

GEORGIA DEPARTMENT OF CORRECTIONS Standard Operating Procedures		
Policy Name: Appearance and Dress		
Policy Number: 104.48	Effective Date: 10/05/2016	Page 1 of 5
Authority: Bryson/Poitevint	Originating Division: Administration Division	Access Listing: Level I: All Access

I. **Introduction and Summary:** It is the policy of the Georgia Department of Corrections to have an established policy on Appearance and Dress that applies to all employees, allows for the projection of an appropriate business image in the performance of job duties and outlines appropriate apparel for uniformed and non-uniformed employees. This policy also serves as notice that non-uniformed employees should not dress in a manner deemed to be excessively casual, overly provocative or revealing.

II. **Authority:**

GDC Standard Operating Procedures (SOPs):

1. 104.47 Employee Standards of Conduct
2. 205.03 Personal Appearance for Uniformed Personnel (Facilities Operations)

III. **Definitions:**

- A. **Non-uniformed employees:** Persons employed by the Department who are not required to wear agency-issued clothing, insignia, or other distinguished attire in performance of an assigned duty.
- B. **Uniformed employees:** Persons employed by the Department who are required to wear a uniform, insignia, or other forms of clothing issued or directed for purchase and wear in performance of an assigned duty.
- C. **Appointing Authorities:** Wardens and individuals specifically designated by the Commissioner.

IV. **Statement of Policy and Applicable Procedures:**

Employees working in the Department's facilities or offices will dress as follows:

A. Non-Uniformed Employees:

1. The standard dress for non-uniformed employees is **Business Casual Attire** (see Attachment 1).
2. Any non-uniformed employee who represents the Department externally or at a formal internal presentation should dress in **Business Attire** (see Attachment 1) unless it is unsuitable for the occasion. For instance, business attire would be just as inappropriate for a ceremony held outside in the summer as casual attire would be for a legislative hearing, meeting at another agency or formal briefing to the Commissioner or the Board.

Business Attire is required to be worn by senior staff members (see note below) on days the Corrections Board is meeting in Forsyth.

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Note: The term senior staff, as used above, refers to the Chief of Staff, Assistant Commissioners, Executive Counsel, Director of Public and Governmental Affairs, Human Resources Director, Chief Accounting Officer, Chief Budget Officer, Chief Procurement Officer, Chief Information Technology Officer, and Chief of Engineering/Construction Services. For the purpose of these guidelines, it also refers to those support staff whose location is in the Commissioner’s office suite. Also, members of the senior staff, on days when they are attired in Business Casual Attire, are expected to have readily available the clothing required to change into Business Attire when required.

3. **Casual Attire** (see Attachment 1) may be worn by non-uniformed staff on Fridays. Staff working 10-Hour Days may dress in Casual Attire on Thursday if this is their last work day of the week.
4. **Dressing in a manner more formal than the normal attire of the day will not be grounds for disciplinary actions.**
5. **Revealing shirts, blouses, skirts, slacks or dresses are prohibited.**
6. **All shirts must be appropriate for the work environment and will not include language or graphics that are vulgar, sexually explicit, or may otherwise be offensive. Employees may not wear shirts with the logo of another agency, for-profit corporation or non-profit.**
7. Supervisors must ensure that employees dress appropriately for assigned work duties. Appointing Authorities may make routine exceptions to the required dress attire where the attire would not be conducive to an employee’s assigned work site or duties. The Appointing Authority must designate dress attire exceptions in writing and establish the acceptable attire standards. Work sites that may require an exception include a file room, mailroom, warehouse operations, computer installation/repair/troubleshooting, construction, maintenance, or farm operations.
8. There are occasions when management must solicit the assistance of the workforce in accomplishing certain manual tasks at the work site for special needs situations such as “spring cleaning” or moving. On these occasions, the Appointing Authority may approve a deviation from non-business/business casual attire.

