Plan, and determining whether the creation of a new Job Description is warranted.

(d) Approval Process

The decision of the County Manager or his/her designee regarding the approval or denial of a request to approve a new Job Description is final.

(e) Budgetary Limitations

Requests for creation of a new Job Description should be presented for consideration in conjunction with the annual budget process, absent exceptional circumstances. Such requests are contingent on available funds.

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### **407 Procedures for Modification of Existing Job Descriptions**

(a) Responsibilities of the County Manager

The County Manager or his/her designee shall be responsible for the modification of existing Job Descriptions consistent with the procedures contained in this Section.

(b) Request for Modification of Existing Job Description

Whenever a Department Head requests the modification of an existing Job Description, a request must be submitted to the County Manager. In addition, the County Manager has the authority to request the modification of an existing Job Description with input from the affected Elected Official/Department Head. The request must describe in detail the changes in duties or other reasons for the requested modification. An interview of the requesting party and/or all other affected Elected Officials and Department Heads may be required by the County Manager in order to verify the information submitted. A modification to a Job Description may produce a corresponding change in Grade for the position contained in the Job Description.

(c) Review of Request by County Manager

Upon receipt and verification of the request, the County Manager shall conduct or cause to be conducted an analysis of the request for the purposes of determining whether the requested modification is warranted. Modifications of existing Job Descriptions are disfavored and must be supported by compelling circumstances to obtain approval.

(d) Approval Process

The decision of the County Manager or his/her designee regarding the approval or denial of a request to approve a new Job Description is final.

(e) Budgetary Limitations

Requests for modification of a new Job Description should be presented for consideration in conjunction with the annual budget process, absent exceptional circumstances. Such requests are contingent on available funds.

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## *Employee Handbook*

### **408 Procedures for the Abolishment of Existing Job Descriptions and/or Positions**

#### **(a) Responsibilities of the County Manager**

The County Manager or his/her designee shall be responsible for the abolition of Job Descriptions and/or positions consistent with the procedures contained in this Section.

#### **(b) Request for Abolishment of Existing Job Description and/or Position**

Whenever a Department Head requests the abolishment of an existing Job Description or a particular position within their Department, a request must be submitted to the County Manager. Any request for abolishment must describe in detail the reasons for the requested abolishment. Such reasons may include, but are not limited to, lack of work, reorganization, or lack of funds. An interview of the requesting party and/or all other affected Elected Officials and Department Head may be required by the County Manager in order to verify the information submitted. In no case will a Job Description or position be abolished as a means of terminating the employment of an employee. However, the abolishment of an existing Job Description or a particular position may result in the termination of an employee.

#### **(c) Review of Request by County Manager**

Upon receipt and verification of the request, the County Manager shall conduct or cause to be conducted an analysis of the request for the purposes of determining whether the requested abolishment is warranted.

#### **(d) Approval Process**

The decision of the County Manager regarding all requests for abolishment shall be final, except that this provision does not limit the authority of the Board of Commissioners to abolish a position in conjunction with the annual budget process.

### **409 Procedures for the Reclassification of Positions**

#### **(a) Statement of Intent**

Each position of employment in Baldwin County is categorically assigned to a particular Job Description. This Section allows for changing the

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## *Employee Handbook*

assignment of a particular position to a different and more suitable Job Description when it is determined that the position is incorrectly assigned. This change may produce a corresponding change in the Grade for the position. This procedure shall be known as Reclassification of the position.

(b) Request for Reclassification

An Elected Official/Department Head may request Reclassification. In addition, the County Manager may request a Reclassification with the input from the affected Elected Official/Department Head. A request for Reclassification shall be submitted to the County Manager and shall contain a detailed statement of justification for the request. Reclassifications are justified as a result of the following:

- (i) The position was incorrectly assigned to an inappropriate Job Description; or
- (ii) There has been a change in the duties and responsibilities associated with a position since it was assigned to a particular Job Description.

(c) Review of Request by County Manager

Upon receipt and verification of the request, the County Manager shall conduct or cause to be conducted an analysis of the request for the purposes of determining whether the requested Reclassification is warranted.

(d) Approval Process

The decision of the County Manager regarding Reclassifications shall be final.

(e) Budgetary Limitations

To the extent that a Reclassification will require a change in Grade that produces a corresponding increase in needed funds for the position, the request for Reclassification should be presented for consideration in conjunction with the annual budget process, absent any exceptional circumstances. Such a request is contingent on available funds.

(f) Treatment of Affected Employee Upon Reclassification of Position

- (i) If the position is occupied at the time of Reclassification, the employee shall be entitled to serve therein with the corresponding

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status after the Reclassification and shall not be subject to a working test period in the Reclassification position.

- (ii) If the position is assigned to a higher Grade as a result of the Reclassification, such action is considered an upgrade of the position. If the position is occupied at the time of an upgrade and the salary of the employee who is occupying the position is below the minimum rate for the higher Grade, the employee's salary shall be increased to the minimum salary of the higher Grade. Reclassifications of positions are not Promotions and do not impact an employee's pay, unless his/her salary is below the minimum rate of pay for the new Grade.
- (iii) If the position is assigned to a lower Grade as a result of the Reclassification, such action is considered a downgrade of the position. If the position is occupied at the time of a downgrade, the employee will continue at the same pay as prior to the Reclassification and may receive future salary increases up to the maximum rate of pay of the new lower Grade. If the employee's current salary is above the maximum rate of pay for the new lower Grade, the employee shall revert to the maximum of the lower Grade.
- (iv) In all cases of Reclassification of a vacant position, the position shall be filled according to the Recruitment Policies contained in this Employee Handbook.

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### **500 Compensation Plan and Employee Benefits**

Effective Date:

Revision Date:

### **501 Compensation Plan—Statement of Policy**

The Compensation Plan is intended to be a fair and equitable method for payment of Baldwin County employees. The Compensation Plan establishes a basic salary schedule for Employees as approved by the Board of Commissioners and is subject to availability of funds. Each Grade shall contain a minimum salary and a maximum salary. The Board of Commissioners may establish, as part of the County's annual budget, the minimum, midpoint, and maximum salaries for each Grade as recommended by the County Manager. No Full-time Employee in any Grade shall be paid a salary lower than the minimum or higher than the maximum of the salary range approved for the position, except that employees whose salaries are higher than the maximum salary approved for their position at the time this Handbook is adopted, may be eligible for annual salary increases as established by the Board of Commissioners. In contrast, part-time, temporary, seasonal, and part-time grant-funded positions are not subject to the Compensation Plan or the provisions of this Chapter, unless expressly noted otherwise.

### **502 Administration**

The Compensation Plan is maintained and administered by the County Manager or his/her designee, with the opportunity for assistance of a Third-Party Administrator. The Compensation Plan shall be available for review upon reasonable request during business hours.

### **503 Starting Rates for General Employees**

A new full-time Employee shall be paid the minimum rate of pay for the applicable Grade. The minimum rate of pay is based upon the assumption that a new employee meets the Minimum Qualifications stated in the Job Description. If a new employee exceeds the Minimum Qualifications for a position based on extensive knowledge, skills, and abilities, he/she may be appointed at a higher salary within the Grade assigned to his/her position based on a request to the County Manager by the Department Head, and based on consideration of the following:

- (a) Whether the candidate possesses objectively outstanding or unusual abilities, experience, and/or training above the minimum requirements for the position;

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- (b) Whether the County is unable to find a desirable and qualified candidate to accept the position at the minimum rate of pay; and
- (c) Whether the Departmental funds are available for such Appointment.

Consideration should be given to a review of the salaries of current employees in the same or similar positions whose present salaries are below the requested higher salary for the new employee. Upon consideration of the above, the County Manager shall make a determination of the appropriateness of the Appointment above the minimum rate of pay. The decision of the County Manager shall be final.

### **504 Starting Rates for Executive Employees**

For purposes of this Handbook, Executive Employees are defined to include the County Manager and all employees who report directly to the County Manager (hereinafter collectively referred to as "Executive Employees").

It is expected that incoming Executive Employees shall be paid the minimum rate of pay for the position. Every effort should be made to recruit a qualified candidate who will accept Appointment at the minimum rate of pay for the position. However, in recognition of the important role and increasing demands placed upon Executive Employees, an Executive Employee may be appointed at a higher rate of pay, within or above the salary range, in the discretion of the County Manager when considering salaries for Executive Employees, and in the discretion of the Board of Commissioners when considering the salary of the County Manager, in the event that desirable and qualified Applicants cannot be located for a given position at the minimum rate of pay.

To seek Appointment at a higher rate of pay, the County Manager or the Board of Commissioners, as applicable, must consider the following:

- (a) Whether the candidate possesses objectively outstanding or unusual abilities, experience, and/or training above the minimum requirements for the position;
- (b) Whether the County is unable to find a desirable and qualified candidate to accept the position at the minimum rate of pay; and
- (c) Whether the Departmental funds are available for such Appointment.

Upon consideration of the above, the County Manager or the Board of Commissioners, as applicable, shall make a determination of the appropriateness of the Appointment above the minimum rate of pay. The decision of the County Manager or the Board of Commissioners, as applicable, shall be final.

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### **505 Salary Adjustment**

Salary increases for Full-time Employees will be given at the discretion of The Board of Commissioners. As part of the County's annual budget, the Board of Commissioners may establish the range of potential salary increases for the budgetary year, unless there is a salary-freeze in place. Any increases for Part-time Employees will be determined on an as-needed basis. Any increase in a part-time salary may be considered; however, there must be existing budgeted funds available. Seasonal, temporary, and part-time grant-funded employees are not normally entitled to salary adjustments.

An employee may be evaluated by his/her immediate Supervisor, and the evaluation may be endorsed by any appropriate intermediate Supervisors, with final approval by the County Manager or Department Head, as applicable. Interim performance evaluations are encouraged to assist in performance development or otherwise, but such evaluations are solely for the purposes of ensuring performance standards. The County strongly recommends interim evaluations so that an employee can be advised of performance issues and is given the opportunity to improve his/her performance.

### **506 Limitations to the Compensation Plan**

The Compensation Plan and all provisions in this Handbook related to salaries are contingent upon funds being available as determined solely in the discretion of the Board of Commissioners. Any deviation from paying employees in accordance with the Compensation Plan or the provisions of this Handbook must be approved by the Board of Commissioners.

### **507 Payroll Changes in Paydays**

A payroll change shall not take effect until the personnel action notification has been approved by the County Manager in writing on the appropriate personnel action form. Most employees will be paid bi-weekly, with some being paid monthly, depending on the position held. No employee will be paid prior to regular payday. All employees are strongly encouraged to provide information to the County sufficient for the County to direct deposit paychecks into the employee's desired account on or before sixty (60) days following the initial adoption of this Employee Handbook.

### **508 Recovery of Salaries Improperly Paid**

Elected Officials and employees may be held liable for the return of salary improperly, accidentally, or illegally paid to elected officials and employees.

# Baldwin County Board of Commissioners

## *Employee Handbook*

### **509 Group Insurance Benefits**

Baldwin County offers a participating group health insurance plan in which participating employees pay a percentage of the premium and the County pays a percentage of the premium. Specific details may be obtained by reviewing the plan documents.

### **510 Continuation of Group Insurance Benefits After Separation**

In most separation cases, the employee and his or her dependents may continue their health insurance plan coverage through COBRA for up to eighteen (18) months, provided that the former employee pays the total premium and said coverage is available from the applicable insurance carrier through COBRA. Specific details will be provided by the Personnel Department during formal exit interviews and/or via correspondence.

### **511 Continuation of Group Insurance Benefits After Retirement**

A fully vested employee who retires on his or her normal retirement date or non-reduced early retirement with a minimum of twenty (20) years of service will remain eligible for group health insurance benefits until he or she is Medicare eligible, or until he or she reaches age 65, whichever is earlier, provided the employee premium contribution is paid at a rate twice the rate paid by active employees, the retiree authorizes the premium to be withheld from his or her retirement check, and said coverage is available from the applicable insurance carrier. Employees who have coverage under the State of Georgia Retirement Program will need to contact the Human Resources Manager about maintaining coverage

### **512 Group Life Insurance Policy**

The County provides a group life insurance policy and accidental death and dismemberment coverage for regular Full-time employees. Upon retirement or separation from employment, group life insurance and accidental death and dismemberment coverage shall not continue to be provided by the County.

### **513 Workers' Compensation Supplementation**

An employee who is injured at work and is entitled to Workers' Compensation in accordance with the laws of the State of Georgia, the County shall supplement his or her Workers' Compensation payments in the following manner:

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- (a) The employee shall be placed on sick leave for the first week of absence.
- (b) The employee shall have his/her workers' compensation payment supplemented up to the full amount of his/her average weekly wage as defined under O.C.G.A. § 34-9-260, from his/her Sick and Annual Leave accounts. Once he/she no longer has any accrued Sick or Annual Leave time remaining, the workers' compensation payment will no longer be supplemented.
- (c) The Department Head shall require the employee to provide periodic reports from the employee's physician to verify that the employee is unable to report to work. Medical documentation from employees must be provided to the Human Resources Manager.

## **514 Overtime, Holidays and Leave Policies**

The County's overtime, holidays, and leave policies are set forth in Section 1100 below.

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## *Employee Handbook*

### **600 Recruitment**

Effective Date:

Revision Date:

### **601 Statement of Policy**

Recruitment of candidates for all positions with Baldwin County, including but not limited to, positions created and/or funded by state or federal grants, will be based upon meeting or exceeding the Minimum Qualifications established in the applicable Job Description in accordance with the non-discrimination policies enunciated in this Handbook and otherwise in accordance with state and federal law.

### **602 Requests for Fill of Vacancies**

- a) When the Department Head has a qualified person in the same or lower grade available to fill the vacant position, the position need not be advertised. The procedures in paragraph b) shall be followed by Department Heads appointed by the County Commission to obtain approval to place the employee in the vacant position.
- b) All requests for filling of vacancies not filled from within shall be made by the Department Head to the Human Resources Manager. Should the request be for the fill of a new position, or the fill of an old position at a higher grade, approval of this change to the Classification Plan must be obtained in accordance with Chapter 400.

### **603 Announcement of Vacant Positions**

Upon the request of Department Heads, announcements of vacant positions that are not filled from within the department shall be publicized by posting announcements in the Baldwin County Human Resources Department, department bulletin boards and by advertisement in the local newspaper. Announcements may also be made in other media as determined by the County Manager.

### **604 Filling Vacancies**

All vacancies will be filled according to the policies set forth in this Chapter, regardless of whether the vacant position exists as a result of a newly created position or whether an existing position has been vacated. Newly created positions must have approval by the Board of Commissioners prior to commencement of recruitment efforts when funding of

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said position was not approved in any previous or existing budget. All such offers must be extended to the candidate from the County Manager or his/her designee.

### **605 Advertisement of Vacancies**

- (a) The County Manager or the Department Head, as applicable, shall request that the Human Resources Manager publish an advertisement and initiate the recruitment process. The County Manager or the Department Head, as applicable, shall simultaneously submit to the Human Resources Department an acknowledgement confirmed by the Finance Director that there are available funds in his/her respective budget for the requested advertising. The County Manager or the Department Head, as applicable, shall have sole discretion to determine whether the recruitment shall be limited to Internal Advertisements within the County workforce or whether the recruitment shall proceed with simultaneous internal and external advertisements. The means and methods of external publications shall be selected in the discretion of the County Manager or the Department Head, as applicable, and indicated in the request. The job Vacancy advertisement shall specify the title, salary range, qualification requirements, manner of making application, and other pertinent information.
- (b) The internal publications, and if applicable, the external publications may continue indefinitely as the County Manager or the Department Head deems appropriate or until the Vacancy is filled. There may be a stated closing date for the submission of applications. Interviews of the Applicants may begin at any time as determined by the Department Head.

### **606 Minimum Qualifications**

All positions shall be open only to persons who meet such minimum requirements as are listed on the Job Description and job Vacancy Notice. Such requirements may include, but are not limited to, the following: skills, education, experience, training, and other reasonable qualifications that are desired or normally required to perform the duties and any responsibilities. The County Manager or his/her designee will review all applications to ensure that the Applicants meet minimum qualifications. Applicants who fail to meet Minimum Qualifications may be denied the opportunity to proceed further in the hiring process and will otherwise be ineligible for consideration.

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### **607 Filing of Applications**

- (a) All applications for employment shall be made by completing a standard application form as prescribed by the Human Resources Manager pertaining to the particular position sought. Applications must include detailed information regarding educational background, training, skills, employment experience, and other pertinent information sought on the application form as needed to assess the Applicant's ability to meet the minimum requirements for the position.
- (b) Applicants must apply for positions through the Human Resources Department.
- (c) All written applications shall be signed by the Applicant attesting to the truth of all statements contained in the application form. Any application submitted electronically must contain an electronic mark or signature by the Applicant likewise attesting to the truth of all statements contained in the application form. Untruths, misrepresentations, or material omissions made by an Applicant on his/her application shall be grounds for rejection of the application, or if the Applicant has been hired prior to the County learning of the discrepancy, it shall be grounds for Dismissal. Any Applicant found to have submitted an application containing untruths, misrepresentations, or material omissions shall be unqualified from consideration for employment with Baldwin County.
- (d) Incomplete applications may be returned to the Applicant with a Notice to amend same. The County shall have no obligation, however, to detect an incomplete application and notify an Applicant prior to the Vacancy being filled. Incomplete applications may be completed or revised and resubmitted, however, there is no guarantee that the Vacancy will remain open during such process.

### **608 Conditions for Rejection of Applicants**

The Human Resources Manager or his/her designee may reject any application from consideration when the following determinations are made:

- (a) The application was not received on or before the published closing date/time noted on the recruitment announcement.
- (b) The Applicant does not possess one or more of the minimum requirements as specified in the Job Description for the position sought.

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- (c) The Applicant falsified statements, practiced deception, or materially omitted information on the application.
- (d) The Applicant does not reply to, or return, a telephone inquiry within two business days.
- (e) The Applicant was previously employed by Baldwin County and was dismissed for cause, resigned not in good standing, resigned in lieu of Dismissal, or is otherwise not currently eligible for re-employment.
- (f) The application is incomplete in that the Applicant has not completed the entire application by filling in all applicable spaces and providing all requested information.
- (g) The Applicant has received information regarding a qualification Examination that other Applicants did not receive and to which the Applicant was not entitled such that the Applicant had an unfair advantage over other Applicants taking the Examination.
- (h) The Applicant has used or attempted to use political influence or bribery to gain an advantage in securing employment.
- (i) The Applicant has tested positive to a drug or alcohol test administered by Baldwin County and/or been found to have submitted an application containing untruths, misrepresentations, or material omissions.
- (j) The Applicant has been convicted of a criminal offense involving the manufacture, distribution, trafficking, or sale of a controlled substance, dangerous drug, or marijuana. Such Applicant shall be given the opportunity to demonstrate that the conviction should not exclude him/her from consideration for the position he/she seeks with the County.
- (k) The Applicant has been convicted of a violent crime such as assault with a deadly weapon, aggravated assault, or murder.
- (l) Applicants convicted of any other crime will be considered on a case-by-case basis.

Before making an employment decision based on criminal conviction record(s), the County will consider the following factors:

1. The nature and gravity of the offense; and
2. The time that has passed since the conviction and/or completion of sentence; and
3. The nature of the job held or sought.

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Applicants will receive notice of negative or adverse background information and will be provided an opportunity to refute the accuracy of the background report by submitting to the Human Resources Manager a signed and written challenge to the accuracy of the background information along with any supporting documentation within fifteen (15) days of receipt of notice of the negative or adverse background information. The challenge shall specifically identify the background information which is inaccurate and describe how the information is not accurate.

Thereafter, the County will make a determination on whether rejection of the application from consideration is job related and consistent with business necessity.

### **609 Interviews**

Upon initial review and removal of Applicants from consideration that are rejected in accordance with the standards set forth above, the Human Resources Manager shall make available the remaining applications to the applicable Department Head for further consideration, which may include conducting personal interviews with those remaining Applicants. The Human Resources Manager or his/her designee will assist the applicable Department Head to the extent requested in the interview and selection process.

### **610 Verification of References**

The Human Resources Manager or the Department Head shall verify the references and past employment of at least the top candidate prior to making any job offer, unless a legitimate reason can be provided to the County Manager regarding why such reference verification is unnecessary.

### **611 Qualification Examinations**

#### (a) Statement of Policy

The Human Resources Manager, upon approval by the County Manager, may initiate and install a suitable Examination program for any position, along with the procedures to implement such an Examination program. In addition, any Department Head may also initiate and install a suitable Examination program for any position, provided that the Examination program is reviewed by the Human Resources Manager and the County Manager prior to implementation. Any written or performance tests will be designed to test for job performance, and will not be discriminatory as to race, creed, color, sex, disability, religion, age, national origin, or political affiliation, or any other category protected by federal and/or state law. Any

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Examination program shall be administered in a fair and neutral manner and shall be applied consistently to all interviewees successful in obtaining the required standard for performance and who are seeking the particular position for which the Examination program was implemented.

(b) Conduct of Examination

The Human Resources Manager or his/her designee may, as appropriate, designate monitors to take charge of the Examination process under prescribed instructions.

(c) Method of Rating Examinations

For all Examinations, the Human Resources Manager, in coordination with the applicable Department Head, shall establish minimum standards for performance or requirements in order to achieve an eligibility standard. If there is more than one part to an Examination, such as a written test and a rating of experience and training, the Human Resources Manager, in coordination with the applicable Department Head, shall assign the minimum acceptable scores and/or weighted score to the various parts of the Examination prior to conducting the Examination. If the Examination is comprised of successive components, candidates must obtain acceptable scores on each component for continued consideration for employment. The formula for assigning weights will be administered in a uniform and equal manner for all Applicants for the same class of positions.

(d) Inspection and Confidentiality of Examination Material

The confidentiality of all applications, Examination results, and test materials is essential to the integrity of an Examination process. Accordingly, general access to, or disclosure of, Examination results and/or materials is prohibited. Limited access to Promotional Examination results and/or test materials will be allowed in a manner carefully constructed to protect both confidentiality and the integrity of the Examination process. Specifically, participants in an Examination process will be able to review their own Examination materials. No participant will be able to review the Examination materials of other participants.

In all cases, testing materials will be reviewed in the presence of a representative of the Department of Human Resources or an individual authorized by the Human Resources Manager. Unless otherwise specified by the Human Resources Manager, the opportunity to review Examination materials will be limited to a period of thirty days following the release of results for the Examination. Individuals may make general notes regarding

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their review of their own testing materials, but may not directly transcribe, or make copies of, any Examination materials.

Nothing contained in this subsection shall be construed to limit the availability of Examination materials for use in judicial proceedings, related appeals, or as required by applicable law.

The Human Resources Manager shall be responsible for the maintenance of all records, including the completed tests, related to the Examination process.

(e) Notification of Examination Results

Each participant may request notification of his or her rating on all phases of the Examination within ten days from the date of completion of the Examination process. Failure to request examination results within the ten day time period shall not be grounds for challenging the Examination process or any employment decisions related thereto.

(f) Adjustment of Errors on Examinations

If an objectively demonstrated error in the rating of an Examination is called to the attention of the Human Resources Manager within thirty days after the announcement of the results, the Human Resources Manager shall correct such error.

(g) Eligibility Registers

To the extent that the Examination process adopted by the Human Resources Manager, or in coordination with the applicable Department Head, for a particular position provides for the creation of a listing of participants who met certain minimum standards for performance so as to be eligible for employment, this listing shall be known as an Eligibility Register. Any Examination process that results in the creation of an Eligibility Register shall specifically state in writing the method by which offers for employment will be extended to individuals appearing on the Eligibility Register and shall so notify all participants in the Examination process. In any event, and under any Examination process resulting in the creation of an Eligibility Register, an individual's existence on an Eligibility Register does not constitute an offer for employment or any guarantee of future employment. Therefore, an individual shall have no expectation of employment based upon appearance on an Eligibility Register. To the extent that the Examination process adopted by the Human Resources Manager, or in coordination with the applicable Department Head, for a

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particular position utilizes an Eligibility Register and specifically provides for future hiring based upon the Eligibility Register, any individual who is extended an offer of employment based upon appearance on that Eligibility Register more than sixty (60) days after the completion of the Examination, shall be subject to submitting updated information, including re-submitting to the applicable background checks, drug tests, and medical exams. The subsequent submittal of updated information may result in an Applicant being denied employment if the results are unacceptable.

### **612 Promotional Examinations**

If funds are available, any Department Head may institute a suitable Promotional Examination program for purposes of testing and promoting employees within the particular Department to open positions designated in higher Grades within the particular Department, provided that the Promotional Examination program is approved by the County Manager and otherwise complies with the policies set forth in this Chapter. Such an approved Promotional Examination program would be in lieu of the recruiting requirements set forth in this Chapter for those positions for which the Promotional Examination program is established.

### **613 Selection**

The hiring Department Head will notify the Human Resources Department of the selected Applicant(s). The Human Resources Manager or his/her designee will notify successful Applicants by mail or by telephone and provide the Applicant with instructions regarding the completion of additional required forms and pre-employment screening. The failure of an individual to accept employment, to timely report for any additional drug or medical screenings, to cooperate with a background check or Motor Vehicle report investigation, or to report to duty within the time prescribed in the employment offer may result in the employment offer being rescinded and the individual shall no longer be considered for the position.

All employment offers that will result in the Applicant being a Safety Sensitive Employee or a CDL Employee (as those terms are defined below) are contingent upon successfully passing a drug test and background check, as well as successful completion of a physical Examination if required. No such candidate shall be authorized to begin employment with Baldwin County until the Human Resources Manager receives notification of candidate's successful completion of the drug test, background check, and physical Examination, if applicable. In the event that an employment offer is rescinded or not accepted, the Human Resources Manager, at the request of the applicable Department Head, may make additional job offers to others in the pool of Applicants until the position is filled without

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the need for any further advertisement or Notice, or in the alternative, the Department Head may at any time request that the recruitment process be commenced anew.

All other employment offers are contingent upon the completion of a background check, as well as passage of a physical Examination if required. No candidate shall be authorized to begin employment with Baldwin County until the Human Resources Manager receives notification of candidate's successful completion of the background check and physical Examination, if applicable. In the event that an employment offer is rescinded or not accepted, the Human Resources Manager, at the request of the applicable Department Head, may make additional job offers to others in the pool of Applicants until the position is filled without the need for any further advertisement or Notice, or in the alternative, the Department Head may at any time request that the recruitment process be commenced anew.

### **614 Hiring of County Manager**

When the recruitment is for a County Manager, the Board of Commissioners may choose to hire a consulting company or recruiter to assist with pre-screening qualified applicants. The Board of Commissioners may interview any or all candidates and shall make a final hiring decision.

### **615 Hiring of Chief Administrative Employees**

Chief Administrative Employees are defined as all employees who report directly to the County Manager, including but not limited to, all Department Heads and the Finance Director. All preceding procedures and policies set forth in this Section shall apply to the recruitment and hiring of all Chief Administrative Employees. In addition, the following additional procedures may be required:

- (a) The County Manager has the authority to select from the eligibility register the candidate to be hired.
- (b) The County Manager may also choose to utilize a Selection Committee to facilitate the selection process for the hiring of Chief Administrative Employees (the "Selection Committee"). Selection Committees shall be comprised of the County Manager, Human Resources Manager (unless the Selection Committee is formed to hire a Human Resources Manager), and other appointees of the County Manager.
  - (1) Prior to consideration of any Applicant by the Selection Committee, the Human Resources Manager or his/her designee shall ensure compliance with the Minimum Qualifications for the job.

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Thereafter, all Applicants who satisfy Minimum Qualifications will be forwarded by the Human Resources Department to the Selection Committee.

- (2) The Selection Committee shall screen the remaining Applicants and select those applications that the Selection Committee deems worthy of proceeding in the hiring process. The Selection Committee may then, in its discretion, request in writing that the Human Resources Manager or his/her designee conduct additional screening of the remaining Applicants, which may include a request for a preliminary criminal background check, a verification of employment history, cross-referencing of any other known applications that may have been previously submitted for employment by the Applicant to the County, a verification of all educational history, and/or such other verification of references and specific screening that the Selection Committee requests in writing. Thereafter, the Human Resources Department will return to the Selection Committee the Applicants and report as to the results of any requested screening. The Selection Committee may proceed directly to step (3) below and commence Applicant interviews if heightened screening is deemed unnecessary.
- (3) The Selection Committee shall conduct interviews. The County Manager will make the final hiring decision. The Selection Committee shall also create an Eligibility Register on which the names of other suitable candidates shall appear in order of preference. The Eligibility Register shall be in effect for a period of ninety (90) days following the approval of the Board of Commissioners of the top candidate. The Eligibility Register shall exist solely for the purposes of providing alternative suitable candidates in the event the top candidate fails the drug screen (only applicable when the position sought is a safety-sensitive position or requires a CDL as defined and discussed in below), background investigation, Motor Vehicle report investigation, physical exam, if applicable, or otherwise proves to be unsuitable for employment during the first ninety days following hire. An alternate candidate may be selected from the Eligibility Register consistent with the rank order without the need for any further advertisement or Notice during the ninety-day period.

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### **616 Eligibility Verification Requirements**

Baldwin County is committed to full compliance with federal and state immigration laws, and will hire only individuals with the legal right to work in the United States.

Pursuant to Section 2 of the Georgia Security and Immigration Compliance Act, all employees must complete Form I-9 and provide legal documentation of citizenship and/or work status as set forth on the form. Within 3 Business Days of hire, the Human Resource Office electronically verifies accuracy of the employee's Social Security number and other documentation through the U.S. Department of Homeland Security verification system. In the event of tentative non-confirmation of an employee's Social Security number, Baldwin County will follow the procedures designated under the E-Verify Program concerning employee notification, case referral to the Social Security Administration, continued employment during the confirmation process, monitoring of case status, and final confirmation after case resolution. This policy and its procedures are intended to comply with the Georgia Security and Immigration Compliance Act and with O.C.G.A. § 13-10-90, *et seq.* Should any portion of these laws be amended, modified, revised, or repealed, or if other or additional controlling federal or state immigration laws or regulations become adopted in the future, the processes and requirements set forth in such Act, laws, or regulations shall govern. Information about current procedures under the E-Verify program can be found at [www.uscis.gov/e-verify](http://www.uscis.gov/e-verify).

### **617 Nepotism**

There should be nothing in this Employee Handbook to prohibit the concurrent employment of relatives by Baldwin County, as long as neither of the related parties is employed in a Supervisory role in which they may have a direct effect on the other individual's progress, performance, Promotion, training, testing, or welfare as a County employee. An employee may not be promoted into a position in which the employee would have a Supervisory responsibility over a relative as defined in this Handbook, unless the relative can be transferred to another position to eliminate the necessity of the promoted employee supervising a relative. For purposes of this nepotism policy, relatives are defined as husbands, wives, parents, children, brothers, sisters, half-brothers, half-sisters, fathers-in-law, mothers-in-law, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, grandparents, grandchildren, step-parents, and step-children, or any other person living in the household.

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### **700 Position Placement**

Effective Date:

Revision Date:

### **701 Statement of Policy**

The different mechanisms for placement of employees in positions are set forth in this Chapter. Placements shall be made only to positions that have been allocated under the Classification Plan that is approved by the Board of Commissioners. The different types of placements include the following: original hire, Promotion, Demotion, reinstatement, Lateral Transfer, Reassignment, Grant-Funded Appointment, and Emergency Assignment.

### **702 Original Hire**

An Original Hire occurs upon hiring an individual as a result of recruitment efforts, except as specifically indicated herein. Original hires may consist of employment in a full-time position, a part-time position, a seasonal position, a temporary position, or a Grant-Funded Appointment.

(a) Full-Time Position

An employee who works in a position that is budgeted as a full-time position for twelve months of the year, and who works thirty hours or more per week. Only authorized Full-time employees are entitled to Annual Leave and benefits as described in this Handbook. A Full-time position becomes authorized by approval of a budget resolution.

(b) Part-Time Position

A Part-time Employee is an employee who works in a position that is budgeted as a part-time position for twelve months of the year, but who works less than thirty hours per week. Part-time Employees are not eligible to accrue Annual Leave or Sick Leave, and are not eligible for Holiday Pay or benefits. All Part-time Employees must have approval from the County Manager to work any time in excess of the budgeted amount of hours for the position.

(c) Seasonal Position

A Seasonal Employee is an employee who works in a position that is temporary in nature in that it coincides with a particular season or seasons of the year or with heavy workload periods for a particular Department. The

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seasonal position period may recur regularly from year to year, but it is not budgeted for twelve months of the year. A Seasonal Employee is not entitled to accrue Annual Leave or Sick Leave and is not eligible for benefits with Baldwin County. Seasonal positions may not last longer than six months. A seasonal position may be created or abolished at the recommendation of the County Manager provided the Departmental funds are available.

(d) **Temporary Position**

A Temporary Employee is an employee who works in a position that is temporary for purposes of a special project or other work of a temporary nature. The temporary position period is established according to the special project or special circumstances requiring work of a temporary nature. The temporary position is not budgeted for twelve months of the year and does not recur regularly from year to year. A Department Head requiring the use of a Temporary Employee is not required to utilize the recruitment procedures in recognition of the fact that a temporary position will be needed based on time-sensitive and/or exigent circumstances. In any event, a temporary position shall not exceed six (6) months without the approval of the County Manager. A Temporary Employee is not entitled to any Leave or benefits with Baldwin County. A temporary position may be created or abolished at the recommendation of the County Manager, provided that Departmental funds are available.

(e) **Shift Worker Position**

A Shift Worker employee is an employee who occasionally works one twelve hour or one twenty-four hour shift on a seasonal or part-time basis. A Shift Worker is not eligible for Leave or benefits.

(f) **Grant-Funded Appointment**

A Grant-Funded Appointment is a full-time or part-time position established for a specific period of time not to exceed the scheduled termination date of the grant. This position will terminate by operation of law on the date of the grant termination, unless the Baldwin County Board of Commissioners provides appropriate funding to continue the program or positions on or prior to the date of the grant termination. All Grant-Funded Appointments will occur as a result of the recruitment procedures outlined in this Handbook.

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### **703 Working Test Period**

The working test period shall be regarded as an integral part of the selection process and shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to his or her position, and for rejecting any employee whose performance is not satisfactory. All employees appointed, transferred or promoted to a position in the County's service shall be required to satisfactorily complete the working test period.

- (a) *Duration.* The first six (6) months of service in a position to which an employee has been appointed, transferred, or promoted shall constitute the working test period.
- (b) *Extensions.* If the working test employee's performance has not been adequately proficient, and the Department Head believes that the performance could be improved during an extension of the working test period, the County Manager, upon request from the Department Head, may extend the duration of the working test period not more than six (6) months. The County Manager shall notify the working test employee of any extension no later than twenty (20) days prior to the end of the regular working test period. Working test period extensions may be considered only when extenuating circumstances exist, or it is believed that an employee will show significant improvement during the extended working test period. No extension shall be allowed which would make the total working test period longer than one year.
- (c) *Dismissal During Working Test Period.* At any time during the working test period the Department Head may dismiss an employee if, in his or her opinion, the working test period indicates that such employee is unable or unwilling to perform the duties of the position satisfactorily or that his or her habits and lack of dependability do not merit his or her continuance with the service. An employee shall have no expectation of a right to continue their employment during the working test period.
- (d) *Transfer/Promotion.* A transferred or promoted employee shall be subject to a working test period for the first six (6) months in the new position. If it is determined that the employee is unsuitable for the position, the Department Head may return the employee to the position previously occupied, if the position is vacant. If not vacant, the Department Head may attempt to place the employee in a comparable position for which the employee meets the requirements. If such placement is not feasible, the employee may be placed in Layoff status and may be considered for placement when a suitable position becomes available. This action can be

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taken without the employee's right of appeal to the Board of Commissioners.

