

Clayton County Board of Commissioners Human Resources 2021 Virtual Triennial Training

**Purpose: To
Maintain a Healthy,
Team Oriented,
Legal Work
Environment**

**Objective: To
Improve Work Life
Quality by
Reviewing Clayton
County's Essential
Policies &
Procedures; Civil
Service Rules and
Regulations; and
Other Employment
Related Laws**

**Attendance is
Mandatory for all
County Employees**



"Together, we CAN make a difference!"

Greetings From Human Resources,

Thank you for attending Triennial Training. It's almost universal that most people don't like mandatory training, and our goal is to make it as painless and as least disruptive to your workday as possible.

The goal of Triennial Training is to maintain a safe, productive, team-oriented, legally compliant workplace by keeping our policies alive. Our Board of Commissioners is concerned about the quality of our work life, and strives to promote an environment in which you can work, thrive, and grow in your profession. For Chairman Turner, it's all about his employees.

There are internal policies and procedures as well as various employment laws that guide behavioral expectations in the workplace. Triennial will remind you of some of these policies, procedures, and laws. The purpose of Triennial is to encourage you to make professional choices that will add value to your career. There have been many who have stated that they wish they could turn back the clock for a redo.

Triennial also discusses the consequences of failing to make positive professional choices. It's important to Human Resources and the Board of Commissioners that you understand the policies, procedures, and laws that impact professional decision making; equally important is understanding the consequences of violating these policies, procedures, and laws.

For some of you, this will be a review and reminder; you've been down this road many times with us. For others, this may be your first time attending Triennial. Either way, try to walk away with something useful to use and share with others.

Behavioral expectations, policies, and procedures are part of every organization, not just Clayton County. Protect your future by gaining an understanding of what's expected.

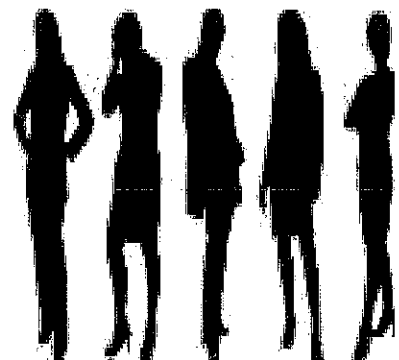
Help us to be one of the greatest places to work. We're in it together.

Sincerely,

Pam Ambles, Human Resources Director

Discussion Topics Triennial Training 2021

- **Employee Accountability**
 - Your Supervisor and You
 - Address Changes
 - Social Media
 - Departmental Policies
 - Call-in Procedures
 - Personal Email
 - Exempt Status
- **General Provisions**
- **Inmate Rules**
- **Safety**
- **Health Insurance Portability & Accountability Act (HIPAA)**
- **Resolution 90-64 – Sexual Harassment Prevention**
- **Civil Rules 3.113 & 3.114 - Diversity Management/Harassment**
- **Resolution 91-103 – Substance Abuse Prevention Policy**
- **Family Medical Leave Act**
 - Employee's Responsibility
 - Department's Responsibility
 - Human Resources' Responsibility
- **Appeal Grievance Process**
 - Chain of Command
 - Civil Service Board
- **Employee Assistance Program**
- **Unlawful Retaliation**



TOPIC: Employee Accountability

Goal: To discuss your role and responsibility in protecting your job to add value to your professional image.

- It's unreasonable for me to believe that everyone in this room will retire from Clayton County. However, regardless of what your goals may be, behavioral expectations and performance standards exist in every organization.
- To protect your professional credibility and future career opportunities, consider these common sense tips:
 - **You and Your Direct Supervisor**
 - A love affair between you and your supervisor isn't necessary; however, you need to have a good working relationship with your supervisor that is infused with effective communication and mutual professional respect. Problems begin when we're unable to effectively communicate in an effort to resolve various workplace challenges. A small incident can lead to a big incident when we're not on the same page of understanding. Take your career in your hands, and strive to develop effective communication between you and your supervisor.
 - **Address Changes**
 - There will be times when your employer may need to get in touch with you regarding important issues that require your feedback and action. It's your responsibility to keep Clayton County informed of your current contact information. To start the process, please log into your Employee Self Service portal and enter the updated information to have your records changed.
 - **Social Media**
 - Although the Constitution gives us freedom of speech, professional standards of behavior apply to the workplace. Be very careful with your social media profile. Don't put anything out there that could come back and bite you! Making derogatory statements about your employer, supervisors, and other co-workers; spilling confidential information; and engaging in harassing/threatening/discriminatory behavior is not good business practice. Any employee engaging in such behavior may be cited for conduct unbecoming a Clayton County employee, which can lead to disciplinary action being taken by your department.

- **Departmental Policies**

- In addition to federal and state laws and the Civil Service Board, departmental policies also guide performance standards and behavioral expectations. Please be aware of and follow your departmental policies and procedures. The most common departmental policies, although others exist, include policies that govern attendance and dress code. If you have any questions about a departmental policy, direct those questions to your supervisor.

- **Call in Procedures**

- Call in procedures are usually found within departmental policies that govern attendance. Make sure that you know your department's call-in procedure. Have an understanding of the parameters of when you need to call in as well as whom you need to speak to. Not properly following your department's call-in procedure could lead to disciplinary action.

- **Civil Service Rule 5.444 – Absence Without Leave (AWOL)**

- To keep it simple...if you absent yourself from your position without proper authorization, you will be deemed to be absence without leave. Any such leave will be without pay and subject to disciplinary action.
- Additionally, an employee who absences himself for three (3) consecutive days without proper authorization shall be deemed as having **RESIGNED**. When an employee resigns, the employee waives his/her right to appeal the subsequent employment decision, and more than likely the employee will not qualify for unemployment benefits.
- If you're out on FMLA leave, I recommend that you touch base with your department at least once a week to stay in the loop. If you're unable to return to work after your FMLA period ends or if you're on intermittent FMLA, it's critical that you follow your department's call-in procedure.

- **Personal Email Address**

- If you provide a contact email address, please be sure to check it regularly. Important information, such as information about your benefits, will be forwarded to the email address you provided. Some important information is time sensitive and may require a response. Failure to respond timely could result in a negative outcome that could be difficult or impossible to change.