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9. Non-uniformed employees shall not appear to be identifiable to the public as GDC employees (visible badge on belt, GDC-logo shirt or other apparel) in the following situations:
 - a. Performing duties as a private security or police officer not officially required by the Department;
 - b. Purchasing or consuming alcoholic beverages of any type- on or off duty- in any public establishment or establishment in which the general public has regular or routine access;
 - c. Consuming or transporting alcoholic beverages in any vehicle at any time; and
 - d. Attending or participating in any activity that might, even by misinterpretation, bring discredit to the Department if identified as a GDC employee.

NOTE: This is not intended to apply to any Departmental Employee- on duty – verifying whereabouts, employment, or other status of an offender.

10. Supervisors must monitor and control work units to ensure employees maintain a professional appearance each day. Supervisors at all levels should enforce this policy and take appropriate measures when necessary to ensure compliance.

B. Uniformed Employees:

1. Maintenance personnel, food services personnel, truck drivers, security personnel, tactical squad members, canine handlers, and other designated personnel must wear department issued uniforms while performing official duties of the Department.
2. Department personnel will not appear in uniform in the following situations:
 - a. When performing as a private security officer or police officer when those duties are not officially required by the Department;
 - b. At social or athletic events that are held off Department property and are not officially sponsored by the Department;
 - c. When purchasing or transporting alcoholic beverages or other intoxicants;

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- d. While consuming alcoholic beverages or other intoxicants in public establishments or in other places where the general public has regular access; and
 - e. Attending or participating in any activity that might, even by misinterpretation, bring discredit to the Department if identified as a GDC employee.
3. Uniformed employees may not wear insignia, pins, ornaments or decals of any kind on their uniforms that have not been issued by the Department.
 4. Correctional Officers may appear in uniform at ceremonies approved by their Appointing Authority such as graduations, funerals, and civic events.
 5. Neck Ties:
 - a. Uniformed employees who work in a facility or serve as a detail officer or transfer officer may wear a neck tie as a part of their work apparel.
 - b. Uniformed employees must wear neck ties when attending a function away from the facility, apart from outside detail duty, where wearing the uniform is required by the Department, e.g., appearing in court as a witness for the Department, serving as part of an honor guard or any other formal or public ceremony. See SOP No. 205.03.

NOTE: Uniformed Employee will comply with SOP 205.03, “Personal Appearance of Uniformed Personnel”.

C. All Employees:

1. Approved beards and moustaches must be kept neatly trimmed. Fingernails and hair styles should not be flamboyant in style, shapes, colors or other features. Hair will be clean, combed and neatly trimmed or styled. The hairstyle should be appropriate to the work setting and not interfere with the work to be performed, create a safety hazard, or cause distractions in the work place.
2. Jewelry and other accessories will be appropriate for the work setting and not create a safety hazard or cause other distractions.
3. Supervisors at all levels are responsible to maintain the dress standards in this policy. Appointing Authorities should use this procedure as their base to establish and maintain acceptable appearance standards.

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4. Appointing Authorities will make reasonable efforts to accommodate an employee's written request to wear a garment or ornament required by religious belief, principle, or tenet that is contrary to this procedure or local directive. The Appointing Authority will consider health and safety issues and efficiency of performance regarding accommodation requests. Appointing Authorities should contact Director, Human Resources and Legal Services prior to accommodating any request submitted.

V. Attachments:

Attachment 1 - Attire Standards

VI. Record Retention of Forms Relevant to this Policy: None

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I. Introduction and Summary:

The purpose of this policy is to establish the Georgia Department of Corrections’ standards for the use and management of social media and provide guidance on its administration and oversight.

GDC uses a number of public social media platforms to improve communication with members of the public, employees, media representatives, and other stakeholders. This policy provides the department’s standard on the official management and use of social media for departmental purposes as well as setting standards for an employee’s use of social media. This policy applies to all GDC employees and volunteers, in addition to employees of any vendor working at any GDC facility or office.

This policy does not create rights in any person nor should it be interpreted or applied in such a manner as to abridge the rights of an individual.