- (e) *Active work status.* Only time in active work status shall be counted toward completion of the working test period.
- (f) *Performance Appraisals.* A Performance Appraisal shall be performed for working test period employees at the end of the employee's initial six (6) month working test period. A Performance Appraisal must be completed before allowing an employee to successfully complete a working test period. Additionally, not less than thirty (30) calendar days prior to the end of the working test period, the Department Head shall notify the County Manager and Human Resources Manager in writing whether the employee is: performing satisfactory work; should be retained in the position; if a new appointee, should be Dismissed; or, if on working test status following a promotion or transfer, should be reinstated in the employee's former class. Performance Appraisals may be completed more frequently at the discretion of the Department Head or County Manager. If the working test period is extended, a Performance Appraisal may be performed at the end of each month up to the end of the extended working test period.
- (g) *Benefits.* During a working test period employees shall receive all benefits provided in accordance with this Policy, but for the following exceptions:
  - (1) The employee may accumulate Annual Leave and Sick Leave pursuant to Sections 1104 and 1105 below, but shall not be permitted to take said leave during the working test period, unless denial would create an undue hardship. The Department Head shall have the final authority in deciding when an employee may take leave during the working test period. However, at the completion of the working test period, all Annual Leave and Sick Leave accrued during the working test period shall be applied to the employee's regular employment with the County.
  - (2) Dismissal during the working test period shall deny the employee terminal pay for accrued leave during the working test period and the right to appeal the Dismissal.
  - (3) If an employee is laid off during the working test period, and performance of duties has been satisfactory, then if reappointed to the same department at a later time that employee shall be given credit for the portion of the working test period completed prior to the lay-off.

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### **704 Promotion**

A Promotion occurs when an employee is promoted from a position in one Grade to another position having a higher Grade and pay range. Unless a Promotional Examination program or a period of time in a classification is a specified promotional prerequisite instituted within a Department and approved by the County Manager, all Promotions will occur as a result of the recruitment procedures outlined in this Handbook.

When an employee is promoted to a position in a higher Grade, the employee's salary should increase to the minimum salary of the new Grade or to a salary approved by the County Manager, but which cannot exceed maximum rate of pay for the new position in any event.

An employee must have successfully completed a full working test period prior to being eligible for a Promotion, unless the County Manager approves a Promotion prior to the completion of the working test period.

### **705 Demotion**

A Demotion occurs when an employee is moved from a position in one Grade to a position having a lower Grade and pay range. When an employee is demoted to a lower Grade, the employee's salary will decrease that percentage difference between the minimum salary for his/her former position and the minimum salary applicable to his/her position. For example, if an employee is demoted from position "A" which has a minimum annual salary of \$30,000.00 to position "B" with a minimum annual salary of \$27,000.00, then the demoted employee would receive a 10% reduction in salary.

A Demotion Appointment will be one of the following types:

- (a) Disciplinary Demotion;
- (b) Administrative Demotion – which results from Layoff, reduction in force, reorganization, or approved reduced or altered work scheduling;
- (c) Voluntary Demotion, which results from the request of the employee or agreed to by an employee, provided the following requirements are met:
  - (i) The request or agreement is in writing;
  - (ii) Approval is obtained from the Department Head and the County Manager; and
  - (iii) If the Demotion includes the transfer of the employee from one

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Department to another, the receiving Department must be willing to accept the employee.

- (d) Working test period Demotion occurs when an employee fails to satisfactorily complete a working test period.

An employee is eligible for Demotion within his/her Department at any time. Should an employee seek a Demotion outside his/her Department, said employee must have shown satisfactory performance during the working test period prior to being eligible for a Demotion in any other County positions.

## **706 Reinstatement**

A Reinstatement shall be made when employees who were laid off, subject to an Administrative Demotion, on an approved Leave of Absence, or on an approved Military Leave are eligible for return to the position the employee previously held with Baldwin County as set forth herein. Reinstatements are not intended to include an employee's return to work subsequent to a Suspension or Administrative Leave. In addition, Reinstatements are not intended to include an employee's request to return to work after leaving employment with Baldwin County voluntarily or involuntarily as such request to return to work would be subject to the recruitment procedures contained herein and would constitute an Original Hire if the individual is selected for a position. No credit for past employment shall be given to employees.

- (a) Employees Reinstated After Non-Military Leave

A reinstated employee shall be paid at the employee's salary rate prior to the separation, provided the employee assumes his/her prior position, or the minimum salary provided for by the Job Description for that position, whichever is greater. In the event an employee is reinstated to a position that is not comparable to the one previously held their pay should be placed at the minimum salary provided for by the Job Description for that position.

- (b) Employees Reinstated After Military Leave

An employee reinstated after military service lasting ninety-one days or more will be promptly reemployed in the following order of priority:

- (i) In the job the employee would have held had he or she remained continuously employed, or a position of equivalent seniority, status, and pay so long as the person is qualified for the job, or can become qualified after reasonable efforts by the County to qualify the person; or

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- (ii) If the employee cannot become qualified for the position in (i), in the employee's pre-service position so long as he or she is qualified for the job or could become qualified after reasonable efforts by the County; or
- (iii) If the employee cannot become qualified for the position in either (i) or (ii), in any other position, which is the nearest approximation of (i) for which the employee is qualified.

### **707 Lateral Transfer**

A Lateral Transfer is defined as an employee's move from one position with a certain Job Title to a different position with a different Job Title, but at the same Grade, either within or outside the employee's Department. The employee's rate of pay will remain the same. A Lateral Transfer for any employee must be approved by all applicable Elected Officials/Department Head(s) and Notice must be provided to the Human Resources Manager.

- (a) An involuntary Lateral Transfer may be made without following the recruitment procedures as a Lateral Transfer is designed as an administrative mechanism for movement of an employee as needed.
- (b) In the event that an employee requests a Lateral Transfer, the employee must submit an application and proceed through the recruitment procedures outlined in this Handbook and will be subject to a new working test period. An employee is eligible to apply for a vacant position that would constitute a Lateral Transfer at any time if the Lateral Transfer sought is within the employee's Department. To the extent that the employee desires to apply for a vacant position that would constitute a Lateral Transfer outside the employee's Department, the employee must have successfully completed the full working test period in the current position, before the employee is eligible to apply for a Lateral Transfer to an external Department.

### **708 Reassignment**

A Reassignment shall be made at the request of the Human Resources Manager or by a Department Head, without prior approval by the County Manager. A Reassignment consists of the movement of an employee from one position with a certain Job Title to another position within the same Department with the same Job Title. Any Department Head making a Reassignment shall provide notification to the Human Resources Manager and Finance Department for purposes of allocating cost centers and budgeting. The

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employee's rate of salary upon Reassignment will remain the same. Any Department Head wishing to make a Reassignment does not have to follow the recruitment procedures set forth in this Handbook as a Reassignment is designed as an administrative method for the movement of employees by the Department Head to accommodate workload within the Department.

### **709 Temporary Work at a Higher Grade/Emergency Assignment**

With the prior approval of the County Manager, an employee may be required to work at a higher Grade on a temporary, emergency basis and may do so for a period of thirty (30) days or less with no increase in pay. If the employee is required to perform the duties for a period exceeding thirty days, the employee will be given an Emergency Assignment for a specified term to the higher Grade and be paid the appropriate rate for the higher Grade, which may be the minimum rate of pay for that Grade upon the thirty-first day in the tour of duty or a maximum increase of three percent to the employee's current salary, whichever is greater. Nothing in this provision should be construed as allowing or treating the employee as working in multiple roles or otherwise allow an employee to receive duplicate compensation for working in multiple roles. At the conclusion of the assignment, however, the employee's pay shall revert to the authorized rate established for the employee's regular position. Any such temporary increase shall not affect the employee's eligibility for other advancements. Temporary assignments pursuant to this Emergency Assignment position may not in any event exceed six (6) months without written approval for an extension by the County Manager. Recruitment procedures need not be followed in the event of an employee being required to perform work at a higher Grade on a temporary, emergency basis. It is the expressed intent of the County to strictly comply with the FLSA with regard to employee pay and nothing in this Section shall be construed to apply in violation of the FLSA or any other applicable law.

### **710 Rehire**

In the event that the Department Head specifies on the personnel action form, or an attachment thereto, that a former employee should not be considered for re-employment, said employee shall not be eligible for reemployment with Baldwin County in any capacity for at least two years from the date of separation. All Rehires will occur as a result of the recruitment procedures outlined in this Handbook.

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### **800 Separation**

Effective Date:

Revision Date:

### **801 Statement of Policy**

Employees shall be separated in accordance with the provisions of this Chapter and in accordance with the non-discrimination policies and non-harassment policies contained in this Handbook. A separated employee shall be paid accumulated salary and shall be paid for any accrued Leave as follows:

#### **(a) Payment for Accrued Annual Leave**

At the time of Dismissal, Resignation, or retirement while employed with Baldwin County, all accumulated Annual Leave will be paid to the employee; provided, however, that all uniforms and equipment issued by the County have been returned and no outstanding liabilities or debts remain.

Upon death, accumulated Annual Leave will not be paid to the employee's estate or heirs.

Under no circumstances will an employee be allowed to request payment for unearned or advance Leave except as otherwise provided for in this Handbook.

#### **(b) Payment for Accrued Sick Leave**

No payment will be made for accrued Sick Leave, except in the case of "Banked Sick Leave" as contemplated in Section 1105(j), Sick Leave.

### **802 Types of Separation**

#### **(a) Resignation**

An employee may be separated from employment with Baldwin County upon the submission of the employee's Resignation. Resignation may be submitted in writing or orally to the employee's Department Head, his/her Supervisor, the Human Resources Manager or the County Manager. Whether the employee resigns in writing or by making an oral statement of Resignation, the Resignation is effective immediately. If the Resignation is provided to someone other than the Human Resources Manager, the Human

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Resources Manager must be notified immediately. Once a Resignation is tendered, oral or written, the Resignation should be considered final. Any employee who wishes to rescind his/her Resignation is not guaranteed the right to withdraw or rescind the Resignation.

In order to resign in good standing, an employee must, at a minimum, give written Notice at least fourteen (14) calendar days prior to the effective date of the Resignation and otherwise have demonstrated satisfactory performance. Failure to comply with this provision shall be entered on the service record of the employee and will result in a denial of re-employment rights for at least two years from the date of Resignation, unless the applicable Department Head determines that there was a hardship basis for not providing the two-week Notice.

After submitting a Resignation, the employee is not eligible to utilize Annual Leave time. Instead, the employee will be monetarily compensated for any accrued Annual Leave time consistent with this Chapter at the conclusion of the employment relationship.

At the discretion of the Department Head or County Manager, any employee providing Notice as described above may be immediately dismissed from service rather than the employee working during a Notice period.

(b) Abandonment of Position

An employee shall be considered to have abandoned his/her position when any of the following occur: (1) an employee is absent without Notice to the Department Head or his/her designee for three or more consecutive Working Days; (2) an employee is absent for three or more consecutive Working Days after providing Notice, but without having any available Leave time or Compensatory time; or (3) an employee is absent for three or more consecutive Working Days without receiving approval for the absences. The County will follow all required laws regarding leave set forth under federal law – more specifically the FMLA and ADA – for employees who demonstrate a serious medical condition supported by medical documentation to the satisfaction of the County.

For purposes of this paragraph, a “Working Day” is defined as eight hours worked for County employees; twelve hours worked for E911 Center dispatchers who work a 12-hour shift; and twenty-four hours for Fire Department employees who work a 24-hour shift. In any of the three situations set forth herein, the employee shall be deemed to have abandoned his/her position and to have resigned as of the end of the third Working Day.

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The Human Resources Manager should be notified immediately of any employee who has resigned as a result of Abandonment of Position.

(c) **Failure to Return from Leave of Absence**

Any employee who fails to return to duty at the expiration of a duly approved Leave of Absence for three consecutive calendar days following the expiration of the Leave of Absence shall be deemed to have abandoned his/her position and to have resigned as of the end of the third day.

(d) **Lay-off**

(i) **Reasons Justifying Lay-Off**

Lay-off is defined as a reduction in force that may result in the separation of employee(s) due to abolishment of a position, a shortage of funds or work, a need to increase efficiency, or a material change in the duties or organizational unit of the Department. No lay-offs shall be made for the purpose of dismissing an employee for incompetence, misconduct, or for other reasons, except as included in this Chapter. The lay-off does not reflect discredit upon the service of the employee. A lay-off can be recommended by the Board of Commissioners, the County Manager, and/or the Human Resources Manager. Any lay-off must be approved by the County Manager prior to becoming effective.

(ii) **Order of Lay-Off**

Prior to the lay-off, the affected Department Head shall make recommendations to the Human Resources Manager who shall consider job performance, work records, employee evaluation ratings, and length of service in determining which employees shall be laid-off. If it is found that two or more persons in the Department in which the lay-off is to be made have equal job performance, records, and/or ratings as determined by review of employee records and evaluation ratings, the order of lay-off shall be based upon seniority. No Full-time Employee shall be laid-off while another person is employed on a temporary or part-time basis in a position within the same Job Description if the employee is willing to accept the temporary or part-time work. In evaluating employees for purposes of a lay-off, care should be taken to accurately evaluate all employees. An employee shall not be laid-off based on race, color, creed, religion, sex, national origin, age, political affiliation, disability, or any other category protected by federal and/or state law.

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Prior to lay-off and in an effort to avoid separation of employment, the Human Resources Manager may direct Lateral Transfers or Demotions as necessary to place employees into positions for which they are qualified rather than lay them off. Lateral Transfers or Demotions in accordance with this Chapter will be effective unless the employee elects in writing to be laid off. Written Notice of said election from the employee must be received by the Human Resources Manager within three calendar days after the employee has received Notice of a Lateral Transfer or Demotion.

(iii) Special Cases

Should a Department Head determine that the retention of a certain employee is essential to the effective operation of the Department because of the fact that such employee possesses special skills or abilities, and should the Department Head wish to retain such employee in preference to another with a higher rating or seniority, then the Department Head shall submit a written request to the County Manager. Such notification shall set forth in detail the specific skills and abilities possessed by the employee and the reasons why such employee is essential to the effective operation of the Department. With the approval of the County Manager, the individual may be retained to the detriment of the higher ranking employee.

(iv) Re-Employment Register

The Human Resources Manager shall prepare a register of employees who have been laid-off to be utilized as provided in this Chapter. The order of names appearing on this register will be based upon the order of the lay-off and when there is a tie, then seniority will be the determining factor. The names of the employees shall remain on the lay-off register for a period of one year. During the life of the lay-off register, an employee may submit a written request to have his/her name removed from the list. Employees whose names appear on the lay-off register shall be given primary consideration when conditions warrant rehiring. "Primary consideration" shall mean that the employee does not have to go through the recruiting process, but that Baldwin County will notify the employees who appear on the lay-off register when there is an opportunity to fill a position that the laid-off employee previously held or a comparable position, either full-time or part-time; provided the employee meets the Minimum Qualifications for the position. All employees appointed to a position in this manner will serve the

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stated working test period for that position. In any event, employees whose names appear on the lay-off register are welcome to apply for other positions with Baldwin County at any time. If an employee is hired for another position in Baldwin County during the life of the lay-off register, the employee's name shall be removed from the lay-off register and no other special consideration shall be given to the employee. If a person placed on the lay-off register does not accept the first offer for re-employment having the same classification as the one held at the time of separation, the employee's name shall be removed from the lay-off register and no other special consideration shall be given.

(e) **Death**

An employee who dies while in Baldwin County's employment shall be separated effective as of the date of death.

(f) **Retirement**

An employee may separate from County employment by retiring under an eligible retirement plan. Employees should submit a formal letter of retirement to their department head and the Human Resources Manager at least sixty (60) days prior to anticipated retirement date.

(g) **Inability to Perform**

If an employee suffers from a condition or physical or mental disability that prevents him/her from performing the essential functions of the position or is otherwise unfit for duty, as determined by a qualified medical professional, such that the employee cannot perform the essential functions of the position, even with reasonable accommodation or in the absence of an available reasonable accommodation, the employee is subject to Dismissal for inability to perform the job.

(h) **Loss of License or Certification**

Any employee who is unable to perform the essential functions of his/her job adequately because of loss of a necessary license or certification shall be subject to Dismissal. All employees are independently and solely responsible for ensuring that any license or certification required to perform the job are maintained in good standing at all times for the duration of their employment with the County.

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### (i) Dismissal

A Dismissal is the involuntary termination and separation of an employee from employment with Baldwin County. A Dismissal for disciplinary reasons may be instituted without prior Notice to the employee when deemed necessary to protect the County or the employee concerned. In the event of such a Dismissal, the applicable Department Head shall notify the Human Resources Manager no later than the end of the following Business Day. However, in all other cases, the applicable Department Head should notify the Human Resources Manager of his/her intent to dismiss an employee and the reasons therefore prior to Dismissal. Upon such notification, the applicable Department Head or his/her designee and/or applicable Supervisor, shall arrange to meet with the employee in a Dismissal conference. The employee is to be told the purpose of the conference. Specifically, the employee should be advised that the County intends to dismiss him/her. If the employee refuses to attend the Dismissal conference, the Dismissal will become automatic and enforced, and all rights to a Dismissal conference shall be waived by the employee. The Dismissal conference shall consist of the applicable Department Head or his/her designee and/or applicable Supervisor, the County Manager or his/her designee, and the employee. The employee should be advised of the specific reasons for the Dismissal and be further advised that he/she has an opportunity to respond to the reasons for Dismissal prior to being discharged. The employee's verbal response at the conference should be considered. If deemed appropriate, the County shall proceed with Dismissal. If deemed inappropriate, the County shall proceed with another disciplinary action.

The Dismissal of the County Manager must be pursuant to a majority vote of the Board of Commissioners in accordance with Chapter 900, Section 901.

### **803 Recommendation of Re-Employment**

In every instance other than death or retirement, upon the separation of an employee from a position, the applicable Department Head shall specify on the personnel action form, or an attachment thereto, whether the employee can be considered for re-employment. An answer of "no" disqualifies the employee for further Appointments with Baldwin County for at least two years from the date of separation.

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### **804 Continuation of coverage under the Group Health Insurance Plan**

In most separation cases, the employee and his or her dependents may continue their Group Health Insurance Plan coverage for up to eighteen (18) months providing that the former employee pays the total premium.

Specific details will be provided by the Human Resources Department during formal exit interviews and/or via correspondence.

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### **900 Disciplinary Actions**

Effective Date:

Revision Date:

### **901 Statement of Policy**

Baldwin County employees are terminable at-will and at the sole discretion of the appointing official and/or Baldwin County. Nonetheless, Baldwin County seeks to resolve performance and conduct problems in the most positive and constructive manner possible. When situations occur that warrant disciplinary action, Baldwin County will treat all employees fairly and consistently.

The County Manager will be responsible for all disciplinary actions against the other Chief Administrative Employees who report to him/her, including reprimands, Demotions, Suspensions and Dismissals.

The Board of Commissioners will be responsible for all disciplinary actions against the County Manager, including reprimands, Demotions, Suspensions, and Dismissal.

### **902 Prohibited Conduct Generally**

In general, conduct that interferes with the operations of Baldwin County, brings discredit to Baldwin County, or is deemed inappropriate by Supervisors, co-workers, or the public is not tolerated. Examples of conduct that is not permitted, and will subject the individual involved to disciplinary action, up to and including immediate Dismissal, include, but are not limited to:

- (a) Insubordination or uncooperative attitude, including, but not limited to, disrespect to a Supervisor, a higher ranking employee or official, co-worker, or the public, and failure to follow the lawful orders of a Supervisor;
- (b) Failure to do work at an acceptable level of competence;
- (c) Excessive tardiness, excessive absenteeism, unexcused absences, and absences when the employee does not have accrued Annual Leave, accrued Compensatory Leave, or Sick Leave to accommodate the absence;
- (d) Falsification of information on time sheets or other timekeeping input method;
- (e) Conviction of a felony or a crime involving moral turpitude, if the conduct leading to such conviction is job related and the disciplinary action is

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consistent with business necessity;

- (f) Theft, abuse or misuse of County property or vehicles, violation of traffic laws while driving a County vehicle, failure to report damage or destruction of County property to a Supervisor, loaning property or equipment of the County without permission or proper authority;
- (g) Willfully giving false statements to Supervisors, officials, or the public;
- (h) Violation of County ordinances, administrative regulations, provisions of this Handbook, or Departmental rules;
- (i) Possession, consumption or distribution of alcoholic beverages or illegal drugs or abuse of prescription drugs or over-the-counter medication in a manner that violates the Baldwin County Drug and Alcohol Free Workplace policies;
- (j) Acts during duty hours which are incompatible with public service;
- (k) Use of profane or abusive language or discourteous treatment of the public or other employees;
- (l) Consumption of alcoholic beverages or use of illegal, prescription, or over-the-counter drugs outside work hours in such a manner as to adversely affect attendance or job performance;
- (m) Falsification or destruction of official records or documents, or use of official position for personal benefit, profit, or advantage;
- (n) When duly and properly called as a witness before any County board, appeals board, state or federal judicial or administrative tribunal, and when before such tribunal, failing to answer truthfully any question concerning performance of official duties with the County;
- (o) Failure to report an occupational injury or accident during the shift on which it occurred;
- (p) Failure to report and provide documentation regarding an employee's criminal arrest, criminal charge, or temporary protective or restraining order;
- (q) Absence due to incarceration after conviction of a crime;
- (r) Use of any form of physical abuse of the public, Supervisors, or other

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employees, or making threats to the public, Supervisors, or other employees;

- (s) Violating any lawful official regulation or order or failing to obey any proper directive made and given by a superior officer;
- (t) Disgraceful or dishonest conduct;
- (u) Careless or negligent with the monies or other property of the County;
- (v) Failure to pay or make reasonable provisions for future payment of debt to such an extent that such failure is detrimental to the work relationship;
- (w) Use or threatening of use, or attempt at use of personal or political influence by, for example, contacting any member of the Board of Commissioners to influence personnel matters, including but not limited to, Promotion, Leave of Absence, Dismissal, Transfer, Change of Pay Rate, or character of work;
- (x) Taking for personal use from any person or organization any fee, gift, gratuity, or other valuable thing in the course of work or in connection with it, when such gift or other such valuable thing is given in the hope or expectation of receiving a favor or better treatment than that afforded other persons based upon the Code of Ethics for Government Service. See, O.C.G.A. § 45-10-1;
- (y) Violating established security procedures during the Examination process or obtaining information, through unauthorized or illegal means, which provides an unfair advantage on the Examination;
- (z) Failure to acquire a valid license, registration, or certification when such license, registration, or certification is required and specified in the specifications for the class to which the position occupied by the employee is classified;
- (aa) Wasted time, inefficiency, and/or loitering during working hours;
- (bb) Violation of any provisions of the Code of Ethics for Government Service (as fully set forth in Chapter 100, Section 102), this Handbook, or the applicable Departmental SOP;
- (cc) Release of confidential information learned as a result of employee's position without specific approval of the applicable Department Head, Constitutional Officer or the County Manager;

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- (dd) Lending money or borrowing money from another County employee who makes a practice of loaning money and charging interest to employees;
- (ee) Babysitting or keeping children in the employee's assigned work area; and/or
- (ff) More than one garnishment of an employee's salary per year, due to the administrative difficulties created by such garnishments.

### **903 Duty to Provide Notice of Pending Criminal Charges.**

- (a) Any employee charged or arrested for any criminal offense other than a minor traffic offense which does not affect the employee's right to operate a motor vehicle shall notify the Human Resources Manager immediately and provide a copy of all documentation received related to said charges.
- (b) Upon receipt of documentation related to an arrest or criminal charge, the employee will be placed on Paid Administrative Leave until such time that a determination may be made regarding the employee's ability to perform their essential job functions during the pendency of the criminal charges in accordance with Chapter 100, Section 1115.
- (c) Compliance with this section does not prohibit the immediate termination of the employee in the event that it is determined that the pending criminal charge or arrest negatively affects the employee's ability to perform their essential job functions. Each case will be reviewed separately and on a case-by-case basis by the County Manager, Human Resources Manager, Department Head, and Supervisor.

### **904 Conduct Prohibited by Departmental SOP and Rules**

Notwithstanding the conduct prohibited generally in Section 902 above, or any other conduct prohibited by Code of Ethics for Government Service (as fully set forth in Chapter 100, Section 102) or this Handbook, an employee will be subject to disciplinary action for violation of Departmental SOPs or rules. Additionally, the Departmental SOPs or rules may contain schedules of penalties for violations. In the event that the applicable Department imposes a higher standard of conduct and/or the schedule of penalties results in a harsher penalty than the conduct guidelines and penalties contained in this Handbook, the Departmental SOP or rules shall control.

### **905 Progressive Discipline**

Whenever possible, Department Heads should provide employees with an opportunity to correct problematic behavior or poor performance. All Supervisors are encouraged to

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follow specific steps of progressive discipline. However, depending upon the nature of the employee's misconduct, poor performance, and/or length of employment, the use of progressive discipline shall be discretionary. Thus, while this Chapter sets forth available mechanisms for discipline, Department Heads and Supervisors have complete discretion to skip certain steps in a disciplinary process or to immediately terminate an employee depending upon the nature of the employee's misconduct, poor performance, working test period status and/or length of employment. To the extent that progressive discipline is being utilized, when an employee engages in different types of misconduct or poor performance, each incident can provoke increased discipline, even if the incidents of misconduct or poor performance are in different areas or unrelated to other previous incidents. The mechanisms for progressive discipline may include, but are not limited to, verbal reprimand, written reprimand, Suspension without pay, Demotion, and Dismissal. While there are five steps identified in this Chapter, this Chapter should not be construed to require five incidents of misconduct or poor performance prior to Dismissal being an appropriate disciplinary sanction. Moreover, other forms of discipline not detailed in this Chapter may be utilized in the discretion of the applicable Supervisor. All disciplinary actions shall be reduced to writing and forwarded to the Human Resources Manager for maintenance in the employee's personnel file. All such disciplinary actions shall remain in the employee's personnel file.

### **906 Verbal Reprimand**

A verbal reprimand is an oral Notice of a policy violation, mistake, inefficiency, misconduct, poor performance, or other factors that may adversely influence an employee's ability to carry out his/her duties and responsibilities. Any Supervisor may verbally reprimand a subordinate employee at any time. Verbal reprimands may affect the employee's employment status, particularly if corrective action is not taken by the employee. All verbal reprimands should be documented in the employee's personnel file and shall be signed by the Human Resources Manager to acknowledge receipt.

### **907 Written Reprimand**

A written reprimand is a written Notice of a policy violation, mistake, inefficiency, misconduct, poor performance, or other factors that may adversely influence an employee's ability to carry out duties and responsibilities. Any Supervisor may reprimand in writing a subordinate employee at any time. Written reprimands are required to be shown and explained to the employee who will acknowledge receipt of same by his/her signature. If the employee refuses to sign, the same shall be noted. If the employee feels the written reprimand to be unjust, he/she must so state in writing giving the reasons, which must be done within five calendar days. An original copy of the reprimand, with the employee's response, if any, must be forwarded to the Human Resources Manager to be placed in the employee's personnel file. The Human Resources Manager will sign the written reprimand

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to acknowledge receipt. A written reprimand may be presented on a form adopted by the applicable Department or available from the Human Resources Department, or the written reprimand may be in letter or memo form.

### **908 Suspension Without Pay**

The County Manager, a Department Head, or his/her respective designee, as applicable, may, by written Notice to the employee, suspend an employee without pay. Any such Notice of Suspension must be forwarded to the Human Resources Manager to be placed in the employee's personnel file. The Human Resources Manager will sign the Suspension Notice to acknowledge receipt. An employee who is suspended for any reason may not utilize Annual Leave or compensatory time so as to be compensated during the Suspension without pay period.

An employee may be suspended in the following manner:

(a) Disciplinary Suspension

In an attempt to correct unacceptable behavior and/or work performance issues, an employee may be suspended for a specified period of time without pay. All such disciplinary Suspensions for a specified period of time shall be stated in hours, rather than days or shifts. The Department Head may suspend without pay any employee under his or her supervision for a length of time as considered appropriate, not exceeding ten (10) days. A written statement specifically setting forth the reasons for such suspension shall be furnished to the affected employee by the Department Head and a copy filed with the County Manager. An employee may be suspended without pay for disciplinary purposes for a longer period upon approval by the County Manager, not to exceed thirty (30) days.

An employee in the position of exempt status may be suspended without pay in increments of the equivalent of one or more full days imposed in good faith for violation of workplace rules. Non-Exempt employees may be suspended without pay in consecutive full or partial day increments.

(b) Suspension Pending Drug/Alcohol Testing

An employee shall be suspended without pay immediately upon being required to submit to a reasonable suspicion drug or alcohol test. The total period of any Suspension without pay shall be for an indefinite period of time, which shall conclude upon completion and receipt of the drug or alcohol test and any applicable confirmation tests.

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An employee who initially tests positive for drugs or alcohol pursuant to any other type of drug or alcohol testing (such as workers' compensation testing, return to duty testing, post-accident testing, and/or random testing) shall be immediately suspended without pay pending any applicable confirmation of the positive test results. The period of Suspension shall be for an indefinite period of time, which period shall end upon completion and receipt of the applicable confirmation test results.

### **909 Administrative Leave**

The involuntary absence of an employee from work with pay during an investigation is referred to as Administrative Leave. Designation of such an absence from the workplace as "Administrative Leave" is non-punitive in nature and is to allow a reasonable time for the County to complete the investigation. Whether an employee is designated as Suspended without pay or placed on Administrative Leave with pay lies in the sole discretion of the County Manager and/or Department Head. Please refer to Chapter 1100, Section 1115 for details on Administrative Leave.

### **910 Demotion**

The County Manager or the applicable Department Head or his/her respective designee may, by written Notice to the employee no later than five (5) working days prior to the effective date, demote an employee for disciplinary purposes. When an employee is demoted to a lower Grade, the employee's salary will decrease by that percentage difference between the minimum salary for his/her former position and the minimum salary applicable to his/her new position. Employees will be subject to a working test period upon Demotion. All Demotions must be approved in writing by the County Manager.

### **911 Dismissal**

An employee may be Dismissed from employment with Baldwin County for disciplinary purposes. Please see Chapter 800 concerning Separations for details.

Immediate Dismissal, in the absence of progressive discipline, may be necessary in certain circumstances. The following list includes the offenses that shall be grounds for immediate dismissal:

- (a) Unauthorized use of County owned heavy equipment or machinery with an original purchase price of at least \$5,000;
- (b) Fighting or other physical violence or threats of violence;

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- (c) Unlawful distribution or sale of alcohol or illegal drugs on Baldwin County property or while on duty.

The following list includes some, but not all, offenses that may be grounds for immediate Dismissal:

- (a) Theft;
- (b) Falsification of documentation and/or other acts of dishonesty;
- (c) Wrongful or negligent destruction of Baldwin County property;
- (d) Unauthorized use of County owned heavy equipment or machinery;
- (e) Conviction of a felony or other offense that, in the opinion of the County, conflicts with and/or undermines the employee's performance of his/her job duties. The employee will be given the opportunity to demonstrate that the conviction should not exclude him/her from employment with the County. Thereafter, the County will make a determination on whether said Dismissal is job related and consistent with business necessity;
- (f) Possession of firearms, Weapons, or explosives on Baldwin County property without the express consent of the County Manager, or as otherwise allowable pursuant to applicable law(s);
- (g) Unlawful Use, possession, or testing positive for alcohol or illegal drugs on Baldwin County property or while on duty, and/or failure to submit to testing for same;
- (h) Use, possession, sale, or testing positive for prescription or over-the-counter drugs that lead an employee to be unfit for duty;
- (i) Falsification of an employment application or other information for the purposes of obtaining employment or any benefits from Baldwin County;
- (j) Violation of safety rules that endanger lives or safety and/or any conduct that endangers lives or safety;
- (k) Violation of the Baldwin County's anti-harassment, non-discrimination, and/or internet use policies;
- (l) Unreported or unauthorized absences of three consecutive Working Days;
- (m) Unauthorized and repeated tardiness;

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- (n) Gross insubordination; and
- (o) Gross negligence that results in harm or loss to Baldwin County or its property or employees.

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### **1000 Grievances**

Effective Date:

Revision Date:

### **1001 Purpose**

The purpose of this article is to provide an orderly process for hearing an employee's grievable claim and reaching a firm and equitable decision in a timely manner. The employee and the employee's Department Head or Supervisor, as appropriate, should make an effort to resolve any grievance informally before initiating formal grievance procedures. If the employee is not satisfied with the results of an informal grievance, the employee may file a formal grievance in the circumstances and timeframes set forth below. The employee, Supervisor, or Department Head may also call upon the County Manager to assist in the mediation of a grievance dispute at any point in the process.

### **1002 Overview of Grievable Actions**

An employee may file a written grievance with the applicable Department Head, Human Resources Manager, or County Manager in accordance with the process/policies contained herein. Employees should not directly or indirectly involve County Commissioners in personnel cases. A Grievance shall be defined as a claim by an employee declaring any of the following Grievable Actions:

- (a) Unsafe or unhealthy working conditions;
- (b) Unlawful discrimination;
- (c) Misapplication of County policies in violation of this Employee Handbook; or
- (d) Disciplinary action resulting in Dismissal, Demotion, or discipline-related salary reduction that was unwarranted under the circumstances or based on alleged facts or circumstances that are materially untrue.

### **1003 Actions That Are Not Grievable**

Actions that are NOT grievable include, but are not limited to, the following:

- (a) Issues which are pending or which have been concluded by other administrative or judicial procedures;

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- (b) Management's rights to assign work and/or establish work processes;
- (c) Disciplinary action that does not result in Dismissal, Demotion, or discipline-related salary reduction;
- (d) Budget allocations and expenditures and decisions relating to organizational structure, including the persons or number of persons assigned to particular jobs or units;
- (e) The content or rating of a Performance Evaluation;
- (f) The selection of an individual by the Department Head or County Manager to fill a position through Appointment, Promotion, or transfer, except when the employee can show adverse effect because of unlawful discrimination;
- (g) Any matter which is not within the jurisdiction or control of the County;
- (h) Internal security practices established by the County Manager and/or Board of Commissioners; and
- (i) Decisions, practices, resolutions or policies made or passed by the Board of Commissioners or County Manager.

## **1004 Processing of Grievances**

All Elected Officials and Department Heads are responsible for ensuring that Grievances relating to a Grievable Action are fully processed. No employee shall be retaliated against for using the County Grievance procedures. Any employee filing a Grievance shall follow the procedure outlined below, and any Grievance shall be contained in a writing signed and dated by the employee.

## **1005 Formal Grievance Procedure**

**Step 1.** An aggrieved employee shall present a signed and dated written Grievance to the applicable Department Head within fifteen (15) Business Days from the date that the Grievable Action occurs. Discussions shall be informal and for the purpose of settling the issue in the simplest and most direct manner available.