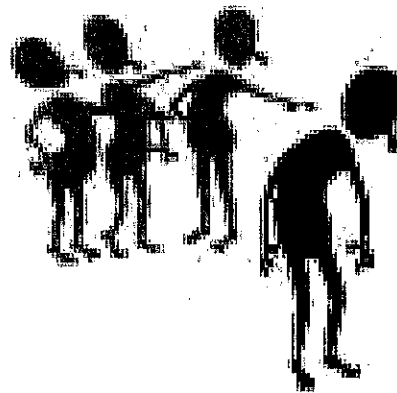
- **Fair Labor Standards Act (FLSA)**

- The Fair Labor Standards Act is a federal law that governs among other things, overtime rules, minimum wage, child labor laws, and classification status.
- In regards to classification, a classification can be designated “exempt” or “non-exempt”.
- It’s important to know the classification designation for your position. Also, keep in mind that Clayton County does not make the rules that determine the classification designation of your position.
- Details of an **exempt** status include:
 - Not eligible to receive overtime despite how many hours are worked in a day.
 - Doesn’t have to utilize leave for partial days; must utilize leave for full days.
 - Work schedule is set by your Director; however, the FLSA does not allow for flexing hours for exempt employees.
 - *EXAMPLE: Employee A is an exempt employee. Employee A’s typical work schedule is Monday through Friday from 8:30 to 5:00 with a 30 minute lunch.*
 - *Employee A misses work on Monday; however tries to work an extra two hours the rest of the week in an effort to avoid using leave. This is not an acceptable practice under the Fair Labor Standards Act.*
 - An exempt status is usually applied to leadership/management roles. If the exempt employee is out of work for a full day, he/she must report the type of leave used on Clayton County’s Time Exception Form.
- Details of a **non-exempt** status include:
 - Classification is eligible to receive overtime for hours worked over 40 within any pre-determined work week.
 - Employers are mandated to pay overtime or offer compensatory time at a 1.5% rate. If a non-exempt employee works 41 hours within a pre-determined work week, Clayton County is mandated to pay the employee 1.5% for the extra hours worked, or provide 1.5 hours of compensatory time.
 - Non-exempt employees must take the appropriate leave anytime he/she takes time off during the pre-determined work schedule.
 - Non-exempt employees are expected to follow the department’s attendance policy, and to properly report all leave used.

TOPIC: General Provisions of Clayton County Government

Goal: To reiterate general behavioral expectations of Clayton County Employees

- Employee misconduct can be very costly and disruptive. If allowed to run rampant, such behavior can have an adverse effect on the organization and its employees.
- Within the employee-employer relationship, certain expectations exist. Employees are expected to competently perform the work they are being paid to do, report to work on time, keep the lines of communication opened between themselves and their managers, and behave in a professional manner at all times.
- On the other hand, Clayton County pays its employees for work performed; strives to maintain a work environment that treats its employees with fairness, civility, respect, and dignity; as well as provide growth and development opportunities for them.
- Unfortunately, there are some who forget that personal behavior and beliefs are very different from professional expectations. On the following page, Clayton County reiterates and shares with you a partial list of behaviors that are causes for dismissals or suspensions.
- Please become familiar with this list, and engage in behavior that is beneficial to you and your career.



Partial List of Causes for Dismissals or Suspensions

1. Conviction of a criminal offense or a misdemeanor involving moral turpitude
2. Guilty of an immoral or criminal act
3. Willful, wanton, or culpable negligence, resulting in brutality to an inmate or prisoner of a County institution or to a person in custody
4. Willful violation of any provision of the Civil Service Law or the Rules and Regulations established by the Personnel Board
5. Guilty of conduct unbecoming an employee of Clayton County
6. Violation of any lawful or official regulation or order, failure to obey any lawful or reasonable directive made by a supervisor, failure to obey that amounts to an act of insubordination, a serious breach of proper discipline which resulted [reasonably expected to result] in loss injury to the County or the public, or to the prisoners or wards of the County
7. Intoxication on duty or off, bringing reproach upon the County
8. Guilty actions which amount to insubordination or disgraceful conduct, whether committed on or off duty
9. Wantonly offensive in conduct or language toward the public or County officers or employees
10. Incompetent, negligent, or inefficient performance in the duties of the position held
11. Careless or negligent in the care of property of the County
12. Habitual failure to pay or make reasonable provision to pay debts
13. In any manner has guided or is concerned in assessing, soliciting, or collecting money from any employee in the services of the County for political reasons or purposes
14. Attempts to induce an employee to commit an unlawful act or act in violation of lawful and reasonable departmental or official regulations and orders; accepts any fee, gift, or valuable consideration in the course of employment for personal use with or without the hope or expectation of receiving a favor or better treatment than is accorded other employees
15. Intentionally falsifies an attendance record or fails to make a timely report of absence from duty to your departmental supervisor
16. Absence from duty without leave or failure to report for work after leave has expired
17. Antagonism toward fellow employees or supervisors, interfering with the proper cooperation of employees, otherwise impairing the efficiency of the operation of county business

TOPIC: Inmate Rules

Goal: To reacquaint employees with Clayton County Government's rules regarding behavioral expectations when interacting with inmates

- Our prison is a revenue generating facility that contributes to the economic health of Clayton County, which subsequently benefits our citizens and employees.
- Clayton County Prison houses 242 inmates of which 180 leave the prison each day to work in various County departments.
- Inmates who work in our departments are highly supervised by trained staff.
- The potential for County employees to come in contact with inmates is high; as a result, the County has established rules of conduct in regards to behavioral expectations when interacting with inmates.
- Violations of inmate rules could result in dire consequences that include termination of employment and possible jail time.
- A copy of the inmate rules are shown on the following page for your review. However, I would like to highlight two important rules:
- *It is illegal to engage in a romantic, physical, and/or sexual relationship with an inmate. The consequences of such behavior are severe:
 - Jail Time – 30 year sentence of which 10 must be served
 - Sex Offender List – earns you a permanent spot on the sex offender list
- *Inmates are not allowed to do anything of personal benefit for a County employee or citizen:
 - Fixing a flat tire
 - Drawing or painting a picture for an employee or citizen
- Please review and become familiar with the inmate rules. If you have concerns or witness any violations, please inform your supervisor or call the Prison at 770-473-5777.

ATTENTION


Inmate Rules

- Inmates are not allowed to use public telephones or cellular telephones.
- Inmates are not allowed to mail packages in public mailboxes. County employees and citizens are not permitted to mail anything for inmates.
- Inmates are not allowed to wear other than issued clothing items. This precludes the wearing of baseball-type caps.
- Inmates are not allowed to work without wearing a shirt.
- Inmates are not allowed visitors on work sites and county property.
- Inmates are not allowed to gather without an assigned task.
- Inmates are not allowed to smoke period.
- Inmates are not allowed access to county or personal car keys.
- Inmates are not allowed to give to or trade with County employees or citizens.
- Inmates are not allowed to accompany staff to banks, restaurants, drive-throughs, or stores.
- Inmates are not allowed to receive "tips" or gifts from County employees or citizens.
- Inmates are not allowed to do anything of personal benefit for an employee or citizen.
- It is ILLEGAL for an employee to have a physical and/or intimate relationship with an inmate.
- Inmates are not allowed to be supervised by any County employee other than the one to whom assigned except by permission of the Clayton County Prison Warden, Deputy Warden, Captain, or Detail Supervisor. Determinations are made on a case-by-case basis.
- It is ILLEGAL for unauthorized person to congregate or loiter where one of more inmates are working.
- If you observe any of the above mentioned prohibitions, please report them immediately to your supervisor, or contact the Prison at 770-473-5777.
- Thank you for helping to keep our workplace safe and secure.