II. Authority:

IVO14-0001: Employee Standards of Conduct

IVO13-0003: Unlawful Harassment (Includes Sexual Harassment)

III. Definitions:

Social Network/Media Site - web-based services that allow individuals to create public profiles, share information and socialize with others using a range of communications technologies. This includes, but is not limited to, social networking sites (Facebook, MySpace), microblogging sites (Twitter, Nixle), photo- and video-sharing sites (Flickr, Pinterest, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).

Inappropriate Comments: may include topics such as advertisements or endorsements for services or products, abusive or profane language, hate speech, personal attacks, harassment or threats of violence, libelous or slanderous statements against GDC or its employees, statements that threaten the security of GDC

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operations or facilities, statements likely to cause immediate harm or incite crime, or unlawful conduct.

Post: content an individual shares on a social media site or the act of publishing content on a site.

Social Media Account: an established profile using a social media platform for the purpose of social media use.

Social Media Page: the specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.

IV. **Statement of Policy and Applicable Procedures:**

A. **GDC Official Social Media Usage:**

1. The Public Affairs Office (PAO) oversees the:
 - a. Management, maintenance and administration of all social media sites and pages utilized for official Departmental use;
 - b. Approval of any modifications to or expansions of the social media sites and pages utilized for official Departmental use;
 - c. Monitoring of comments posted on social media sites and pages utilized for official Departmental use; and
 - d. Maintenance of social media usernames and passwords for all sites owned by GDC.
2. Social media pages utilized for official departmental use shall clearly indicate that they are maintained by GDC, and shall have GDC contact information prominently displayed or hyperlinked.

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3. Content on official GDC social media pages is subject to applicable laws, regulations, and policies, including all information technology and records management policies.
 - a. Content is subject to public records laws and records retention schedules.
 - b. Content must be managed, stored, and retrieved to comply with open records law, e-discovery laws, and GDC policies.
4. Individual facilities, centers, or offices shall not be permitted to establish or maintain a social media page.
5. GDC maintains official social media pages to:
 - a. Provide a direct way to reach constituents and stakeholders;
 - b. Promote transparency in government;
 - c. Assist with community outreach and engagement;
 - d. Assist in making time-sensitive notifications;
 - e. Provide an additional recruitment mechanism for GDC; and
 - f. Use as an investigative tool, through the collection of evidence and information for on-going investigations.
6. GDC employees who are working undercover are prohibited from creating a social media account as an alias for the purpose of an investigation unless written approval is given by the Office of Legal Services and Office of Investigations and Compliance.

B. Social Media Guidelines:

Social media is an ever-evolving forum. As such, guidelines within this policy are likely to be updated as new technologies and social networking tools emerge.

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Therefore to ensure policy compliance, it is recommended that employees review the policy regularly.

1. The following speech may subject a GDC employee to personnel action if employee's social media posts:
 - a. Adversely affect the department's operations;
 - b. Interfere with an employee's performance of duties;
 - c. Impair discipline, harmony or relationships among coworkers;
 - d. Showcase obscene or sexually explicit content;
 - e. Ridicule, harass or are discriminatory in nature against an individual or group of people in regards to their race, color, religion, sex, national origin or any protected class of individuals as defined by federal law;
 - f. Include content that would reasonably be considered as reckless or irresponsible; or
 - g. Use any image or photograph of images that belong to GDC that would reflect discredit on the Department or undermine public trust **IVO14-0001: Employee Standards of Conduct**, to include: GDC patch, official logo, photos of any GDC facility, any image of an inmate (with or without consent), and any material for which GDC holds a copyright, trademark, patent or other intellectual property right.
2. Employees shall not disclose any confidential or non-public information obtained by virtue of employment. **IVO14-0001: Employee Standards of Conduct**
3. Staff are cautioned that posts that constitute a violation of **IVO14-0001: Employee Standards of Conduct** and **IVO13-0003: Unlawful Harassment (Includes Sexual Harassment)** may result in personnel action by GDC.

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V. Attachments:

None

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Authority: Bryson/Poitevint	Originating Division: Administration Division	Access Listing: Level I: All Access

I. Introduction and Summary:

The Georgia Department of Corrections advocates Teleworking as a viable work option that benefits both the employer and the employee. GDC offers Teleworking to demonstrate a commitment to the environment, provide cost savings to the Department, and promote increased employee satisfaction, quality of life, efficiency, and productivity.