- (a) Contents of Step 1 Grievance. The Grievance shall specifically (1) identify any provisions of County policy that were misapplied and describe the manner in which the same were misapplied; (2) identify any unsafe or unhealthy working conditions and state how the same materially affect the

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employee in the workplace; (3) identify any instances of unlawful discrimination and state how the same materially affect the employee in the workplace; (4) identify any materially untrue facts or circumstances that resulted in unwarranted Dismissal, Demotion, or discipline-related salary reduction; (5) adequately set forth any other relevant facts, circumstances, and evidence pertaining to the Grievance, including but not limited to a description of any efforts to resolve the grievance informally and the results of such efforts; and (6) state the employee's requested remedy.

- (b) **Decision on Step 1 Grievance.** The Department Head shall reach a Step 1 Decision on a Grievance and communicate that decision in a signed and dated writing addressed to the employee within fifteen (15) Business Days from the date that the grievance was presented, including (1) a description of the specific charges and reasons for the adverse employment action; (2) the effective date of the adverse employment action; (3) a statement informing the employee that the employee may respond to and appeal the adverse employment action; and (4) a warning that failure to respond to the notice will result in a waiver of all further appeals. If there is no applicable Department Head, the employee shall proceed directly to Step 2 within fifteen (15) Business Days from the date of the Grievable Action.

**Step 2.** If the employee is not satisfied with the Step 1 Decision or was allowed to skip Step 1 for any reason set forth above, the employee may file a Step 2 Appeal by providing the information described below to the County Manager within fifteen (15) Business Days of the Step 1 Decision and/or within fifteen (15) Business Days from the date the Grievable Action occurred, whichever is later.

- (a) **Contents of Step 2 Appeal.** The contents of the Step 2 appeal shall include a newly signed and dated cover sheet, an attached copy of the Step 1 Appeal, and an attached copy of the Step 1 Decision.
- (b) **Review of Step 2 Grievance.** The County Manager shall review the facts of the grievance and, if appropriate, shall schedule a meeting with the employee and Department Head. The employee may represent himself or herself during the grievance process, and/or, upon advance Notice to the County Manager, retain an attorney and/or bring witnesses to testify on the employee's behalf, including County employees.
- (c) **Step 2 Decision.** After reviewing the facts of the grievance or after meeting with the affected employee, as appropriate, the County Manager shall notify the employee of the decision on the grievance within fifteen (15) Business Days from the time it was submitted to the County Manager. The County Manager will also notify the employee of the timeframe within which the employee may file a Step 3 Appeal.

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**Step 3.** If the employee is not satisfied with the Step 2 Decision and the adverse employment action either (1) resulted in Dismissal, (2) arose from an alleged illegal discriminatory practice in violation of state or federal law, or (3) was the alleged result of retaliation for good-faith efforts to blow the whistle on unlawful behavior, the employee may file a Step 3 Appeal by providing the information described below to the County Manager within five (5) Business Days of the Step 2 decision; provided, however, that if the employee was not Dismissed, the Step 3 Appeal shall proceed if and only if the employee was also subjected to a loss of employment status or a loss of income through disciplinary Suspension or Demotion.

- (a) **Contents of Step 3 Appeal.** The contents of the Step 3 appeal shall include a newly signed and dated cover sheet, an attached copy of the Step 1 Appeal, an attached copy of the Step 1 Decision, an attached copy of the Step 2 Decision, and an attached copy of any materials or documents submitted for the first time by the employee during the Step 2 Appeal.
- (b) **Determination of Whether Step 3 Appeal Can Proceed.** Upon receipt of a Step 3 Appeal, the County Manager will determine if the appeal may proceed based on the criteria set forth in Step 3 above. The County Manager shall inform the employee whether the employee's Step 3 Appeal may proceed within fifteen (15) Business Days of receipt of a timely filed Step 3 Appeal.
- (c) **Step 3 Appeal Hearing Before Personnel Hearing Officer.** If the County Manager determines that the Step 3 Appeal shall proceed, the Step 3 Appeal will be heard by a Baldwin County Personnel Hearing Officer (PHO).
- (e) **Appointment of the PHO.** The PHO will be an attorney who is a member in good standing of the State of Georgia Bar Association and is appointed by the Board of Commissioners after consultation with the County Manager, the County Attorney, and the Human Resources Manager regarding the PHO qualifications and duties. The County Manager or County Attorney will make a nomination to the Commission for appointment of one attorney as the primary PHO, and one or more alternate hearing officers may be similarly appointed in case the primary PHO is not available when needed to conduct a hearing. The PHO will be appointed by a majority vote of the entire Commission and may be removed by a majority vote of the entire Commission. The appointment will be subject to replacement or reappointment at the discretion of the Board of Commissioners.

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(e) Criteria and Burden of Proof Applicable to Step 3 Appeal. The Step 3 Appeal will be a de novo evidentiary hearing before the PHO. In hearing a Step 3 Appeal, the PHO will give proper recognition and concern to the importance of treating employees fairly, with equal recognition and concern for the efficient and effective operation of Baldwin County's local government. The PHO will exhibit mature reasoning, prudent stewardship of public funds, fairness, wise judgment, and impartiality. It will be the burden of the employee to establish by a preponderance of the evidence that the adverse action or practice in question was unwarranted and should be reversed because it: (1) resulted from a material misapplication of County policy; (2) stemmed from unlawful discrimination that materially affected the employee in the workplace; (3) resulted materially from retaliation for good-faith efforts to blow the whistle on unlawful behavior; or (4) was based on materially untrue facts or circumstances that resulted in unwarranted adverse employment action.

(f) Time of Step 3 Appeal Hearing. The County Manager or County Attorney will contact the PHO and schedule a Step 3 Appeal hearing within twenty-one (21) Business Days of the County Manager's notice to employee that the Step 3 Appeal shall proceed. The County Manager will inform the employee in writing of the date, time, and place of the hearing as soon as practicable, and not less than seven (7) days prior to such hearing.

(g) Step 3 Appeal Hearing Procedures. All Step 3 Hearings will be public hearings, during which the PHO shall serve as the presiding officer. An official transcript will be made of the hearings and made available to the employee upon request at a cost to be determined by the PHO. The proceedings shall be informal as compared to a judicial hearing, and the rules of evidence as set forth in Title 24 of the Official Code of Georgia Annotated shall not be strictly applied; provided, however, that (1) the PHO shall have discretion to consider, reference, or apply such rules of evidence to specific testimony or evidence to ensure that substantial justice is done and that all testimony or evidence admitted and considered by the PHO bears adequate indicia of reliability; (2) the PHO shall have the ability to compel attendance of witnesses; (3) all testimony presented at the hearing shall be taken under oath; (4) all parties shall have a right of cross examination; (5) each party shall have an opportunity to present an opening statement; (6) the employee will first present an opening statement, followed by the County; (7) the employee will first present all evidence, witnesses, and testimony in support of the employee's Grievance, and the County shall have a right of cross examination; (8) the County will next present all evidence, witnesses, and testimony in support of the adverse employment action, and the employee shall have a right of cross examination; and (9) each party will be given an opportunity to make

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closing arguments at the close of the County's evidence. The PHO may provide for additional procedures as necessary in the discretion of the PHO.

(h) PHO's Step 3 Appeal Decision. In reviewing the action taken by management, the PHO will compile evidence, prepare findings of facts and conclusions of law, and confirm or rescind the adverse action in question based upon (1) the Criteria and Burden of Proof Applicable to Step 3 Appeals as set forth above; and (2) the evidence and testimony admitted and considered during the Step 3 Hearing. The PHO is not authorized to substitute an alternative form of discipline; rather, the PHO may reverse decisions made by management if he or she finds the employee has met the applicable burden of proof, and any reversal will be binding upon the County. The PHO may also provide management with supplementary, non-binding observations, comments, or recommendations regarding alternative disciplinary measures for consideration by management. All decisions made by the PHO will be entered into the minutes of the PHO meeting, which will be open to inspection by the public during regular office hours.

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### **1100 Attendance, Overtime, Holidays and Leave**

Effective Date:

Revision Date:

### **1101 Hours of Work**

#### (a) Attendance

The employee is responsible for his/her attendance and is required to work the schedule assigned by the applicable Department Head. The Department Head shall be responsible for keeping attendance records for all persons in his or her department.

#### (b) Annual Period

The “Annual Period” for purposes of determining rights under this Handbook shall commence on January 1<sup>st</sup> and conclude on December 31<sup>st</sup>.

#### (c) Maximum Work Hours

The following table sets forth the maximum work hours for purposes of computing overtime. In accordance with the table, employees are not entitled to overtime compensation until the maximum work hours in the applicable work period have been exceeded.

Classification of Employee	Work Period	Maximum Hours
Fire Department	14 days	106 per period
Law Enforcement	14 days	86 per period
Other County Employees	7 days	40 per period

#### (d) Emergency On-Call Policy

Exempt and non-exempt employees may be required to be “on-call” for the purpose of responding to emergency situations. Any such emergency response generating potential on-call time shall be approved by the County Manager.

Compensable time for non-exempt employees shall begin to run immediately when the employee commences travel to the emergency on-call location. Additional emergency calls that occur while a non-exempt employee is responding to a prior emergency call will not be reimbursed as

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a separate emergency call, but is considered as a continuous event.

Exempt employees shall receive no pay in addition to their regular salary for on-call time.

(e) Time-Swapping Record Keeping

The County does not allow time-swapping or shift-swapping between employees, unless it is previously authorized by all shift Supervisors involved. Shift-swapping is the practice of trading work shifts. Time-swaps or shift-swaps without proper authorization are grounds for disciplinary action. Falsifying payroll records to show an individual is present when he is actually not present is grounds for Dismissal.

(f) Work from Home

No employee will be allowed to work from home unless approved in writing by the Department Head, Human Resources Manager, and County Manager, either at their discretion or as permitted in accordance with the Americans with Disabilities Act of 1990 (“ADA”) and the ADA Amendments Act of 2008, through the County’s reasonable accommodation program. In the event an employee is approved to work from home, the employee will be subject to all applicable County Remote Work Policies.

## **1102 Compensation for Overtime Hours Worked**

(a) Classification as Exempt or Non-Exempt

All employees will be classified as either “exempt” or “non-exempt” according to the Fair Labor Standards Act (“FLSA”) and its governing regulations. These classifications are established by the County based upon the prevailing law and the actual duties and compensation earned by each employee. The County is not required to compensate employees who are exempt under the FLSA for overtime work. In contrast, the County is obligated to compensate employees who are deemed non-exempt under the FLSA for overtime work and does so according to the FLSA and the policies set forth herein. It is the expressed intent of Baldwin County to strictly comply with the FLSA with regard to overtime payment.

(b) Approval and Recording of Overtime Hours Worked

All overtime work performed must have prior approval of the Department

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Head or County Manager. In addition, all overtime hours worked must be recorded by the employee during the pay period in which the employee performed the work. No non-exempt employee should be subjected to being requested by a Supervisor to work overtime without allowing the employee to record and receive compensation for overtime hours worked. If any employee has concerns about the overtime compensation practices occurring in his/her Department, the employee should immediately advise the Human Resources Manager or the County Manager.

(c) Rate of Overtime Compensation

Non-Exempt employees who perform overtime work shall be paid either (1) wages at the rate of one and one-half times their regular rate of pay or (2) compensatory time off in lieu of overtime payment at the rate of one and one-half times hours worked. The choice between overtime wages and compensatory time off is at the discretion of the Department Head and/or County Manager. Workers' Compensation Leave time cannot be included in the computation of overtime or compensatory time.

(d) Computation of Hours Worked for Overtime Compensation Purposes

The computation of hours worked for purposes of reaching the maximum hour threshold (as specified in Section 1101, Paragraph c above) to trigger the entitlement to overtime compensation or accrued compensatory time shall include all hours actually worked. Paid Annual Leave, other paid Leave, holiday Leave and other types of Leave shall not be included.

The overtime or compensatory time calculation for all Full-time employees with a (40) hour maximum threshold will be based on a (40) hour work week, not (8) hours per day. When an employee has to use personal, accrued overtime, or compensatory time to reach the maximum threshold of 40 hours, Personal Leave, accrued overtime, or compensatory time shall be added at the end of the (40) hour workweek, not the (8) hour day.

(e) 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 of the regular hourly rate. Part-time Employees are not authorized to perform any work in excess of their normal work scheduled in the absence of written approval by the County Manager.

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(g) Use of Accrued Overtime or Compensatory Time

Employees desiring to utilize either accrued overtime or compensatory time off must receive prior approval from their Supervisor. A Non-Exempt employee who has accrued overtime and requests use of the time must be permitted to use the time off within a reasonable period after making the request if it does not unduly disrupt the operations of the Department.

(h) Accrual of Overtime or Compensatory Time

Non-Exempt employees may accrue up to 240 hours of compensatory time. Any subsequent overtime hours after reaching the accrual cap must be compensated in wages.

All unused overtime accrued by Non-Exempt employees may be paid out at anytime, or may be carried forward as overtime to the next Annual Period. After reaching the accrual caps set forth herein, all overtime hours worked shall be compensated in wages with no option to carry such hours forward.

In the event a Non-Exempt employee is promoted to an Exempt position, all unused overtime accrued by that employee shall be paid out in wages at his/her rate of pay prior to the promotion. An Exempt employee demoted, for any reason, to a Non-Exempt position will forfeit all accrued compensatory time effective on the date of Demotion.

(i) Payment of Accrued Compensatory Time Upon Separation

All unused overtime accrued by Non-Exempt employees will be paid to the employee upon separation from employment, whether the employee is terminating his/her employment voluntarily or involuntarily.

At the time of separation, an employee shall not be entitled to remain on the County payroll to extend County benefits by using accrued overtime or compensatory time.

## **1103 Holiday Leave**

(a) Holidays Observed

It is the policy of Baldwin County that all Full-time Employees shall be eligible for the following twelve holidays each year: New Year's Day; Martin Luther King, Jr.'s Birthday; Good Friday; National Memorial Day;

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Juneteenth; Fourth of July; Labor Day; Veteran's Day; Thanksgiving Day; Friday after Thanksgiving; Christmas Eve; and Christmas Day. Any other holidays shall be upon specific authorization of the Board of Commissioners. If an observed holiday falls on a Saturday, it will generally be observed on the preceding Friday. If the holiday falls on a Sunday, it will generally be observed on the following Monday. The exception is if Christmas Eve falls on a Sunday, it shall be observed on the preceding Friday and if Christmas Day falls on a Saturday, it shall be observed on the following Monday.

(b) Holiday Pay

Employees may be required to work on observed County holidays based on operational necessity, as determined by the Department Head. Full time, non-exempt employees who are required to work shall receive the equivalent days off at another time as determined by the employee and the Department Head. At the end of the fiscal year, any remaining holiday hours that have been earned but not taken shall be paid out to the employee at the employee's current rate of pay.

Holiday leave balances must be exhausted prior to the use of annual leave.

Part-time, Temporary, and Seasonal Employees or employees on approved Leave Without Pay, Suspension Without Pay, Military Leave, and/or FMLA Leave are not entitled to holiday pay. Holiday pay cannot be added in the computation of overtime pay.

In order to qualify for holiday pay, employees are required to work the day before and the day after a holiday unless the employee is off on approved vacation or sick leave. Holidays which occur during approved vacation or sick leave shall not be charged against vacation or sick leave.

## **1104 Annual Leave**

(a) Purpose

Annual Leave is leave that is earned to be used for vacations, personal business activities, and other personal activities. Accrual of Annual Leave is an earned right. Taking Annual Leave is a privilege that must be approved by the Department Head or his/her designee. Annual leave will begin accruing after the first month of employment. During an employee's initial working test period, Annual Leave may be accrued, but an employee serving an initial working test period may not take Annual Leave.

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(b) Eligibility

Full-time Employees shall be eligible to use Annual Leave accrued as outlined below, after six (6) months of continuous service. Part-time, Temporary, and seasonal positions are not eligible for Annual Leave.

(c) Accrual of Annual Leave

- (i) Except as provided below in the following paragraph, effective September 1, 1985, eligible Full-time employees shall accrue Annual Leave as follows: During the first year of service, they shall accrue Annual Leave at the rate of  $\frac{1}{2}$  day per month (4 hours). After the first year of service, and with less than five years of service, they shall accrue leave at the rate of 1 day per month (8 hours). After five years of service, and with less than fifteen years of service, they shall accrue leave at the rate of  $1\frac{1}{2}$  days per month (12 hours). After fifteen years of service, they will accrue  $1\frac{3}{4}$  days per month (14 hours). No employee shall accumulate more than sixty (60) days of Annual Leave. No employee shall be entitled to use leave before the last day of the month.
- (ii) Employees may be compensated at their current rate of pay for a maximum of ten (10) days of accrued Annual Leave per year (80 hours), in lieu of said days off work in any calendar year. A written request must be submitted to the Department Head and said request will be processed with the next regular payroll. Payments for leave will not be made for less than five (5) days or more than ten (10) days in any calendar year. No employee shall receive pay for Annual Leave in lieu of said days off from work if the employee's accrued Annual Leave balance will be less than five (5) days after the payment for leave is deducted from the leave balance.
- (iii) At the time of Dismissal, Resignation, retirement or death while employed with Baldwin County, all accumulated Annual Leave will be paid to the employee or his/her estate; provided, however, that all uniforms and equipment issued by the County have been returned and no outstanding liabilities or debts remain.

(d) Approval and Posting of Annual Leave

All Annual Leave must be requested and approved by the Department Head or his/her designee. Annual Leave assignments will be made in accordance with preference of the employee where possible. However, Annual Leave

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may be taken only after approval by the appropriate Department Head so that, insofar as practicable, the department can function without hiring of additional temporary help.

(e) Periods of Leave

Annual Leave taken by an employee is charged to the employee's records on an hourly basis. An employee who is absent on Annual Leave for a day shall be charged for the number of hours normally scheduled for work on that day. Annual Leave may be taken for periods of not less than two hours. Time taken for less than two hours shall be taken without pay and may receive administrative review. Employees are not allowed to take leave for more than two (2) consecutive weeks (either Annual Leave, Sick Leave, or a combination of both), unless approved by the Department Head and the County Manager.

(f) Chargeable Annual Leave

Employees are charged with Annual Leave for absences only on days which they would otherwise work and receive pay. No charge is made against Annual Leave for absence on official holidays and other non-Workdays, unless the employee is scheduled to work.

(g) Emergencies

Employees on Annual Leave are subject to recall in cases of emergencies.

(h) Maximum Allowance

Annual Leave accrual begins January 1 of each year. Vacation/Annual Leave may be carried over past December 31 of each calendar year into the next calendar year and accumulated in accordance with Section 1104(c) Rate of Accrual.

## **1105 Sick Leave**

(a) Purpose/Permitted Use

Eligible employees may use accrued Sick Leave for a personal illness or disability, or for an illness or disability of a dependent child or Immediate Family member in need of continuous short-term care.

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### (b) Eligibility

Full-time Employees shall accrue Sick Leave upon completion of six (6) months of continuous service. Part-time, Temporary, and seasonal positions are not eligible for Sick Leave.

### (c) Rate of Accrual

After six (6) months of continuous service, eligible employees shall accrue Sick Leave at the rate of one of one-fourth (1  $\frac{1}{4}$ ) days per month (10 hours), up to a maximum of fifteen (15) days per year. No employee shall accumulate more than ninety (90) days of Sick Leave. No employee shall be entitled to receive leave before the leave is earned. Sick Leave shall not be earned or accrued before the last day of the month.

### (d) Approval of Sick Leave

Sick Leave requires approval of the Department Head or his/her designee. Sick Leave is not considered a right which an employee may use at discretion, but a privilege not to be abused.

### (e) Certification by Physician

A medical certificate signed by a licensed physician may be required by the Department Head, County Manager, or Human Resources Manager to substantiate a request for Sick Leave for the following reasons:

- A. Any period of absence consisting of three or more consecutive Workdays.
- B. To support a request for Sick Leave during a period when the employee is on Annual Leave.
- C. Leave of any duration, if absence from duty recurs frequently or habitually, provided the employee has been notified or warned that a certificate will be required.

### (f) Reporting of Sick Leave

The employee should report any Sick Leave absence prior to his or her scheduled work time if possible, and if not, the employee shall see that his or her absence is reported no later than the scheduled time for the employee to begin work on the day of absence.

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Where an employee is employed in a Department that must provide twenty-four hours sustained service, the employee must report the absence two (2) hours before the designated reporting time, unless otherwise required by the Departmental SOP or rules. In the event of failure of compliance with this Section, the employee may be charged on the payroll with Leave without pay and it will be a disciplinary matter. The method of notification of absences pursuant to this Section may be varied at the discretion of the applicable Department Head, which method or notification should be clearly communicated to the employees of the Department.

(g) Chargeable Sick Leave

Employees are charged with Sick Leave for absences only on days which they would otherwise work and receive pay. No charge is made against Sick Leave for absence on official holidays and other non-Workdays, unless the employee is scheduled to work.

(h) Annual Leave Substituted for Sick Leave

If an employee has used up the employee's allotment of Sick Leave, the employee may substitute accrued Annual Leave in case of further sickness at the discretion of the Department Head or his/her designee. Employees are not permitted to take leave for more than two (2) consecutive weeks (Annual Leave, Sick Leave, or a combination of both), unless approved by the Department Head and the County Manager.

(i) Banking of Sick Leave

An employee who has accumulated more than the allowed ninety (90) days Sick Leave may bank unused accrued Sick Leave ("Banked Sick Leave") toward retirement as provided herein, or may receive payment for same, as provided herein.

Upon normal retirement, Employees with less than twenty (20) years of service on the adoption date of this amended Handbook shall be paid Banked Sick Leave, up to six (6) months (1040 hours), at the same rate as the employee's current salary.

(j) Forfeiture of Sick Leave

An employee who separates from the County service shall forfeit all unused Sick Leave and no employee shall be paid for unused Sick Leave, except in the case of retirement as discussed herein.

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### **1106 Workers' Compensation Leave for On-the-Job Injury**

(a) Reporting Injury, Drug Test, and Exam

An employee who sustains an injury on-the-job must, at the time of the injury, notify his/her Supervisor on the forms prepared and maintained by the Human Resources Department. The employee must also immediately submit to a drug test. The employee must, upon request, submit a physician's statement, from a physician who is listed on the Workers' Compensation approved Panel of Physicians (the "Authorized Treating Physician"), to the effect that the injury will prevent the employee from performing his or her regular duties. The County shall reserve the right to refuse payment of medical services for any employee examined by a physician not listed on the Workers' Compensation approved Panel of Physicians. The only **exception** would be when the on-the-job injury requires prompt emergency care. In such cases the initial emergency treatment may be done at the emergency medical facility. However, once the emergency is over all related follow-up testing and/or treatment shall be performed by an approved Panel physician.

(b) Compensation

If the injury necessitates an employee's absence from work as certified by the Authorized Treating Physician, he or she shall receive the regular rate of pay for a maximum of seven Working Days. The County's Workers' Compensation Insurance Carrier shall determine if the employee is eligible for further compensation. However, employees may at no time receive Workers' Compensation income benefits and paid Leave benefits in excess of their average weekly wage as determined by O.C.G.A. § 34-9-260.

An employee qualifying for Workers' Compensation Leave must run any FMLA Leave concurrently with that of all concurrent and/or intermittent Workers' Compensation Leave.

(c) Supplemental Pay

An employee who is injured at work and is entitled to Worker's Compensation in accordance with the laws of the State of Georgia, the County shall supplement his or her Worker's Compensation payments in the following manner:

1. The employee shall be placed on sick leave for the first week of absence.

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2. The employee shall have his/her Workers' Compensation payment supplemented up to the full amount of his/her average weekly wage as defined under O.C.G.A. § 34-9-260, from his/her Sick and Annual Leave accounts. Once he/she no longer has any accrued Sick or Annual Leave time remaining, the workers' compensation payment will no longer be supplemented.
3. The Department Head shall require the employee to provide periodic reports from the employee's physician to verify that the employee is unable to report to work.

(d) Pay for Doctor Visits

An employee that is injured on-the job and returns to light-duty work shall be paid time-off for physician visits. A medical note from the employee's Authorized Treating Physician must be presented to the Department Head and forwarded to Human Resources.

(e) Leave Accrual and Policies

An employee on Workers' Compensation Leave shall continue to accrue Annual Leave until such time the Authorized Treating Physician returns the employee to work. Workers' Compensation Leave must run concurrently with Family Medical Leave.

(f) Return to Work Program

Employees are returned to their regular job when the Authorized Treating Physician releases the employee to return to work. It is the policy of Baldwin County to provide and establish a return to work policy and procedure, whenever possible, for employees with work-related injuries and illnesses who are unable, temporarily and permanently, to return to their permanent job duties. No employee is guaranteed light duty work. Considerations are based upon work available, skills of the employee, and the extent of the physical restrictions.

Baldwin County recognizes that employees are a valued and limited resource. Where possible, this program is designated to:

- (i) Assist the medical recovery process by providing a focus and a goal for return of the injured employee;
- (ii) Benefit employees by allowing them to return to full wages as soon as possible; and

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(iii) Benefit employer by reducing Workers' Compensation costs.

Baldwin County will seek return to work opportunities through the use of transitional employment for all employees who are temporarily disabled due to an on-the-job injury. Transitional employment opportunities will be considered in all Departments, not just the Department in which the injured employee was working before the injury or illness occurred. Transitional employment assignments are intended to assist workers who are transitioning back to work after a temporary disability that resulted from a work-related injury. All transitional employment duties must be productive. Duties must never be demeaning or appear worthless in any way.

Baldwin County, through their reasonable accommodation program, will make efforts to retain employees who are disabled as defined by the Americans with Disabilities Act of 1990 and the ADA Amendments Act of 2008.

### **1107 Military Leave**

An employee who is a member of the National Guard and Reserves, an organized military reserve of the United States, or any employee who is otherwise engaged in the performance of military duty, will be allowed Leaves of Absence with pay not to exceed eighteen (18) Working Days during any calendar year to attend training camps upon presentation of orders pursuant to such training. In the event the governor declares an emergency and orders any employee to state active duty as a member of the National Guard, the employee shall receive pay for a period not exceeding thirty (30) days. Such Leaves shall not be charged to Annual Leave and may be intermittent in nature.

In addition, any employee who is called up to active duty in any branch of the military service of the United States will be allowed Leaves of Absence and maintenance of rights and benefits consistent with state and federal law upon presentation of orders pursuant to such active duty.

All Military Leave time shall be counted towards all seniority rights and towards eligibility of FMLA Leave.

Baldwin County shall comply with the applicable State of Georgia law and federal law for public employees concerning Military Leave. Employees must comply with the same laws when he or she seeks to return to work following military service.

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An employee who has engaged in military service must, in order to be entitled to the reemployment rights set forth in federal and state law, submit an application for reemployment according to the following schedule:

1. *If service is for 30 days or less (or for the purpose of taking an Examination to determine fitness for service)* – the employee must report for reemployment at the beginning of the first full regularly scheduled working period on the first calendar day following completion of service, after taking into account time for safe transportation back to the employee's residence plus the expiration of eight hours for rest.
2. *If service is for 31 days or more, but less than 181 days* – the employee must submit an application for reemployment with Human Resources no later than fourteen (14) days following the completion of service.
3. *If service is for more than 180 days* – the employee must submit an application for reemployment with Human Resources no later than ninety (90) days following the completion of service.
4. *If the employee is hospitalized or convalescing from a service-connected injury* – the employee must submit an application for reemployment with Human Resources no later than two years following completion of service.

### **1108 Civil/Jury Leave**

An employee shall be given necessary time off without loss of pay when performing jury duty or when required by subpoena to be a witness in a legal proceeding, provided such call to duty is reported in advance to the individual's Department Head. Civil Leave pursuant to this Section shall not be charged to Annual Leave.

An employee who is required to perform jury duty or who is required to be a witness in a legal proceeding pursuant to subpoena is obligated to specifically utilize his/her best efforts to minimize the time spent away from work and to request an on-call arrangement for appearance in response to a subpoena. Employees dismissed early from jury duty or released from a subpoena with reasonable hours remaining in the Workday are required to return to work for the completion of the Workday. Failure to do so could result in the employee not being paid by the County for those remaining hours.

Notwithstanding the foregoing, an employee shall not be granted Civil Leave for any case or proceeding in which the employee is a litigant, defendant, or other principle party, or if the employee has any other personal or familiar interest in the proceeding, outside the scope of employment. In addition, an employee shall not be granted Civil Leave for any case in which the employee is charged with a crime.

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The employee seeking Civil Leave must submit to the applicable Department Head a copy of the subpoena, summons for jury duty, or other court order or process as a pre-requisite for approval of Civil Leave. Appropriate certification and service is also required.

An employee shall not be discharged, disciplined, threatened, or otherwise penalized because the employee's absence is for the purpose of a judicial proceeding in response to a subpoena, summons for jury duty, or other court order or process that requires the employee's attendance at the judicial proceeding.

### **1109 Maternity Leave**

Maternity Leave is afforded to employees pursuant to, and governed by, the provisions of the Family and Medical Leave Act ("FMLA") and those provisions set forth in the following Section. Maternity Leave shall be granted to employees upon written request filed by the employee at least ten regularly scheduled Working Days prior to the effective date (unless emergency conditions prohibit the filing of such prior Notice, in which case, it shall be filed as soon as possible). Time for beginning Maternity Leave shall be when the employee, with the approval of her doctor, deems she is no longer able to carry out the duties and responsibilities of her position. Time for termination of Maternity Leave shall be governed by the FMLA when applicable time provided thereunder has elapsed. An employee on Maternity Leave must utilize any available Paid Leave during any period of Maternity Leave to run concurrent with the FMLA Leave. Upon expiration of any paid Leave, the remainder of FMLA Leave, if any, shall be unpaid.

Baldwin County will seek to provide modified duty work assignments for all pregnant employees who are temporarily unable to perform their job duties due to pregnancy. Modified duty employment opportunities will be considered in all Departments, not just the Department in which the pregnant employee was working before she requests a light duty assignment.

Modified duty employment opportunities are intended to assist pregnant workers who are temporarily not able to perform their normal job duties. All modified duty assignments will be productive. Duties must never be demeaning or appear worthless in any way.

Baldwin County, through their reasonable accommodation program, will make efforts to retain pregnant employees who need temporary modified duty in accordance with the Pregnancy Discrimination Act of 1987.

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### **1110 Family and Medical Leave**

#### **(a) Statement of Policy**

Pursuant to the Family and Medical Leave Act (“FMLA”), 29 U.S.C. § 2601, *et seq.*, employees may be eligible to take up to twelve (12) weeks (or up to twenty-six (26) weeks of Military Caregiver Leave to care for a covered servicemember with a serious injury or illness) of unpaid Leave during any twelve month period for one or more of the following:

- (i) The birth, adoption or placement of a child;
- (ii) The serious medical condition of a parent, spouse, or child;
- (iii) A serious health condition that makes the employee unable to perform the essential functions of his or her job to include qualified injuries or illnesses that existed prior to military active duty and were aggravated by service while on active duty in the Armed Forces;
- (iv) Qualifying Exigency Leave is available to eligible employees who are family members of a covered military member to take FMLA Leave to address the most common issues that arise when a covered military member is on covered active duty or called to covered active duty; or
- (v) Military Caregiver Leave is available to eligible employees (defined as the spouse, son, daughter, parent, or next of kin of an injured or ill servicemember or veteran) to care for the covered servicemember. Eligible employees are entitled to twenty-six work weeks of Leave during a single twelve month period to care for a covered servicemember with a serious injury or illness.

#### **(b) Rolling Twelve Month Period**

For purposes of this Section, a “twelve-month period” means a rolling twelve months measured backward from the date the employee uses any FMLA Leave. If the policies set forth in this Handbook conflict or come into conflict with the FMLA as it presently exists or is amended from time to time, the provisions contained in the FMLA shall control.

#### **(c) Eligibility**

Eligible employees as defined by the FMLA shall be entitled to Leave,

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provided such Leave is within the conditions and limitations provided in the FMLA.

(d) **Request for Leave**

It shall be the responsibility of the employee to ensure that the appropriate forms required by the Human Resources Manager are timely submitted to the Human Resources Manager or his/her designee in order to request Leave pursuant to the FMLA. Failure to submit an application and required supporting documentation for Leave pursuant to the FMLA within a reasonable period of time prior to the requested effective date of the Leave, when the reason for the Leave is foreseeable, may constitute grounds for denial of the request. Upon receipt of a request for Leave and a completed medical certificate pursuant to the FMLA, the Human Resources Manager shall respond in writing with approval or denial of the Leave within three Working Days. An approval should specify the terms and conditions of the Leave. If a request is denied in whole or in part, the response of the Human Resources Manager will specify the reasons for the denial and shall include a Notice of the right to appeal consistent with this Section.

(e) **Concurrent Utilization of Paid Leave**

An employee requesting Leave pursuant to the FMLA is required to utilize all accrued Annual Leave available as part of the twelve week (or twenty-six workweeks to care for an injured or ill servicemember over a twelve month period) Leave period. If the available paid Leave for the employee is less than twelve working weeks, the additional weeks of Leave necessary to obtain the twelve work weeks of Leave available under the FMLA shall be provided without compensation. In any event, any combination of Annual Leave, and/or unpaid Family and Medical Leave shall not exceed twelve weeks. However, Family and Medical Leave to care for an injured or ill servicemember shall not exceed twenty-six weeks over a twelve month period. Annual Leave must be used concurrently with FMLA Leave. FMLA requests will be retroactively dated to the beginning of the current Annual Leave in the event that the paid Leave is commenced prior to the request for FMLA Leave.

(f) **Concurrent Workers' Compensation and FMLA Leave**

An employee qualifying for Workers' Compensation Leave must run any requested FMLA Leave concurrently with that of all concurrent and/or intermittent Workers' Compensation Leave.

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(g) Intermittent Leave or Reduced Schedule Leave

Leave for childbirth, adoption, or foster care may not be taken intermittently or on a reduced schedule. Leave for a serious health condition of a qualifying family member (parent, spouse, child) or of the employee may not be taken on an intermittent basis or on a reduced Leave schedule, unless medically necessary. The taking of any Leave intermittently or on a reduced schedule basis shall reduce the total amount of FMLA Leave that has been approved for the eligible employee according to the actual hours of Leave taken. For example, if an eligible employee takes ten hours of Leave intermittently over twenty Business Days, the employee's bank of available FMLA Leave will be reduced only by ten hours and not by twenty days.

If an eligible employee requests intermittent or reduced schedule Leave that is foreseeable based on planned medical treatment, the Human Resources Manager may require the employee to transfer temporarily to an available equivalent position for which the employee is qualified that better accommodates recurring periods of absence.

(h) Spouses Employed by Same Employer

In any occasion in which both spouses in a married couple are eligible for Leave under the FMLA and both are employed by Baldwin County, the aggregate number of work weeks of Leave to which both may be entitled may be limited to twelve work weeks during any twelve month rolling period, in the case where Leave is taken for childbirth, adoption, foster care, or to care for a sick parent (as "parent" is defined at 29 C.F.R. § 825.122(c)).

In any occasion in which both spouses in a married couple are eligible for Leave under the FMLA and both are employed by Baldwin County, the aggregate number of work weeks of Leave to which both may be entitled will be limited to twenty-six work weeks during any twelve month rolling period, in the case where Leave is taken to care for a covered injured or ill service member.

(i) Foreseeable Leave

In any case in which the necessity for Leave under the FMLA is foreseeable, the employee shall provide the Human Resources Manager with written application for the requested Leave and certification no less than thirty (30) days before the date the Leave is to begin, with the exception of Maternity Leave which will be granted to employees upon written request filed by the employee at least ten regularly scheduled Working Days prior to the effective date (unless emergency conditions prohibit the filing of such prior

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Notice, in which case, it shall be filed as soon as possible).