ORIGINAL COPY HAS BEEN SIGNED BY CHAIRMAN TURNER

TOPIC: Safety

Goal: To promote awareness and express the importance and benefits of maintaining a safe work environment

- Clayton County wants its employees to retire in the same condition they were in when they first reported to work. For this reason, maintaining a safe work environment is critical.
 - Additionally, there are direct and indirect financial costs that are related to an unsafe work place. Direct costs are easiest to see and include injuries on the job that result in possible hospital visits, doctor appointments, medication, and rehab.
 - Unless you work with the team that is responsible for safety and risk management, the indirect costs are often overlooked. Ironically, these costs are usually far greater than others. Indirect costs include lost time at work, higher insurance premiums, loss of reputation (labeled as an unsafe employer), administrative costs, and a lack of growth opportunities which can zap employees' motivation (an increase in costs can limit career opportunities for employees). Keeping costs low is a personal benefit for each employee.
 - Safety makes sense. Clayton County has taken an aggressive approach to promoting safety in the workplace, and expects each employee to adopt a safety-conscious mindset.
 - Our Safety/Risk team headed by Carol Rogers, Central Services Director and Betty Walker, Risk Administrator, works hard to protect employees' well being while reducing costs for the County. They are working on various initiatives and best practices, which includes developing safety training.
 - How can we help our Safety/Risk team keep us safe and prosperous?
 - Serve as a role model by adhering to safety rules
 - Avoid unsafe behavior such as
 - Complacency
 - Fatigue
 - Horseplay
 - Carelessness
 - Risk Taking
- 
- "Hit the bulls eye - take care of you"
- Report safety concerns to your supervisor and safety coordinator
 - Be on the look-out for safety training opportunities
- Know your safety coordinator – each department has one.

TOPIC: Health Insurance Portability & Accountability Act (HIPAA) & Clayton County Privacy Rule

Goal: To promote awareness and reiterate important points regarding HIPAA and the County's Privacy Rule

- The Health Insurance Portability and Accountability Act of 1996 is a complex federal law that protects the confidentiality and privacy of your personal health and medical information.
- You'll see HIPAA at work in places of employment, doctors' offices, pharmacies, and other entities that are privy to medical and health related information.
- HIPAA ...
 - Prohibits employers from using your health and medical information to make employment decisions
 - Limits disclosures of your health and medical information – in most circumstances, we need your authorization to release your information; however, some situations do not require your authorization
- Clayton County Privacy Rule aligns with the mandates of HIPAA, and clearly outlines employee's roles and responsibilities in regards to health and medical information in the workplace.
- On the next page, you will find your rights and responsibilities under the County's privacy rule. Please review the rule, and direct any questions to your supervisor or human resources.
- Human Resources would like to address a few of your responsibilities under our privacy policy:
- You are responsible for all health and medical information that is entrusted in your care, and should realize that only the owner of the information has the authority to release it.
- Know that you may obtain health and medical information through various means; however, you are not allowed to pass it on to others or to gossip about it:
 - Nature of your job (handling sick leave forms, paying claims, etc)
 - Overhearing a conversation
 - Information shared with you by the owner

HIPAA, Clayton County Privacy Rule, Supervisors, & Employees

- The question *“how much of my personal health and medical information is my direct supervisor entitled to”* comes up often. In response to this question, I would like to extend a message to employees and leadership.
- Employees, please do not use HIPAA as a barrier between you, your supervisor, and your department. This is not the intent of the HIPAA law. As stated in our privacy rule, supervisors and directors fall within the “need to know” and “minimum necessary” rules. Leadership is responsible for the effective and efficient functioning of their departments. Among other things, they make decisions about coverage of duties to ensure continuity of services. They also have a general duty to keep the workplace safe. Therefore, keep the lines of communication opened between you and your department. Closely follow your department’s call-in procedures. Provide enough information to your department so critical employment related decisions can be made. It’s not practical nor professional to think that you don’t have to give your employer any information regarding planned or unplanned absences.
- Leadership, to avoid claims of invasion of privacy and discrimination claims, please adhere to the minimum necessary and Clayton County’s privacy rules by seeking to obtain information that’s needed within the scope of your duties. Although leadership falls within the need to know category, complete confidentiality should be maintained at all times. Therefore, leadership cannot share confidential health and/or medical information with others who do not have a need to know.



Effective Communication is Key!

Your Rights & Responsibilities

Under The

Clayton County Privacy Rule

& Health Insurance Portability & Accountability Act of 1996

The Health Insurance Portability & Accountability Act (HIPAA) of 1996 was designed to provide civil rights to individuals in regards to personal health and medical matters. This privacy rule is to protect the confidentiality of health and medical information. The law specifically explain ways in which you may interact with others and conduct normal business practice. Clayton County is committed to

protecting the privacy of employees' health and medical information. While doing so, we have to stress more now than ever how important it is for us all to work as a team while balancing the requirements of the law and the civil rights of individuals. This poster outlines specific information that will assist in your success in meeting what is required by law and Clayton County's privacy rule.

Is PHI/ePHI the same as Private Health Information?

The County considers protected health information (PHI) or *any* health and medical information that can identify an individual, even by means of electronic form (ePHI), to be private health information. For example, conversation about the nature of treatment (diagnosis, prognosis, medications, codes, location of health care, etc.) and information on prepared documents (payroll registers, health bills, explanation of benefits, computers and/or software programs that may expose information, sick leave forms and attachments) could involve protected health information. If you have any questions about what information can be shared without authorization, please contact the appropriate privacy official.

Roles and Responsibilities

All employees are required to adhere to the County's privacy rules. In order to comply everyone should:

- Treat *all* health and medical information as "TOP SECRET."
- Safeguard all PHI and ePHI by setting up firewalls (i.e. placing passwords on computers and/or documents, locking offices, file cabinets and drawers, noting confidential on all incoming and outgoing inter-office mail envelopes, emails, and faxes, shred documents no longer needed, getting computers scrubbed when no longer used, etc.)
- Disclose information only for the treatment, payment, or health care operations. Otherwise, a written authorization must be obtained from the individual who owns the information. Authorization forms are available from the Insurance Office.
- Not discuss any private health information or ePHI unless it is on a "need to know" basis and give the "minimum necessary" amount of information to meet the recipient's need.
- Error on the side of "caution" if you are unsure whether to disclose or not by limiting or denying the disclosure, then check with the appropriate deputy official.
- Know that supervisors and ultimately department directors always fall under "need to know" and "minimum necessary" rules when dealing with employment issues.
- Not gossip about someone's health (physical and/or mental) condition on or off duty. Gossip does not meet the "need to know" or "minimum necessary" rule and should be avoided.
- Attend a training session about HIPAA-Plan.

Complaint Procedure

If you believe that your privacy rights are being violated or if you disagree with a decision made by the "Plan" or someone acting on behalf of the "Plan," then you may file a complaint with the appropriate Deputy Privacy Official. The HIPAA law does not permit anyone to take retaliatory action against you if you make such a complaint.

Who are the Privacy Officials?

Privacy Official (County-wide)	Jeffrey E. Turner, Chairman Board of Commissioners 770-477-3208
Deputy Privacy Official (County-wide)	E. Charles Reed, Jr., County Staff Attorney 770-477-3220
Deputy Privacy Official (Provider, EAP, and any employment issues)	Pamela R. Ambles, Director Human Resources Department 770-477-3240
Deputy Privacy Official (Any Insurance Plan & Workers' Comp issues)	Karen Bohannon, Human Resources Employee Benefits/Worker's Comp 770-477-3743
Security Officer (Any computer security issues)	Jason Brookins, Director Information Technology 770-477-3727

Enforcement/Penalties

- If an employee is found violating the County and HIPAA privacy rules, there may be disciplinary action taken [up to and including termination] in accordance with County policy.
- The Privacy Official and Deputy Privacy Officials listed above are authorized to investigate and make recommendations for disciplinary actions.
- The U.S. Department of Health and Human Services/Office of Civil Rights is authorized to investigate and resolve complaints of HIPAA violations.
- *Civil and criminal sanctions apply.* Civil penalties include \$100 per incident up to \$25,000 per person per year per standard; criminal penalties include for knowingly and improperly disclosing information (\$50,000 and one year imprisonment), obtaining information under false pretenses (\$100,000 and up to five years imprisonment), and obtaining and disclosing with intent to sell, transfer or use for commercial advantage, personal gain or malicious harm (up to \$250,000 and up to 10 ten years imprisonment).
- HIPAA does not affect any federal or state laws prohibiting discrimination.
- HIPAA does not supersede any federal or state laws that have stronger confidentiality restraints.