NOTE: Teleworking is a voluntary agreement between an employee and the supervisor, and, as such, is a privilege, not an entitlement.

II. Authority:

1. GDC SOPs:
 - 104.22 Workers' Compensation
 - 104.37 Time Keeping Requirements, Working Time, Overtime and Compensatory Time (FLSA)
 - 104.39.09 Miscellaneous Leave
 - 104.61 Performance Management
 - 104.64 Adverse Actions (Classified)
 - 104.65 Adverse Actions (Unclassified)
 - 104.67 Official Hours and Alternative Work Schedules

III. Definitions:

Primary Workplace - A Teleworker's usual and customary workplace.

Telework Center - A facility that offers office-like workstations and electronic equipment that may be used by the Department to house Teleworking employees.

Teleworker - An employee who performs their job at an alternative workplace for at least one or more days in a particular pay period. All Teleworkers should complete the telework agreement.

Mobile Worker - An employee who travels continuously and whose primary workplace is his/her home or an assigned office. The duties of these positions generally require the employee to meet and work off-site or at numerous locations dispersed throughout a geographic area. A Mobile Worker is a Teleworker.

Teleworking - Working at a location other than the employee's primary workplace.

Teleworking Agreement - The signed document that outlines the understanding between the Department and the employee regarding the Teleworking arrangement.

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IV. Statement of Policy and Applicable Procedures:

Given the nature and variety of work performed in the Department, not all jobs will be well suited for Teleworking. Therefore, many of the jobs cannot be effectively accomplished through Teleworking.

The characteristics of an effective and successful Teleworking program include: An assessment that an employee's job is suitable for Teleworking; a thorough and objective assessment of an employee's past performance, requisite job knowledge, and other work related characteristics; the immediate supervisor's cooperation with and support for Teleworking, as well as his or her proficiency/ability to effectively manage the Teleworking employee in a non-traditional work environment; and the Teleworking employee's commitment to an effective and productive telework program.

Jobs suitable for Teleworking are characterized by clearly defined results. A Teleworker's performance is measured by results rather than presence at the main work location; therefore, it is critical to ensure that performance expectations are clearly defined so that a proper evaluation can be conducted at designated intervals outlined in the telework agreement.

A. Eligibility:

To telework, an employee must:

- Be employed in or assigned to a position that requires or is conducive to Teleworking;
- Have been employed with the Department for at least six months;
- Have an annual leave balance of at least forty hours;
- Have consistently met established productivity levels and, as applicable, his or her most previous performance evaluation reflects an overall rating of 3 "Successful Performer" or higher; and
- Have had no adverse actions during the current or immediately preceding review period.

B. Selection Considerations:

Jobs generally well suited for Teleworking have the following characteristics:

- Infrequent face-to-face communication required where communication can be managed by telephone, electronic mail, facsimile, etc.;
- Employee generally works alone handling information (e.g., work tasks incorporate such components as reading, writing, word processing, planning, etc.);

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- Clearly defined results;
- Measurable work activities with objectives having identifiable time frames and check points;
- Content versus process oriented;
- Tasks that require concentration and/or large blocks of time when the employee works independently of others;
- Work that can be performed without close supervision; and
- Minimal requirements for special equipment.

Employees suited for Teleworking generally have the following characteristics or traits:

- Good oral and written communication skills - it is critical to the success of a telework arrangement that an employee establish and maintain frequent communication with his or her supervisor and other co-workers;
- Demonstrated history of successful job performance in his or her current job assignment as well as in previous position(s);
- Self-motivated and responsible;
- Familiar with requirements of his or her position;
- Work independently;
- Adaptable; and
- Results oriented.