In a case where the necessity for Leave is based on planned medical treatment, the employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the County, subject to the approval of the health care provider and shall provide the Human Resources Manager with at least thirty days Notice before the date the Leave is to begin, except that if the date of the treatment requires Leave to begin in less than thirty days, the employee shall provide such Notice as soon as is practicable.

(j) Certification of Serious Health Conditions

An eligible employee who requests Leave for a serious health condition of the employee or a qualifying family member shall submit certification from an appropriate health care provider to the Human Resources Manager when requesting Leave.

Certification shall be sufficient if it states:

- (i) the date on which the serious health condition commenced;
- (ii) the probable duration of the treatment or condition;
- (iii) the appropriate medical facts within the health care provider's knowledge; and
- (iv) the estimated amount of time the employee needs to care for the qualifying family member or a statement of the extent to which the employee is unable to perform the essential functions of the employee's position.

(k) Certification of Serious Health Conditions-Intermittent Leave

An eligible employee who requests intermittent Leave for a serious health condition of the employee or a qualifying family member shall submit certification from an appropriate health care provider to the Human Resources Manager when requesting Leave.

Certification shall be sufficient if it states:

- (i) If an employee requests Leave on an intermittent or reduced schedule basis for planned medical treatment of the employee's or a covered family member's serious health condition, information

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sufficient to establish the medical necessity for such intermittent or reduced schedule Leave and an estimate of the dates and duration of such treatments and any periods of recovery;

- (ii) If an employee requests Leave on an intermittent or reduced schedule basis for the employee's serious health condition, including pregnancy, that may result in unforeseeable episodes of incapacity, information sufficient to establish the medical necessity for such intermittent or reduced schedule Leave and an estimate of the frequency and duration of the episodes of incapacity; and
- (iii) If an employee requests Leave on an intermittent or reduced schedule basis to care for a covered family member with a serious health condition, a statement that such Leave is medically necessary to care for the family member, as described in 29 C.F.R. §§ 825.124 and 825.203(b), which can include assisting in the family member's recovery, and an estimate of the frequency and duration of the required Leave.

(l) Certification of Qualifying Exigency for Military Family Leave

Baldwin County requires certification of the qualifying exigency for Military Family Leave. The employee must respond to such a request within fifteen days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of Leave. This certification will be provided using the United States Department of Labor Certification of Qualifying Exigency for Military Family Leave.

(m) Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave

Baldwin County requires certification for the serious injury or illness of a covered servicemember. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of Leave. This certification will be provided using the United States Department of Labor Certification for Serious Injury or Illness of Covered Servicemember.

(n) Accruals and Benefits during FMLA Leave

An employee on unpaid FMLA Leave shall not be entitled to the accrual of any seniority or employment benefits during the period of unpaid FMLA

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Leave, including but not limited to, the accrual of Annual Leave. The employee, while on paid FMLA Leave, is entitled to accrue Annual Leave during the periods of paid FMLA Leave. For the purposes of pension or retirement plans, any period of FMLA Leave will be treated as Continuous Service for the purposes of vesting and eligibility to participate.

FMLA time will not be counted as part of an employee's working test period, but will be added to the remaining working test period, extending the ending date of the working test period.

During any period of Leave, Baldwin County will maintain any health insurance provided by Baldwin County to the employee for the duration of the Leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such Leave. If, however, the employee fails to return from Leave after the period of Leave to which the employee is entitled has expired and the employee fails to return for a reason other than the continuation, recurrence, or on-set of a serious health condition or other conditions beyond the control of the employee, Baldwin County may recover the premium(s) that the County may have paid for maintaining coverage for the employee during the period of Leave. If the employee is unable to return to work because of the continuation, recurrence, or on-set of a serious health condition, the Human Resources Manager may require that the employee provide a certification of such circumstance.

During any period of Leave, Baldwin County will continue to make available to the employee coverage for health insurance for dependents and other supplemental insurance, provided however, that the employee pays all premiums owed on a monthly basis. Failure to pay such premiums on a timely basis each month will result in coverage for health insurance for dependents and supplemental insurance being terminated. Employees will be required to execute a form with the Human Resources Department identifying the premiums for which the employee is responsible prior to the commencement of the Leave.

None of the above and foregoing limits the accrual of seniority or Annual Leave time for those on Workers' Compensation Leave that runs concurrently with FMLA Leave.

(o) Return to Duty from FMLA Leave

As a condition for return to duty, the employee may be required to provide certification from the employee's health care provider that the employee is able to resume work. Upon expiration of the period of Leave pursuant to

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the FMLA, the employee shall be returned to his/her former position or a position of equal Grade and pay, provided that the employee has complied with the terms of the Leave and reported for return of duty at the appropriate time. While the employee shall be restored to a position of employment without loss of employment benefits accrued prior to the date on which the Leave commenced, the employee shall have no greater rights than those in effect prior to the commencement of the Leave.

### **1111 Leave Without Pay**

When it is deemed in the best interest of the County, a permanent status employee who has been employed by the County for a minimum of one year may, upon written application to his/her Department Head and the County Manager, and approval therefrom, obtain a continuous Leave of Absence without pay for a period of time not to exceed six (6) months. An application for a Leave of Absence shall be submitted in writing by the employee to the applicable Department Head, Human Resources Manager, and to the County Manager, showing the employee's reason for requesting such Leave, a statement that the employee intends to return to Baldwin County employment upon expiration of such Leave, a statement that the employee will not otherwise become employed during the period of the Leave, and a statement that the employee otherwise agrees to the terms and conditions as outlined in this Handbook. Approval of a request for a Leave of Absence is within the sole discretion of the applicable Department Head, pending final approval by the County Manager. A Notice of approval/denial of the request for a Leave of Absence shall be provided to the employee by the County Manager and shall contain the terms and conditions of the approval or reasons for denial. Non-permanent employees are not eligible for Leaves of Absence.

During the employee's approved Leave of Absence, the position may be filled on a temporary basis. At the expiration of the Leave, the employee shall be reinstated to the former position or to a position of equal Grade and pay without loss of any rights, provided the employee returns within the terms of the Leave granted and provided that such a position is available. Once a Leave of Absence is approved, the employee may request reinstatement earlier than the time for which the Leave of Absence was approved. Such request for early reinstatement may or may not be granted. In any event, an employee will not be entitled to accrue any employment benefits during the period of the Leave. Specifically, an employee shall not be entitled to accrue Annual Leave, Sick Leave, or credit towards any available merit increases during the period of any Leave of Absence. In addition, an employee is not entitled to continued contributions to Baldwin County's Retirement plan. If an employee is on an approved Leave of Absence, the employee may retain his/her personal health insurance benefits as long as the employee continues to pay his/her portion of the premium costs at the time and in the manner required by the County. If an employee on approved Leave wishes to continue health insurance coverage for any dependents, the employee is responsible for making the requisite premium payments at the

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time and in the manner required by the County.

Upon approval of an employee's Leave of Absence, the employee will be required to turn in all County equipment, including, but not limited to, all County identification badges, keys, telephones, punch cards, and any other County documentation or property.

An employee while on an authorized Leave of Absence, who becomes employed in any capacity elsewhere, is required to notify his or her Department Head in writing within three (3) days of accepting such employment. It shall be at the discretion of the Department Head whether to immediately terminate an employee who becomes employed elsewhere during a Leave of Absence.

### **1112 Voting Leave**

The County encourages employees to vote in all local, state, and national primary and general elections for which the employee is qualified and registered to vote. Federal regulations now provide for advance voting during the week prior to each election, and employees are encouraged to take advantage of advance voting so that the County is not overburdened with absences on Election Day. Employees may contact the Elections Department regarding the location of polls for purposes of advance voting.

Each employee may, upon at least twenty-four hours prior Notice to his/her Supervisor, take necessary time off from employment without loss of pay to vote in any municipal, county, state, or federal primary or election for which the employee is qualified and registered to vote. Such time off to vote shall not exceed two hours. However, if the hours of work of the employee commences at least two hours after the opening of the polls or ends at least two hours prior to the closing of the polls, an employee is not entitled to any time off pursuant to this Section. For example, if voting polls are open from 7:00 a.m. until 7:00 p.m., and an employee works from 9:00 a.m. until 5:00 p.m., the employee should require no time off to vote. Any time off taken to vote pursuant to this Section must be approved by the applicable Supervisor and will not be charged against the employee's Annual Leave.

### **1113 Request for Leave to Observe Religious Holidays**

An employee, upon request to the applicable Department Head at least seven days in advance shall be given priority consideration for Leave from work for observance of religious holidays not already provided for as a holiday. Any paid Leave for such religious holiday observance shall be charged to accrued Annual Leave as available to the employee at the time of the holiday observance. A request by an employee for time away from work to observe religious holidays shall not be denied, unless the duties performed by the employee are urgently required and the employee, in the judgment of the applicable

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Department Head, is the only person available who can perform the duties. However, a request by an employee for time away from work to observe a religious holiday may be denied if the employee does not have enough accrued Annual Leave to accommodate the Leave request or an undue hardship would in fact result from granting such request.

### **1114 Administrative Leave**

The County Manager or the Human Resources Manager, at the direction of the County Manager or their respective designee, with notification to the Human Resources Manager and Department Head, may place an employee on Paid Administrative Leave when an employee is being investigated by Baldwin County for possible misconduct or by a law enforcement agency for possible violation of a criminal law or in any instance where it is considered to be in the interest of Baldwin County and/or the employee.

Administrative Leave shall be with pay. Every effort shall be made to complete the investigation within an initial ten (10) Working day Administrative Leave period. At the expiration of the initial ten-day period, if the investigation has not been completed, the Administrative Leave may be extended for an additional ten (10) Working days upon written notification to the Human Resources Department by the official who placed the employee on Administrative Leave. At the conclusion of the twenty-day Administrative Leave period, if the investigation has still not been concluded, an extension may be considered or the employee may be terminated or reinstated.

The purposes of Administrative Leave are to provide an investigatory opportunity and/or to relieve the employee of his/her duties when it is deemed in the best interest of the County and the employee. Designation of the Leave as "Administrative Leave" is to prevent any possible stigma against an employee during a period of Administrative Leave. Notice of the conclusion of the Administrative Leave period shall be provided in writing to the employee by the applicable Supervisory official with copies of the written Notice provided to the Human Resources Manager. Upon conclusion of the Administrative Leave period, and provided that no disciplinary action is taken as a result of the Administrative Leave period, the employee's personnel file shall be documented to reflect that the investigation concluded favorably for the employee.

### **1115 Leave Due to County Office Closure**

In the event of hazardous weather, or other occurrence resulting in the closure of the County offices as approved by the County Manager, employees who are scheduled to work during the period for which the County is officially closed will be paid. Full-time Employees shall be paid closure pay according to hours worked in their regularly scheduled shifts. Part-time, temporary, and Seasonal Employees shall not be paid.

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If questionable weather exists, but the County is open for business, employees should make their own independent safety determinations concerning travel to work. If the employee elects not to attend work due to safety concerns when the County is open for business, the employee's absence will be charged against any accrued Annual Leave. If no such accrued Leave exists, the employee will not be compensated. Public safety and Fire Suppression employees are expected to monitor weather conditions and report to work as scheduled.

### **1116 Funeral Leave**

Leave with pay may be granted to any employee in the event of a death in the employee's Immediate Family. Funeral Leave may be granted at the maximum of up to five (5) working days. Immediate Family for purposes of this section shall include the employee's spouse, child, step-child, parent, step-parent, parent-in-law, brother, sister, brother-in-law, sister-in-law, grandchild, grandparent, spouse's grandparent, son-in-law, daughter-in-law or any other relative who resides in the employee's household. Such Funeral Leave shall not be charged to Annual Leave, even if the employee has been absent from work to care for the deceased family member pursuant to the Family Medical Leave Act. Additional requests for Funeral Leave other than specified herein shall be deducted from Annual Leave.

The employee is charged with the responsibility of verbally requesting Funeral Leave directly from his/her Department Head. The decision to grant Funeral Leave and the number of days granted, up to the maximum, rests with the Department Head. The Department Head may also request supporting documentation to justify the amount of time that has been approved, such as a funeral announcement.

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### **1200 Workplace Harassment**

Effective Date:

Revision Date:

### **1201 Prohibited Harassment**

#### (a) Discriminatory Harassment

It is Baldwin County's policy to maintain a working environment free of any and all harassment, including harassment based on a person's race, color, national origin, religion, sex/gender, disability, age, veteran status, citizenship, sexual orientation, genetic information, uniformed service status, sexual orientation, gender identity, transgendered status, pregnancy, childbirth, or related medical conditions or other protected group status. To assist in preventing or eliminating any such unwelcome harassment, Baldwin County will not tolerate any form of harassment or unlawful discrimination by or against its employees, Supervisors, and Elected Officials/Department Heads.

All employees, Supervisors, and Elected Officials/Department Heads are expected to avoid any behavior or conduct that could reasonably be interpreted as harassment. Any form of harassment related to an individual's race, color, national origin, religion, sex/gender, disability, age, veteran status, citizenship, sexual orientation, genetic information, uniformed service status, sexual orientation, gender identity, transgendered status, pregnancy, childbirth, or related medical conditions or other protected group status, is a violation of this Chapter and will be treated as a disciplinary matter. For purposes of this Chapter, the term "discriminatory harassment" shall be construed consistent with applicable law and may include, but is not limited to, any of the following:

- (i) Offensive remarks, comments, jokes or slurs pertaining to an individual's race, color, national origin, religion, sex/gender, disability, age, veteran status, citizenship, sexual orientation, or genetic information, uniformed service status, sexual orientation, gender identity, transgendered status, pregnancy, childbirth, or related medical conditions other protected group status;
- (ii) Offensive pictures, drawings, posters, photographs, reading materials, computer monitors, or other tangible items, or communications including e-mail, that are reasonably offensive or that reasonably exploit an individual's race, color, national origin, religion, sex/gender, disability, age, veteran status, citizenship,

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sexual orientation, genetic information, uniformed service status, sexual orientation, gender identity, transgendered status, pregnancy, childbirth, or related medical conditions or other protected group status;

- (iii) Threatening reprisals based on an employee's race, color, national origin, religion, sex/gender, disability, age, veteran status, citizenship, sexual orientation, genetic information, uniformed service status, sexual orientation, gender identity, transgendered status, pregnancy, childbirth, or related medical conditions or other protected group status; or
- (iv) Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance and/or conduct that creates an intimidating, hostile or offensive working environment.

### **(b) Sexual Harassment**

Sexual harassment is a form of harassment and will be treated in accordance with the express terms of this Chapter. Sexual harassment is unwelcome conduct of a sexual nature when:

- (i) Submission to such conduct is made, either explicitly or implicitly, a term or condition of employment;
- (ii) Submission to or rejection of such conduct is used, either in part or in full, as the basis for employment decisions; or
- (iii) The conduct has the purpose or the effect of unreasonably interfering with the individual's job performance or when such conduct creates an intimidating, hostile, or offensive working environment.

For purposes of this Chapter, the term "sexual harassment" shall be construed consistent with applicable law and may include, but is not limited to, any of the following:

- (i) Sexual assaults, including rape and molestation, or attempts or threats to commit such acts;
- (ii) Unwanted intentional physical contact of a sexual or suggestive nature, such as touching, pinching, patting, grabbing, kissing, brushing, or poking of another person's body regardless of the gender of the individuals involved;

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- (iii) Offensive sexual remarks, sexual advances or requests for sexual favors regardless of the gender of the individuals involved;
- (iv) Threatening reprisals for an employee's refusal to respond to requests for sexual favors;
- (v) Disciplining or retaliating against any individual in any way because he or she has resisted, reported or complained about sexual harassment;
- (vi) Preferential treatment, or the promise of preferential treatment, for engaging in sexual conduct;
- (vii) Offensive pictures, drawings, posters, reading materials, calendars, photographs or other physical objects, or communications, including e-mail, that are sexually suggestive, sexually demeaning or pornographic;
- (viii) Any conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an individual's work performance and/or conduct that creates an intimidating, hostile or offensive working environment; or
- (ix) Suggesting or inferring to any employee, Supervisor, Elected Official/Department Head (or Applicant for any such position) that his or her employment, advancement, or treatment will be affected in any way by entering into (or refusing to enter into) any form of personal or sexual relationship.

### **1202 Application to all Employees, Supervisors, Elected Officials/Department Heads**

All employees, Supervisors, and Elected Officials/Department Heads are subject to the terms and provisions of this Chapter, and are to avoid any behavior or conduct that could be interpreted as discriminatory or sexual harassment as set forth above. All employees, Supervisors, and Elected Officials/Department Heads have a responsibility to inform an individual whenever the individual's behavior is unwelcome, offensive, in poor taste, or inappropriate and to report harassment as set forth herein.

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### **1203 Reporting Harassment**

(a) Officials to Whom Complaints Shall Be Made

Incidents interpreted by any individual to be in violation of this Chapter should be brought to the attention of the individual's Supervisor or to the attention of the applicable Department Head or to the Human Resources Manager, depending on to whomever the employee feels most comfortable reporting. Any individual who has not personally experienced conduct prohibited by this Chapter, but who believes that such conduct has occurred, shall report that information to the applicable Department Head or to the Human Resources Manager.

(b) Investigation of Harassment Complaints

(i) Investigation will be as timely and as confidential as possible

Incidents reported by anyone pursuant to this Chapter will be handled in a timely manner, and as confidentially as possible. Due to the nature of the investigation process, however, Baldwin County cannot guarantee confidentiality. Information reported by any individual pursuant to this Chapter will not be unnecessarily released to third parties or to any person not involved in the investigation or involved in the conduct forming the basis of the complaint. Upon conclusion of the investigation, any such information will only be released to the extent required by law. No person involved in the investigation shall discuss the complaint or investigation with any person outside of the investigation process. This provision is intended to protect the confidentiality of anyone who files a complaint, to encourage the reporting of all incidents of harassment, and to ensure the fair treatment of all parties involved.

(ii) Investigation by duly appointed agent

Upon receiving a complaint of harassment pursuant to this policy, Baldwin County will conduct an investigation into the allegations. The investigation will be conducted by the Human Resources Manager, unless an alternate arrangement has been made with the applicable Department Head. If the complaint involves an individual in the Human Resources Department, the investigation shall be conducted by the County Manager or his/her designee. If the complaint involves an elected official or the County Manager, the matter shall be referred to an outside investigator.

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### (iii) Intent and purpose of the investigation

The intent of the investigation is to obtain further information about the events or conduct complained of, to enable the person(s) named in the complaint to tell his or her side of the story, to determine whether harassment has in fact occurred, and to develop an appropriate resolution. Anyone making a complaint pursuant to this Chapter may be asked to put his or her complaint in writing. The person to whom the complaint is made, or the person or persons investigating the complaint, may take notes and may request the complainant to sign those notes. All employees, Supervisors, and Elected Officials/Department Heads are expected to fully cooperate with any investigation of a complaint of harassment. Failure to cooperate will be justification for disciplinary action, up to and including Dismissal.

### (iv) No retaliation against Complainant

No individual will be retaliated against for reporting a violation of this Chapter in good faith or for cooperating with an investigation of a complaint of harassment. However, intentional or malicious false accusations of misconduct could have a serious effect on an individual who has been falsely accused. Individuals falsely accusing another of misconduct will be disciplined based on the extent of the false accusation, up to and including Dismissal.

### (v) Notification of belief that investigation is not being handled properly

If, at any time, anyone feels that his or her complaint is not being handled properly, he or she should immediately contact the Human Resources Manager, the County Manager, or the applicable Department Head.

## **1204 Disciplinary Action**

Violation of any provision of this Chapter will subject the offender to disciplinary action, up to and including immediate Dismissal. If anyone has any questions about what constitutes harassing behavior or what conduct is prohibited by this Chapter, he or she should contact the Human Resources Manager.

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### **1205 Importance of Policy**

Baldwin County is serious about enforcing its policy against harassment. However, the County cannot respond to complaints of harassment unless it is aware of those complaints. As such, it is the responsibility of each employee, Supervisor, Elected Official/Department Head to report any incident of harassment so the County can take corrective action as needed. Anyone who experiences or observes any violation of this Chapter is required to report the same under the terms of this Chapter prior to the end of the Workday or the following Workday on which the violation was believed to occur.

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### **1300 Drug and Alcohol Free Workplace**

Effective Date:

Revision Date:

### **1301 Statement of Policy**

Baldwin County is committed to maintaining a work environment free from the adverse impact of employee drug and alcohol abuse. Employee drug and alcohol abuse constitutes a direct threat to the lives and property of the employees and citizens of the County and to the public health, safety, and welfare of all persons in the County.

Baldwin County does not and will not tolerate any employee's possession, sale, distribution, consumption or presence in the body of alcoholic beverages or illegal drugs while on County property and/or on County business at any time.

This Chapter is intended to comply with federal regulations and state laws that mandate pre-employment, reasonable suspicion, random, and post-accident testing of certain positions of employment, and to further the objective of protecting the persons and property of the County's employees, citizens and the general public. This Chapter will be strictly enforced against all employees. To the extent that this Chapter and any results from a fitness for duty test conflict, the most strenuous provision favoring a drug and alcohol free workplace shall govern.

### **1302 Drug and Alcohol Use Prohibited for all Employees**

This Chapter applies to all employees. This Chapter applies to off-site lunch periods or breaks when an employee is scheduled to return to work, as well as to County Premises as discussed in Section 1303 below. Visitors, vendors, and contractors are governed by this Chapter to the extent they are on County Premises or in County vehicles and will not be permitted to conduct business if found to be in violation of this Chapter.

### **1303 Drug and Alcohol Use Prohibited on County Premises**

Substance and alcohol use by Baldwin County employees during assigned working hours on County Premises, or otherwise while on County business is prohibited. This shall include the use of illegal substances, the abuse of prescription medications and over-the-counter medications, and the use of or abuse of alcohol.

As used herein, "County Premises" includes all property, facilities, land, platforms, buildings, structures, fixtures, installations, parking lots, and vehicles, whether leased or used by Baldwin County government or its officials, managers, Supervisors, employees,

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or other agents. This definition also includes locations other than County headquarters and offices, including all other locations of County-sponsored recreational, social, or educational events, and any place where a Baldwin County employee is located while traveling to or from such location in the course and scope of his duties on behalf of the County, including an employee's own vehicle when the employee is using it on County business, or when the vehicle is parked on County property. This definition shall not be interpreted to imply that the County assumes or accepts responsibility for any wrongful, tortious, negligent or criminal acts of any person whom it employs when such person is not acting pursuant to a County Supervisor's instruction in furtherance of the County's business, nor shall it constitute a waiver of any immunity which Baldwin County or its officials or employees might have under federal, state or local laws or ordinances.

### **1304 Impairment**

Drug and alcohol abuse on or off County Premises is entirely inconsistent with fitness for duty and as such shall constitute an impairment. Baldwin County prohibits employees from being at work, on County Premises, operating County equipment, or operating any other equipment or vehicles on County business while impaired due to any illegal drug(s), legally obtained drug(s), or alcohol.

### **1305 Prohibited Substances**

(a) Illegal Drugs or controlled substances

(i) “Illegal drug(s) or controlled substance(s)” means any drug or substances the law prohibits individuals from manufacturing, dispensing, using, consuming, possessing, distributing, purchasing, selling, or otherwise transferring, including, without limitation, all drugs listed as controlled substances under Title 16 of the Official Code of Georgia. This definition encompasses any measurable amount of any drugs or controlled substances such as amphetamines, cannabinoids, cocaine, phencyclidine (PCP), methadone, methaqualone, opiates, barbiturates, benzodiazepines, propoxyphene or other drugs made unlawful under federal or state laws, or a metabolite of any such substances, “look-alikes,” “designer drugs” having the same or similar psychotropic effects, unauthorized alcoholic beverages, marijuana, hallucinogens (whether natural or synthetic), inhalants, unauthorized prescription drugs, or authorized drugs which are not prescribed for a verifiable medical condition and/or are not used in strict accordance with this Chapter and with the prescribing physician’s instructions, or any other substances that are mood-altering, mind or consciousness-

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affecting, or which are likely to have an effect upon a person's perceptions, sensations, thought processes, self-awareness, emotions, or other mental or physiological or psychological reactions or behavior. It also includes urinalysis or other substances, natural or synthetic, of a similar nature or purpose designated or used to alter a urine specimen or to conceal illicit chemical substances or their metabolites in an initial screening test.

- (ii) Baldwin County prohibits employees from manufacturing, dispensing, using, consuming, possessing, distributing, purchasing, selling or otherwise transferring any illegal drug(s) or controlled substance(s) while on the job, on call, on County Premises, while operating County equipment or vehicles, or while operating any other equipment or vehicle while on County business.
- (iii) An employee is impaired due to the influence of illegal drug(s) or controlled substance(s) if such employee's drug test results indicate the presence of an illegal drug or controlled substance in an amount that constitutes a positive test under accepted scientific standards.

(b) Legally Obtained Drugs

- (i) A "legally obtained drug" includes prescription drugs and over-the-counter drugs. A "prescription drug" means any substance that is attainable only by lawful prescription from a physician. "Over-the-counter" medication includes any substance that does not require a prescription, but which has the capacity to affect a person physically, mentally, or emotionally or which could otherwise affect a person's ability to perform.
- (ii) Employees must not be on the job, on call, on County Premises, operating County equipment or vehicles, or operating any other equipment or vehicle while on County business while impaired due to any drug, legal or illegal, that renders the employee unfit for duty. An employee is "unfit for duty" if, in the County's opinion, the employee's use of legally obtained drugs jeopardizes his or her ability to work safely and efficiently. An employee who is using legally obtained drugs must notify his or her immediate Supervisor of any and all symptoms and probable adverse side effects that may render him or her unfit for duty. An employee's failure to so notify the County constitutes grounds for disciplinary action, up to and including, termination. If any employee's medically required use of legally obtained drugs renders the employee unfit for duty and, in the opinion of the County, a temporary alternative job assignment is

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not available, the employee will be considered unfit for duty.

- (iii) Employees using legally obtained drugs while on the job shall do so in strict accordance with physician and/or manufacturer's directions. It is the employee's responsibility to notify the prescribing physician of the duties required by the employee's position and to ensure that the physician approves the use of the prescription medication while the employee is performing his or her duties.
- (iv) The abuse and/or inappropriate use of legally obtained drugs while on the job, on call, on County Premises, while operating County equipment or vehicles, or while operating any other equipment or vehicle while on County business shall be prohibited and is a disciplinary matter. Job performance or attendance deficiencies resulting from abuse and/or inappropriate use shall be cause for disciplinary action.

(c) Alcohol

- (i) "Alcohol" includes any beverage or substance containing alcohol manufactured for the primary purpose of personal consumption. Baldwin County prohibits employees from using, consuming, possessing, distributing, purchasing, selling, or otherwise transferring alcoholic beverages on the job, on call, on County premises, while operating County equipment or vehicles, or while operating any other equipment or vehicles while on County business.
- (ii) No employee shall use alcohol while on the job, on call, on County Premises, while operating County equipment or vehicle, or while operating any other equipment or vehicle while on County business. In addition, no employee shall use alcohol within four hours of reporting for duty. Violation of these provisions is prohibited and subjects the employee to discipline, up to and including termination.
- (iii) Baldwin County also prohibits employees from being on the job, on call, on County Premises or operating County equipment or vehicles, or operating any other equipment or vehicles on County business while under the influence of alcohol. An employee is "under the influence of alcohol" if, based upon the employees' speech statements, behavior, conduct, appearance, or odor, the County reasonably believes the employee is under the influence of alcohol in a manner that is adversely affecting the employee's behavior. An employee is also under the influence if an evidential

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breath test indicates a result of 0.02 percent or higher. An employee is further considered under the influence of alcohol if he has been arrested for operating under the influence of alcohol any County equipment or vehicles, or any other equipment or vehicles while on County business.

### **1306 When Testing is Required**

(a) Pre-Employment/Post-Offer Testing

All Applicants for positions of employment with Baldwin County that will result in the Applicant being a Safety Sensitive Employee or a CDL Employee (as those terms are defined in Section 1307 below), will be tested for drugs after a conditional offer of employment has been extended. Drug tests must also be performed on all seasonal and shift employees in Safety Sensitive or CDL positions returning to employment with the County after six months of absence from employment. No such Applicant/new hire or such seasonal or shift employee as described above shall report to duty or be allowed to report to duty until the results of the drug test are obtained. Any such Applicant/new hire or seasonal or shift employee described above who refuses a pre-employment/post-offer drug test(s) or who tests positive, shall not be extended a final offer of employment and will not be considered for any subsequent employment for a period of at least two years. The Applicant will, however, be afforded the opportunity to contest the test results as set forth in this Chapter.

(b) Random Testing

All employees who are required to hold a commercial driver's license (hereinafter referred to as "CDL" or "CDL positions") and employees in Safety Sensitive Positions shall be subject to random testing as follows:

- (i) Tests will be ordered on a random, unannounced basis from the pool of identified CDL and Safety Sensitive employees.
- (ii) A random selection method and test rates as adopted by the Human Resources Manager will be used to select employees, thereby allowing each employee an equal chance of being tested each month. Random selection test rates are subject to change as determined by the Human Resource Manager.
- (iii) An employee's name will remain in the pool after being selected so that every employee will have an equal chance of being tested each

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time selections are made. Therefore, it is possible that any CDL or Safety Sensitive employee, who is randomly selected for testing, may be randomly selected again during the same year.

(c) After-Care Testing

Persons in CDL and Safety Sensitive Positions returning to work from an approved treatment program for drug or alcohol abuse may be subject to unannounced testing at the discretion of the Elected Official/Department Head for a period of six months following the employee's return to work.

(d) Return to Duty Testing

All employees in Safety Sensitive or CDL positions who are absent from work for more than thirty days, for any reason, shall be tested for drugs immediately upon returning to work and before performing any job duties.

(e) Position Testing

Employees who are transferred, reclassified, promoted, or demoted from a non-CDL/non-Safety Sensitive Position into a CDL or Safety Sensitive Position will be tested for drugs before performing any job duties in the new position.

(f) Reasonable Suspicion

All employees will be subject to testing when there is reasonable suspicion that the employee has used drugs or misused alcohol in violation of this Chapter. Any employee who is required to take a reasonable suspicion test will be immediately suspended without pay pending the results of the test and confirmation of the results, if applicable.

(i) Any Supervisor who has received training in the signs and symptoms of drug and alcohol use and impairment may require an employee to undergo a reasonable suspicion test(s) for drugs or alcohol. A reasonable suspicion test may be required based upon, but not limited to the following:

(1) The personal observation of the employee's job performance, appearance, behavior, speech, or odor by the trained individual creating a reasonable suspicion that the employee has used drugs or alcohol in violation of this Chapter;

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- (2) Personal observation of the employee by another individual who has fully disclosed the observation to the trained Supervisor;
- (3) Observation of the employee by a nurse or physician engaged in the treatment or evaluation of a work related injury who has disclosed such observations to the County; or
- (4) Information from a law enforcement agency received by the County.

Additionally, any untrained Supervisor may require a reasonable suspicion test(s) for drugs or alcohol when a trained Supervisor or the Human Resources Manager has reviewed the underlying facts and agrees that reasonable suspicion exists to require a test.

- (ii) Specific and objective facts indicating that an employee's drug or alcohol use may have caused or have been a contributing factor to an on-duty Motor Vehicle accident will give rise to a reasonable suspicion test(s) for drugs or alcohol. The following facts, if present, may independently or collectively, depending upon the circumstances, give rise to reasonable suspicion:
  - (1) The appearance, behavior, speech or odor of the employee immediately prior to or after the accident;
  - (2) The employee left the scene or attempted to leave the accident scene without legal authority or permission to do so, or failed to report the accident to the appropriate individual or otherwise attempted to keep appropriate persons from learning about the accident or the extent of the accident;
  - (3) The employee acted contrary to a safety rule, established safety practice or otherwise engaged in demonstrably unsafe behavior for which there is no reasonable explanation;
  - (4) The employee was arrested or received a traffic citation;
  - (5) The employee or any other person received medical attention as a result of the accident; and
  - (6) The employee has been involved, as a contributing factor, in a pattern of repetitive on-duty accidents whether or not they

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involved actual or potential injury.

Notwithstanding the foregoing factors indicating reasonable suspicion of drug or alcohol use due to involvement in an on-duty Motor Vehicle accident, it is the policy of the County to administer drug and alcohol tests to any and all employees involved in any of the accidents described in paragraph (g) below.

- (iii) Specific and objective facts indicating that an employee's drug or alcohol use may have caused or been a contributing factor to an on-duty accident involving the use of heavy machinery will give rise to a reasonable suspicion test(s) for drugs or alcohol. The following facts, if present, may independently or collectively, depending on the circumstances, give rise to reasonable suspicion:
  - (1) The appearance, behavior, speech or odor of the employee immediately prior to, or after, the accident;
  - (2) The employee left the accident scene or attempted to leave the accident scene without legal authority or authorization to do so, or failed to report the accident to the appropriate individual or otherwise attempted to keep appropriate persons from learning about the accident or the extent of the accident;
  - (3) The employee acted contrary to a safety rule, established safety practices or otherwise engaged in demonstrably unsafe behavior without a reasonable explanation;
  - (4) The employee or any other person received medical attention as a result of the accident; and
  - (5) The employee has been involved as a contributing factor in a pattern of on-duty accidents whether or not they involved actual or potential injury.

Notwithstanding the foregoing factors indicating reasonable suspicion of drug or alcohol use due to involvement in an on-duty accident involving the use of heavy machinery, it is the policy of the County to administer drug and alcohol tests to any and all employees involved in any of the accidents described in paragraph (g) below.

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### (g) Post-Accident Testing

Alcohol and drug test(s) should be completed within eight hours of an accident resulting in any of the events described below. This testing is to be performed in addition to any drug or alcohol test(s) ordered by law enforcement authorities. It is the responsibility of the immediate Supervisor to ensure the involved employee or individual reports immediately for testing. Failure to do so can result in disciplinary action taken against the Supervisor and/or employee up to and including immediate termination.

Drug and alcohol testing must be performed within policy guidelines when any employee, while operating a County vehicle, transit vehicle or heavy machinery is involved in an accident that results in: (1) a fatality; or (2) a citation issued to the employee; or (3) an injured person requiring immediate medical treatment away from the scene; or (4) damage to County or personal property; or (5) damage to a vehicle to the extent that it is towed away.

### (h) Post-Workplace Injury Testing

Alcohol and drug tests should be completed within eight hours of any workplace injury. The involved employee must report immediately for testing, or be subject to immediate termination.

## **1307 Persons Subject to Testing**

### (a) CDL Employees

Employees who are required to possess a CDL license as a job requirement are subject to all testing provisions of this Chapter, including, but not limited to, pre-employment, post-accident, reasonable suspicion, random testing, position testing, return to duty and follow-up testing. CDL employees will be tested based on procedures in compliance with the U.S. Department of Transportation's Transportation Workplace Drug and Alcohol Testing Programs regulations set forth in 49 CFR Part 40 ("DOT Guidelines").