For Additional Information

Classes on HIPAA and the County's privacy policy will be given on an on-going basis. For class registration information call the Human Resources Department at 770-473-5787. For all other inquiries contact your supervisor, department head or Deputy Privacy Official responsible for area in question.

TOPIC: Resolution 90-64 - Sexual Harassment Prevention

Goal: To review Clayton County's policy, and review associated behaviors and consequences of policy violations

- Romantic entanglements can be the death of your career.
- Romantic entanglements involving a leader and subordinate (your direct report or someone else's) can lead to claims of sexual harassment even if the relationship starts off consensually.
- Clayton County does not have a county-wide policy that prohibits leader-subordinate dating. However, Human Resources strongly discourages it! HR recognizes that these relationships are extremely volatile and dangerous.
- Romantic entanglements can bring forth claims of a hostile work environment, and if that's not enough...workplace violence.
- Resolution 90-64 creates a sexual harassment prevention policy for Clayton County Government.
- Clayton County believes that employees have the right to work in an environment that free from harassment, intimidation, and discrimination, and quickly responds to claims of such behavior.
- To eliminate and reduce claims of sexual harassment, Clayton County's employees are given the opportunity to regularly review the policy and have training every three years.
- Sexual harassment is **ILLEGAL**, and is defined as:
 - Unwelcome sexual advances
 - Requests for sexual favors,
 - Other sexual conduct whereas
 - submission or rejection forms the basis for employment decisions
 - behavior that unreasonably interferes with work performance
 - behavior that creates an intimidating, hostile, or offensive work environment in which others are a part of
- **Examples of Sexual Harassment Include:**
 - Quid Pro Quo (Authority Figure Sexually Harassing an Employee)*
 - A manager's implication that an applicant's submission to sexual demands will cause her to get hired
 - A supervisor's suggestions to an employee that rejecting a sexual advance will lead to disciplinary action or termination
 - An employee is reassigned to a less desirable shift/station after declining a manager's advances even though the employee's pay stays the same

Hostile Work Environment

- An employee constantly asks another employee on a date despite being told "NO" several times
- An employee works closely with two other co-workers who engage in sex talk and lewd jokes all throughout the workday
- Employee A is allowed to take extended lunch hours because of her relationship with the boss; Employee B does not enjoy that privilege

Hostile Work Environment - Behavior by a Non-Employee

- A nurse is fondled by a patient
- A prosecutor endures sexual jeers and catcalls from a defense attorney
- A regular customer follows an employee around, and makes sexual suggestive requests

• **Sexually Harassing Behavior 3 Categories**

Physical - Unwanted Physical Contact

- Physical sexual harassing behavior includes, but is not limited to: *fondling, grabbing, patting, pinching, stroking, actual or attempted kissing, accidental touching/collisions*. Please be warned that unwanted physical contact can also lead to charges of battery. Keep your hands to yourself!!

Verbal - Vocal Suggestions in a Sexual Nature

- Behavior included under this component includes: ongoing sexual remarks about a person's clothing, body, personal life, frequent sexual teasing, repeated invitations after being told no, explicit sexual jokes, graphic sexual descriptions, offensive sexual references, and "pet" names. Group conversations can become sexual harassment depending on who else may be in the environment - this is known as third-party sexual harassment.

Non-Verbal/Offensive Gestures

- The giving of unwanted gifts is included in this category; the law doesn't specify how much the gift has to cost - repeated gifts of candy or flowers could be misconstrued. Behavior also includes, but is not limited to, leering, ogling, whistling, posting or circulating sexual media, licking lips, making lewd hand gestures as crotch grabbing. Please monitor your behavior very carefully. Consequences can be severe.

• **Consequences of Behavior**

Your home, car, and bank accounts are at risk: Consequences include:

- *Your wages can be garnished for up to \$300,000*
- *You may have to pay legal fees for yourself and the plaintiff - \$20,000 is a low-end defense*
- *If married, the victim's spouse could sue for loss of consortium*
- *If found at fault, current and future career opportunities are at risk*
- *Tarnished work record that follows you everywhere you go*
- *Can impact the security and happiness of your family*
- *Embarrassment and loss of leadership credibility*
- *Court orders that mandate the organization to make changes in procedures*

- **Responding to Sexual Harassment – The 3 R's**

Respond - Generally the behavior has to be unwanted to rise to the standard of sexual harassment. However, be warned. Some behaviors automatically meet the standard. Possible reactions of the alleged perpetrator include denial and downplaying the behavior. Firmly state that the behavior is unwanted.

Record – Use a spiral bound notebook to document all interactions with the alleged perpetrator. Remember to specify date, time, location, specific behavior, witnesses and your reaction. Accurate documentation is a powerful tool.

Report – Our policy states that an employee should report issues of sexual harassment to his supervisor. If you're uncomfortable discussing the issue with your supervisor, respect the chain of command. However, you can always talk to Human Resources. Please don't discuss the issue with other co-workers.

- An employee does not have to be on duty or on the employer's premises to commit sexual harassment. Keep in mind that sexual harassment can occur off site and after hours.

Home Telephone Calls

Stalking

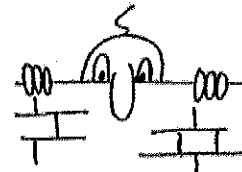
Joining Same Gym Membership With the Purpose of Being Near

Figuring Out a Person's Routine, and Showing Up

Conferences

Office Parties

Off Site Training Facilities



- **Sexual Harassment & Workplace Dating**

Despite professional warnings, workplace dating continues to flourish. Workplace dating is not uncommon, and has been on the rise for a very long time. Studies indicate that romantic workplace relationships account for over 1/3 of all romantic relationships in America!

Workplace romance is defined as an intimate relationship between consenting individuals who are employed by the same organization. Workplace romances have been divided into three categories: *peer-to-peer*, *manager/subordinate*, and *married co-workers dating*.



Peer-to-Peer relationships involve employees who work in a similar level of authority. This is a relationship between co-workers. Peer-to peer relationships are considered less harmful than the other two categories; however, this type of relationship is not without possible negative consequences.

To avoid claims of hostile work environment and remain a team player:

Maintain a Professional Demeanor; Discuss Behavioral Expectations With the Other Party (such as no public display of affection in the workplace; reserve such behavior for private settings); Consider the Background of the Other Party Before You Become Involved (consider level of professionalism, level of maturity); Maintain a Team Oriented Attitude (don't take sides or withdraw from other team members); Assume a Neutral Position in Times of Conflict; Don't Share Confidential Information; Properly Manage Lover's Quarrels (don't involve others); Protect Your Professional Reputation.

- *Manager/Subordinate Relationships* involve an authority figure dating a direct or indirect subordinate. These relationships are often viewed as inappropriate and unfair. Human Resources strongly dissuades this type of relationship because of its propensity to create liability, close scrutiny, and embarrassment for the County.