C. Equipment:

The Teleworker shall generally provide the equipment required to perform the job, including computer workstations or laptops. Equipment or software provided by the Department shall be used exclusively by the Teleworker to conduct government business and not for personal use. Software provided by the Department shall not be duplicated. In most situations, the Department will provide a computer on campus that the Teleworker may access by remote desktop software. The Department may provide a laptop for Mobile Workers. If necessary, the Teleworker's supervisor may request equipment to the Division Director/Designee for approval by the Office of Information Technology. The Teleworker is responsible for safe transportation and set-up of equipment provided by the Department and must complete the Equipment Inventory Form (posted on the Department's intranet) before removing equipment from the Department's campus or receiving equipment through direct delivery.

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D. Equipment Liability

The following procedures apply to equipment owned by the Department and provided to the Teleworker:

- The Department will repair and maintain the equipment.
- The Teleworker is responsible to safely transport the equipment to Central Office for repair or maintenance unless movement of the equipment is likely to result in damage.
- The Department will provide surge protectors or other protective devices that must be used with the equipment.
- The Teleworker must comply with current virus protections and security measures recommended by Office of Information Technology (OIT). Services such as GoToMyPC must remain installed and operating for access to continue.
- Software installed on Agency equipment must be appropriately licensed and approved by OIT for use on equipment connected to the SOG/GDC's Network.

The misuse of equipment provided by the Department will be grounds for terminating the telework arrangement and may subject the employee to disciplinary action up to and including dismissal from employment.

E. Work Rules:

An employee's compensation and benefits (including leave and holidays) are not impacted by a telework arrangement.

Teleworkers remain under the Department's Performance Management system and are required to participate fully in the process. A Teleworker's performance will be assessed in a manner similar to all non-Teleworking employees.

Each Teleworker will have an established work schedule approved by his or her supervisor. With the approval of their supervisor, Teleworkers may work either a standard five-day work week or one of two authorized alternative schedules referenced in the Department's Official Hours and Alternative Work Schedule procedure (104.67). Teleworkers must be accessible by telephone or cell phone to their supervisor, customers and co-workers during their established business hours, regardless of the work location. Telephone protocols during Teleworking should not differ from the office setting. Each scheduled work day will include a non-paid lunch period of at least thirty minutes. Proper monitoring of a

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Teleworker's time and attendance is critical to the success of each telework arrangement. Supervisors must ensure that Teleworkers account for all hours worked and leave taken. Teleworkers must accurately record daily hours and minutes worked and leave taken using the Department's timekeeping system.

The Director, Human Resources may approve a customized time sheet or record keeping system if operationally necessary.

F. Safety and Inspections:

Teleworkers shall maintain their home or alternative work space in a safe condition and free from hazards or other dangers. The Department reserves the right to inspect a home work space to ensure safety compliance and adherence with the telework program requirements regarding the work space and furnishings. Any remodeling or electrical work to facilitate Teleworking is at the employee's expense.

G. Workers' Compensation:

Teleworkers are covered by Workers' Compensation during work hours and while performing work functions in the designated home or alternative work area. The employee's home or alternative is considered an extension of the Department's workspace. Consistent with Department guidelines, employees must report any work-related injury to their supervisor as soon as possible after the accident/injury occurs. See SOP No. 104.22 (Workers' Compensation).

H. Tax Implications:

Teleworkers are fully responsible to determine any federal, state, and local tax implications resulting from working at home and are responsible for satisfying any personal tax obligations relative to Teleworking. Employees are encouraged to discuss these issues with their personal tax advisor.

I. Dependent Care:

Teleworking is not a substitute for dependent care. Employees will manage dependent care and personal responsibilities in a manner that allows the successful completion of job responsibilities.

J. Teleworking Agreement:

Teleworkers and their immediate supervisors will sign a Teleworking Agreement (Attachment 1), which can be modified or terminated by the Department, supervisor, or the employee with reasonable notice. The Teleworking Agreement

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must be reviewed and renewed annually at the beginning of each fiscal year in conjunction with the Performance Management Planning and evaluation process.

NOTE: If a proposed Telework Agreement is denied by the Reviewing Manager, the decision is final and is not appealable, grievable or subject to review.