### (b) Safety Sensitive Employees

Safety Sensitive employees occupy positions where a lapse of judgment or impaired physical/mental ability in performing any essential job function could reasonably result in a significant threat of harm to the employee, fellow employees, citizens, inmates, or others. Safety Sensitive Positions

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include, but are not limited to, those which, as a part of the essential job functions, require: operation of a County vehicle two (2) or more times during a normally scheduled workweek of that position; the performance of law enforcement duties as a POST-certified law enforcement officer; possession of a firearm; providing emergency medical, rescue, or fire suppression services; interacting with incarcerated persons or persons on probation for drug charges; direct involvement in the enforcement of drug laws; direct involvement, access to, handling of or testing of illegal drugs that have been seized, confiscated by or taken into custody by law enforcement; the performance of duties essential to drug interdiction; primarily operating motorized equipment, heavy machinery or heavy equipment or the maintenance of motor vehicles, motorized equipment, heavy machinery or heavy equipment and are not otherwise designated as a CDL position subject to DOT Guidelines; or the performance of duties which directly affect public health or Safety Sensitive employees are subject to all testing provisions of this Chapter, including, but not limited to, pre-employment, post-accident, reasonable suspicion, random, position testing, return to duty and follow-up testing. Safety Sensitive employees will be tested based upon procedures in compliance with DOT Guidelines.

(c) All Employees

Employees are subject to all testing provisions of this Chapter including, but not limited to, post-accident, reasonable suspicion and position testing. Employees not holding a CDL or Safety Sensitive Position shall be drug tested via non-DOT drug testing guidelines.

(d) Job Applicants

All Applicants for Safety Sensitive or CDL positions of employment are subject to pre-employment testing after a conditional offer of employment has been extended.

(e) Employees in Offices of Elected Officials

Employees in the offices of Elected Officials are subject to the testing provisions contained in this Chapter, unless the Elected Official has adopted a more stringent drug and alcohol workplace policy specific to his or her Department.

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### **1308 Procedures for Testing**

- (a) Whenever a drug or alcohol test(s) is to be performed under this Chapter, the Elected Official/Department Head or his/her designee shall be notified of the circumstances necessitating the test(s) as soon as possible.
- (b) Alcohol screening will be conducted using a federally approved evidential breath-testing device or the use of a swab/saliva test performed by an approved independent medical facility.
- (c) All drug tests, regardless of the purpose for the test, shall be performed as a Panel 5 test for the following five drugs or classes of drugs: (1) Marijuana metabolites; (2) Cocaine metabolites; (3) Amphetamines; (4) Opiate metabolites; and (5) Phencyclidine (PCP).
- (d) All drug tests shall be administered and accounted for by an approved laboratory and/or medical facility that is operating in compliance with the U. S. Department of Health and Human Services (DHHS). Testing will involve an initial screening test(s) and confirmation of positive tests by gas chromatography/mass spectrometry (GC/MS) analysis. Tests will be certified, to the fullest extent possible under the circumstances, by a laboratory approved by the DHHS.
- (e) All positive test results for drugs will be interpreted by a physician approved by the County as a medical review officer (“MRO”) before the results are reported to the County. Prior to notifying the County, the MRO will make reasonable efforts to contact the employee for the purpose of allowing the employee to offer an alternative medical explanation for the positive test result. If the MRO is able to contact the Applicant or employee and determines there is a legitimate medical explanation for the positive test, the result will be communicated as negative to the County. The MRO’s inability to contact the Applicant or employee before providing test results to the County will not void the test results or make the test results unusable in any subsequent disciplinary action. An Applicant or employee who fails to respond to an inquiry by the MRO within forty-eight hours of such inquiry shall have waived his/her opportunity to offer an alternative medical explanation for the positive test result or to request confirmation testing. Because the employee is present for interpretation of an alcohol test, the procedure concerning prior notification by the MRO is not applicable.
- (f) Upon notification by the MRO of a confirmed positive result for drugs, the employee may request, within five calendar days of such notification, that the remaining portion of his/her specimen undergo a second confirmation

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test at his/her expense at a DHHS laboratory of his/her choice. If the test conducted by the laboratory selected by the employee is negative for the presence of drugs, a third test may be made at the County's sole expense at a separate DHHS facility of its own choosing. The results of the third facility will be determinative. If the results from the third facility are negative, all prior positive tests will be disregarded and shall not be the basis for any disciplinary or adverse action. This option of a confirmation test is contingent upon there being enough of the specimen remaining to allow for a confirmation test.

- (g) The County will make reasonable efforts to notify the employee in writing of a positive drug test within five days from the date it receives the test results. Because the results of a breath alcohol test are immediately available, this provision will not apply to alcohol tests conducted in such a manner.
- (h) Any employee ordered to be tested based upon reasonable suspicion, shall be immediately removed from duty, escorted to the testing facility, and taken home (unless other suitable arrangements have been made to transport the employee). Under no circumstances will the employee be allowed to drive himself or herself home. The employee shall be suspended without pay pending the results of the test and any confirmation tests, if applicable. If the positive test is explained or negated by the MRO and/or subsequent confirmation testing, the employee shall be reinstated with back pay and the Suspension without pay will be expunged from the employee's personnel file.
- (i) In the event that it is not reasonable under the circumstances to conduct an alcohol test based on a breath test, the County reserves the right to test for the presence of drugs or alcohol by a blood test analysis. If this procedure is used, the County will make reasonable efforts to notify the employee of the results within ten days after the results are received. A MRO will not be used when a blood test for alcohol is conducted.

### **1309 Consent for Testing**

Prior to date of hire, all employees and job Applicants are required to sign a consent form consenting to any and all frequency of drug and/or alcohol test(s) set forth in this Chapter and permitting the release of test results to the County and/or the medical review officials. Signed consent forms are kept on file by the Human Resources Department and are enforceable for the duration of employment.

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Any employee subject to drug and alcohol testing under this Chapter who refuses to submit to a drug and alcohol test as required herein shall be subject to termination. Employees who refuse to be escorted or fail to appear at the designated collection site to take the test when so directed or as required by this Chapter shall also be subject to termination.

Refusal can include an inability to provide a sufficient urine specimen, breath or saliva sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test.

### **1310 Arrests for Drug or Alcohol Related Offenses**

Any CDL or Safety Sensitive employee who is arrested for a drug or alcohol related offense or who is subject to a temporary or permanent Suspension of driving privileges must notify their Elected Official/Department Head of the arrest or Suspension immediately. The County will make a determination at that time whether the arrest or Suspension causes a temporary or permanent disqualification from holding that position, or constitutes grounds for disciplinary action. All convictions for alcohol or drug related offenses must be reported immediately by a CDL or Safety Sensitive employee to their Elected Official/Department Head. The County reserves the right to take appropriate action based upon such conviction.

All non-CDL and non-Safety Sensitive employees who are required to operate a County vehicle as a regular part of their job must report any drug or alcohol arrest, temporary or permanent Suspension of driving privileges, and any drug/alcohol related conviction to their Elected Official/Department Head immediately. The County reserves the right to take appropriate action, including relieving the employee from duty, transferring the employee to a non-driving position, or instituting disciplinary action up to and including termination.

### **1311 Searches**

All County-issued equipment, property and facilities, including but not limited to, desks, lockers, and vehicles (collectively “Materials”) are subject to inspection at any time and for any reason. No employee shall have any privacy interest whatsoever in any County-issued Materials. No personal property may be searched unless the owner of the property has consented or a search is otherwise legally permissible. If an individual is asked to submit to a search, and refuses, that individual will be considered insubordinate and will be subject to discipline, up to and including, termination.

If a search uncovers evidence of employee wrong doing, illegal activity, or employee violations of County rules or policies, the evidence may be used to support disciplinary actions up to, and including, termination. In cases involving suspected illegal activities, the evidence may be turned over to the proper legal authorities.

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### **1312 Confidentiality**

All reports of test results for drug and alcohol, searches, or any employee referral to, or participation in an assistance program or treatment program for addictive disorders, will be maintained in strict confidence. Any person authorized to have access to such confidential information, who, without authorization, discloses it to another person shall have engaged in gross misconduct and be subject to severe disciplinary action, up to and including, termination. The confidentiality of such information shall not apply to any use by or communication to the Baldwin County attorneys, or where the information is relevant to the County's defense in an administrative or civil action. Such information may also be disclosed to the extent required by any federal, state or local law, statute, ordinance or regulation.

### **1313 Discipline**

#### **(a) Immediate Suspension**

An employee who tests positive for drugs or alcohol shall immediately be relieved from duty, placed on Suspension without pay, and sent home pending disciplinary action. If the positive test is explained or negated by the MRO and/or subsequent confirmation testing, the employee shall be reinstated with back pay and the Suspension without pay will be expunged from the employee's personnel file.

#### **(b) Disciplinary Action**

An employee who violates any provision of this Chapter is subject to discipline, up to and including termination. If terminated, the employee will not be eligible for rehire.

#### **(c) Immediate Termination**

The following reasons shall be presumed to result in immediate termination of an employee:

- (i) Manufacturing, dispensing, using, consuming, possessing, distributing, purchasing, or selling, or otherwise transferring an illegal drug(s) or controlled substance(s) while on the job, on call, on County Premises, while operating County equipment or vehicles, or while operating any other equipment or vehicles on County business.**

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- (ii) Operating County motorized equipment while unfit for duty due to the use of drugs and/or alcohol.
- (iii) Conviction for violation of any drug law.
- (iv) Refusing to consent to or to take a drug or alcohol test pursuant to this Chapter.
- (v) Failure to appear at the designated collection site to take a drug or alcohol test when so directed or as required by this Chapter.
- (vi) A confirmed positive test for drugs or alcohol.

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### **1400 Workplace Violence**

Effective Date:

Revision Date:

### **1401 Statement of Policy**

The County is concerned about the well-being and personal safety of its employees and anyone doing business with the County. The County consequently strictly prohibits workplace violence. Acts of violence and/or threats of violence, whether expressed or implied, toward individuals in the County workplace, are prohibited and will not be tolerated. All reports of incidents will be taken seriously and will be addressed appropriately. This policy defines prohibited conduct, as well as general procedures and potential responsive steps in the unfortunate event that workplace violence occurs despite these preventive measures. In addition, unless otherwise permitted by law, firearms, Weapons, ammunition, or explosives on County property is strictly prohibited.

### **1402 Scope**

This prohibition against threats and acts of violence (including domestic violence) applies to all persons involved in the operation of the County, including but not limited to, County personnel, contract and temporary workers, and anyone else on County property.

### **1403 Definition of Workplace Violence**

Workplace violence is any conduct that is severe, offensive or intimidating enough to make an individual reasonably fear for his/her personal safety or the safety of family, friends or property. Examples of workplace violence include, but are not limited to, threats or acts of violence or behavior that causes a reasonable fear or intimidation response that occurs:

- (a) On County premises, no matter what the relationship is between the County and the perpetrator or victim of the behavior.
- (b) Off County premises, where the perpetrator is someone who is acting as an employee or representative of the County at the time, where the victim is an employee who is exposed to the conduct because of work for the County, or where there is a reasonable basis for believing that violence may occur against the targeted employee or others in the workplace.
- (c) Examples of conduct that may be considered threats or acts of violence under this policy include, but are not limited to the following:

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- (i) Threatening physical or aggressive contact directed toward another individual or engaging in behavior that causes a reasonable fear of such contact.
- (ii) Threatening an individual or his/her family, friends, associates or property with physical harm or behavior that causes a reasonable fear of such harm.
- (iii) Intentional destruction or threat of destruction of the County's or another's property.
- (iv) Harassing or threatening physical, verbal, written or electronic communications, including verbal statements, phone calls, e-mails, letter, faxes, website materials, diagrams or drawings, gestures and any other form of communication that causes a reasonable fear or intimidation response in others.
- (v) Stalking. Stalking is defined as a pattern of conduct over a period of time, however short, which evidences a continuity of purpose and includes physical presence, telephone calls, e-mails and any other type of correspondence sent by any means.
- (vi) Veiled threats of physical harm or like intimidation or statements, in any form, that lead to a reasonable fear of harm or an intimidation response.
- (vii) Communicating an endorsement of the inappropriate use of firearms or Weapons of any kind.
- (viii) Unauthorized possession of Weapons of any type. Weapons, include, but are not limited to:
  - (1) Any Weapon which, per applicable law, is illegal to possess or unauthorized to possess at a particular location;
  - (2) Any firearm, loaded or unloaded, assembled or disassembled, including pellet, "BB", and stun guns;
  - (3) Knives (and other similar instruments) other than those present in the workplace for approved work purposes or for the specific purpose of food preparation and service;
  - (4) Any switchblade knife;

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- (6) Brass knuckles, metal knuckles, and similar Weapons;
- (7) Bows, cross-bows and arrows;
- (8) Explosives and explosive devices, including fireworks, ammunition and/or incendiary devices;
- (9) Throwing stars, nun chucks, clubs, saps, and any other item commonly used as, or primarily intended for use as a Weapon;
- (10) Self-defense chemical sprays (mace, pepper spray) in canisters or containers larger than two ounces, unless otherwise approved by the County Manager;
- (11) Tasers, stun guns or any other electroshock Weapon, unless otherwise approved by the County Manager; and
- (12) Any object that has been modified to serve as, or has been employed as, a dangerous Weapon, unless otherwise approved by the County Manager.

(ix) Domestic violence is defined as a pattern of coercive tactics carried out by an abuser against an intimate partner (the victim) with the goal of establishing and maintaining power and control over the victim. Where the abuser's tactics include any of the above-described conduct on County premises, this policy applies. Where such tactics include any of the above-described behaviors off County premises, this policy applies where the abuser is someone who is acting as an employee or representative of the County at the time, where the victim is an employee who is exposed to the conduct because of work for the County, or where there is a reasonable basis for believing that violence may occur against the victim or others in the workplace. The term "intimate partner" includes people who are legally married to each other, people who were once married to each other, people who have had a child together, people who live together or who have lived together, and people who have or have had a dating or sexual relationship, including same sex couples.

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### **1404 Reporting Complaints**

If you observe the unauthorized possession of Weapons on County premises, or if you are subjected to or threatened with Weapons by a co-worker or member of the public, or if you become aware of another individual who has been subjected to or threatened with violence, you must report this information to your Supervisor or the Human Resources Manager immediately. Supervisors must report all potential violations so the Human Resources Department can handle them appropriately. Do not assume that any violation or threat is not serious. All complaints will be thoroughly investigated, and all complaints that are reported to management will be treated with as much confidentiality as possible. Employees who become angry, upset, or concerned with the actions of a co-worker, Supervisor, member of the public or the County in general, are encouraged to seek assistance from the Human Resources Manager.

*A 9-1-1 call may be appropriate first, in the good judgment of the employees, Supervisors, Department Heads, administrators, or managers involved.* Under this policy, decisions may have to be made quickly to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing. Nothing in this policy is intended to prevent quick action to stop or reduce the risk of harm to anyone, including requesting immediate assistance from law enforcement or emergency response resources.

Failure to report any threats or acts of violence in violation of this policy appropriately is itself a violation of this policy, and may subject any employees involved to discipline up to and including Dismissal.

Retaliation against anyone for reporting an actual or suspected violation of this policy in good faith will not be tolerated and will subject the individual engaging in the retaliation to discipline up to and including Dismissal. Any complaints about retaliation should be reported in the same manner as violations of this policy are to be reported.

### **1405 County Expectations of Employees**

#### Stay Away Orders/Orders of Protection

The County reserves the right to seek orders of protection (also known as restraining orders or stay away orders) against any person who violates the Workplace Violence Policy. Additionally, employees themselves may seek and obtain orders of protection against individuals outside of the workplace. Employees so protected are obligated to immediately notify the Human Resources Manager and their Supervisor if: (a) an order of protection extends to the workplace; or (b) they reasonably believe that their safety (or the safety of others) in the workplace is affected by the order of protection. Employees should provide written notification of:

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- (1) the existence of any such order and provide a copy of the order;
- (2) any violations or attempted violations of the order;
- (3) any changes to the order that affect the workplace; and
- (4) the order being lifted.

Employees who are subject to orders of protection requiring them to stay away from or refrain from contacting other individuals who are or may be in the workplace (including employees, customers, vendors and others) must immediately notify the Human Resources Manager and provide a copy of the order.

Upon being notified of an order of protection, Human Resources will contact the reporting party to gather information about the individual and assess the situation. The County will make every effort to maintain confidentiality of such orders with the understanding that it will use the information as necessary to maintain safety in the workplace.

### **1406 Search Policy**

If the County reasonably suspects that an employee either has or may have violated this policy, or that the employee possesses evidence that others pose a threat of workplace violence as defined by this policy, the County may request the individual to submit to a search of his or her person, personal effects, vehicles, and locker. If an individual is asked to submit to a search, and refuses, that individual will be considered insubordinate and will be subject to discipline, up to and including, Dismissal.

In addition, the County may conduct searches of any County property including, but not limited to, work stations and areas, desks, lockers, credenzas, file cabinets, computers and computer-stored information, voicemail, e-mail, business records, County vehicles and any other property or equipment owned by the County, at any time, without Notice to or permission from affected employees, for purposes of enforcing the no violence policy. Employees should have no expectation of privacy while using County property or equipment.

Searches will be conducted by a Supervisor with a second witness and may or may not be conducted in the presence of the person whose property is searched. Any Weapons or evidence of violations of this policy will be confiscated, and may be turned over to law enforcement, as appropriate. Any illegal activity discovered during an inspection is subject to referral to the appropriate law enforcement authorities.

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### **1500 Dual Employment**

Effective Date:

Revision Date:

### **1501 Outside Employment**

No employee shall engage in any other employment, or in any private business, or in the conduct of a profession, during the hours for which the employee is employed to work for the County, or outside such hours in a manner or to an extent that affects or is deemed likely to affect the usefulness of the employee to the County. In addition, no employee shall engage in any other outside employment that results in the employee or his/her outside employer providing products or services to the County. All outside employment must be approved by the employee's applicable Department Head, with final approval or disapproval by the County Manager. Any approved outside employment must be reported in writing to the Human Resources Manager prior to commencing any outside employment. No employee granted permission to engage in outside employment shall work at said outside employment for a longer period of time than stated in his or her request for permission to engage in such employment, and any employee accepting outside employment shall make arrangements with the outside employer to be relieved from his or her outside duties if and when called for emergency service by the County.

### **1502 Holding Multiple Positions with the County**

An employee is not allowed to hold more than one Full-time position with Baldwin County. Full-time employees may, however, work Part-time jobs for Baldwin County with the express written approval of the employee's applicable Department Head and the County Manager or his/her designee, provided that the Part-time job: (a) is undertaken solely at the employee's own option; (b) occurs during different hours than those required for the Full-time job; (c) is in a different Department and in a different capacity from the employee's Full-time job; and (d) is "occasional or sporadic." For purposes of this Chapter, "occasional or sporadic" means infrequent, irregular, or occurring in scattered instances. For example, a Full-time Animal Control employee may volunteer to occasionally or sporadically work Part-time for the County, outside of their regular working hours, taking tickets during special events (e.g., concerts, sports events, and/or lectures). However, public safety employees taking on any kind of security or safety function within the County are never considered to be employed in a different capacity.

Any employee electing to hold multiple positions as authorized in this Chapter will be paid at the rate of each respective position for the time spent working in that position. The hours worked in the different jobs shall not be combined for the purpose of determining overtime liability under the FLSA. It is the expressed intent of Baldwin County to strictly comply with the FLSA with regard to overtime and nothing in this Section shall be construed to apply in violation of the FLSA or any other applicable law.

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### **1600 Standards of Conduct**

Effective Date:

Revision Date:

### **1601 General Conduct**

All employees of Baldwin County are covered by, and subject to the Code of Ethics for Government Service. See O.C.G.A. § 45-10-1. The Code of Ethics for Government Service is incorporated into this Handbook and if fully set forth in Chapter 100, Section 102.

### **1602 Political Activity**

Employees of the County are encouraged to exercise their right to vote, but no employee shall make use of government time or equipment to aid a political candidate, party, or cause, or use their government position to influence, coerce, or intimidate any person in the interest of a political candidate, party, or cause. Neither an employee's position, nor County time, nor County property shall be used by covered employees for political purposes, nor shall the employee actively campaign for any candidate for public office during work hours, but employees may express their political opinions privately and may be involved in any political activity which would not constitute a conflict of interest. No employee shall be hired, promoted, favored, or discriminated against with respect to employment because of his/her political opinions or affiliations.

A County employee seeking elective office within the County may, upon declaring candidacy, resign or submit a request in writing to the Board for a Leave of Absence without pay from the date of his/her announcement through the duration of the campaign or announcement of the election results. Such Leave of Absence shall be requested, considered, and applied according to the Leave of Absence policies set forth in this Handbook. If elected to office, the employee shall immediately, upon the date of election, be separated from County employment upon written request and approval of the County Manager.

Nothing in this section shall prevent an employee from fully exercising those rights to participate in political activities granted by the laws of the State of Georgia or the laws of the United States of America.

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### **1700 Use of Vehicles for County Business**

Effective Date:

Revision Date:

### **1701 Statement of Policy**

Vehicles owned by, titled to, or otherwise under the control of Baldwin County are authorized for use in the performance of essential travel and transportation duties consistent with the assignment of any such vehicle to an employee by his/her applicable Department Head and County Manager. Unless otherwise specifically provided by the applicable Department Head and County Manager, use of a County vehicle is not authorized for unofficial travel duties or tasks or the transportation of unauthorized persons or items. If an employee assigned to a county vehicle needs to use said vehicle, the employee shall first drive their personal vehicle to the location of the county owned vehicle. Written permission of the County Manager must be obtained and placed in the employee's personnel file before an employee can take a county vehicle to their personal residence.

The Human Resources Manager will periodically review reported accidents and injuries. Upon review of an accident, the Human Resources Manager shall make a recommendation for disciplinary action if necessary. The recommended disciplinary action must be followed by the Department Head, at a minimum. More strenuous discipline may also be imposed by the Department Head and County Manager based on the employee's overall personnel file and previous disciplinary actions.

### **1702 Driver Responsibilities**

All drivers who operate a vehicle owned by, titled to, or otherwise controlled by the County are responsible for the proper care, use, and safety of the County vehicle. Moreover, all such drivers are required to meet the standards set forth in the Motor Vehicle Record ("MVR") requirements as detailed below in subparagraph (a). To the extent that there is a conflict between this Chapter and the MVR requirements, the most strenuous provision shall govern.

(a) Motor Vehicle Record

It is the policy of Baldwin County and a requirement of employment that every employee in a position that requires a valid driver's license have an MVR meeting the grading requirements as stated below. The MVR policy applies both to drivers of County vehicles and employees using personal vehicles in the course of their employment.

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Employee MVRs will be examined prior to the date of employment and at least every two years thereafter, upon availability of funds. Employees must submit their driver's license every two years and authorize Baldwin County government to obtain MVR information pertinent to verification of their driving history. Any job offer made requiring a valid driver's license will be contingent upon the MVR meeting the required standards. Continued employment with the County in a position requiring a valid driver's license will require an MVR meeting each of the standards outlined below:

- (1) All operators must have a valid driver's license issued by the state in which they reside. Employees relocating from another state must adhere to O.C.G.A § 40-5-20 in obtaining a timely transfer to a Georgia license. A copy of the new license must be submitted to Human Resources.
- (2) For jobs requiring a valid driver's license, no Applicant with more than eight (8) points will be hired.
- (3) All operators must at all times meet the insurability standards of Baldwin County's current insurance carrier.

(b) Additional Requirements.

Drivers must also adhere to the following minimum responsibilities:

- (1) Possess and maintain a valid driver's license approved by the class appropriate for the vehicle;
- (2) Obey all traffic laws and practice safe and courteous driving;
- (3) Ensure that vehicles are used for authorized purposes only;
- (4) Report all accidents, no matter how trivial, to the applicable Department Head immediately and submit a written report of the accident within twenty-four hours to the Human Resources Manager;
- (5) Accept legal responsibility for violations and fines resulting from actions of the driver. This includes personal responsibility for speeding and illegal parking tickets;
- (6) Follow drug and alcohol arrests and conviction reporting procedures;

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- (7) Usage of smokable forms of tobacco and e-cigarettes is prohibited inside County vehicles by driver or passengers;
- (8) No vehicle owned by, titled to, or otherwise controlled by the County shall be driven to a personal residence, unless otherwise approved in writing by the County Manager.
- (9) No employee may alter the exterior or interior of a County vehicle in any manner, without the written approval of the applicable Department Head and the County Manager.
- (10) All vehicles owned by the County will be fitted with global positioning systems (GPS) in order to: 1) improve safety; 2) minimize fuel costs; 3) lower operational costs; 4) increase productivity; and 5) assist with theft recovery.

Anyone misusing or abusing County vehicles, using the County vehicle for other than approved purposes, transporting non-County employees except as expressly permitted by the applicable Department Head and County Manager, or taking a vehicle home when not approved by the applicable Department Head and the County Manager shall be subject to appropriate disciplinary action, including Dismissal, as deemed appropriate.

The County Manager has the express permission of the Board of Commissioners to take home his/her County-issued vehicle and to use the vehicle for any and all County business and for all uses enumerated in Section 1704 below.

### **1703 Personal Vehicle**

Each employee is to make every effort to use a County vehicle whenever possible. An employee's use of his/her personal vehicle in the performance of County business may be necessary. Approved officials or employees who use their personal vehicles for County business may be reimbursed on a per mile driven basis at the rate determined by the Internal Revenue Service for that current period. Mileage for the use of a personal vehicle shall be paid consistent with the Travel and Reimbursement Policy set forth in this Handbook. Mileage for transit between home and work does not qualify for reimbursement.

### **1704 Authorized Use of County Vehicle**

Unless otherwise provided by the applicable Department Head and the County Manager, the following constitutes authorized use of County vehicles:

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- (a) Transport of officials, employees, clients, or guests of the County;
- (b) The performance of law enforcement duties;
- (c) When on official travel status, between places of official business, temporary place(s) of lodging, and/or places to obtain meals or medical assistance;
- (d) Transport of consultants, contractors, or commercial representatives when in direct interest of the County;
- (e) Transport of representatives from federal, state, or local government when in the direct interest of the County;
- (f) Commute between place of dispatch or place of performance of official business to a personal residence when specifically authorized to do so by the County Manager in writing;
- (g) Transport of County recreation program participants only when authorized by the applicable Department Head and County Manager;
- (h) While on active service call, or on active County business, use for lunch or while on break from County business; or
- (i) Transport of family members only when approved by the County Manager.

### **1705 Unauthorized Use of County Vehicle**

Unless specifically provided otherwise by the applicable Department Head and the County Manager, the following are unauthorized uses of County vehicles:

- (a) Travel or performance of a task of a personal nature, not connected with the accomplishment of official business;
- (b) Transport of family members other than as specified above;
- (c) Transport of friends, associates, or other persons who are not employees of the County serving the interest of the County;
- (d) Transport of items of cargo having no relationship to the conduct of official business;
- (e) Loan of vehicle for use in non-County authorized functions, to persons that

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are not employed by the County, or to persons not authorized by the County to operate the County vehicle;

- (f) Transport of acids, explosives, Weapons, ammunition or highly flammable material, except in the performance of an authorized task in the normal performance of duties; or
- (g) Transport of an item, equipment, or cargo projecting from the side, front, or rear of the vehicle in such a manner as to constitute an unsafe delivery.

### **1706 Seatbelt Use**

Available safety belts shall be used by any and all passengers, including the driver, while traveling on County business. Occupants must use safety belts in County owned, leased, or rented vehicles whenever such vehicles are in use and also in personal vehicles when utilizing the same for County business. All employees operating equipment that contains seatbelts must wear the seatbelts.

If an employee is provided a County owned vehicle that is used in the course of his/her employment and is also available for that employee's personal use, that employee, together with all passengers who occupy the vehicle at any time and for any purpose, are required to use safety belts at all times the vehicle is in motion. Safety belt use shall be enforced in the same manner and with the same enforcement standards as any other work rules. The driver of the vehicle is responsible for enforcing seatbelt use by all occupants.

Exceptions are as follows:

- a. Tractors/equipment not equipped with "Roll-Over Protection System"
- b. Specialized construction equipment
- c. Prisoners/suspects of law enforcement officers being transported for short distances in the back seat of the vehicle when restraining devices or other documented circumstances prevent the proper wearing of seat belts
- d. Emergency Services Personnel are not required to wear seat belts in the back of an ambulance while engaged in patient care
- e. Other exceptions must be requested in writing giving a full justification. Such requests will be addressed by the County Manager.

Failure to follow this policy will result in disciplinary action up to, and including, Dismissal.

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### **1707 Cell Phone and Radio Communication Use While Driving**

Employees shall not use cell phones and radio communications without hands-free equipment while driving a County vehicle or their personal vehicle on County business. No e-mailing, texting, instant messaging or internet usage should be attempted while driving or while stopped at a traffic light/stop sign. It should be done while the vehicle is parked in a safe area dependent upon traffic and weather conditions. Fire and rescue personnel are exempted from the radio communication prohibition.

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### **1800 Workplace Safety**

Effective Date:

Revision Date:

### **1801 Statement of Policy**

It is the policy of Baldwin County that every employee is entitled to work under the safest possible conditions. Every reasonable effort will be made to provide and maintain a safe and healthy workplace, safe equipment, proper materials, and to establish and insist upon safe methods and practices at all times. Department Heads are authorized to adopt and enforce safety rules and regulations that are applicable to the operations of their respective Departments. A copy of any such Department promulgated safety rules and regulations shall be provided to the County Manager and will be maintained in the Department. These rules and regulations are to be complied with and are applicable to all employees located within the respective Department. It is the basic responsibility of every employee to make safety a part of their daily concern. Employees are obligated to observe the rules of conduct and safety and to properly use the safety equipment provided.

### **1802 Reporting Safety Deficiencies**

Any employee who believes that a safety or health risk exists must report the matter to the Human Resources Manager so that the County may take appropriate action. Upon detection of a safety or health risk, an employee should immediately report the matter, but in any event, the report should be made to the Human Resources Manager no later than the close of business on the date the safety or health risk is detected. A safety or health risk may consist of, among other things, a condition in the workplace or the manner of operation of other employees.

### **1803 Reporting Injuries**

Any employee who is injured while at work must immediately report the injury and report for drug testing within eight hours of the injury if deemed necessary.

### **1804 Safety Violations**

Accidents, injuries, damaged machinery or equipment, and destroying materials or property cause needless suffering, inconvenience, and expense to the County. As a result, such actions when avoidable by utilizing appropriate safety practices or which are deemed careless by the Department Head and/or the Human Resources Manager may result in disciplinary action up to, and including, Dismissal.

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### **1900 Dress Code**

Effective Date:

Revision Date:

### **1901 Statement of Policy**

All employees are required to have a neat and professional appearance that reflects well upon Baldwin County government. No body piercing is allowed to the extent it presents a safety issue in the discretion of the Department Head and/or the County Manager. The dress code shall apply to all on-site and off-site functions at which the individual is acting as a representative, or is present on behalf, of the County. To the extent that a particular Department Head adopts a more strenuous dress code than that set forth in this Chapter, the more strenuous Departmental dress code shall apply and serve as the basis for disciplinary action.

### **1902 Employees With Uniforms**

The County may provide uniforms to those employees required to wear them or employees who work outside the office at least three days of the week and who are likely to come into elements that could damage, stain, or otherwise harm their personal clothing, or when uniforms are needed for the employee's protection and/or identification. Employees shall not modify the uniforms provided. Uniforms must be worn at all times when an employee is on duty and must be kept clean and neat. Required identification on the shirt will be the Baldwin County logo and the Department name. If the uniform shirt does not have the required identification imprinted, then the employee will wear the laminated identification tags provided by the County. Jeans may be allowed for field personnel in lieu of uniform pants upon approval by the appropriate Department Head. If allowed, the jeans must be kept clean and in good condition.

No employee shall wear a County uniform or any garment denoting the County, Department or entity of any sort at an off-site, non-job related establishment or function, such as, but not limited to, an establishment serving alcohol or any other establishment that is deemed unbecoming to the image of the County.

Upon separation of employment with the County, an employee must return all uniforms to the County and/or reimburse the County for any uniforms lost or not returned to the County. In the event that an employee fails to return all uniforms as required by this Section, the employee shall be assessed the cost of the uniform(s) not returned, and that cost shall be deducted from the employee's final paycheck.

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### **1903 Employees Without Uniforms**

**A. *Appropriate attire:*** Professional attire is to be worn by employees who are not required to wear uniforms. Acceptable attire includes:

- Dress slacks
- Chinos or khakis
- Oxford button down collared shirts
- Sweaters
- Business suits, blazers, or sport coats
- Footwear should be selected according to the type of work performed, keeping safety, comfort, and professional appearance in mind.
- Blouses
- Dresses and skirts no more than 3" above the knee

**B. *Inappropriate Attire:***

- Clothing that is see-through is unacceptable;
- Clothing should cover the chest, back, and midriff (including when standing, sitting, stooping, while arms are extended over the head or while bending over), and should not reveal undergarments;
- Clothing that allows excessive exposure of skin is not permitted;
- Athletic clothes including sweats, warm-ups, or workout clothing;
- Spandex or Lycra clothing (i.e. biker shorts/pants/body suits);
- “Flip Flops” are not allowed;
- Hats or caps (unless they are issued as part of a County uniform);
- Shorts or cut-offs;
- Mid-drifts and crop tops;
- Tank tops, tube tops, halter tops, tops with spaghetti straps;
- Clothing that is excessively tight or loose, revealing, distracting, or provocative;
- Clothing and jewelry that pose a safety hazard with the exception of medic alert jewelry;
- Bedroom shoes;
- Frayed clothing;
- Dirty or wrinkled clothing; or
- Clothing with vulgar or obscene words; or which features logos for alcoholic beverages, logos that are sexually offensive, contain profanity or other logos that are indecent.

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### **1904 Personal Grooming, Accessories, and Use of Fragrances**

Employees are expected to maintain a professional appearance, including good personal hygiene, at all times. This includes hair, makeup, jewelry, and other accessories. Employees should avoid wearing cosmetic accessories that are excessive or distracting to colleagues, clients, or customers. A County employee's clothing should be clean, neat, and well kept (no holes, tears, patches, fading, or frayed areas). Additionally, it is expected that facial hair should be clean and neatly trimmed.

Tattoos that are visible shall be covered if they contain or display any unprofessional or offensive image, phrase or expression, or are excessive. "Unprofessional or offensive" shall include but not be limited to:

1. Depictions of nudity, violence, or criminal activity;
2. Sexually explicit/vulgar art, words, or profane language;
3. Symbols likely to incite a strong negative reaction in any group, i.e. swastikas, etc.; and
4. Initials, symbolism, or acronyms that represent criminal or historically oppressive organizations or activities, e.g., AB, KKK, SS, street gang names, numbers, and/or symbols.

Due to allergies and chemical sensitivities, fragrances, if used, must be mild. Citizens and others visiting County buildings and other employees may be allergic or sensitive to perfumes, colognes, or other fragrant products.

### **1905 Casual Day**

Baldwin County has designated each Friday to be "casual day." However, other days may be designated as "casual day" by the County Manager. Each Department Head is to use his/her good judgment in determining appropriate attire for dressing casual.

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### **1906 Compliance**

Dressing appropriately is a condition of employment with the County. Failure to adhere to the dress code will be addressed as a policy violation. Repeated or obvious violations of this policy will result in disciplinary action, up to and including Dismissal. In extreme cases, the County reserves the right to require an employee to leave work to change into appropriate clothing. Any time spent away from work would be without pay.

Employees are expected to comply with the above standards, and should not put their Supervisors in the position of having to police attire. If there is any doubt as to whether an aspect of attire is appropriate, the employee should assume it is not. Employees with questions about what is appropriate for their positions should contact their Supervisor or the Department Head.