During the relationship other employees can make accusations of hostile work environment, which includes claims that the other party enjoyed privileges that were not given to others: extra time off, promotions, prime assignments, lack of discipline, increased influence, and other such claims perceived to be enjoyed by the party involved in the relationship.

- *Married Co-Workers Dating* expands the number of stakeholders affected by the relationship to include those outside the organization. Liability for the County also increases as a result of this type of relationship. The County does not assume the role of "Moral Police"; however, the County does expect its employees to display professional behavior at all times. As a matter of fact, our General Provisions prohibits conduct that is unbecoming a Clayton County employee. Therefore, you could easily be called on this type of behavior.

In addition to all we've discussed, this relationship has a greater chance of creating workplace violence in which many people could be seriously injured or killed. Human Resources strongly discourages this type of behavior.

TOPIC: Civil Service Rules 3.113 & 3.114 Diversity Management

Goal: To review Civil Service Rules & Regulations 3.113 & 3.114. To discuss diversity management in the workplace.

- Behavior engaged in at work is vastly different from behavior one may engage in at home.
- Federal and State laws govern workplace behavior. This is a reminder that certain behavior is illegal in the workplace.
- The three main federal laws that govern workplace behavior are:
 - **Civil Rights Act of 1964** – The Title VII law of the Civil Rights Act prevents discrimination based on race, religion, sex, national origin, age, color, and disability. The Equal Employment Opportunity Commission is responsible for enforcing Title VII.
 - **Age Discrimination in Employment Act** – Prohibits the age of an applicant who is 40 years or older from being a factor in the employment related decisions.
 - **Americans with Disabilities Act Amendment Act** – Prohibits employers from discriminating against qualified applicants and employees with disabilities.
- Discriminatory and harassing behavior is strictly prohibited by Clayton County's policies:
 - *Civil Service Rules and Regulations 3.113 – Non-Discrimination:* No discrimination shall be exercised, threatened, or promised against or in favor of any applicant, or employee because of his race, religion, national origin, political beliefs, age, or sex. The Civil Service personnel program shall, at all times, be conducted in accordance with the guidelines of the U.S. Civil Service Commission and the regulatory provisions of the Civil Rights Act relative to non-discrimination.
 - *Civil Service Rules and Regulations 3.114 – Racially Derogatory Terms:* No employee shall, while performing duties for or in the employ of Clayton County, use derogatory terms or racial slurs directed toward any employee, citizen, or any other person. The use of racially derogatory terms by any employee should be immediately reported to supervisory personnel. Violations of this rule will result in dismissal or such other disciplinary action as the Board shall deem appropriate.



- **Diversity in the Workplace**

Recent data from the United Census Bureau shows the population of the United States to be over 330 million.

- Our Nation consists of many unique individuals who are important parts of our society.
- A cultural reality exists in the United States. Like it or not, diversity defines our society and work environments. Diversity in its simplest term means difference, and our society is constantly undergoing change. Diversity has redefined how business is conducted.
- Diversity relates to gender, age, language, cultural background and experiences, disability, religious beliefs, family and parental status, family responsibilities, and many other differences.
- Unresolved diversity issues in the workplace can be costly. The Equal Employment Opportunity Commission (EEOC) is the federal agency that, among other things, investigates and brings charges against organizations for discrimination and harassment in the workplace.
- The EEOC reported the following statistics for fiscal year ending 2020: a total of 67,448 cases were filed. Of the total cases, 22,064 were charges of racial discrimination; 21,398 were sex discrimination cases. These numbers reflect a decrease in charges filed for the previous two years. Hopefully, for the sake of the workplace, the numbers continue to decline.
- Clayton County is committed to eliminating and preventing harassment and discrimination, and expects all employees to contribute to a code of conduct that aligns with federal and state laws and our Civil Service Rules and Regulations.
- Managing diversity effectively requires a personal commitment, the ability to self reflect and adapt, the knowledge that personal consequences exists, and the development of diversity management skills.

- **Diversity Management**
- Clayton County Government employs and serves a diverse population. Being able to work with a diverse internal and external customer base is critical to promoting an inclusive work environment.
- 2019 data from the United States Census Bureau report the population of Clayton County to be 292,256. A basic break-down of demographics shows:

African American	72.8%
Asian	5.0%
American Indian and Alaska Native	0.6%
Hispanic or Latino	13.4%
Native Hawaiian/Other Pacific Islanders	0.1%
White	19.1%
Female	53.3%
65+	9.6%

- In 1980, the United States Census Bureau reported the population of Clayton County to be 150,357, of which 91% was white, and 9% was reported as minority. This change represents an aggressive population growth and a demographical change, which stresses the need for effective diversity management skills.
- Be mindful of the legal landmine regarding the treatment of others in the workplace. Engaging in discriminatory, harassing workplace behavior is illegal, and is prohibited by the policies of Clayton County Government.
- Failure to effectively manage diversity in the workplace will result in personal and professional consequences that can stall your career and hurt you financially.

Diversity Management Skills

Acquiring diversity management skills for the workplace requires an understanding of what diversity encompasses; acknowledging that all team members have various viewpoints and experiences; communicating in a direct, mindful manner to resolve conflicts; a reflection on personal response to diversity-related issues; and self reflection on personal behavior.

Understanding Diversity

Diversity means difference, and can include less obvious, individual differences. Individual differences can lead to stereotypical thinking and prejudiced ideas and beliefs. Many of these ideas and beliefs come from our personal exposures and experiences. In the workplace, if these ideas and beliefs are left unaddressed, they will more than likely eventually surface when interacting with others. The more aware you are of your belief system and behavioral patterns, the better able you will be to self manage. Examples of discriminatory beliefs includes:

- Ablism-Discriminatory beliefs against people with disabilities
- Ageism-Discriminatory beliefs against a person's age
- Classicism-Discriminatory beliefs against a person's economical status
- Hetrosexism-Discriminatory beliefs against gay men, lesbians, transgender
- Racism-Discriminatory beliefs against a person's race
- Sexism-Discriminatory beliefs against a person's sex

Effectively managing discriminatory beliefs requires understanding personal biases, challenging false assumptions, exercising moral courage by questioning currently held beliefs, and focusing on fairness and justice.

Direct, Mindful Communication

We communicate in many ways. We communicate verbally and nonverbally, as well as through our actions and behaviors. Remember, communication is a two-way street that requires the willingness of all parties to contribute to the success of the process. As the sender, keep in mind the perspectives and challenges of your team members. It's best to avoid "trigger" words, objects, jokes, and behavior that have a tendency to incite diversity tension. As a receiver, don't immediately perceive everything said or done to have negative origins; otherwise, it may cause you to react unprofessionally. Avoid knee-jerk reactions. If you feel that you are the victim of a diversity incident, discuss it with your chain of command; don't discuss the issue with other team members. An environment in which open communication flows freely facilitates conflict resolution.

Personal Reflection on Response to Diversity Issues

When people feel wronged, the natural instinct is to fight fire with fire. This strategy of retaliation can range from telling someone off to workplace violence. What is your behavioral response when you feel wronged by a team member? Do you use verbal and nonverbal threats; share the incident with others in an attempt to gain allies, thus creating a divided team; gossip or lie to defame a person's professional character, or sabotage work or personal property? Neither tactic is ideal or effective. The best response is to calmly discuss the incident with your supervisor. Some misunderstandings are innocent, isolated events. In most cases, these can be easily resolved. Whatever the case may be, don't make the situation worse by engaging in counter active negative behavior that has the potential to stall your career.

