

Sec. X-1-1 *Purpose of this chapter*

In order to enable the County Manager to perform his daily administrative duties, it is necessary that the County Manager be notified when a county commissioner contacts a county employee concerning county business. This Amendment to the Personnel Policies has been devised to ensure that the County Manager and the public are aware of every instance in which a county commissioner contacts a county employee concerning county business.

Sec X-1-2 *Definitions*

The following words, terms and phrases, when used in this Chapter, shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning:

County employee means all individuals employed by the county governing authority, with the exception of the County Manager.

Direct contact from a commissioner to a county employee means face-to-face communication, or communication by means of telephone, telefax, electronic communication, non-electronic written communication or group conference regardless of the location of the commissioner and county employee at the time of communication.

County business means matters within the scope and purview of the contacted employee's job duties. Such term shall encompass all requests, orders and directives for the employee to perform tasks while on the clock and all requests, orders and directives for the contacted employee to order another employee to perform a task while on the clock. Such term shall also encompass all requests, orders and directives for the employee to provide status reports or updates to the commissioner concerning projects, assignments or tasks.

Notice means written notification, whether in electronic or non-electronic format, addressed and directly forwarded to the County Manager that communicates at least the following: (1) the name of the county commissioner who initiated contact; (2) the date of the contact; (3) the approximate time of the contact; and (4) the subject matter of the contact.

Acknowledgement of Direct Contact Policy Form means the form prescribed from time to time by the county that sets forth the county employee's obligations under this Chapter and the repercussions for failing to fulfill those obligations.

Public meeting means the gathering of a quorum of the Board of Commissioners or of any committee of its members created by the Board of Commissioners, whether standing or special, pursuant to schedule, call, or notice of or from the Board of Commissioners or committee or an authorized member, at a designated time and place at which any public matter, official business, or policy of the Board of Commissioners is to be discussed or presented or at which official action is to be taken or, in the case of a committee, recommendations on any public matter, official business, or policy to the Board of Commissioners are to be formulated, presented, or discussed.

Disciplined Employee means any county employee who is disciplined for violating this Chapter.

Sec X-1-3 *Duties of county employees*

- (a) A county employee is required to provide notice of any and all direct contact from a commissioner to that employee concerning county business unless that contact occurred during the course of a public meeting.
- (b) The notice shall be forwarded before the close of business on the same day that the direct contact from the commissioner occurred. If the direct contact occurs on

a county holiday or weekday, the notice shall be forwarded by no later than Noon on the next county work day immediately following the direct contact.

- (c) When multiple county employees are directly contacted at the same time by a commissioner concerning county business, all contacted county employees are obligated to provide separate notice.
- (d) All county employees employed as of the date of the enactment of this Chapter shall be required to sign the Acknowledgement of Direct Contact Policy Form within thirty (30) calendar days of said enactment. Notwithstanding any current or future progressive discipline policy, **failure to timely sign the form is a terminable offense.** All individuals who are hired by the county after the enactment of this Chapter shall be required to sign the Acknowledgement of Direct Contact Policy Form prior to commencing their employment.

Sec X-1-4 Duties of County Manager

- (a) The County Manager shall cause all notices to be filed within forty-eight (48) hours of receipt.
- (b) In order to facilitate public inspections of the notices, the County Manager shall ensure that all notices received in the same calendar month are filed in the same folder. On each monthly folder shall appear a label that clearly communicates the applicable month and year of receipt and the title, "Notices of Direct Contact." All monthly folders shall be made available for public inspection in the manner prescribed by the Open Records Act, O.C.G.A. §§ 50-18-70 et seq.

Sec. X-1-5 *Punishment and Appeal Rights of Disciplined Employees*

(a) **Notwithstanding any current or future progressive discipline policy, a county employee's single failure to provide the notice required by this Chapter can result in termination.**

(b) This Chapter shall not be construed as conferring, expanding or restricting the disciplined employee's hearing and appeal rights set forth in Chapter _____. A disciplined employee's eligibility for the hearing and appeal rights set forth in Chapter ___ will be determined based on the status of the employee and the severity of the punishment as is the case with all other disciplinary actions.

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