No dress code can address all contingencies. The County reserves the right to interpret what is acceptable in the matter of overall appearance, and to interpret and apply this policy to other aspects of appearance not specifically covered in this policy.

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### **2000 Tardiness and Absenteeism**

Effective Date:

Revision Date:

### **2001 Applicability**

County employees are subject to the tardiness and absenteeism provisions contained in this Chapter, unless the Department Head has adopted a more stringent tardiness and absenteeism policy specific to his/her Department.

### **2002 Tardiness**

All employees are expected to report to work at their scheduled start time. For recording of hours worked purposes and payment of wages, an employee's pay will be docked 15 minutes if he is 8 to 22 minutes late and docked 30 minutes if he is 23 to 38 minutes late. However, for attendance purposes, a punch made after the scheduled start time or before the scheduled finish time will be noted as a late arrival or early departure, respectively, and the employee may be subject to discipline according to the Employee Handbook.

Occasional excused late arrivals for non-exempt employees may be permitted with pre-approval by the appropriate Supervisor as designated by the Department Head. An employee who is tardy or requests excused late arrivals on a recurrent basis will be subject to discipline. All employees are required to speak directly with their Supervisor regarding unforeseen tardiness. Such notification does not release the employee from disciplinary action.

### **2003 Absenteeism**

All employees are expected to attend and be available to provide services to the County during established Workdays. An employee shall not be entitled to be absent from work and seek approval for that absence as Leave without pay. Such an absence will be unexcused and a matter for discipline, unless under extenuating circumstances and upon presentation of a written statement by a licensed physician or dentist, it is certified to the satisfaction of the Department Head that the employee's condition prevented him/her from performing the duties of his/her position.

This Section applies to intermittent absences from work and shall not affect an employee's right to seek a continuous Leave of Absence without pay pursuant to this Handbook. This Section should be read in conjunction with the abandonment provisions in Chapter 800 and the Leave provisions in Chapter 1100.

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### **2100 Internet and Use of County Property**

Effective Date:

Revision Date:

### **2101 County Property**

All supplies, equipment, computers, desks, information, and any other material obtained and used during the course of employment is property exclusively owned by Baldwin County (hereinafter collectively referred to as “County Property”). As a result, an employee should have no expectation of privacy with respect to County Property.

### **2102 Phone Use**

When making personal local phone calls from the workplace, and/or using a County cellular phone/smartphone device, employees must use judgment and discretion to limit any calls. County employees may be responsible for any additional cellular/mobile service charges (e.g., texting, data usage, and excessive minutes of use beyond plan limits) assessed on County issued devices if such usage is not approved by the Department Head and/or County Manager. Personal long-distance phone calls are not permitted on any County phone. If you need to make a long-distance call for personal reasons, charge it to your home telephone number or personal credit card number.

Failure to comply with this Section may result in disciplinary action.

### **2103 County Cell Phones**

County cellular phones/smartphone devices are provided to key individuals for the purpose of ensuring accessibility and enhancing individual efficiencies in handling County business. Cellular phones are not a personal benefit and are not intended for use as a primary mode of personal communication.

Use of mobile devices while operating a vehicle is dangerous and can result in an accident. To that extent the following rules should be applied:

- (a) Voicemail service and hands-free equipment for a phone should be used to avoid distractions. If neither is available the phone must be easy to reach without the driver removing their eyes from the road;
- (b) Whenever possible the mobile device should only be accessed when the vehicle is parked. Any conversation should be kept to a minimum;

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- (c) Under no conditions should the driver use a mobile device during hazardous driving conditions or situations;
- (d) Do not take notes or look up phone numbers while driving. The primary responsibility is to pay attention to the road. Use the preprogrammed number dial feature of the phone. Practice using this feature for commonly dialed numbers before driving;
- (e) A driver should dial or place calls before starting a trip and/or when the vehicle is not moving;
- (f) Avoid engaging in stressful or emotional conversations while driving as it is distracting and potentially dangerous;
- (g) Mobile devices should be used to call for emergency assistance by dialing 9-1-1, giving the exact location and information to the 9-1-1 operator; and
- (h) No e-mailing, texting, instant messaging or internet usage should be attempted while driving or stopped at a traffic light/stop sign. It should be done while the vehicle is parked in a safe area dependent upon traffic and weather conditions.

Department Heads have the authority to restrict or prohibit the use of any mobile device, County supplied or personal, at any time while an employee is on the job if it is determined that use of a mobile device presents a safety hazard or distracts from the duties of the job.

### **2104 Qualifying for a County-Issued Cellular Phones**

#### **A. Establishing New Service**

An employee may qualify for a County-owned cellular phone only if the Department Head has determined it to be required for the performance of their jobs.

#### **B. After Hour Usage**

Use of County-owned cellular phones for personal business during non-shift period is prohibited.

#### **Responsibilities**

1. Cellular phones are to be used only by the individual to whom they are issued.
2. Cellular transmissions are not secure; employees shall use discretion in relaying information.

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3. Employees shall be responsible for the safekeeping, care and custody of the County-issued cellular phone assigned to them. Reasonable precautions shall be taken to prevent equipment theft, vandalism and damage.
4. Cellular phones that are no longer necessary for fulfillment of the employee's job because of Dismissal of employment or change in job status shall be returned to the Department Head or Human Resources so that service can be adjusted.

### **2105 Use of Employee Owned Cell Phones and Mobile Devices**

Subject to the limitations outlined in this policy, employees may carry personal cell phones or other mobile devices with them while working; however, they are required to exercise the same discretion in using those devices as is expected for the use of County phones and electronic property. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and may be distracting to others. Therefore, excessive use of personal cell phones for personal business during on-duty hours is not allowed. Because cell phones and mobile devices are potentially disruptive in the work place, Department Heads may prohibit the use of cell phones and/or mobile devices or require that all such devices must be placed on vibrate or silent mode to avoid distractions. Furthermore, the County and the Department is not liable for the loss, damage or theft of personal cell phones or other mobile devices brought into the workplace. The privilege of using personal cell phones or other mobile devices may be withdrawn at the discretion of the Department Head.

Be advised that connecting/synchronizing a personal communication device to electronic County property may result in some or all of the contents of the device being subject to the Georgia Open Records Act.

### **2106 Communication Systems**

The County provides a variety of channels for communication to promote the efficient operation of its business. These communication systems include, but are not limited to, voicemail, e-mail, facsimile, computer networks, computers (including laptop computers, desktop computers and tablets) internet connections, on-line services, computer files, telephone systems, cellular phones, and pagers. All information and e-mails transmitted by, received from, or stored in these systems are the sole property of Baldwin County and an employee should have no expectation of privacy related thereto.

All County communications systems as described above are intended for business use only and are not to be used in a way that may be considered as disruptive, inappropriate, harassing, threatening, or offensive to others. Employees are specifically prohibited from

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transmitting, forwarding, downloading, or receiving offensive or pornographic materials and messages. These communication systems may not be used to send or to receive copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization. Failure to comply with these provisions will result in discipline, up to and including, Dismissal.

### **2107 Specifics on Computer and Network Usage**

a. Responsible Use of Resources

You are responsible for knowing what information resources (including networks) are available, remembering that the members of the community share them, and refraining from all acts that waste or prevent others from using these resources or from using them in whatever ways have been proscribed by the Baldwin County Board of Commissioners and the laws of the state and federal governments.

b. Use of Computer Devices

You are responsible in coordination with your Department Head for the security and integrity of Baldwin County information stored on your computer devices. This responsibility includes making regular disk backups and controlling physical and network access to the machine. Avoid storing passwords or other information that can be used to gain access to other government computing resources.

c. Access to Facilities and Information

(i) Sharing of Access

Computer accounts, passwords, and other types of authorization are assigned to individual users and must not be shared with others. You are responsible for any use of your account.

(ii) Permitting Unauthorized Access

You may not run or otherwise configure software or hardware to intentionally allow access by unauthorized users.

(iii) Use of Privileged Access

Special access to information or other special computing privileges

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are to be used in performance of official duties only. Information that you obtain through special privileges is to be treated as private.

(iv) Termination of Access

When you cease being a member of the government community, or if you are assigned a new position and/or responsibilities within the County, your access authorization must be reviewed. You must not use facilities, accounts, access codes, privileges, or information for which you are not authorized in your new circumstances.

(v) Attempts to Circumvent Security

Users are prohibited from attempting to circumvent or subvert any system's security measures. This section does not prohibit use of security tools by system administration personnel.

(vi) Decoding Access Control Information

You are prohibited from using any computer program or device to intercept or decode passwords or similar access control information.

(vii) Denial of Service

Deliberate attempts to degrade the performance of a computer system or network or to deprive authorized personnel of resources or access to any Baldwin County computer system or network are prohibited.

(viii) Harmful Activities

The following harmful activities are prohibited: creating or propagating viruses; disrupting services; damaging files; intentional destruction of or damage to equipment, software, or data belonging to Baldwin County Board of Commissioners or other users; and the like.

(ix) Unauthorized Monitoring

You may not use computing resources for unauthorized monitoring of electronic communications.

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(x) Government Dishonesty

You should always use computing resources in accordance with high ethical standards and in correspondence with local, state and federal law.

(xi) Use of Copyrighted Information and Materials

You are prohibited from using, inspecting, copying, and storing copyrighted computer programs and other material, in violation of copyright.

(xii) Use of Licensed Software

No software may be installed, copied, or used on Baldwin County resources except as permitted by the owner of the software. Software subject to licensing must be properly licensed and all license provisions (installation, use, copying, number of simultaneous users, term of license, etc.) must be strictly adhered to. Any and all new software installations must be approved in some form by the County's designated network and computing personnel.

(xiii) Political Campaigning; Commercial Advertising

The use of System materials, supplies, equipment, machinery, or vehicles in political campaigns is forbidden. Political campaign and commercial advertisement shall not be displayed on government property. The use of County computers and networks shall conform to these policies.

(xiv) Personal Business

Computing facilities, services, and networks may not be used in connection with compensated outside work or for the benefit of organizations not related to the business of the County. Any other incidental use (such as electronic communications or storing data on single-user machines) must not interfere with other users' access to resources (computer cycles, network bandwidth, disk space, printers, etc.). State law restricts the use of state facilities for personal gain or benefit.

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### **2200 Social Networking Policy**

Effective Date:

Revision Date:

### **2201 Statement of Policy**

Employees of Baldwin County Board of Commissioners shall not use any form of social media in any way so as to tarnish the image or reputation of the County or its employees. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with Baldwin County, as well as any other form of electronic communication.

### **2202 Rules and Guidelines**

- a. Employees of the Baldwin County Board of Commissioners are prohibited from using social media during working hours or on equipment that is provided by the County, unless it is work-related as authorized by the Department Head and consistent with the Internet and Use of County Property Policy. Employees are not permitted to use their assigned County e-mail address to register on social networks, blogs or other online tools utilized for personal use.
- b. Employees who choose to maintain or participate in social media or social networking platforms while off-duty shall conduct themselves with professionalism and in such a manner that will not reflect negatively upon Baldwin County Board of Commissioners. Employees shall be mindful that any conduct that adversely affects job performance, the performance of other County employees or otherwise adversely affects members of the community or Baldwin County's legitimate business interests may result in disciplinary action.
- c. In administering this policy, Baldwin County Board of Commissioners is mindful that employees are private citizens with legitimate interests in matters of public concern. Prior to the taking of any adverse employment action in connection with this policy, the County will evaluate whether or not the activity was (1) made by the employee in his or her capacity as a private citizen; (2) addressed a matter of public concern; and (3) if the County's interest in promoting the efficiency of public services outweighs the employee's interest in the activity.

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### **2300 Training**

Effective Date:

Revision Date:

### **2301 Certification Training**

It is the County's policy to pay for required and/or necessary certification testing and related training sessions on all initial attempts as approved by the respective Department Head and County Manager on a case-by-case basis. Such approval shall be applied in a universal and non-discriminatory manner. The County shall not be responsible for arranging or making payment for the employee to take subsequent exams if the employee fails the first attempt. It will be the employee's responsibility to pay for, re-take, and pass the certification exam within the specified time frame to meet the requirements of the position. Failure to receive required certifications for the position will result in disciplinary action up to, and including, Dismissal.

### **2302 Training and Continuing Education**

The County shall arrange and pay for required and/or necessary training and continuing education that is directly related to the employee's job as approved by the respective Department Head and County Manager on a case-by-case basis. Such approval shall be applied in a universal and non-discriminatory manner. The certification testing or training is "directly related to the employee's job" if it is a requirement for the position and is designed to make the employee handle his or her job more effectively as distinguished from training him or her for another job or for the performance of a new or additional skill. If continuing education is necessary to meet the requirements of this position, the employee will be subject to disciplinary action up to, and including, Dismissal for failure to complete such continuing education in a timely manner.

### **2303 Compensation for Hours Spent in Certification Testing, Training and Continuing Education**

Attendance at required and/or necessary certification testing, training, and continuing education sessions or similar activities shall be compensated as hours worked, unless the following four criteria are met:

- (a) Attendance is outside of the employee's regular working hours;
- (b) Attendance is voluntary;
- (c) The course, lecture, or meeting is not directly related to the employee's job;

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and

- (d) The employee does not perform any productive work during such attendance.

It shall be presumed, subject to other direction from the applicable Department Head, that an employee will be compensated for hours spent during attendance at a required and/or necessary certification testing, training, or continuing education session if such session is during regular working hours, is directly related to the employee's job, and is approved for reimbursement by the applicable Department Head and County Manager. Specific questions related to compensation for attendance at required and/or necessary testing, training, and continuing education sessions or similar activities not expressly covered in this Chapter should be referred to your Supervisor or the Human Resources Manager for interpretation and compliance with federal law prior to attendance at the session.

### **2304 Compensation for Time Spent in Travel to Training Session**

Pre-approved training sessions that are required by the County shall be considered as the employee's normally scheduled Workday. Employees will be compensated for travel time to and from a training session, unless specific Departmental procedures provide otherwise. All training classes that require overnight lodging must be approved specifically as to mode and time of travel to the training location. Mileage for the use of a personal vehicle shall be paid consistent with the Travel and Reimbursement Policy set forth in this Handbook.

### **2305 Training Reimbursements**

Requests for payment of training, conventions, or other meetings that are submitted to the Finance Department for reimbursement must include the written approval of the applicable Department Head. For all training classes or seminars that an employee attends, a copy of the certificate of completion or comparable document must be forwarded to the Finance Department and the Human Resources Manager. The certificate of completion or comparable document will be maintained in the employee's personnel file.

### **2306 Training Records**

All training records, including but not limited to, requests, approvals, disapprovals, course materials and/or certifications shall be submitted to, and maintained by, the Human Resources Department.

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### **2307 Inapplicability to Certain Employees**

Nothing contained in this policy should be construed to award compensation to those who receive a per diem for training and/or certification classes pursuant to statute or ordinance so as to confer double compensation on said employee.

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### **2400 Travel and Reimbursement Policy**

Effective Date:

Revision Date:

### **2401 Statement of Policy**

This Policy contains the regulations and information necessary to the traveler, and required for reimbursement of travel expenses. It is intended that this Chapter applies to Department Heads and all employees. It is the County's policy to allow travel on a limited basis provided that: (a) funding is available; (b) travel is duly authorized; and (c) travel is within the scope of the employee's employment and discharge of his/her official duties.

### **2402 Authorized Travel and Expenses**

Travel and related expenses shall be authorized when a Department Head or employee is engaged in the conduct of official government business. A request for authorization to travel and secure reimbursement of resulting expenses must be completed in advance by the Department Head or employee and approved by the appropriate Department Head. A request that has been authorized by the Department Head will accompany each expense report submitted for reimbursement.

### **2403 Registration, Lodging, and Travel Payments**

The following options are available for registration, lodging accommodations, or travel by common carrier as defined in Section 2410(b) herein and are subject to approval of the Department Head:

- (a) Upon receipt of a travel authorization request, the Finance Department may make necessary arrangements using a County credit card.
- (b) Upon receipt of approval to travel, the individual may arrange for registration, lodging and/or common carrier needs utilizing a personal credit card. If the individual elects to pay final costs with personal funds, reimbursement to the individual will be through the applicable reimbursement request form. If the individual elects not to pay final costs with personal funds, travel advance checks payable to the provider(s) may be generated and presented to the individual prior to departure as detailed in this Chapter.
- (c) Local and state government Elected Officials/Department Heads and employees are exempt from hotel/motel taxes while on official business in

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the state pursuant to O.C.G.A. § 48-13-51. Most hotels require that an exemption form be provided before allowing such exemption. Department Heads and employees should secure the appropriate exemption form from the Finance Department prior to travel.

### **2404 Reimbursement of Expenses**

A request for reimbursement of expenses shall be submitted to the Finance Department within thirty (30) calendar days following the date of return to work. Such request shall be made on such form as prescribed by the Finance Department. The request for reimbursement shall contain an itemized listing of all expenses incurred for such travel and must be approved and signed by the employee's Department Head. If a Department Head or employee fails to reconcile the account within the specified time period, and an extension of time is not granted by the Finance Director, the Finance Director may void such reimbursement claim. With the approval of the County Manager or Department Head, the Finance Director shall be authorized to withhold any such cash advance or direct payment from the Department Head's or employee's paycheck.

### **2405 Documentation of Expenses**

Documented and itemized receipts or other documentation shall be required for all expenses.

### **2406 Allowability and Limitations of Expenses**

Payment by the County government shall be limited to the actual, necessary, and reasonable expenses incurred for authorized activities provided for in this Chapter. The standard for "reasonable" may be determined by the geographic location and other circumstances and the interpretation of this standard shall be made by the Finance Director or the County Manager.

### **2407 Meal Expenses for Travel Outside Baldwin County and Documentation Requirements**

Department Heads are required to review the circumstances of each travel request to determine if meals are required giving consideration that meals are often provided as part of group activities and are included in registration fees. Department Heads will ensure that discretion is exercised in establishing any meal allowances on the Baldwin County Reimbursement Form. Such allowances must be reasonable and be within the budget as approved by the Board of Commissioners. Actual meal expenses should be reviewed when

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the request for reimbursement is submitted. As addressed above, itemized receipts are required for all such expenses.

### **2408 Meal Reimbursement Guidelines**

- A. Employees will be reimbursed for expenses for meals while on County business up to the rate prescribed by the U.S. General Services Administration for meals and incidental expenses.
- B. Itemized receipts must be provided for meal reimbursement.
- C. Adjustments may be made to these amounts by the County Manager for travel to high cost areas.
- D. For overnight out of town trips, meals may be listed in total (up to a maximum of the rate prescribed by the U.S. General Services Administration).

### **2409 Lodging**

Reasonable expenses associated with room accommodations will be paid for a hotel or motel upon presentation of an itemized bill. Employees are required to utilize the most affordable option when staying overnight, taking into consideration personal safety. Employees are allowed to stay in the hotel/motel that is hosting the conference or event, as long as the employee or board member stays in the basic room. Any upgrades that are requested (ocean-view, larger room, etc.) will be paid by the employee. Whenever special rates are included as part of a planned program, payment will be made only for the special rate as long as such accommodation is available. Payment shall be limited to the single room rate. If Department Heads or employees elect to share a room, then double room rates will be paid.

### **2410 Transportation**

#### **(a) Mileage Reimbursement**

- i. Travel inside or in close proximity to Baldwin County should be made in a government vehicle if available. If a government vehicle is not available for such purposes, reimbursement for mileage in a personally owned vehicle is allowable. A personally owned vehicle may be used for travel inside or outside the State of Georgia provided, however, that the allowable expense shall be the vehicle mileage expense.
- ii. Accurate and substantiated mileage records must be maintained and submitted by the employee to the Finance Department for reimbursement. Such reporting to the Finance Department must include written authorization from the employee's Department Head for travel

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reimbursement prior to the Finance Department remitting any funds for reimbursement to the employee. If two or more persons travel to the same location in the same vehicle, only one such payment shall be made.

- iii. Mileage expenses for transportation in a personally owned vehicle shall be based on the rate per mile as prescribed by the Internal Revenue Service. This rate is updated annually on January 1 of each year; the Finance Director will publish the revised rate as changes occur.

(b) Common Carrier

A common carrier shall be any scheduled airline, train, or bus and the rate shall be limited to the minimum fare available (economy or tourist). Roundtrip fares should be obtained whenever it will result in a cost savings and reservations should be made sufficiently in advance to take advantage of special savings plans offered by the carrier.

(c) Ground Transportation

Ground transportation by taxi, bus, or limousine is an allowable expense when actually incurred in conjunction with common carrier transportation to and from terminals, hotels, restaurants, and meeting locations if necessary. The most economical means of ground transportation should be used.

(d) Points of Departure and Return

The points of departure and return for travel status shall be either the office at which the Department Head or employee carries out his/her duties or his/her residence; whichever is more practical under the circumstances. The County, however, will only reimburse for actual miles traveled less the normal distance traveled to and from the Department Head's or employee's residence and work.

(e) Direct Route

All travel should be by the most direct route. However, an expressway route, which involves more total mileage, may result in a savings in personnel time and, therefore, would be considered the more direct route. Reason and good judgment should be exercised in this determination.

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### **2411 Communications**

Telephone and “FAX” messages directly pertaining to official government business shall be allowable expenses. Claims for payment of such charges shall be itemized and shall include the location, the person contacted, and the justification for the communications.

### **2412 Credit Cards**

Whenever allowable expenses are purchased or paid by credit card, the receipt shall include an itemization of expenditures or separate receipts must be obtained for each expenditure. A credit card receipt showing only an aggregate of charges, unless itemized, shall not constitute sufficient documentation and shall not be allowable without the County Manager’s approval.

### **2413 County Issued Credit Cards**

#### **A. Purpose:**

The Baldwin County Board of Commissioners recognizes that Elected Officials, the County Manager, the Finance Director, Chief Administrative Employees and Department Heads are required to make expenditures of funds in the course of performing their functions in County government. The use of credit cards allows the County to be more effective, more efficient, and more accountable to the public. Furthermore, the usage of a County issued credit card provides detailed purchase histories and other important record keeping information.

#### **B. Guidelines for usage of County issued credit cards:**

- For the carrying out of County business including reasonable travel, accommodation and meal expenses.
- The County recognizes that occasionally it will be beneficial for the County’s business interests for a County official to purchase meals when working with other officials, business representatives or contracted agencies. Such use of the County issued credit card is recognized to be a legitimate expense of the County.
- No private expenditure shall be incurred, even if private funds are transferred or repaid immediately, to offset the expenditure.
- County issued credit cards will not be used in lieu of the normal purchasing procedures adopted by the County.

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### C. Cancellation of County issued credit cards:

The Finance Director or the County Manager may cancel or order the surrender of any card which has been misused or abused. Such misuse or abuse of County issued credit cards will be handled as a disciplinary matter for County employees. Misuse or abuse of County issued credit cards by Elected Officials will be reported to the Board of Commissioners who will then determine what investigation and/or legal action should be taken. Nothing in this Chapter shall be construed to apply in violation of O.C.G.A. § 36-80-24.

## **2414 Registration Fees**

Registration fees for required and/or necessary certification testing, training, and continuing education sessions or similar activities shall be an allowable expense, and payment shall be arranged in advance of the program date. The Department Head or employee shall be responsible for submitting the registration request to the Finance Department in sufficient time for the payment to be processed and mailed prior to any registration deadline. Optional assessments such as special events or personal memberships, which are not included in the registration fee, may not be deemed allowable expenses.

## **2415 Tips and Gratuities**

Tips or gratuities in conjunction with an authorized expense shall be allowable if they are determined to be reasonable by the Finance Director or the County Manager.

## **2416 Parking and Toll Fees**

Expenses for parking and/or tolls incurred in conjunction with authorized travel or government activity shall be allowable if documented by paid receipt.

## **2417 Other Expenses**

The Finance Director and the County Manager shall be authorized to pay other expenses, which may be incurred in conjunction with an authorized travel or activity if they are determined to be reasonable and proper. A claim for payment of such other expenses shall include adequate documentation and justification to meet the purposes of this policy.

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### **2418 Unallowable Expenses**

The following expenses are specifically unallowable for payment:

- (a) Expenses incurred by any individual other than the Department Head or employee unless otherwise provided for in this policy.
- (b) Expenses for entertainment.
- (c) Laundry service.
- (d) Personal articles, toiletries, souvenirs, etc.
- (e) Expenses for alcoholic beverages.
- (f) Payments to friends or other individuals for cost of meals, lodging, or transportation not a part of the authorized activity or program.
- (g) Direct expenses of operation of a personal vehicle, such as gasoline, oil, parts, or repairs.
- (h) Travel and related expenses incurred from a Department Head's or employee's residence to his designated work site.
- (i) Any expenses incurred that are unrelated to official government business or activities as determined by the Finance Director and the County Manager.

### **2419 Family Members**

Expenses related to a Department Head's or employee's spouse or other family members accompanying Department Heads and employees will not be covered.

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### **2500 Critical Incident Policy**

Effective Date:

Revision Date:

### **2501 Introduction**

In the event of a Critical Incident, Baldwin County recognizes that appropriate infrastructure must be in place beforehand to ensure the provision of all necessary support services.

This document outlines Baldwin County's policy, support mechanisms and procedures for managing a Critical Incident. This policy ensures that Baldwin County has an effective approach in responding to Critical Incidents as they occur and provides for appropriate training and information for County employees.

### **2502 Definition**

A Critical Incident is defined as "a traumatic event, or the threat of such which causes extreme stress, fear or injury."

Critical incidents may include, but are not limited to:

- Serious injury or illness;
- Serious infectious disease;
- Attempted suicide, suicide, or other death;
- A missing employee;
- Severe verbal or psychological aggression;
- Physical and/or sexual assault/misconduct;
- Witnessing a Serious Accident or incidence of violence;
- A fire, riot/disturbance, or other natural disaster (e.g. epidemic, earthquake, flood, windstorm, hailstorm, extremes of temperature);
- Bomb-threat, explosion, gas or chemical hazard; or
- Psychological/social issues (e.g., drug use, alcohol abuse, or other addictive issues).

### **2503 Critical Incident Coordination**

When a Supervisor or employee observes an act of violence at work the steps to take are simple, even though the underlying issues may not be.

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1. IN IMMEDIATE EMERGENCY SITUATIONS CALL 9-1-1 FOR LOCAL POLICE, SHERIFF'S OFFICE, FIRE DEPARTMENT AND/OR EMERGENCY MEDICAL ASSISTANCE.

As with any other emergency involving fire, violence, or medical incidents, the first thought and action is to call 9-1-1 and report as many details as soon as possible so that the appropriate emergency response units can be dispatched.

2. SECOND STEP. Immediately contact:

1. Department Head involved;
2. Human Resource Manager; and
3. County Manager

The Police Department, Sheriff's Office, Fire Department and those providing emergency medical assistance in coordination with the Department Head, Human Resource Manager, and the County Manager will ensure that resources are coordinated in their support and response.

Other steps following a Critical Incident will flow from this initial contact, including any required disciplinary action and aftercare help for employees involved in or who witnessed the Critical Incident.

3. THIRD STEP. Actions to be taken:

1. Secure the area, if possible
2. Ensure the safety of all employees
3. Assess the need for support/counseling
4. Restore to regular routine as soon as possible
5. Complete Critical Incident Report

4. REVIEW OF REPORT AND INCIDENT

1. The Department Head, Human Resources Manager and County Manager will meet to discuss the Critical Incident Report.
2. The purpose of this meeting will be to evaluate the Critical Incident process and make modifications, if necessary.

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### **2600 Definitions**

Effective Date:

Revision Date:

Abandonment of Position – The unauthorized absence by an employee from his/her position for three consecutive Workdays.

Administrative Leave – The involuntary absence of an employee from work with pay during an investigation, at the sole discretion of the County Manager and/or Department Head.

Allocate or Reallocate – An action by the Board of Commissioners designating the type of position to be included in an appropriate Department or agency and setting aside the budgetary funds to support the designated position.

Applicant – Any person who has filed an application in accordance with the provisions of the Employee Handbook. Eligible Applicants are persons who have met the minimum requirements for a position.

Appointment – The act of hiring an employee and placing the employee in an authorized position of employment with the County.

Business Day – The eight hours the County Administration offices are officially opened for business.

CDL Employees – Employees who are required to possess a Commercial Driver's License as a job requirement and are subject to certain testing provisions, including but not limited to pre-employment, post-accident, reasonable suspicion, random testing, position testing, return to duty and follow-up testing.

Chief Administrative Employees – When used in the singular, the term “Chief Administrative Employee” refers to the County Manager. When used in the plural, the term “Chief Administrative Employees” refer to the County Manager and all employees who report directly to the County Manager.

Compensation Plan – The system of assigning jobs to classification descriptions and to an appropriate pay Grade based on the similarities of positions.

Continuous Service – Continuous Service is employment that is uninterrupted, except for authorized Leaves of Absence or Suspension.

County – Baldwin County, Georgia

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County Manager – The Chief Administrative Employee of the Baldwin County Board of Commissioners.

Critical Incident – A traumatic event, or the threat of such which causes extreme stress, fear or injury.

Demotion – Demotion means a change in the rank of an employee from a position in one Grade to a position in another Grade having a lower minimum starting salary.

Department – A major administrative division of County government whose employees report to a Department Head.

Department Head – The top administrative official in each major administrative division.

Dismissal – The involuntary termination of an employee from employment with Baldwin County.

DOT Guidelines – U.S. Department of Transportation's Transportation Workplace Drug and Alcohol Testing Programs regulations set forth in 49 CFR Part 40.

Elected Official – A County official duly elected by the citizens of Baldwin County and presently serving in office.

Emergency Assignment – An assignment of an employee on an emergency basis to a position without compliance with the recruitment procedures for a limited time.

Examination – Methods used to determine eligibility of Applicants for employment. Examinations may include but shall not be limited to written, oral, physical, medical, or performance tests, rating of training, and/or experience.

External Advertisement – A recruiting effort to notify interested Applicants who are not employed by the County of job vacancies by placing advertisements of such vacancies with the outside media and/or Internet site.

Full-time Employee – An employee who works in a position that is budgeted for twelve months of the year, scheduled to work thirty or more hours per week regularly throughout the year.

Grade – All positions in a group which are sufficiently similar as to authority, kind or subject matter of work, level of difficulty, and duties and responsibilities with the same minimum requirements of training, experience or skill, and such other characteristics that warrant the same range of compensation for each position in the group.

Grant-Funded Appointment – The placement of an individual in a position that is created

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as a result of a grant that provides for the position for a specific period of time.

Human Resources Manager – The official designated by the County Manager as the representative in charge of the personnel system of Baldwin County.

Immediate Family – An employee's spouse, children, mother, father, brothers, sisters, half-brothers, half-sisters, aunts, uncles, grandparents, grandchildren, mother-in-law, father-in-law, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, step-parents and step-children.

Internal Advertisement – A recruiting effort to notify interested Applicants who are employed by the County of job vacancies by placing advertisements of such vacancies throughout the County.

Lateral Transfer – A Lateral Transfer is when an employee is moved from one position with a certain classification title to a different position within the same Grade, but with a different classification title, either within or outside the employee's Department.

Layoff – The separation of an employee or employees from County employment for specified reasons unrelated to the employee's performance.

Leave – Any of a number of ways in which an employee is permitted to take time off from work. Leave may be granted with or without pay.

Minimum Qualifications – Those minimum requirements as to skills, education and experience that qualify an Applicant to be considered for Appointment as an employee with the County. Additional requirements such as licenses, certificates, and others may also be indicated where necessary.

Motor Vehicle – Every self-propelled device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks and electric personal assistive mobility devices (EPAMD).

Notice – Such publicity as may be deemed necessary to assure reasonable Notice to those concerned.

Part-time Employee – An employee who works in a position that is budgeted for twelve months of the year, but who works less than thirty hours per week.

Performance Evaluation or Appraisal – A method of evaluating each employee on a periodic basis as to performance on the job.

Promotion – A change in rank of an employee from a position in one Grade to a position of another Grade having a higher minimum salary.

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Public Safety Employee – Non-administrative personnel in Fire Suppression or 911 agencies.

Reassignment – The movement of an employee from one position with a certain Job Title to another position within the same Department with the same Job Title.

Resignation – The voluntary dismissal of an employee at his/her request.

Safety Sensitive Position – Part of the essential job functions require: the operation of a County vehicle two or more times during a normally scheduled workweek for that position; performance of law enforcement duties as a POST-certified law enforcement officer; possession of a firearm; providing emergency medical, rescue, or fire suppression services; interacting with incarcerated persons; performing duties essential to drug interdiction; performing duties related to the operation of heavy machinery; or performing duties which directly affect public health or safety.

Seasonal Employee – An employee who works in a position that is temporary in nature which coincides with a particular season or seasons of the year or with heavy workload periods for a particular Department. The seasonal position period may recur regularly from year to year, but it is not budgeted for twelve months of the year and cannot exceed thirty-eight continuous or intermittent weeks during a calendar year.

Separation – The voluntary or involuntary termination of an employee's employment with the County due to Resignation, Abandonment of Position, Failure to Return from Leave of Absence, Lay-off, Death, Retirement, Inability to Perform, Loss of License or Certification, or Dismissal as defined in Sections 802 and/or 2600.

Serious Accident – Accident requiring extensive and intensive hospitalization or at-home care and disabling an individual from performing his/her work duties for more than eighty hours.

Shift Worker – A Shift Worker employee is an employee who occasionally works one twelve hour or one twenty-four hour shift on a seasonal or part-time basis. A Shift Worker is not eligible for benefits.

Spouse – Spouse means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the State in which the marriage was entered into, or, in the case of a marriage entered into outside of any State, if the marriage is valid in the place where entered into and could have been entered into in at least one State. This definition includes any individual in a heterosexual marriage, same-sex marriage, licensed marriage, or common law marriage that either: (1) was entered into

# Baldwin County Board of Commissioners

## *Employee Handbook*

in a State that recognizes such marriages; or (2) if entered into outside of any State, is valid in the place where entered into and could have been entered into in at least one State.

Supervisor – An individual who is authorized by the County to take tangible employment actions against subordinate employees, i.e., to effect a significant change in employment status, such as Appointment, Promotion, Suspension, Demotion, or Dismissal, or a decision causing a significant change in benefits.

Suspension – A forced Leave of Absence without pay.

Temporary Employee – An employee who works in a position that is temporary for purposes of a special project or other work of a temporary nature. The temporary position period is established according to the special project or special circumstances requiring work of a temporary nature. The temporary position is not budgeted for twelve months of the year and does not recur regularly from year to year.

Vacancy – A position duly created and still existent, but not occupied by an employee.

Weapon – A “knife or handgun” which is further defined as follows. A “knife” means a cutting instrument designed for the purpose of offense and defense consisting of a blade that is greater than five inches in length which is fastened to a handle”. A “handgun” means a firearm of any description, loaded or unloaded, from which any shot, bullet, or other missile can be discharged by an action of an explosive where the length of the barrel, not including any revolving, detachable, or magazine breech, does not exceed 12 inches; provided, however, that the term “handgun” shall not include a gun which discharges a single shot of .46 centimeters or less in diameter.

Workday or Working Day – A Workday or Working Day is defined as days an employee is scheduled to work and is further defined to mean eight hours for County employees; twelve hours for Law Enforcement sworn officers who work a twelve-hour shift; and twenty-four hours for Fire Department employees who work a twenty-four hour shift.

