Chapter 15

PERSONNEL

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ARTICLE I. IN GENERAL

Section 15.1 Department Heads.

Each department head, subject to the approval of the mayor, shall have the authority to employ the necessary personnel, as authorized by council action, to perform the duties of his department, and it shall be the responsibility of each such department head to determine whether the applicant has the necessary qualifications for the particular position applied for.

Section 15.2 Adoption of Policies.

The city council shall adopt personnel policies governing the relationship between the city and employees.

Section 15.3 Protection of Whistleblowers.

As used herein, the term "retaliate" or "retaliation" refers to the discharge, suspension, or demotion by a public employer of a public employee or any other adverse employment action taken by a public employer against a public employee in the terms or conditions of employment for disclosing a violation of or noncompliance with a law, rule, or regulation to either a supervisor or government agency.

It is the policy of the City to encourage its employees to disclose activities that are illegal, or improper, or otherwise detrimental to the City or its officers or employees, and to address written complaints that allege acts or attempted acts of retaliation, reprisal, interference, threats, coercion or intimidation against employees or other persons who disclose such activities, and to protect those who come forward to report such activities.

If an officer or employee suspects another of misuse, misapplication, or misappropriation of City property or any other fraudulent or illegal acts, he or she may report such conduct, anonymously if desired, and the reporting individual will be protected against any form of harassment, intimidation, discrimination, or retaliation by City officers or employees for making such a report in good faith.

Reports shall be made in writing to the Mayor with a copy to the City Council. The Mayor shall promptly conduct an investigation into the matters reported. If the reporting individual's identity is known, his or her identity may not be disclosed without his or her written consent, unless the City determines that such disclosure is necessary and unavoidable during the course of the investigation. In such event, the reporting individual shall be notified in writing at least seven (7) days prior to such disclosure. Within a reasonable time, but not more than thirty days after receipt if the report, the Mayor shall complete the investigation and shall make a written report to the City Council. Such report shall contain the Mayor's findings and recommendations as to what action, if any, needs to be taken.

An individual who has made such a report, and who subsequently believes that he or she has been or is being subjected to acts, attempted acts, or threats of retaliation, reprisal, interference, coercion, or intimidation of any kind is directed to report immediately such conduct to the Mayor, who shall investigate such complaints. The reporting individual's identity shall not disclosed in the course of this investigation without his or her written consent, unless the City determines that such disclosure is necessary and unavoidable during the course of the investigation. In such event, the reporting individual shall be notified in writing at least seven (7) days prior to such disclosure. Within a reasonable time, but nor more than thirty days after receipt of the report, the Mayor shall complete the investigation and shall make a written report to the City Council such report shall contain the Mayor's findings and recommendations as to what action, if any, needs to be taken.

The City strongly disapproves of and will not tolerate any form of intimidation or retaliation or other conduct designed to suppress or discourage reports of wrong doing. Any employee who engages in such conduct will be subject to discipline, including termination, subject to the policies of the City regarding disciplinary procedures.

If any part of this policy is found to be inconsistent with Georgia's Whistleblower Protection statute, codified at O.C.G.A. § 45-1-4, or any other applicable law then such inconsistent provision shall yield and the applicable law shall govern.

Sections 15.4 - 15.20 **Reserved.**