Self Reflection on Personal Behavior

Some diversity related incidents can come to fruition by a lack of knowledge or innocent joking around. Diversity issues tend to be volatile due to the personal, emotional aspects that are attached to such incidents. Diversity issues tend to incite intense indignation within those on the receiving end of the behavior, and can easily be transferred to others creating a polarized environment.

Diversity management skills include timely self reflections to insure professional, workplace behavior:

- Do you keep an open mind towards others?
- Do you treat others the way you want to be treated?
- Are you fair and tolerant?
- Do you judge others based on their individual behavior?
- Do you avoid objects, jokes, & comments that are discriminatory?
- Do you involve others in an attempt to gain allies to validate your behavior?

Acknowledging the Viewpoints of Others

Diversity means difference, and there is an abundance of differences in the workplace. Don't expect everyone on your team to share your value and belief system. Seek to understand the perspectives of your team members, and learn to effectively communicate your needs. Workplace protocol centers around professionalism. Your belief and value system is important; however, it's not the only reality; nor does the validation of my system in any way discredits yours. Diversity management skills do not require a "love affair" or friendship. Acknowledging diversity and calling a truce to try to understand and respond professionally are the hallmark of diversity management skills.

Consequences of Behavior

- Human Resources urges each employee to manage his/her behavior very carefully. *Our employees are held accountable for their behavior, and Clayton County acts swiftly to remove negative behavior from its workplace.*
- *Suspension/Demotion/Termination*
We depend on our leaders to set the tone for expected subordinate behavior. Leaders are given the responsibility to monitor the work environment to ensure appropriate behavior. Leaders are held responsible for the behavior of their employees. Additionally, leaders are expected to be positive role models, and guide the team forward. A leader's direct violation of the law and policies, as well as a breach of duty by his subordinates, may result in suspension, demotion and/or termination of both the leader and his subordinate(s).
- *Future Promotional Opportunities*
Guard your behavior very carefully. We are rated on past performance, both technical and behavioral. Once we've fallen by the wayside, it will take hard work and time to prove ourselves as professionals. People tend to recall negative events more quickly and vividly than positive ones. Despite your rank, always perform like a leader. Protect your professional character. When career opportunity knocks, don't you want to be ready to receive the challenge?
- *Tarnished Work History*
Technology has given potential employers the necessary tools to conduct extensive background checks on job candidates. Our work histories becomes an evaluative factor of our characters. A tarnished work record can severely stall the progression of a person's career.

TOPIC: Resolution 91-103 – Substance Abuse Prevention Policy

Goal: To discuss our substance abuse policy in an effort to promote safety in the workplace

- It's the responsibility of every Clayton County employee to help maintain a workplace that is free from the debilitating effects of substance abuse.
- Substance abuse includes the use of illegal drugs, the misuse of over-the-counter and prescription drugs, and the abuse of alcohol. Such behavior contributes to safety concerns in the workplace.
- Substance abuse issues cause pain and suffering for innocent victims, and create liability for the County.
- The public has a right to expect County employees to be able to carry out the duties that we have been entrusted with.
- Substance abuse undermines the integrity and quality of services we provide to our customers, both external and internal.
- Clayton County, Human Resources and your Department are quick to respond to issues of substance abuse.
- It's important to understand that Clayton County does not test employees without justification. I've heard statements such as *"my supervisor doesn't like me"* or *"they're trying to catch me in a trap"*; however, the guidelines of our policy are clear.
- The guidelines of our policy indicate when we test:
 - Pre-Employment
 - Post Accident
 - Random Test CDL Holders
 - EAP Referrals
 - Reasonable Suspicion

Resolution 91-103 – Substance Abuse Prevention Policy

- **Pre-Employment** – All full-time employees and some part-time employees will be scheduled to take a drug test before being officially hired by Clayton County.
- **Post Accident** – Employees may be asked to submit to a drug test following an accident in an attempt to determine if drugs and/or alcohol contributed to the accident.
- **Random Test CDL Holders** – Employees whose job descriptions require or prefer a Commercial Driver's License are placed in the random testing pool, and are subjected to random drug and/or alcohol screens.
- **Employee Assistant Program Referrals** – An employee who has been referred to EAP as a condition of continued employment after violating Resolution 91-103 will undergo random testing for a year to ensure that the employee remains substance free.
- **Reasonable Suspicion** – If the employee exhibits behavior that is indicative of drug and/or alcohol use, the employee is subject to be tested. The behavior will be observed and documented to support Clayton County's decision to test the employee. Departments (exception: Police and Sheriff) work with Human Resources to determine if reasonable suspicion exists.
- **Prescription Drugs** – Resolution 91-103 stipulates that use or possession of prescription drugs while on duty is prohibited unless the prescribing doctor has cleared the use of such medication in consideration of the job duties of the employee.

Additionally, the employee must notify his/her supervisor in writing of his/her use of such medication with an indication that the doctor has approved use of the drug while the employee is at work.

- **Working While Impaired** - Reporting to work or working while under the influence of drugs and/or alcohol is strictly prohibited by Resolution 91-103.

Resolution 91-103 – Substance Abuse Prevention Policy

- **Off -Duty Use** – The line that separates personal and professional behavior is almost nonexistent. You can be called on behavior that you engage in off duty and off premises. Any off-duty use that tends to undermine the integrity, reputation, authority, or efficiency of Clayton County Government is strictly prohibited.
- **Illegal Uses** – Selling, buying, distributing, or manufacturing illegal substances are strictly prohibited by Resolution 91-103.
- **Reasonable Suspicion Tests** – The employee is tested at a minimum for Marijuana and Cocaine. However, the employee could be tested for other substances, including alcohol. Employees cited to take a reasonable suspicion test will be suspended for three days pending the results of the test.
- **Department of Transportation Random Tests** – CDL holders are randomly tested for alcohol and substances as mandated by the Federal Motor Carrier Act.
- **Consequences** - Consequences of violating Resolution 91-103 range from continued suspension to termination. The Department Director makes the disciplinary decision. The Department Director will review the mitigating and aggravating circumstances surrounding the issue, and will make a decision that is in the best interest of the Department and County.
- **Continued Employment** – Employees who are retained after violating Resolution 91-103 are subjected to:
 - Continued suspension without pay
 - Probation for 1 year following the positive test result
 - Random testing for 1 year (**employee's expense**)
 - Additional requirements are mandated by Department of Transportation (DOT) Federal Motor Carrier Act for CDL holders.
- **TAKING A FOOLISH CHANCE THAT WILL ADD NO VALUE IS NOT WORTH TAKING.**

TOPIC: Family Medical Leave Act

Goal: To review Human Resources' process in facilitating leave requests to ensure a smooth system that keeps us legally compliant.