## RESOLUTION 2026-10

A RESOLUTION TO AMEND THE RULES AND REGULATIONS APPLICABLE TO THE BALDWIN COUNTY PARKS AND RECREATION KNOWN AS THE BALDWIN COUNTY PARKS AND RECREATION POLICIES AND PROCEDURES; AND FOR OTHER PURPOSES.

WITNESSETH:

WHEREAS, Baldwin County (the "County") is a duly formed political subdivision of the State of Georgia;

WHEREAS, the Baldwin County Board of Commissioners ("Board of Commissioners") has determined that various amendments to the Baldwin County Parks and Recreation Policies and Procedures are desirable and necessary to enhance the operations of Baldwin County and the Recreation Department; and

WHEREAS, said amendments are further required to ensure compliance with all applicable local, state, and federal laws.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Baldwin County, Georgia, and it is hereby resolved by authority of the same, as follows:

1. Incorporation of Recitals. The above stated recitals are true and correct and are incorporated as though fully set forth herein.
2. Adoption of Amended Parks and Recreation Policies and Procedures. The Board of Commissioners hereby adopt the amended Baldwin County Parks and Recreation Policies and Procedures attached hereto as Exhibit "A".
3. Severability. In case any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.
4. Repeal of Conflicting Resolutions. Any and all resolutions in conflict with this resolution this day passed be and they are hereby repealed.
5. Effective Date. This Resolution shall take effect immediately upon its adoption.

SO RESOLVED, this 3rd day of February, 2026.

BALDWIN COUNTY BOARD OF COMMISSIONERS

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Kendrick Butts  
Chairman

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Emily C. Davis  
Commissioner

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Sammy Hall  
Commissioner

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Andrew Strickland  
Commissioner

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Scott Little  
Commissioner

ATTEST:

[SEAL]

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Bo Danuser, County Clerk  
Baldwin County, Georgia

DATE ADOPTED \_\_\_\_\_

# **BALDWIN COUNTY**

## **PARKS AND RECREATION**

## **POLICIES AND PROCEDURES**



Adopted February 3, 2026

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## **I. INTRODUCTION AND PURPOSE STATEMENT**

### **A. Introduction**

The Baldwin County Recreation Department is committed to providing programs and leisure services of the highest quality and safety to the residents of Baldwin County. To ensure that all park and recreation facilities usage is consistent with county policies and procedures and that all programs are consistent with these policies and procedures as well as local, state, and national standards for recreation, these policies and procedures are provided as a guide, handbook, and manual to answer questions and provide concise information as to what is expected and required for the use of county park and recreational facilities as well as the responsibilities the department assumes in providing facilities and services to county residents.

### **B. Recreation Program Code of Conduct**

At the Baldwin County Recreation Department, our mission is to provide a positive, safe, and inclusive environment where participants of all ages can enjoy recreational sports and activities. To maintain the integrity of our program and ensure the enjoyment of everyone involved, we expect all players, coaches, parents, spectators, and officials to conduct themselves in a civil and sportsmanlike manner at all times. Only those persons officially recognized as head coaches, assistant coaches, or volunteers by Baldwin County Recreation will be allowed to be on the sidelines during games and practices.

#### **General Expectations**

All participants in our recreation program are expected to:

- Demonstrate respect for others, including players, coaches, officials, and spectators.
- Encourage fair play, integrity, and teamwork.
- Maintain self-control in words and actions.
- Support a positive environment for learning and development.
- Abide by the rules, policies, and spirit of the game.

#### **Unacceptable Behaviors**

The following actions and behaviors will not be tolerated at any program event, game, practice, or gathering:

- Verbal abuse, including yelling, taunting, or derogatory remarks directed at players, coaches, officials, or other spectators.
- Physical aggression of any kind, including fighting, pushing, or threatening gestures.

- Bullying, harassment, or discrimination based on race, gender, ability, religion, or personal differences.
- Profanity or obscene gestures in any context.
- Interfering with the game or officials' decisions.
- Use of alcohol, tobacco, or illegal substances on or around the program grounds.

### **Consequences for Misconduct**

Failure to adhere to this Code of Conduct may result in:

- Verbal warning by officials, coaches, or program staff.
- Removal from the game, practice, or event.
- Suspension from future games or program participation.
- Permanent expulsion from the recreation program.

The Recreation Program staff reserves the right to escalate consequences based on the severity of the behavior and to act immediately in cases where safety or program integrity is at risk.

## **C. Guidelines for Parents/Volunteers**

### **Commitment to a Positive Experience**

We believe recreation and sports should be fun, rewarding, and inclusive for everyone involved. By participating in our program, you agree to uphold these values and help us foster a supportive environment built on respect, kindness, and good sportsmanship.

### **Good Sportsmanship**

The most important guideline for parents is through demonstration of good sportsmanship. Children will remember the actions of their parents long after the season is over. Children often emulate the behavior of their parents as they get older. Parents should exemplify the highest moral character adhering to strong ethical and integrity standards. Parents should not be a party to the use of profanity, obscene language or improper gestures. It is the parent's responsibility and privilege to represent the program and community in a positive and productive manner.

### **Definition of a Volunteer**

A volunteer is someone that gives his/her time, talent, energy, skills, common sense, and experience for which they receive no financial compensation. Volunteering is giving freely of oneself out of the concern and belief that we share the responsibility for others in the community.

## Contributions of a Volunteer

- Better service delivery
- Access to additional expertise
- Increase contact with the community
- Increase assistance to citizens
- “Sense of belonging” to quality community

## Volunteer Obligations

Any individual who volunteers with coaching, assists a coach, trains youth, provides lessons to youth, etc. at any Baldwin County Recreation park or facility shall go through a criminal background check. During the application process and prior to the beginning of the season or any private or group lessons, the applicant shall fill out and provide a background check consent form to the Department. The Baldwin County Sheriff's Office will perform background checks and provide the Department with the results. Any individual whose background check reveals a conviction for any of the offenses listed below will be disqualified from volunteering with youth for the period specified below. The ineligibility period shall run from the date of the individual's conviction. For example, if an individual's background check reveals that they were convicted of cruelty to animals on January 2, 2024, they would not be eligible to volunteer until January 2, 2029. The Baldwin County Recreation Director shall provide notice to the applicant of their ineligibility.

1. An individual convicted of any of the following crimes or a substantially similar crime in any jurisdiction shall not be eligible to volunteer in any Baldwin County Recreation youth program for 5 years from the date of the conviction:

(a) A conviction of driving while intoxicated,/driving under the influence of drugs or alcohol, boating while intoxicated, or boating under the influence of drugs or alcohol, with at least one prior conviction of any of the aforementioned crimes within the previous ten years.

2. An individual convicted of any of the following crimes or a substantially similar crime in any jurisdiction shall not be eligible to volunteer in any Baldwin County Recreation youth program for 10 years from the date of the conviction:

(a) Any crime of Family Violence, as defined by O.C.G.A. § 19-13-1;  
 (b) Felony drug or controlled substances crime;  
 (c) Cruelty to animals;  
 (d) Any act involving theft or robbery;  
 (e) Any act involving forgery or fraud;

- (f) Kidnapping;
- (g) Homicide by vehicle;
- (h) Any crime involving arson; and
- (i) Any crime involving unlawful possession of a weapon.

3. An individual convicted of any of the following crimes or a substantially similar crime in any jurisdiction shall NEVER be eligible to volunteer in any Baldwin County Recreation youth program:

- (a) Aggravated Assault or Aggravated Battery;
- (b) Any crime of a sexual nature, including, but not limited to, rape, statutory rape, and the possession or dissemination of pornography;
- (c) Homicide, murder, and voluntary or involuntary manslaughter, in any degree, other than vehicular homicide;
- (d) Attempted murder; and
- (e) Any crime, misdemeanor or felony, where a child is a victim, accomplice, or accessory to the crime.

Upon request, the applicant will be given a copy of their criminal history report. Any person disqualified from volunteering may appeal their disqualification to the County Manager. The appeal must be filed with the County Manager's office in writing within ten days after receiving the notice of disqualification and it shall contain a concise statement of reasons for the appeal. The County Manager shall hold an administrative hearing in consideration of the appeal and shall give, or cause to be given to the appellant written notice of the time, date, and location of the hearing by personal delivery or delivery by certified mail, return receipt requested, not less than ten days prior to the scheduled date of the hearing. The appellant has the right to attend the hearing and, upon advance Notice to the County Manager, to retain an attorney and/or bring witnesses to testify on the employee's behalf. Based on the record presented at the hearing, the County Manager shall issue a decision within twenty days of the hearing. All decisions by the County Manager regarding appeals are final.

Any volunteer arrested for any criminal offense at any place during their volunteer term is required to notify the Baldwin County Recreation Director within 48 hours of their arrest. Any volunteer who is arrested for one of the offenses listed above will immediately be relieved of his/her volunteer responsibilities and suspended until disposition by the courts. A conviction of any offense listed above will result in termination of volunteer eligibility as stated in this policy.

## II. GENERAL PARK GUIDELINES

### A. Non-Discriminatory Clause

The Baldwin County Board of Commissioners assures that no person shall on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

### B. Facilities Use Regulations

The County attempts to make available adequate facilities for all approved uses. However, requests for usage and time necessary for fields to be repaired and have appropriate “downtime” to ensure the long-term viability and usability of those facilities sometimes requires that priority be given in scheduling facilities. Proper maintenance must be given high priority to ensure the future availability and proper condition of the facilities.

Baldwin County Recreation Department organized leagues have priority for field use. Multi-purpose game fields (baseball, football, soccer, indoor/outdoor courts, etc.) are reserved for league games and authorized practice only. However, multi-purpose practice fields or grassy areas are available for the general public when not in use by leagues.

#### **Absolutely No Open Campfires.**

Due to the potential fire hazards, Baldwin County Board of Commissioners does not allow open fires or personal charcoal grills to be brought into county parks. Personal gas grills or “wood” smokers pulled behind a vehicle are permitted.

Medical Insurance is not provided. Park usage is at your own risk.

### C. Temporary Closing of Park Facilities

The Board of Commissioners, by and through its Manager and/or the Recreation Department through the director or his designee, has the authority to close any park or portion thereof if it is in the best interest of the public and/or general upkeep of the facility.

### D. Smoke-Free Facility

All recreation/park facilities and properties are designated as smoke-free facilities and smoking will be allowed only in areas specifically designated by the Director, if any.

### E. Alcoholic Beverages

No alcoholic beverages shall be sold, possessed, or consumed by any person upon the premises of any county facility, except at Little Fishing Creek Golf Course, and by permit for special events at the Aquatic Center/Water Park.

## **G. Ejection from Park/Recreational Facility**

Any person causing a disturbance or engaging in any activity which shall unreasonably interfere with the use and enjoyment of the park or recreational facility by residents, or who shall violate any rule or policy stated herein, ordinance of the county, or state or federal law, shall leave the park or recreational facility upon notification by any authorized employee of the Baldwin County Recreation Department or any law enforcement office and he/she shall not return to said park or recreation facility for a minimum period of 24 hours. In addition, the Recreation Director may issue a Notice of Prohibited Entry to the person. Such Notice of Prohibited Entry shall describe the reason the person is prohibited from entering the park or recreational facility, shall specify the park or recreational facility the person is prohibited from entering, and duration the Notice of Prohibited Entry shall be in effect. For first-time violations, the Notice of Prohibited Entry may be for any period not to exceed one year, in the discretion of the Recreation Director. For all other violations, the Notice of Prohibited Entry may be for any period not to exceed two years.

Any person to whom a Notice of Prohibited Entry is issued may appeal the decision of the Recreation Director to the County Manager, but the Notice of Prohibited Entry will remain in effect during the appeal and review process. The appeal must be filed with the County Manager's office in writing within ten days after receiving the Notice of Prohibited Entry and it shall contain a concise statement of reasons for the appeal. The County Manager shall hold an administrative hearing in consideration of the appeal and shall give, or cause to be given to the appellant, written notice of the time, date, and location of the hearing by personal delivery or delivery by certified mail, return receipt requested, not less than ten days prior to the scheduled date of the hearing. The appellant has the right to attend the hearing and, upon advance Notice to the County Manager, to retain an attorney and/or bring witnesses to testify on the employee's behalf. Based on the record presented at the hearing, the County Manager shall issue a decision within twenty days of the hearing. All decisions by the County Manager regarding appeals are final.

## **H. Park Hours**

No person shall remain on federal, state, or county parkland 30 minutes after the posted closure of said park, until the posted opening time the following day, without proof of permission issued by the proper respective authorities. If any person is discovered by county law enforcement authorities on said park land 30 minutes after park closure, and the person is loitering or exhibiting disorderly conduct, the person shall leave and may be cited or arrested for such behavior. If the person violating this section receives a citation, that person will be required to appear and answer the charge at a later specified time as required by law.

## **I. Parking Lot Expectations**

Speed Limit- It shall be unlawful for any person to drive any vehicle upon or across any part of any public park of the county except upon roadways laid out and maintained for vehicular travel. This section will not apply to park maintenance equipment over such park areas. The director of

the department shall coordinate with the department of public safety to assure proper, appropriate, and adequate signage is in place to aid the implementation of this section. Age restrictions regarding the operation of motorized vehicles on recreation department property shall be the same as those applicable to the operation of motorized vehicles on the public roads of this state.

**J. Parking of vehicles**

The parking of automobiles shall be permitted in public parks of the county if such parking is in accordance with the traffic laws, rules and regulations of the department and the occupants of automobiles do not create a disturbance or violate any law or ordinance of the county or state. It shall be unlawful for any person to park any vehicles upon any of the drives, avenues, or parking lots in any public park between the hours of 12:00 a.m. and 7 a.m. daily.

**K. Commercial activity**

No person shall sell, offer to sell, operate a concession, or engage in any commercial activity in county recreation areas or on any County property without approval and consent of the Board of Commissioners.

**L. Pets**

Pets are allowed in outdoor county park areas but not allowed on athletic fields or within fenced areas. Pets must always be on a leash. Pets are to be under direct supervision of an adult while in the park area. Pets are not to be tied to trees, picnic tables, chairs etc., or left unattended. Owners are responsible for cleaning up after their pets and disposing of waste in the proper manner. Owners are legally responsible for their pet's behavior. Pets must have up-to-date vaccinations, and must be spayed or neutered. Pets are not allowed inside indoor facilities except for service animals.

**M. Penalty for violation**

Any person who shall violate any provision of park rules shall, upon conviction, be punished as provided for the conviction of a misdemeanor under the laws of the state.

### III. OPERATIONAL PROCEDURES

#### A. Registration of Participants

All registration shall be open to all Baldwin County youth and youth from surrounding counties who meet the requirements set forth in the specific rules of the sport. All programs will adhere to County's nondiscrimination policy and shall offer participation to all individuals without regard to race, color, national origin, gender, age, or handicap unless such participation would violate a specific rule of that sport, such as age limitations, or unless such participation would create a risk to any participants. Registration for all participants will be taken through the Baldwin County Recreation Department website. THERE WILL BE NO OFF-SITE REGISTRATION.

#### B. Scheduling

Dates for tryouts, practices, and league games will be advertised through the Baldwin County social media page. Messages and alerts may be sent through our registration website to inform parents of important information that may arise throughout the program.

#### C. Coaches

Coaches are encouraged to attend accredited coaching clinics and/or some appropriate coaching training. Any individual who coaches a youth team shall be subject to the policies for volunteers provided for in "Volunteer Obligations". Any individual who does not meet County standards for a background check will not be allowed to coach in the youth league and should not be assigned a team.

#### D. Inclement Weather

All programs must adhere to the policies listed in the event of inclement weather.

**Lightning-** Our facility uses a weather system that alerts users when lightning is within a 10-mile radius. No play will resume until a complete 30 minutes has elapsed without a new sighting. A siren/horn will instruct participants when they should leave or be allowed back on to the fields/courts.

**Extreme Heat/Cold-** In the event the National Weather Service issues an advisory regarding extreme heat or cold conditions, the recreation department may alter and/or cancel program activities to ensure safety of the participants.

#### E. Incident Report

The department MUST be notified immediately in the event of serious injury, death, property damage, or vandalism and a written report submitted the next working day. This report will be forwarded by county staff to the County's Human Resources Director for review to help improve safety in parks, as well as provide documentation in the event they receive a claim.

## **F. Use of County Equipment**

No county vehicles or motorized equipment will be available for use by an organization without the written permission by the director of the department.

## **G. Background Check - Officials and Umpires**

All officials/umpires who officiate at park or recreation facility activities must complete a background check consent form, provide it to the Department, and have a criminal background check completed prior to officiating any game. The background check shall be performed once per calendar year. The Baldwin County Sheriff's Office will perform background checks and provide the Department with the results. Any individual whose background check reveals a conviction for any of the offenses listed below will be disqualified from officiating at a park or recreation facility activity for the period specified below. The ineligibility period shall run from the date of the individual's conviction. For example, if an individual's background check reveals that they were convicted of cruelty to animals on January 2, 2024, they would not be eligible to officiate until January 2, 2029. The Baldwin County Recreation Director will provide notice to the applicant of their ineligibility.

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2. An individual convicted of any of the following crimes or a substantially similar crime in any jurisdiction shall not be eligible to officiate in any Baldwin County Recreation youth program for 10 years from the date of the conviction:
  - (a) Any crime of Family Violence, as defined by O.C.G.A. § 19-13-1;
  - (b) Any felony drug or controlled substances crime;
  - (c) Cruelty to animals;
  - (d) Any act involving theft or robbery;
  - (e) Any act involving forgery or fraud;
  - (f) Kidnapping;
  - (g) Homicide by vehicle;
  - (h) Any crime involving arson; and
  - (i) Any crime involving unlawful possession of a weapon;

3. An individual convicted of any of the following crimes or a substantially similar crime in any jurisdiction shall NEVER be eligible to officiate in any Baldwin County Recreation youth program:

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- (b) Any crime of a sexual nature, including, but not limited to, rape, statutory rape, and the possession or dissemination of pornography;
- (c) Homicide, murder, and voluntary or involuntary manslaughter, in any degree, other than vehicular homicide;
- (d) Attempted murder; and
- (e) Any crime, misdemeanor or felony, where a minor is a victim, accomplice, or accessory to the crime.

Upon request, the official/umpire will be given a copy of their criminal history report. Any person disqualified from officiating may appeal their disqualification to the County Manager. The appeal must be filed with the County Manager's office in writing within ten days after receiving the notice of disqualification and it shall contain a concise statement of reasons for the appeal. The County Manager shall hold an administrative hearing in consideration of the appeal and shall give, or cause to be given to the appellant written notice of the time, date, and location of the hearing by personal delivery or delivery by certified mail, return receipt requested, not less than ten days prior to the scheduled date of the hearing. The appellant has the right to attend the hearing and, upon advance Notice to the County Manager, to retain an attorney and/or bring witnesses to testify on the employee's behalf. Based on the record presented at the hearing, the County Manager shall issue a decision within twenty days of the hearing. All decisions by the County Manager regarding appeals are final.

Any official/umpire arrested for any criminal offense at any place during their officiating term is required to notify the Baldwin County Recreation Director within 48 hours of their arrest. Any official/umpire who is arrested for one of the offenses listed above will immediately be relieved of his/her officiating responsibilities and suspended until disposition by the courts. A conviction of any offense listed above will result in termination of eligibility to be an official/umpire as stated in this policy.

#### **H. Concussion Awareness**

Parents/participants and coaches are required to acknowledge the risk related to concussions and how they can impact their child player while participating in sports. Detailed information regarding concussions can be found on the CDC website, USA Football website, GHSA, and many other websites that deal with contact sports. The parents, coaches, and athletes will be required to sign an information sheet acknowledging that they have received the concussion training.

## I. **Refund Policy**

You should know and understand the department's refund policy when registering your child in the program. Once a child is enrolled in a program, the department must commit these funds quickly towards uniforms, equipment, etc. that cannot be refunded. If the child is injured and cannot participate at all, or if there is another unforeseen emergency, the organization will consider, upon request, a partial or full refund. The parent must provide adequate documentation to support the request for a refund.

## IV. FACILITIES USE AGREEMENT

Each organization that rents the facility is required to obtain and adhere to the terms and conditions of the department's Facilities Use Agreement as well as the required procedures listed in this set of policies and procedures. This document serves as a contract between the organization and department and outlines certain requirements the organization must fulfill to conduct their program in a park/facility. These requirements are necessary to assure public confidence in the management and structure of these organizations while ensuring the safety, health, and protection of the participating members. These policies and procedures expand on the listed requirements to describe county ordinances, policies and procedures as well as outlining the responsibilities of both the department and the organization. Herein will be found the outlines of the basic structure to ensure all programs are operated consistently with department and national recreation program standards.

### **A. Facility Rental Contract**

This contract identifies which facilities are desired, dates and times necessary to complete their activity/event, and type of event they are having. The facility rental contract will include rental fee, security fee and must be signed by the renter and recreation staff member. Half of the total rental amount must be paid to hold the date for the event. The department has set standardized start and finish dates for each youth/adult sport which provides ample time for each program's basic season to operate. **All Facility Rental Contracts must be submitted to the Recreation Department Director for review a minimum of 30 days prior to the activity.**

### **B. Damage to Facilities**

An organization shall be responsible for any damage incurred by the facilities caused by the organization. An organization that condones the persistent damage to park facilities shall be brought before the Baldwin County Recreation Director, their Facility Use agreement placed under review, and the organization must show cause why they should not be barred from future use of county facilities.

### **C. Subletting of County Facilities**

No organization at any time may sublet county facilities to outside organizations. ONLY the department can issue contracts and/or permits to any person or organization seeking to use county facilities. Violations of this policy will result in an immediate review of the facility use agreement and the organization brought before the Director and/or County Management to show cause why it should not be banned from future use of county facilities.

## **D. Regulations, Procedures, and Requirements for Facility Use**

1. The county reserves the right to prohibit, rescind or change the use of facilities, without notice, regardless of prior approval or use.
2. County recreation facilities may not be used for any purpose prohibited by law. In addition, lewd and abusive language, threats, assault, vandalism, theft, and all other inappropriate actions will result in immediate removal from the premises and prosecution when appropriate.
3. Application for use of any County recreation facility can be denied in the discretion of the County. Use of facilities will be withheld for events not related to general public welfare.
4. Applicants granted use of facilities are responsible for the proper supervision of all participants and spectators. Those participants under the age of 18 years are not to be left unattended at any time.
5. Any problems encountered with the facility must be reported to the Recreation Department as soon as possible after the conclusion of the activity.
6. Proper use of facilities is of utmost importance. Individuals or organizations failing to abide by the provisions of this policy will be asked to curtail their event and may be denied further use of recreation facilities.
7. Facilities must be left clean and orderly. All trash and/or materials used must be placed in the trash or removed from the premises.
8. Users of County recreation facilities automatically assume responsibility and liability for all damages and loss to county property that occurs while using said facilities.
9. Parking is permitted in designated parking areas only.
10. Violations of the parking policy may result in revocation of the applicant's privilege to continue utilizing county recreation facilities.

NO ALCOHOLIC BEVERAGES ARE TO BE CONSUMED, DISPENSED OR BROUGHT IN TO OR ONTO COUNTY RECREATION FACILITIES OR PROPERTIES, EXCEPT UPON EXPRESS WRITTEN PERMISSION BY COUNTY OFFICIALS FOR THOSE LIMITED USES AUTHORIZED BY COUNTY.

11. Activity shall begin and end within the approved time frame.
12. The county may require the applicant to secure sufficient security personnel depending on the type of activity and the anticipated number of participants and/or spectators.
13. Noise must be kept to a minimum so as not to disturb others utilizing the facility and the residents within the area.

14. Signs, banners, and other such material must be removed with 48 hours of completion of the rental.

15. Only fully completed Facility Rental Contracts accompanied by all other necessary paperwork and fees will be considered.

16. Fees are required for use of certain facilities and must be included at time of application.

A Certificate of Insurance is required at time of payment for facility use, unless specifically waived by the Director, upon approval by the County Manager. Insurance must provide satisfactory evidence of insurance protection for participants, spectators, coaches and the public within the following terms and conditions. The applicant must maintain Commercial General Liability insurance with limits of liability not less than \$500,000 per occurrence and aggregate. The policy will provide coverage for the user's activity at the approved facilities and shall state such facilities on the certificate of Insurance. The Certificate shall name the County as the Certificate Holder and as Additional Insured for the full duration of the use of the facility.

17. Any solicitation for funds and/or advertisement for any event shall in no way indicate sponsorship or approval of the event by County; or indicate in any way that any contribution or sponsorship is for the benefit of the Recreation Department, or that any such sponsorship or contribution affords tax treatment afforded direct contributions to a governmental entity.

18. Under special circumstances, an organization may apply to have County enter into a cooperative agreement for an event. The event must promote a public benefit and encourage broad citizen and/or tourist participation. Cooperative agreements include, but are not limited to, fee reduction of facilities and use of equipment, waiver of certain requirements set out herein, and/or un-reimbursed staff hours as a public donation to the event. Cooperative agreements must be approved by the Director and the County Manager. The Recreation Department must be given credit in all advertising and promotions as a contributor.

19. County may require written authorization to conduct such credit, criminal, and/or background checks on applicants or the principals of corporate applicants as it deems appropriate, with the costs thereof to be paid by Applicant.

## V. SPECIAL EVENT PERMIT

Baldwin County is pleased to welcome a variety of special events, from community festivals to athletic competitions. Our goal is to work with event producers to help ensure that events that take place in our county are safe and successful, while minimizing the impact on the surrounding community.

For profit or non-profit organizations may host a special event for entertainment, recreation, and/or education which takes place on public property or takes place on private property but requires special public services such as the use of parks, public streets, rights-of-ways, or sidewalks. Special events may include, but are not limited to, activities such as run/walk events, cycling events, street festivals, parades, triathlon/biathlon, grand openings, concerts, assemblies, block parties, and certain outdoor promotional events.

Individuals, organizations, or groups wishing to hold events on public property, or on private property but with an impact on public property, such as roads and parks, must obtain a Special Event Permit from Baldwin County. Although our Special Event Permit Application is used for a wide range of special events, the review process differs based on the type and details of the event.

As with the review process, the application fee for the special event permit varies depending on the length and type of the event. Permit application fees will be assessed based on the information provided in the application and must be paid at time of submittal of a complete application. Special Event applications must be submitted at least 60 days prior to the planned special event. Public assemblages such as a procession, rally, or march must be filed at least 24 days prior to the planned event but no more than 60 days prior to the planned event. All permits related to a special event should be posted at greeting areas or main entrances to the event. County staff may ask event producer to show proof of permit during the event.

Please inquire at the Recreation Department located at 59 Hwy 22 West, Milledgeville, GA 31061 or 478-445-0785 for a Special Event Permit Application.



# PAC

Prosecuting  
Attorneys'  
Council of Georgia

Item 4.

Seeking Justice with Honor

**PETER J. SKANDALAKIS**  
Executive Director

January 5, 2026

**SHERRY BOSTON**  
Chair  
District Attorney  
DeKalb Judicial Circuit

**WILLIAM A. FINCH**  
Vice Chair  
Solicitor-General  
Forsyth County

**HERB CRANFORD**  
Secretary  
District Attorney  
Coweta Judicial Circuit

**JONATHAN L. ADAMS**  
District Attorney  
Towaliga Judicial Circuit

**TODD HAYES**  
Solicitor-General  
Cherokee County

**OMEeka LOGGINS**  
Solicitor-General  
Richmond County

**TASHA M. MOSLEY**  
District Attorney  
Clayton Judicial Circuit

**BRADFORD L. RIGBY**  
District Attorney  
Cordele Judicial Circuit

Re: Federal Fiscal Year 2026 VOCA Allocation - October 1, 2025 through September 30, 2026

Dear Baldwin Solicitor-General's Office:

It is my pleasure to inform you that the Criminal Justice Coordinating Council (CJCC) has approved the Federal Fiscal Year 2026 VOCA Continuation funding applications as submitted by the Prosecuting Attorneys' Council of Georgia (PAC). Therefore, your office has been selected to receive a portion of those funds. Below are the specifics with regard to your allocation of the statewide grant distribution.

County: **Baldwin**

Implementing Prosecuting Attorney: **Solicitor-General J. Skye Gess**

Grant Period: **October 1, 2025 through September 30, 2026**

**Allocation 1**

VOCA Federal Funds: **\$90,104**

VOCA Waived Match Funds: **\$22,526**

CJCC Sub-Grant Number: **AW-VOCA-25-071-012**

Federal Grant Number: **15POVC-25-GG-00295-ASSI**

CFDA Number: **16.575**

The activation documents (see included checklist for guidelines on submitting documents) must be returned to PAC via email to Sarai Leonides at [sleonides@pacga.org](mailto:sleonides@pacga.org) by **February 6, 2026**. If you have any questions, please contact Sarai Leonides at [sleonides@pacga.org](mailto:sleonides@pacga.org) or (770) 282-6290.

Sincerely,

Peter J. Skandalakis  
Executive Director  
Prosecuting Attorneys' Council of Georgia

## RESOLUTION R-2026-11

A RESOLUTION TO AUTHORIZE AN APPLICATION BE SUBMITTED TO THE VICTIMS OF CRIME ACTS ASSISTANCE GRANT FOR CONTINUED FUNDING FOR THE PROSECUTING ATTORNEY SOLICITOR GENERAL; AND FOR OTHER PURPOSES.

WHEREAS, the Baldwin County Board of Commissioners desire to continue to receive funding from the Victims of Crime Acts Assistance Grant ("Grant") for the Prosecuting Attorney; and

WHEREAS, the Grant provides funding of \$90,104 for the period October 1, 2025 through September 30, 2026; and

WHEREAS, the CJCC Sub Grant Number is AW-VOCA-25-071-12 and the Federal Grant Number is 15POVC-25-GG-00295-ASSI.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Baldwin County, Georgia, and it hereby resolved by authority of the same, as follows:

1. **Incorporation of Recitals.** The above stated recitals are true and correct and are incorporated as though fully set forth herein.
2. **Authorization of Grant Application.** The Board of Commissioners hereby authorizes the preparation and submission of an Application for the Victims of Crime Acts Assistance Grant.
3. **Authorization of Chairman.** The Board of Commissioners hereby authorizes the Chairman of the Baldwin County Board of Commissioners to sign any documentation or take any other action necessary or reasonably required to carry out, give effect to, and consummate the application and administration of the Grant and to take all action necessary in conformity therewith.
4. **Severability.** In case any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, but this Resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.
5. **Repeal of Conflicting Resolutions.** Any and all resolutions in conflict with this Resolution this day passed be and they are hereby repealed.
6. **Effective Date.** This Resolution shall take effect immediately upon its adoption.

SO RESOLVED, this 3rd day of February, 2026.

BALDWIN COUNTY, GEORGIA

---

Honorable Kendrick Butts, Chairman  
Baldwin County Board of Commissioners

ATTEST:

(SEAL)

---

Bo Danuser  
Baldwin County Clerk

DATE ADOPTED \_\_\_\_\_

## RESOLUTION R-2025-12

A RESOLUTION TO AUTHORIZE AN APPLICATION BE SUBMITTED TO THE VICTIMS OF CRIME  
ACTS ASSISTANCE GRANT FOR CONTINUED FUNDING FOR  
THE DISTRICT ATTORNEY; AND FOR OTHER PURPOSES.

WHEREAS, the Baldwin County Board of Commissioners desire to continue to receive funding from the Victims of Crime Acts Assistance Grant ("Grant") for the Prosecuting Attorney; and

WHEREAS, the Grant provides funding of \$170,340 for the period October 1, 2025 through September 30, 2026; and

WHEREAS, the CJCC Sub Grant Number is AW-VOCA-25-071-12 and the Federal Grant Number is 15POVC-25-GG-00295-ASSI.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Baldwin County, Georgia, and it hereby resolved by authority of the same, as follows:

1. **Incorporation of Recitals.** The above stated recitals are true and correct and are incorporated as though fully set forth herein.
2. **Authorization of Grant Application.** The Board of Commissioners hereby authorizes the preparation and submission of an Application for the Victims of Crime Acts Assistance Grant.
3. **Authorization of Chairman.** The Board of Commissioners hereby authorizes the Chairman of the Baldwin County Board of Commissioners to sign any documentation or take any other action necessary or reasonably required to carry out, give effect to, and consummate the application and administration of the Grant and to take all action necessary in conformity therewith.
4. **Severability.** In case any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, but this Resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.
5. **Repeal of Conflicting Resolutions.** Any and all resolutions in conflict with this Resolution this day passed be and they are hereby repealed.
6. **Effective Date.** This Resolution shall take effect immediately upon its adoption.

SO RESOLVED, this 3rd day of February, 2026.

BALDWIN COUNTY, GEORGIA

---

Honorable Kendrick Butts, Chairman  
Baldwin County Board of Commissioners

ATTEST:

(SEAL)

---

Bo Danuser  
Baldwin County Clerk

DATE ADOPTED \_\_\_\_\_



# PAC

Prosecuting  
Attorneys'  
Council of Georgia

Item 5.

Seeking Justice with Honor

**PETER J. SKANDALAKIS**  
Executive Director

January 5, 2026

**SHERRY BOSTON**  
Chair  
District Attorney  
DeKalb Judicial Circuit

Re: Federal Fiscal Year 2026 VOCA Allocation - October 1, 2025 through September 30, 2026

**WILLIAM A. FINCH**  
Vice Chair  
Solicitor-General  
Forsyth County

Dear Ocmulgee Judicial Circuit:

**HERB CRANFORD**  
Secretary  
District Attorney  
Coweta Judicial Circuit

It is my pleasure to inform you that the Criminal Justice Coordinating Council (CJCC) has approved the Federal Fiscal Year 2026 VOCA Continuation funding applications as submitted by the Prosecuting Attorneys' Council of Georgia (PAC). Therefore, your office has been selected to receive a portion of those funds. Below are the specifics with regard to your allocation of the statewide grant distribution.

**JONATHAN L. ADAMS**  
District Attorney  
Towaliga Judicial Circuit

County: **Baldwin**

Implementing Prosecuting Attorney: **District Attorney Wright Barksdale**

Grant Period: **October 1, 2025 through September 30, 2026**

**OMEELA LOGGINS**  
Solicitor-General  
Richmond County

### Allocation 1

VOCA Federal Funds: **\$170,340**

VOCA Waived Match Funds: **\$42,585**

CJCC Sub-Grant Number: **AW-VOCA-25-071-012**

Federal Grant Number: **15POVC-25-GG-00295-ASSI**

CFDA Number: **16.575**

**TODD HAYES**  
Solicitor-General  
Cherokee County

**TASHA M. MOSLEY**  
District Attorney  
Clayton Judicial Circuit

**BRADFORD L. RIGBY**  
District Attorney  
Cordele Judicial Circuit

The activation documents (see included checklist for guidelines on submitting documents) must be returned to PAC via email to Sarai Leonides at [sleonides@pacga.org](mailto:sleonides@pacga.org) by **February 6, 2026**. If you have any questions, please contact Sarai Leonides at [sleonides@pacga.org](mailto:sleonides@pacga.org) or (770) 282-6290.

Sincerely,

Peter J. Skandalakis  
Executive Director  
Prosecuting Attorneys' Council of Georgia

## RESOLUTION R-2026-13

A RESOLUTION TO ACCEPT AGREEMENT TO PURCHASE PROPERTY; AUTHORIZE THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZE THE TAKING OF ALL ACTIONS NECESSARY TO THE CONSUMMATION OF THE AGREEMENT TO PURCHASE PROPERTY; AND FOR OTHER PURPOSES.