K. Employee and Supervisor/Management Responsibilities:

1. Employees shall:

- Complete the Teleworking Agreement (Attachment 1) and submit to their supervisor for approval;
- Become familiar with the provisions of this procedure, the Teleworking Agreement, and other Division guidelines;
- Sign the Teleworking Agreement along with their supervisor;
- Adhere to the terms and conditions of the Teleworking Agreement;
- Establish a dedicated and safe home office space or alternative worksite/office consistent with the requirements of this procedure;
- Establish work practices to ensure a successful Teleworking experience;
- Report to Department work sites for meetings, trainings, etc., as required;
- Safeguard proprietary or confidential Departmental information;
- Determine any federal, state, or local tax implications resulting from working at home and satisfy any personal tax obligations; and,
- Comply with all other terms and conditions of employment.

2. Supervisors shall:

- Objectively consider an employee's telework requests within the provisions of this procedure and other Division guidelines;
- Become familiar with the provisions of this procedure and Telework Agreement;
- Decide whether a telework arrangement is beneficial to the Department and employee;
- If the request is approved,
 - Meet with the employee to review the Teleworking Agreement;
 - Ensure the employee fully understands responsibilities associated with Teleworking; and
 - Provide the employee a copy of the signed Teleworking Agreement;

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- If the request is disapproved, provide an explanation to the employee outlining the reason(s) for the decision;
- Revise the Teleworking Agreement to reflect any changes;
- Maintain an inventory of equipment provided to the Teleworker by the Department;
- Continue normal supervisory activities including feedback and performance evaluations;
- Prepare an amendment to the employee's Performance Plan that specifically details responsibility areas and standards of performance pertaining to the terms of the Teleworking Agreement;
- Revisit the Teleworking Agreement annually for approval/disapproval; and
- Perform site visit(s) as necessary to ensure compliance with Teleworking program requirements.

3. Reviewing Managers shall:

- Review telework proposals submitted by subordinate supervisors who believe that the duties and responsibilities of a position can be more efficiently and effectively performed by a Teleworking employee;
- Become familiar with the provisions of this procedure the Teleworking Agreement, and other Division guidelines;
- Determine whether the recommended position is suitable for full-time Teleworking; and
- Include the following statement in the Performance Management Plan of supervisors with Teleworking employees: This employee is supervisor of a Teleworker(s). The supervisor must ensure the employee's compliance with the provision of Standard Operating Procedure on Teleworking and to the signed Telework Agreement.

4. Director of Human Resources and Regional Directors shall:

- Be notified by the Reviewing Manager if a Telework Agreement is denied. Be responsible for the effective and proper management of the Teleworking program in his or her respective Division.

V. Attachments:

Attachment 1 - Telework Agreement

VI. Record Retention of Forms Relevant to this Policy:

Attachment 1 - Telework Agreement. Retain for one year after agreement ends in local personnel office and CHRM.

GEORGIA DEPARTMENT OF CORRECTIONS

Standard Operating Procedures

Functional Area: Support Services/Human Resources	Reference Number: IVO14-0001 104.47	Revises Previous Effective Date: 01/15/12
Subject: Employee Standards of Conduct		
Authority: Owens/Dozier	Effective Date: 12/12/14	Page 1 of 12

I. POLICY:

- A. Employees of the Georgia Department of Corrections (GDC) are required to adhere to higher standards of conduct than normally found in the general community due to the important security mission of GDC and its inherent responsibility to provide an appropriate model of public safety to the citizens of Georgia. As such, all Department employees are herein given notification of the work rules and standards of behavior by which they will be governed.
- B. Appointing Authorities will ensure all current and new employees read these Standards of Conduct and complete the Employee Standards of Conduct Acknowledgment Statement (Attachment 1) and the Employee Communications Device Acknowledgement & Agreement Statement (Attachment 2). The completed acknowledgment forms will be placed in each employee's Human Resources file.

II. APPLICABILITY:

- A. All employees of the Georgia Department of Corrections, and,
- B. All employees of any vendor or contractor of GDC who work on any property under authority of the Board of Corrections.