- The Family Medical Leave Act provides qualified employees 12 weeks per year of unpaid protected leave in the event of a serious health condition that affects the employee, his/her spouse, child (under 18 unless physically or mentally impaired), or parent. The Act also provides leave for exigency (military call to duty) and military care giver leave.
- Clayton County cannot retaliate against, interfere with, or prevent an employee from exercising his/her rights under the Family Medical Leave Act. Failure to provide FMLA leave to a qualified employee is against the law. The employee does not make the decision to take FMLA; if the organization has knowledge of an FMLA need, the organization is mandated to respond appropriately.
- The FMLA process is triggered when an employee has been absent for more than three consecutive days. Additionally, an employee who is on a treatment plan that requires ongoing frequent medical-related appointments may be eligible for intermittent leave under the Family Medical Leave Act.
- The Family Medical Leave Act provides job and health care protections. It's very important to understand that if an employee is unable to return to work after the FMLA 12-week entitlement has ended, the employee may qualify for protection under the Americans with Disabilities Act Amendment Act.
- To ensure a smooth process, each party plays an important role. The parties include: the employee, the direct supervisor, the Department, and Human Resources.
- Know your role, and respond appropriately:
 - **EMPLOYEE:** If you have an FMLA need, please notify your direct supervisor. Most people are understandably protective of their health and medical information; you do not have to go in detail about the reason for the FMLA need. Once you have notified your supervisor, contact the FMLA Administrator in Human Resources to start the process.

Family Medical Leave Act - FMLA

- **Supervisor:** Please respond appropriately. You cannot interfere with, dissuade, or prevent the employee from exercising his/her rights under the Family Medical Leave Act. Lawsuits usually derive from the actions of the direct supervisor. You play a very important role in this process.
- Do not make any negative comments about FMLA or appear to be bothered by the employee exercising his/her rights. Employees are so valuable that when they're out, we feel the crunch. An employee's absence is definitely a loss to the team; however, we have to work around FMLA absences until the employee is able to return to work.
- **Department:** Make sure that your supervisors have a basic understanding of the Family Medical Leave Act (FMLA). FMLA is a complicated law; it's Human Resources' job to understand the regulations as they are and as they continue to evolve, and to apply those regulations to various situations. However, it's the supervisor's responsibilities to be able to identify a possible FMLA need, and to respond appropriately.
- Make sure that your supervisors understand your departmental process in notifying leadership of the employee's FMLA need.
- Make sure that your departmental HR representative work with Human Resources to ensure that documents for record maintenance purposes are submitted to Human Resources timely. The records are of importance for many reasons, especially if we are audited by the Equal Employment Opportunity Commission and pending appeals and hearings.
- Understand that if an employee is unable to return to work after the FMLA 12-week entitlement has ended, the employee may qualify for protection under the Americans with Disabilities Act Amendment Act (ADAAA). In such situations, Human Resources will notify you to start the ADAAA process. The ADAAA process is not optional, but is required by federal law. Although we are bound by the Civil Service Rules and Regulations, in these cases, Federal law supersedes.
- **Human Resources:** The FMLA Administrator is responsible for processing all leave requests. The FMLA Administrator will meet with the employee; provide the mandated documents; review the medical documentation; approve or deny the FMLA request; and begin the interactive process mandated by the ADAAA if applicable.
- The FMLA Administrator will communicate throughout the process with the departments to obtain the needed documentation for the records.
- The FMLA Administrator's ultimate goal is legal compliance and providing support to the departments and employees.

TOPIC: Appeal/Grievance Procedures

Goal: To discuss our Civil Service Board and provide information on the appeal and grievance process.

- At-will employment defines an employment relationship between the employee and employer in which either party can sever the relationship with no liability. There are limited circumstances such as illegal employment practices that null the at-will status.
- Currently, all states except Montana uphold the at-will doctrine. Clayton County is a unique employer because its employees are given due process in regards to adverse employment decisions such as terminations, suspensions, and demotions.
- Full-time non-probationary employees have the right to go before our Civil Service Board to appeal adverse employment decisions that have been made against them.
- The Civil Service Board hears and rules on cases of terminations, suspensions, and demotions.
- The Board does an excellent job of protecting employees' rights while making sure that rules and regulations are adhered to. In other words, the Board determines what is right, not who is right.
- The Civil Service Board consists of five members. Two members are selected by County employees; one member is selected by County Elected Officials; and the other two members are selected by the Clayton County Board of Commissioners by unanimous vote.
- Employees are urged to establish a good working relationship with their supervisor. All good relationships rest on a foundation of effective communication. Human Resources advises employees to discuss issues of concerns with their supervisors first. Give your supervisor the opportunity to help you resolve employment related issues.
- Please remember, Clayton County has an open door policy that encourages the chain of command. The chain of command extends to the Human Resources Department.
- Human Resources' doors are always opened to County employees because we want our employees to give the County the opportunity to resolve whatever the issue may be.
- The Civil Service Board also hears and renders advisory decisions on employee grievances. A full-time non-probationary employee must give her supervisor and department director the chance to resolve the issue prior to bringing it before the Board. Usually effective communication can quickly resolve grievances.
- The process of filing an appeal and grievance are shown on the following pages.

APPEAL INFORMATION

In accordance with the Civil Service System Rules and Regulations you can only file an Appeal for the following: *demotion, suspension, or termination*. You must have successfully completed your probationary period. Probationary employees do not have the right to appeal before the Civil Service Board.

Please read the Appeal Information below. Complete, date, and sign the attached form and return to the Clayton County Human Resources Department for processing. You will be notified via certified mail as to the date of the Civil Service Board Meeting.

Overview of Appeals Process

1. Civil Service Board proceedings are conducted in the Commissioner's Board Room located at 112 Smith Street, Jonesboro, Georgia 30236.
2. Appeals must be filed in writing to the Human Resources Director within ten (10) days after the notice of the action being appealed (must have original signature).
3. You must notify the Human Resources Department with your attorney's contact information as soon as possible, if you are represented by counsel (attorney must file a notice of appearance).
4. Once your appeal has been filed, you will receive a letter stating your appeal has been received and reviewed (approving/denying appeal).
5. You will receive a letter notifying your hearing date and deadlines along with a Hearing Guideline and the Clayton County Civil Service's Policies on Continuances and Attorney Conflicts; Presentation of Documents and Evidence; Formal Appeal Hearing and Expedited Appeal Hearing along with its Waiver.
 - List of witnesses
 - *County Employee - must provide full name and department
 - *Non-County Employee - must provide full name, title, and company
 - Human Resources Department will prepare and issue subpoenas to all County employees. Witnesses who are non-County employees, the Human Resources Department will prepare the subpoenas and contact you once the subpoenas are ready for pick-up by you or your office (for you to serve), as our subpoenas are only binding upon County employees.

The subpoenas to non-County employees are non-binding and will need to be issued by the requesting party. Therefore, the attendance of any non-County employee witnesses is your responsibility.

- Written request for additional time is due forty-five (45) days prior to the next Board Meeting.
- Requests for continuances
 - *Must provide appropriate supporting documentation (see Policy on Continuances)

The Board will consider all requests for continuances, if they are received and can be substantiated before the deadline. Regardless, if the request is received by the deadline, the request may or may not be approved. The Civil Service's policy on Continuances leaves this matter to the sole legal discretion of the Board.

6. An agenda for the Civil Service Board's proceedings will be sent to all pertinent parties involved.
7. After hearing the facts presented, the Board shall approve or disapprove the action taken by the Department Head and may modify the charges in its findings so as to lessen but not increase same. The decision of the Board in cases of appeal are final and binding.
8. The Board will sign their decision at the next month's hearing. Once the decision is signed, you will be mailed a copy of the decision of your appeal.

APPEAL FORM

Please complete, date, and sign form.

Note: Appeals must be filed in the Human Resources Department **ten (10) days** from the date of notification of the action.