**WITNESSETH:**

**WHEREAS**, Baldwin County (the “County”) is a duly formed political subdivision of the State of Georgia;

**WHEREAS**, Baldwin County is authorized by the laws of the State of Georgia to purchase, acquire, and hold real property for the benefit of Baldwin County and its citizens and to enter into contracts with respect thereto;

**WHEREAS**, the Board of Commissioners of Baldwin County, Georgia (“the Board of Commissioners”) has determined that a true and real need exists for the acquisition of real property on which a training center can be built for the Baldwin County Sheriff’s Office;

**WHEREAS**, the County’s employees, agents, or both, have identified real property appropriate, sufficient, and necessary, to which a training center for the Baldwin County Sheriff’s Office can be built;

**WHEREAS**, for purposes of this Resolution, the particular property that the County has determined is necessary to acquire is all that certain lot or parcel of land containing 14.514 acres, more or less, situate, lying, and being in Land Lot 238, 1st Land District, 319th G.M. District, Baldwin County Georgia, being more fully described or depicted in the Purchase and Sale Agreement attached hereto as Exhibit 1 (the “Property”);

**WHEREAS**, good-faith negotiations with the Property’s owner, the Development Authority of the City of Milledgeville and Baldwin County, has resulted in the drafting of the Purchase and Sale Agreement (“Agreement to Purchase Property”) reflected in Exhibit 1.

**WHEREAS**, the Board of Commissioners has determined that the execution and entering into the Agreement to Purchase Property and subsequent purchase of the Property is in the best interest of the citizens of the County;

**WHEREAS**, the County, by and through its Board of Commissioners, hereby adopts the following Resolution and the attached Agreement to Purchase Property in the exercise of its sound judgment and discretion after giving thorough consideration to all the implications involved and keeping in mind the public interest and welfare of the citizens of the County.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Baldwin County, Georgia, and it is hereby resolved by authority of the same, as follows:

1. **Incorporation of Recitals.** The above stated recitals are true and correct and are incorporated as though fully set forth herein.
2. **Acceptance of Agreement to Purchase Property.** The County hereby approves the Agreement to Purchase Property attached hereto as Exhibit "1."
3. **Authorization to Pursue Purchase of the Property.** The County Manager, County Attorney, employees, agents, or a combination thereof, are hereby authorized and specifically directed to continue in good faith the diligent pursuit of purchasing the Property by the Agreement to Purchase Property reflected in Exhibit "1".
4. **Authorization of the Chairman and County Manager.** The Board of Commissioners hereby authorizes the Chairman or County Manager to sign, execute, and deliver the Agreement to Sell Property reflected in Exhibit "1."
5. **Other Actions Authorized.** The Chairman, County Attorney, and County Manager shall be authorized to take any other action necessary or convenient and to execute and/or attest and seal any additional documents which may be necessary or convenient to effectuate this Resolution or the transactions contemplated by this Resolution.
6. **Actions Ratified, Approved and Confirmed.** The signatures in the Agreement to Purchase Property from the Chairman or County Manager for the Board of Commissioners evidences the adoption by the Governing Body of this Resolution.
7. **Severability.** In case any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.
8. **Repeal of Conflicting Resolutions.** Any and all resolutions in conflict with this resolution this day passed be and they are hereby repealed.
9. **Effective Date.** This Resolution shall take effect immediately upon its adoption.

SO RESOLVED, this 3rd day of February, 2026.

[SIGNATURE PAGE FOLLOWS]

BALDWIN COUNTY, GEORGIA

---

Honorable Kendrick Butts, Chairman  
Baldwin County Board of Commissioners

ATTEST:

[SEAL]

---

Bo Danuser, County Clerk  
Baldwin County, Georgia

DATE ADOPTED \_\_\_\_\_

## PURCHASE AND SALE AGREEMENT

### A. PURCHASE AND SALE

The undersigned Purchaser agrees to buy, and the undersigned Seller agrees to sell all that tract or parcels of land with such improvements as are located thereon described as follows:

**14.514 Acres, Milledgeville, Georgia 31061 being more fully described or depicted on Exhibit "A" attached hereto and made a part hereof (the "Property").**

### B. PURCHASE PRICE AND METHOD OF PAYMENT

The purchase price of said property shall be **Fifteen Thousand Ninety and 50/100 DOLLARS (\$15,090.50)** to be paid as follows:

**By bank wire transfer of immediately available funds.**

### C. REAL ESTATE BROKER/COMMISSION

The Property is not currently listed with any Real Estate Broker/Agent and no commission is due. Seller hereby indemnifies and holds Purchaser harmless from and against any and all liabilities, losses, costs, damages, and expenses, including reasonable attorneys' fees and costs of litigation, that Purchaser shall ever suffer or incur because of any claim by any broker, agent, or salesperson, whether or not meritorious, for any fee, commission, or other compensation with regard to this Agreement, or the sale and purchase of the Property contemplated by, or arising out of any acts or agreements of Seller. Purchaser represents to Seller that Purchaser has not discussed this Agreement or the subject matter thereof with any other real estate broker, agent, or salesperson so as to create any legal right in any such broker, agent, or salesperson to claim a real estate commission, finder's fee, or similar compensation from Seller with respect to the sale and/or conveyance of the Property contemplated in this Agreement. Purchaser hereby indemnifies and holds Seller harmless from and against any and all liabilities, losses, costs, damages, and expenses, including reasonable attorneys' fees and costs of litigation, that Seller shall ever suffer or incur because of any claim by any broker, agent, or sales person, whether or not meritorious, for any fee, commission, or other compensation with regard to this Agreement, or the sale and purchase of the Property contemplated hereby, or arising out of any acts or agreements of Purchaser. This Section C shall survive the Closing or any termination of this Agreement.

### D. WARRANTY OF TITLE

Seller warrants that it presently has title to the Property, and at the time of closing, Seller agrees to convey good and marketable title to the Property to Purchaser by a Fee Simple Deed Without Warranty subject to (1) Easements, plats, covenants, restrictions, right-of-way deeds, agreements, and/or reservations of record, including any declaration of covenants related to a Homeowner's Association or Property Owner's Association; and (2) Any laws, regulations, or ordinances (including but not limited to zoning, building, and environmental matters) as to the use, occupancy, subdivision, or improvement of the Property adopted or imposed by any governmental agency.

### E. CONDITION OF PROPERTY AND INSPECTIONS

The Property is being sold **"AS-IS, WHERE-IS AND WITH ALL FAULTS"** and Seller makes no representations or warranties regarding the past, present or future condition thereof. Purchaser and Seller agree that all inspections/examinations of all aspects of the Property by the Purchaser and/or its agents and employees have been completed. This Section E shall survive the Closing.

**F. RESPONSIBILITY TO COOPERATE**

Seller and Purchaser agree that such papers as may be necessary to carry out the terms of this Agreement shall be produced, executed and/or delivered by such parties at such times as required to fulfill the terms and conditions of this Agreement.

**G. TIME IS OF THE ESSENCE.**

Time is of the essence does apply in this Agreement. Whenever the last day for the exercise of any right or the discharge of any obligation under this Agreement shall fall upon a Saturday, Sunday, or any public or legal holiday, the party having such right or obligation shall have until 5:00 p.m. Eastern Time on the succeeding regular business day to exercise such right or discharge such obligation.

**H. ASSIGNMENT**

This Agreement shall insure to the benefit of, and be binding upon, the parties hereto, their heirs, successors, administrators, executors and assigns. This Agreement may not be assigned by Purchaser in whole, or in part.

**I. ENTIRE AGREEMENT**

This Agreement constitutes the sole and entire Agreement between the parties hereto and no modifications of this Agreement shall be binding unless attached hereto and signed by all parties to this agreement. No representation, promise, or inducement not included in this Agreement shall be binding upon any party hereto regarding the Property.

**J. COUNTERPARTS**

This Agreement may be executed in any number of identical counterparts, any of which may contain the signatures of less than all of the parties hereto, but all of which together shall constitute a single agreement. Signatures delivered by facsimile or other electronic means shall be as binding as originals upon the parties so signing.

**K. SURVIVAL OF AGREEMENT**

It is the intent of the parties hereto and as part consideration of this sale that the terms and conditions contained herein shall not survive the closing and shall merge with the delivery of the Fee Simple Deed Without Warranty to Purchaser, except as noted in Section C and Section E herein.

**L. WAIVER**

Failure of Purchaser or Seller to insist on compliance with, or strict performance of, any provision of this Agreement or to take advantage of any right under this Agreement, shall not constitute a waiver of the other provisions or rights.

M. DEFAULT

1. **Default by Purchaser.** If the sale and purchase of the subject property is not consummated because of Purchaser's default, or otherwise perform its obligations hereunder in any material respect, and the failure or refusal is not cured within five (5) business days after written notice from Seller, then Seller shall have the right either to: (i) terminate this Agreement, or (ii) seek specific performance of this Agreement. If Seller elects to seek specific performance, Seller must file suit for specific performance within ninety (90) days following the date of the alleged default. If specific performance is not available to Seller because of Purchaser's intentional acts or omissions, then Seller may terminate the Agreement and pursue an action for actual damages against Purchaser for proven out of pocket costs.
2. **Default By Seller.** If Seller fails or refuses to convey the Property in accordance with the terms of this Agreement, or otherwise perform its obligations hereunder in any material respect, and the failure or refusal is not cured within five (5) business days after written notice from Purchaser, then Purchaser shall have the right either to: (i) terminate this Agreement, or (ii) seek specific performance of this Agreement. If Purchaser elects to seek specific performance, Purchaser must file suit for specific performance within ninety (90) days following the date of the alleged default. If specific performance is not available to Purchaser because of Seller's intentional acts or omissions, then Purchaser may terminate the Agreement and pursue an action for actual damages against Seller for proven out of pocket costs.

N. ENVIRONMENTAL REPRESENTATION

Seller represents that it has no actual knowledge that (a) any petroleum product, chemical, garbage, refuse or solid waste has been generated, stored, dumped, landfilled, or in any other way disposed of on the subject property, (b) toxic or hazardous wastes (as defined by the U.S. Environmental Protection Agency or any similar state or local agency) or hazardous substances (as defined under the Comprehensive Environment Response, Compensation and Liability Act of 1980, as amended, or the Resource Conservation and Recovery Act, as amended, or any similar state or local statute or regulation) have been generated, stored, dumped, or disposed of on the subject property other than possible unauthorized random dumping, or (c) any such materials or wastes been generated, stored, dumped, located or disposed of on any real property contiguous or adjacent to the subject property, except as set forth below:

**NONE**

O. INTEGRATION; MODIFICATION

This Agreement contains the full and complete understanding and agreement of Purchaser and Seller with respect to the transaction contemplated by this Agreement and no prior agreements or representations shall be binding upon Purchaser or Seller unless included in this Agreement. No modification to or change in this Agreement shall be valid or binding upon Purchaser or Seller unless in writing and executed by the parties intended to be bound by it.

P. APPLICABLE LAW AND VENUE

This Agreement shall be construed in accordance with the laws of the State of Georgia and venues for resolution in all disputes wherein by mediation, arbitration or litigation, shall lie in the county where the Property is located.

Q. COUNSEL

1. Purchaser and Seller hereto warrants and represents that each party shall bear their own attorneys' fees, costs and expenses;

2. Purchaser and Seller hereto warrants and represents that each party has been afforded the opportunity to be represented by counsel of its own choice in connection with the execution of this Agreement and has had ample opportunity to read, review, and understand the provisions of this Agreement.

R. SPECIAL STIPULATIONS

The following stipulations, if conflicting with any terms of this Agreement shall control:

1. Closing shall occur on or before February 27, 2026, at the offices of Smith Welch, Webb & White, LLC, 2200 Keys Ferry Court, McDonough, GA 30253, which may at the request of either party be conducted as a "mail-away" closing not requiring representatives of Purchaser and/or Seller to be present.
2. Closing Costs consisting of the following but not limited to: Closing Attorney Settlement or Closing Fees, Transfer Tax, Title Search, Recording Fees, Courier Fees, Post Closing Fees and Title Insurance Premiums shall be paid by the Purchaser at closing.
3. Should the title search reveal outstanding title issues that requires Title Curative Work be completed to provide clear and marketable title to the Purchaser at closing, the Seller shall pay such Title Curative Fees.

**[SIGNATURES ON FOLLOWING PAGE]**

IN WITNESS WHEREOF, each of the parties hereto has signed and sealed this Purchase and Sale Agreement on the date shown below their signature. This Purchase and Sale Agreement shall for all purposes be deemed to be FULLY EXECUTED and dated (the "Effective Date") on the later of the dates of execution shown below for Seller and Purchaser.

**SELLER:**

DEVELOPMENT AUTHORITY OF THE CITY OF  
MILLEDGEVILLE AND BALDWIN COUNTY

By: \_\_\_\_\_  
Sharon Seymour  
Chair

Date of Execution: \_\_\_\_\_

**PURCHASER:**

BALDWIN COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Kendrick Butts  
Chairman

Date of Execution: \_\_\_\_\_

## **EXHIBIT “A”**

All that certain lot or parcel of land containing 14.514 acres, more or less, situate, lying, and being in Land Lot 238, 1st Land District, 319th G.M. District, Baldwin County, Georgia, being identified as Parcel “A” on the Property Division Survey for Baldwin County Board of Commissioners, prepared by James E. Smith, Jr., Registered Land Surveyor No. 1895, dated May 15, 2025, recorded in Plat Book 51, Page 44, Baldwin County, Georgia Records. The description of said property as contained on said survey is hereby incorporated herein and by reference made a part hereof.

Together with a 30' Ingress and Egress Easement along gravel drive, said easement being more particularly described on the Property Division Survey for Baldwin County Board of Commissioners, prepared by James E. Smith, Jr., Registered Land Surveyor No. 1895, dated May 15, 2025, recorded in Plat Book 51, Page 44, Baldwin County, Georgia Records.

Together with a 30' Ingress and Egress Easement over 23' pavement, said easement being more particularly described on the Property Division Survey for Baldwin County Board of Commissioners, prepared by James E. Smith, Jr., Registered Land Surveyor No. 1895, dated May 15, 2025, recorded in Plat Book 51, Page 44, Baldwin County, Georgia Records.

Said property being subject to all zoning ordinances, easements, right of ways, and restrictions of record.

**Record & Return to:**

Smith Welch Webb & White, LLC  
 2200 Keys Ferry Court  
 McDonough, GA 30253  
 File No. 23198.0000

**FEE SIMPLE DEED WITHOUT WARRANTY**

STATE OF GEORGIA  
 COUNTY OF BALDWIN

THIS INDENTURE made this the \_\_\_\_\_ day of \_\_\_\_\_, 2026, between **DEVELOPMENT AUTHORITY OF THE CITY OF MILLEDGEVILLE AND BALDWIN COUNTY**, as Party of the First Part (hereinafter called "Grantor"), and **BALDWIN COUNTY BOARD OF COMMISSIONERS**, as Party of the Second Part, (hereinafter called "Grantee"); (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

**W I T N E S S E T H:**

THAT, for and in consideration of the sum of One Dollar and other considerations (\$1.00) in hand paid to the Grantor by the Grantee at and before the execution, sealing and delivery of these presents, and other good and valuable considerations, the receipt, adequacy and sufficiency of which are hereby acknowledged, the Grantor, by these presents, does grant, bargain, sell, alien, convey and confirm unto the Grantee the following described real property and agreements (collectively the "Property"), to-wit:

All that certain lot or parcel of land containing 14.514 acres, more or less, situate, lying, and being in Land Lot 238, 1st Land District, 319th G.M. District, Baldwin County, Georgia, being identified as Parcel "A" on the Property Division Survey for Baldwin County Board of Commissioners, prepared by James E. Smith, Jr., Registered Land Surveyor No. 1895, dated May 15, 2025, recorded in Plat Book 51, Page 44, Baldwin County, Georgia Records. The description of said property as contained on said survey is hereby incorporated herein and by reference made a part hereof.

Together with a 30' Ingress and Egress Easement along gravel drive, being more particularly described on the Property Division Survey for Baldwin County Board of Commissioners, prepared by James E. Smith, Jr., Registered Land Surveyor No. 1895, dated May 15, 2025, recorded in Plat Book 51, Page 44, Baldwin County, Georgia Records.

Together with a 30' Ingress and Egress Easement over 23' pavement, being more particularly described on the Property Division Survey for Baldwin County Board of Commissioners, prepared by James E. Smith, Jr., Registered Land Surveyor No. 1895, dated May 15, 2025, recorded in Plat Book 51, Page 44, Baldwin County, Georgia Records.

Said property being subject to all zoning ordinances, easements, right of ways, and restrictions of record.

TO HAVE AND TO HOLD the property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the Grantee, forever in FEE SIMPLE, without warranty of any type, kind or nature whatsoever.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed in the manner provided by law as of the day and year first above written.

Signed, sealed and delivered  
in the presence of:

\_\_\_\_\_  
Unofficial Witness

\_\_\_\_\_  
Notary Public  
My Commission Expires:

**DEVELOPMENT AUTHORITY OF THE  
CITY OF MILLEDGEVILLE AND  
BALDWIN COUNTY**

By: \_\_\_\_\_ (SEAL)  
Sharon Seymour  
Chair

## PURCHASE AND SALE AGREEMENT

### A. PURCHASE AND SALE

The undersigned Purchaser agrees to buy, and the undersigned Seller agrees to sell all that tract or parcels of land with such improvements as are located thereon described as follows:

**14.514 Acres, Milledgeville, Georgia 31061 being more fully described or depicted on Exhibit "A" attached hereto and made a part hereof (the "Property").**

### B. PURCHASE PRICE AND METHOD OF PAYMENT

The purchase price of said property shall be **Fifteen Thousand Ninety and 50/100 DOLLARS (\$15,090.50)** to be paid as follows:

**By bank wire transfer of immediately available funds.**

### C. REAL ESTATE BROKER/COMMISSION

The Property is not currently listed with any Real Estate Broker/Agent and no commission is due. Seller hereby indemnifies and holds Purchaser harmless from and against any and all liabilities, losses, costs, damages, and expenses, including reasonable attorneys' fees and costs of litigation, that Purchaser shall ever suffer or incur because of any claim by any broker, agent, or salesperson, whether or not meritorious, for any fee, commission, or other compensation with regard to this Agreement, or the sale and purchase of the Property contemplated by, or arising out of any acts or agreements of Seller. Purchaser represents to Seller that Purchaser has not discussed this Agreement or the subject matter thereof with any other real estate broker, agent, or salesperson so as to create any legal right in any such broker, agent, or salesperson to claim a real estate commission, finder's fee, or similar compensation from Seller with respect to the sale and/or conveyance of the Property contemplated in this Agreement. Purchaser hereby indemnifies and holds Seller harmless from and against any and all liabilities, losses, costs, damages, and expenses, including reasonable attorneys' fees and costs of litigation, that Seller shall ever suffer or incur because of any claim by any broker, agent, or sales person, whether or not meritorious, for any fee, commission, or other compensation with regard to this Agreement, or the sale and purchase of the Property contemplated hereby, or arising out of any acts or agreements of Purchaser. This Section C shall survive the Closing or any termination of this Agreement.

### D. WARRANTY OF TITLE

Seller warrants that it presently has title to the Property, and at the time of closing, Seller agrees to convey good and marketable title to the Property to Purchaser by a Fee Simple Deed Without Warranty subject to (1) Easements, plats, covenants, restrictions, right-of-way deeds, agreements, and/or reservations of record, including any declaration of covenants related to a Homeowner's Association or Property Owner's Association; and (2) Any laws, regulations, or ordinances (including but not limited to zoning, building, and environmental matters) as to the use, occupancy, subdivision, or improvement of the Property adopted or imposed by any governmental agency.

### E. CONDITION OF PROPERTY AND INSPECTIONS

The Property is being sold "**AS-IS, WHERE-IS AND WITH ALL FAULTS**" and Seller makes no representations or warranties regarding the past, present or future condition thereof. Purchaser and Seller agree that all inspections/examinations of all aspects of the Property by the Purchaser and/or its agents and employees have been completed. This Section E shall survive the Closing.

**F. RESPONSIBILITY TO COOPERATE**

Seller and Purchaser agree that such papers as may be necessary to carry out the terms of this Agreement shall be produced, executed and/or delivered by such parties at such times as required to fulfill the terms and conditions of this Agreement.

**G. TIME IS OF THE ESSENCE.**

Time is of the essence does apply in this Agreement. Whenever the last day for the exercise of any right or the discharge of any obligation under this Agreement shall fall upon a Saturday, Sunday, or any public or legal holiday, the party having such right or obligation shall have until 5:00 p.m. Eastern Time on the succeeding regular business day to exercise such right or discharge such obligation.

**H. ASSIGNMENT**

This Agreement shall insure to the benefit of, and be binding upon, the parties hereto, their heirs, successors, administrators, executors and assigns. This Agreement may not be assigned by Purchaser in whole, or in part.

**I. ENTIRE AGREEMENT**

This Agreement constitutes the sole and entire Agreement between the parties hereto and no modifications of this Agreement shall be binding unless attached hereto and signed by all parties to this agreement. No representation, promise, or inducement not included in this Agreement shall be binding upon any party hereto regarding the Property.

**J. COUNTERPARTS**

This Agreement may be executed in any number of identical counterparts, any of which may contain the signatures of less than all of the parties hereto, but all of which together shall constitute a single agreement. Signatures delivered by facsimile or other electronic means shall be as binding as originals upon the parties so signing.

**K. SURVIVAL OF AGREEMENT**

It is the intent of the parties hereto and as part consideration of this sale that the terms and conditions contained herein shall not survive the closing and shall merge with the delivery of the Fee Simple Deed Without Warranty to Purchaser, except as noted in Section C and Section E herein.

**L. WAIVER**

Failure of Purchaser or Seller to insist on compliance with, or strict performance of, any provision of this Agreement or to take advantage of any right under this Agreement, shall not constitute a waiver of the other provisions or rights.

## M. DEFAULT

1. **Default by Purchaser.** If the sale and purchase of the subject property is not consummated because of Purchaser's default, or otherwise perform its obligations hereunder in any material respect, and the failure or refusal is not cured within five (5) business days after written notice from Seller, then Seller shall have the right either to: (i) terminate this Agreement, or (ii) seek specific performance of this Agreement. If Seller elects to seek specific performance, Seller must file suit for specific performance within ninety (90) days following the date of the alleged default. If specific performance is not available to Seller because of Purchaser's intentional acts or omissions, then Seller may terminate the Agreement and pursue an action for actual damages against Purchaser for proven out of pocket costs.
2. **Default By Seller.** If Seller fails or refuses to convey the Property in accordance with the terms of this Agreement, or otherwise perform its obligations hereunder in any material respect, and the failure or refusal is not cured within five (5) business days after written notice from Purchaser, then Purchaser shall have the right either to: (i) terminate this Agreement, or (ii) seek specific performance of this Agreement. If Purchaser elects to seek specific performance, Purchaser must file suit for specific performance within ninety (90) days following the date of the alleged default. If specific performance is not available to Purchaser because of Seller's intentional acts or omissions, then Purchaser may terminate the Agreement and pursue an action for actual damages against Seller for proven out of pocket costs.

## N. ENVIRONMENTAL REPRESENTATION

Seller represents that it has no actual knowledge that (a) any petroleum product, chemical, garbage, refuse or solid waste has been generated, stored, dumped, landfilled, or in any other way disposed of on the subject property, (b) toxic or hazardous wastes (as defined by the U.S. Environmental Protection Agency or any similar state or local agency) or hazardous substances (as defined under the Comprehensive Environment Response, Compensation and Liability Act of 1980, as amended, or the Resource Conservation and Recovery Act, as amended, or any similar state or local statute or regulation) have been generated, stored, dumped, or disposed of on the subject property other than possible unauthorized random dumping, or (c) any such materials or wastes been generated, stored, dumped, located or disposed of on any real property contiguous or adjacent to the subject property, except as set forth below:

**NONE**

## O. INTEGRATION; MODIFICATION

This Agreement contains the full and complete understanding and agreement of Purchaser and Seller with respect to the transaction contemplated by this Agreement and no prior agreements or representations shall be binding upon Purchaser or Seller unless included in this Agreement. No modification to or change in this Agreement shall be valid or binding upon Purchaser or Seller unless in writing and executed by the parties intended to be bound by it.

P. APPLICABLE LAW AND VENUE

This Agreement shall be construed in accordance with the laws of the State of Georgia and venues for resolution in all disputes wherein by mediation, arbitration or litigation, shall lie in the county where the Property is located.

Q. COUNSEL

1. Purchaser and Seller hereto warrants and represents that each party shall bear their own attorneys' fees, costs and expenses;

2. Purchaser and Seller hereto warrants and represents that each party has been afforded the opportunity to be represented by counsel of its own choice in connection with the execution of this Agreement and has had ample opportunity to read, review, and understand the provisions of this Agreement.

R. SPECIAL STIPULATIONS

The following stipulations, if conflicting with any terms of this Agreement shall control:

1. Closing shall occur on or before February 27, 2026, at the offices of Smith Welch, Webb & White, LLC, 2200 Keys Ferry Court, McDonough, GA 30253, which may at the request of either party be conducted as a "mail-away" closing not requiring representatives of Purchaser and/or Seller to be present.
2. Closing Costs consisting of the following but not limited to: Closing Attorney Settlement or Closing Fees, Transfer Tax, Title Search, Recording Fees, Courier Fees, Post Closing Fees and Title Insurance Premiums shall be paid by the Purchaser at closing.
3. Should the title search reveal outstanding title issues that requires Title Curative Work be completed to provide clear and marketable title to the Purchaser at closing, the Seller shall pay such Title Curative Fees.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, each of the parties hereto has signed and sealed this Purchase and Sale Agreement on the date shown below their signature. This Purchase and Sale Agreement shall for all purposes be deemed to be FULLY EXECUTED and dated (the "Effective Date") on the later of the dates of execution shown below for Seller and Purchaser.

**SELLER:**

DEVELOPMENT AUTHORITY OF THE CITY OF  
MILLEDGEVILLE AND BALDWIN COUNTY

By: \_\_\_\_\_  
Sharon Seymour  
Chair

Date of Execution: \_\_\_\_\_

**PURCHASER:**

BALDWIN COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Kendrick Butts  
Chairman

Date of Execution: \_\_\_\_\_

## **EXHIBIT "A"**

All that certain lot or parcel of land containing 14.514 acres, more or less, situate, lying, and being in Land Lot 238, 1st Land District, 319th G.M. District, Baldwin County, Georgia, being identified as Parcel "A" on the Property Division Survey for Baldwin County Board of Commissioners, prepared by James E. Smith, Jr., Registered Land Surveyor No. 1895, dated May 15, 2025, recorded in Plat Book 51, Page 44, Baldwin County, Georgia Records. The description of said property as contained on said survey is hereby incorporated herein and by reference made a part hereof.

Together with a 30' Ingress and Egress Easement along gravel drive, said easement being more particularly described on the Property Division Survey for Baldwin County Board of Commissioners, prepared by James E. Smith, Jr., Registered Land Surveyor No. 1895, dated May 15, 2025, recorded in Plat Book 51, Page 44, Baldwin County, Georgia Records.

Together with a 30' Ingress and Egress Easement over 23' pavement, said easement being more particularly described on the Property Division Survey for Baldwin County Board of Commissioners, prepared by James E. Smith, Jr., Registered Land Surveyor No. 1895, dated May 15, 2025, recorded in Plat Book 51, Page 44, Baldwin County, Georgia Records.

Said property being subject to all zoning ordinances, easements, right of ways, and restrictions of record.

## RESOLUTION R-2026-14

A Resolution to Authorize the extension of an Intergovernmental Agreement with the Board of Regents of the University System of Georgia on behalf of Georgia College to authorize the First Amendment to Reinstate the Agreement that Allows Access to a Telecommunications Tower on Highway 49 until July 31, 2026

WHEREAS, the Baldwin County Board of Commissioner owns a certain real property in Baldwin County in State Highway 49 described as is described in a Right to Entry Agreement entered into with the Board of Regent of the University System on the 15<sup>th</sup> day of October, 2024; and

WHEREAS, both parties of the Right of Entry Agreement desire to extend the terms of the aforementioned agreement until July 31, 2026 through a Intergovernmental Agreement identified as a Reinstatement of and First Amendment to Right of Entry Agreement; and

WHEREAS, the aforementioned Reinstatement of and First Amendment to the Right of Entry Agreement is hereby attached and by reference duly incorporated and made a part of this resolution as "Exhibit I"; and

NOW, THEREFORE, BE IT RESOLVED, by the Baldwin County Board of Commissioners, and it is hereby resolved by the authority of the same, that:

1. **Incorporation of Recitals.** The above stated recitals are true and correct and are incorporated as though fully set forth herein.
2. **Authorization of Agreement.** The Board of Commissioners hereby authorizes an agreement with the Board of Regents of the University System of Georgia to extend the terms of Right of Entry Agreement.
3. **Authorization of Chairman.** The Board of Commissioners hereby authorizes the Chairman of the Baldwin County Board of Commissioners to sign any documentation or take any other action necessary reasonably required to carry out, give effect to, and consummate this agreement and to take all action necessary in conformity therewith.
4. **Severability.** In case any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, but this Resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.
5. **Repeal of Conflicting Resolutions.** Any and all resolutions in conflict with this Resolution this day passed be and they are hereby repealed.
6. **Effective Date.** This Resolution shall take effect immediately upon its adoption.

SO RESOLVED, this 3<sup>rd</sup> day of February, 2026.

BALDWIN COUNTY, GEORGIA

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Kendrick Butts, Chairman  
Baldwin County Board of Commissioners

ATTEST:

(SEAL)

---

Bo Danuser, County Clerk  
Baldwin County, Georgia

**STATE OF GEORGIA**  
**FULTON COUNTY**

**REINSTATEMENT OF AND FIRST AMENDMENT TO**  
**RIGHT OF ENTRY AGREEMENT**

**THIS REINSTATEMENT OF AND FIRST AMENDMENT TO RIGHT OF ENTRY AGREEMENT** (the “First Amendment”) is made and entered into this \_\_\_\_\_, by and between the **BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA** for and on behalf of **GEORGIA COLLEGE AND STATE UNIVERSITY** (the “Institution”) (collectively, “Licensor” or “Regents”), whose address is 270 Washington Street, S.W., Seventh Floor, Atlanta, Georgia 30334 and **BALDWIN COUNTY BOARD OF COMMISSIONERS** (“Licensee”), whose address is 1601 North Columbia Street, Suite 230, Milledgeville, Georgia 31061.

**WHEREAS**, Licensor and Licensee are parties to a right of entry agreement dated October 18, 2024 (the “Agreement”), which is attached hereto as Exhibit “A” and incorporated herein by reference; and

**WHEREAS**, the Agreement expired on January 31, 2026; and

**WHEREAS**, Licensor and Licensee desire to enter this First Amendment to reinstate the Agreement and extend the termination date to July 31, 2026.

**NOW, THEREFORE**, for and in consideration of the sum of **TEN DOLLARS AND 00/CENTS (\$10.00)** and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Regents and Licensee hereby amend the Agreement as follows:

1. **Reinstating and Ratifying Agreement.** Licensor and Licensee wish to reinstate the Agreement in its entirety by this reference, subject to the terms of this First Amendment.
2. **Extension of Agreement.** The text following the heading to Paragraph 3 of the Agreement is hereby deleted in its entirety and the following shall be inserted in lieu thereof:

“It is understood and agreed between the parties hereto that the rights are being granted for a temporary period for the above-stated purposes, and that said rights shall commence on the Date Hereof and shall automatically terminate upon the earlier of (i) Licensor and Licensee executing a New License for the Permitted Uses associated with the Equipment; or (ii) July 31, 2026. Any property of Licensee (other than the Equipment) remaining on the Property at the completion of Project shall be removed from the Property and the Property shall be restored to as same or better condition as when received hereunder by the Licensee within a reasonable time; or if not

timely removed, deemed abandoned by Licensee and shall belong to and be the absolute and sole property of the Licensor without further notice, action taken, instrument or conveyance executed or delivered, and without liability to make compensation therefor to Licensee or to any other person whomsoever, and shall be free and discharged from any and every lien, encumbrance, claim and charge of any character created, or attempted to be created, by Licensee at any time.

Notwithstanding anything to the contrary contained herein, if Licensor and Licensee have not executed the New License on or before July 31, 2026, Licensor shall, upon written notice to Licensee, have the right to require that Licensee remove the Equipment from the Premises. Upon receipt of such written notice, Licensee shall have sixty (60) days to remove the Equipment from the Premises.

3. Agreement in Full Force and Effect. The Agreement, as hereby amended, is hereby ratified, confirmed, and continued in all respects, and all covenants, terms, and conditions of the Agreement, as hereby amended, are hereby incorporated herein by this reference.
4. Counterparts. The parties agree to accept this First Amendment as fully executed upon receipt of counterpart signatures via facsimile, e-mail, or similar technology. This First Amendment may be executed in any number of counterparts, each of which shall be deemed an original and all of which shall, together, constitute one and the same instrument.

[SIGNATURE PAGE FOLLOWS]

[REMAINDER OF THE PAGE INTENTIONALLY LEFT BLANK]

**IN WITNESS WHEREOF**, the parties have hereunto executed, signed, and delivered this First Amendment the day, month, and year first above written.

**REGENTS:**

**BOARD OF REGENTS OF THE  
UNIVERSITY SYSTEM OF GEORGIA**

By: \_\_\_\_\_  
J. Frank Smith  
Vice Chancellor for Real Estate and  
Facilities

Attest: \_\_\_\_\_  
Mark T. Haldane  
Assistant Vice Chancellor for Real Estate

**LICENSEE:**

**BALDWIN COUNTY BOARD OF  
COMMISSIONERS**

By: \_\_\_\_\_  
Honorable Kendrick Butts  
Chairman

Attest: \_\_\_\_\_  
Bo Danuser  
County Clerk

**EXHIBIT “A”**

**Right of Entry Agreement**

**Attached.**

**RESOLUTION R-2026-15**  
**A RESOLUTION ACKNOWLEDGING THE 2025 PERFORMANCE**  
**REVIEW AND COMMITTING TO CORRECTIVE ACTION**

WHEREAS, the Georgia Department of Revenue conducted a Performance Review of the Baldwin County Board of Tax Assessors pursuant to O.C.G.A. § 48-5-295.1; and

WHEREAS, the Performance Review identified administrative, technical, and procedural deficiencies impacting assessment uniformity, compliance, and public confidence; and

WHEREAS, the review provides specific recommendations intended to restore lawful, fair, and uniform property assessments; and

WHEREAS, Baldwin County recognizes the importance of timely corrective action to protect taxpayers, county revenues, and state funding eligibility;

NOW, THEREFORE, BE IT RESOLVED that Baldwin County formally acknowledges the findings of the 2025 Performance Review; and

BE IT FURTHER RESOLVED that Baldwin County commits to implementing corrective actions addressing training, appraisal procedures, governance practices, technology utilization, and specialized assessment administration; and

BE IT FURTHER RESOLVED that progress toward compliance shall be documented and monitored, with updates provided to the appropriate governing authority; and

BE IT FURTHER RESOLVED that this resolution affirms Baldwin County's commitment to fairness, transparency, and lawful administration of property taxation.

SO RESOLVED this 3<sup>rd</sup> day of February, 2026.

**BALDWIN COUNTY, GEORGIA**

---

Kendrick Butts, Chairman  
Baldwin County Board of Commissioners

ATTEST:

(SEAL)

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Bo Danuser, County Clerk  
Baldwin County, Georgia