III. RELATED DIRECTIVES:

- A. Governor's Executive Order, dated 01-10-11, Establishing a Code of Ethics for Executive Branch Officers and Employees
- B. Governor's Executive Order, dated 01-13-03, Creating the Office of State Inspector General
- C. O.C.G.A.
 - 16-6-5.1 Sexual Assault of Person in Custody
 - 40-6-391 Driving Under the Influence
 - 42-5-15 Crossing of Guard Lines with Weapons, Intoxicants or Drugs without Consent

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- 42-5-16 Trading With Inmates without Consent
- 42-5-18 Items Prohibited for Possession by Inmates
- 45-10-1 Code of Ethics and Conflicts of Interest
- 45-11-1 Offenses Concerning Public Officers and Employees

D. Department of Corrections Board Rules

- 125-2-1.02 Employment
- 125-2-1.07 Performance of Duty

E. Rules of the State Personnel Board

- 478-1-.03 Antidiscrimination
- 478-1-.07 Outside Employment
- 478-1-.08 Political Activity
- 478-1-.15 Changes to Employment Status
- 478-1-.20 Employee Grievance Procedure
- 478-1-.21 Drugs and Alcohol Free Workplace Program
- 478-1-.24 Rules for Classified Employees

F. GDC Standard Operating Procedures (SOPs)

- IIA07-0001 Fitness for Duty
- IIA07-0002 Contact or Business Dealings with Inmates/ Probationers
- IIA21-0001 Prison Rape Elimination Act (PREA) – Sexual Assault of/Sexual Misconduct with Offenders
- IIIA02-0007 Probation Operations Fitness for Duty
- IVO03-0012 Obtaining and Using Records for Criminal Justice Employment
- IVO13-0003 Unlawful Harassment (including Sexual Harassment)
- IVO14-0005 Appearance and Dress

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IVO14-0008 Surreptitious Recording of Department Personnel and/or Contractors

IVO15-0001 Secondary Employment

IVO15-0002 Employment of Relatives/Special Relationships

IVO15-0004 Designation of Jobs Requiring Peace Officer Certification
IVO16-0001 Performance Management

IVO19-0001 Privacy of Personnel Records

IVO20-0001 Adverse Actions (Classified Employees)

IVO20-0002 Adverse Actions (Unclassified Employees)

IV. **DEFINITIONS:**

The following definitions are for purposes of this standard operating procedure:

A. Close Personal Relationship means:

1. A familial relationship with a spouse, parent or child, step-parent or step-child, grandparent or grandchild, brother or sister, niece or nephew, aunt or uncle, guardian or ward, and including persons related by marriage within the same classes enumerated, or,
2. Any relationship that involves cohabitation, dating, or consensual sexual contact of any kind.

B. Communications Device: Any mobile or cellular phones, smart phones, electronic readers or any other device that allows for the transfer of information from one person to another by means of transmission via internet, satellite, tower, air waves or data line.

C. Contraband: Includes electronic games, radios, recording devices, cameras, mobile or cellular phones, smart phones, electronic readers or any other device that allows for the transfer of information from one person to another by means of transmission via internet, satellite, tower, air waves or data line, or any other property that is prohibited from being brought into a facility or across a guard line by statute, rule, standard operating procedure, local operating procedure or direction of the Warden or Superintendent, unless specifically approved in writing by the Warden, Superintendent or their Designee.

D. Employee: Means any of the following:

1. Any full-time or part-time employee of GDC,
2. Any independent contractor providing services to GDC, or

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3. Any employee of any vendor or contractor of GDC who works on any property under the authority of the Board of Corrections.