Employee Name:	Department:
Home Address:	Division:
City: State: Zip:	Job Title:
Home Phone:	Cell#:
Personal E-mail:	

Please check one of the following:

- ☐ Yes ☐ No *I have completed my probationary period and have achieved permanent status.*
☐ Yes ☐ No *I have been demoted, suspended, or terminated.*

- ☐ Yes ☐ No *I am represented by an attorney.*

Attorney Name: _____ **Phone#:** _____

Address: _____

What action is being appealed:

Reason action is being appealed:

Action or result you are expecting as a result of the appeal:

Date

Signature

GRIEVANCE INFORMATION

- ◆ Please read the Grievance Information below. Complete the attached form and return to the Clayton County Personnel Department for processing. You will be notified by mail as to the date of the Civil Service Board Meeting.
- ◆ If you are represented by counsel, please share this information with your attorney.

Grievance Information

1. The purpose of the employee grievance procedure is to determine **what** is right, rather than **who** is right. Employee grievances should, whenever possible, be adjusted informally.
2. The employee should put the grievance in writing to the immediate supervisor. The supervisor shall attempt to resolve the problem(s) promptly and fairly.
3. If the employee is dissatisfied with the decision of the supervisor, the grievance should be taken to the Department Director. If the employee is not satisfied with the Department Director's decision, then the grievance may be presented to the Civil Service Board through the Personnel Director.
4. **The plaintiff must bring ten (10) copies of any exhibits that will be presented as evidence at the grievance hearing by the date stated in the letter you will receive. The Civil Service Rules and Regulations are considered to be in evidence in all hearings.**
5. In these matters, the authority of the Board shall be limited to the making of informal determinations and offering advisory recommendations.

GRIEVANCE FORM

Please complete, date, and sign form.

Employee Name:	Department:
Home Address:	Division:
City: State: Zip:	Job Title:
Home Phone:	Cell#:
Personal E-mail:	

☐ Yes ☐ No **I am represented by an attorney.**

Attorney Name: _____ **Phone#:** _____

Address: _____

Before a grievance can be filed with the Civil Service Board, the employee must present their grievance to their supervisor and Department Director. You must have your Department Director sign this form indicating they have investigated this matter in accordance to Civil Service Rule 11.202.

What action is being grieved:

Reason action is being grieved:

Action or result you are expecting as a result of the grievance:

Date

Signature

To Be Completed by the Department Director

_____ has presented his/her grievance to me. I have investigated the matter and informed the employee of my decision. _____ is not satisfied with my decision and requests to grieve this matter before the Civil Service Board.

Date

Department Director's Signature

TOPIC: Employee Assistance Program (EAP)

Goal: Remind employees of our employee assistance program

- Clayton County cares about its employees, and understands that “life” happens. Sometimes it’s hard to bounce back from life’s challenges and disappointments. During times of challenges and conflicts such as the loss of a loved one, coping with life altering illnesses, or divorce, some people engage in destructive behavior thinking it will help them navigate through the issues. Clayton County offers an alternative to destructive behavioral patterns. Our EAP offers treatment and strategies designed to give us successful outcomes. This is an additional benefit that can be used ninety (90) days after hire date for all employees.

What is the EAP?

- The Employee Assistance Program is a counseling referral service to help County employees and their family members cope with personal and work-related difficulties. The EAP offers free confidential professional assistance such as assessment of problems, grief counseling, referral to professionals, and continued contact. Our EAP is provided through The Hartford’s Ability Assist Counseling Services, offered by ComPsych.
- *What Kinds of Problems Does EAP Cover?*
 - **Work Stress*
 - **Alcohol and Drug Use*
 - **Financial and Legal Issues*
 - **Anxiety and Depression*
 - **Relationship Issues*
 - Parenting Concerns*
 - Marital Conflicts*
 - Communicating and Interacting With Others*



How do people know if they need help?

- The EAP can help when: problems cause difficulties with health, family, work, and other areas of life; when people can't solve problems on their own or with help from nonprofessionals; when people lose control over their problems; or when people just need to talk.
- Signs that indicate the need for EAP assistance include disturbance in the family, depression, anxiety, chronic tension, feelings of loss of control, fatigue, emotional outbursts, feelings of anger and rage, and health concerns.

How do employees use the program?

- You can contact Cigna Employee Assistance Program at 1-877-622-4327. You can also go online at www.myCigna.com. Your employer ID for the initial registration is 'ccboc'.
- If you are a supervisor and wish to refer an employee to the EAP, or if your supervisor has suggested you call the EAP, you can assess the service at any time.

How does the program work?

- Up to five (8) assessments will be provided at no cost through the EAP. If further help is needed, the EAP counselor may refer you to another professional within your locale. Should a referral outside of the EAP become necessary, your EAP counselor, with your permission, will keep in touch with you to ensure your satisfaction with the services you are receiving.
- The cost for professional services beyond the initial eight sessions or outside the EAP may be covered under your health/medical insurance. Cigna EAP staff will work with you to get the help you need at a cost that is reasonable to you.

Is the EAP confidential?

- The County respects your right to manage your personal life without interference. When you call Cigna EAP, no one is notified. If participation in the EAP can not be accomplished during non-working hours, an employee may utilize accumulated sick and annual leave together with any other leave benefits afforded other similarly situated employees to attend appointments.
- Confidentiality is considered an important element of your EAP, and is governed by federal and state Laws. Professional ethics protect clients' right to privacy. Information will not be discussed with your supervisor without your written permission.

What are the qualifications of the EAP counselors?

- EAP counselors and consultants include professionally trained and certified or licensed counselors, psychologists, psychiatrists, and other professionals.
- **For more information or to make an appointment contact Cigna EAP at 1-877-622-4327 or www.myCigna.com.**

TOPIC: Unlawful Retaliation

Goal: To maintain legal compliance by discussing behaviors that could lead to a unlawful retaliation charge.

- Most equal employment opportunity (EEO) laws contain anti-retaliatory provisions. It is unlawful to retaliate against an employee for exercising his/her rights given by the EEO laws.
- Do not retaliate against an employee for filing a lawsuit under EEO laws or filing an appeal or grievance under our Civil Service System.
- It is illegal to retaliate in any aspect of employment including: firing, demoting, suspending, disciplining, reassigning duties, or harassing the employee. To stay on the legal side of the law, all disciplinary measures should be based on objective facts, and decision makers must have documentation to support and justify employment decisions.
- Data suggest that retaliation cases are on the rise, and these type cases are easier to prove than others. Engaging in retaliatory behavior against an employee can be costly for you and the organization – just don't do it!
- Retaliatory behavior includes, but is not limited to:
 - Inconsistent, unsupported disciplinary action
 - Harsh, excessive criticism
 - Unsupported negative performance evaluations
 - Threats or promises to get even
 - Transfer to shift/job that creates a loss of prestige and/or finance
 - Excluding and/or avoiding the employee
 - Failure to engage in direct communication; excluding the employee from events; failure to provide needed resources; refusing reasonable requests; nitpicking
- To be clear, employees must assume accountability for their actions. Leadership must address issues of substandard performance and inappropriate behaviors in an effort to maintain a safe, productive environment. However, it is unlawful to discipline and/or harass solely on the basis that an employee exercised his/her rights under EEO laws and our Civil Service System.

Thank you for attending
Triennial Training 2021.

See you again in 2024!

“Together, we CAN make a difference”!