- E. Ethics Officer: Employee designated to take appropriate measures to ensure that the Department's employees become familiar with applicable ethics laws and policies, including the policies set forth in the Governor's Executive Order Establishing a Code of Ethics for Executive Branch Officers and Employees. The Ethics Officer is the General Counsel for the Department.
- F. Gift: Anything of value exceeding \$25, including, but not limited to, food, lodging, transportation, personal services, gratuities, subscriptions, memberships, trips, loans, extensions of credit, forgiveness of debts, or advances or deposits of money.
- G. Offender: Any probationer, inmate or other detainee, or other person under the supervision of the Departments of Corrections, Juvenile Justice, or Pardons and Paroles.
- H. Parolee: Any person who is on parole for a disposition from any jurisdiction.
- I. Personal or Unauthorized Business Dealings: Any unofficial personal transactions, dealings, relationships or contacts or any unofficial business transactions, dealings, relationships or contacts with an offender that have not been properly approved in writing by the appropriate Division Director or their Designee.
- J. Probation: Any felony disposition or treatment in any jurisdiction, including first offender treatment and pre-trial interdiction programs, or otherwise under probation supervision of GDC.
- K. Probationer: Any person who is on probation.
- L. Relevant Civil Action: Any action which is brought against an employee that potentially impacts on the employee's duties or on GDC. Relevant civil actions would include, but are not limited to, lawsuits alleging that an employee has engaged in any activity which violates the policies and procedures of this Department, has violated 42 U.S.C. § 1983, or has violated any law or standard arising out of any law enforcement activity. This would include any actions initiated by the Peace Officers Standards and Training (P.O.S.T.) Council.
- M. Under the influence of alcohol: An employee shall be deemed under the influence of alcohol if he or she:
 1. Is on duty or reporting for duty with a blood alcohol concentration (BAC) level of .02 or greater;
 2. Has a BAC level of .02 or greater while off duty and is in uniform, inside a guard line, or driving a state vehicle; or

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3. Consumes alcohol and drives a personal vehicle while off duty with a BAC level of .08 or greater.

N. Value: Actual retail price or cost attributable to a gift, less applicable taxes and gratuities or a reasonable estimate based upon customary charges for like goods or services in the locality. A series of tickets to sporting, entertainment, or similar events shall be valued as one gift. Entrance fees, admission fees, or other tickets shall be valued at the face value of the ticket or fee, excluding any portion attributable to a charitable contribution, if provided by a charitable organization.

V. ATTACHMENTS:

Attachment 1 – Employee Standards of Conduct Acknowledgement Statement

Attachment 2 – Employee Communications Device Acknowledgement & Agreement

VI. PROCEDURE:

A. Employees' Standards of Conduct

1. Employees shall not have personal or unauthorized business dealings with offenders.
2. Employee Conduct
 - a. Employees must conduct themselves in a manner which reflects credit upon themselves, their co-workers, and the Department. Employees shall not engage in any activity, either while on-duty or off-duty, which would reflect discredit on the Department, undermine public trust or which would call into question the fitness of the employee to perform services for the Department.
 - b. Employees shall not engage in any illegal activity, or any other activity, which would violate public safety or public trust. Such prohibited activity would include, but is not limited to:
 1. Driving any motorized vehicle (including but not limited to, motorcycles, automobiles, vans, trucks, all-terrain vehicles, boats, etc.) under the influence of alcohol;
 2. Driving any motorized vehicle (including but not limited to, motorcycles, automobiles, vans, trucks, all-terrain vehicles, etc.) under the influence of Marijuana, any other drug (whether legal or illegal), or other prohibited substance;

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3. Refusal to submit to tests for alcohol or other substance under O.C.G.A. § 40-5-55 or O.C.G.A. § 40-5-67.1;
4. The manufacture, possession, use or distribution of Marijuana or any other illegal drug;
5. Any offense involving a minor;
6. Any illegal homicide;
7. Any theft;
8. Any sex offense, including solicitation of sex;
9. Any assault or battery;
10. Any offense pertaining to any illegal gambling activity; or
11. Any other offense which involves moral turpitude.

A conviction, plea of guilty, or nolo contendere to any offense covered in this procedure shall be conclusive proof of its violation; however, a conviction or even prosecution for any such offense is not necessary to prove a violation of this standard of conduct, if, in the opinion of the employee's Appointing Authority, the employee engaged in the activity and brought discredit on the Department.

- c. Employees shall not engage in any conduct which results in a court imposing incarceration or probation of any type or any duration. Incarceration or probation may result in dismissal from employment.
3. Employees shall not use state property or resources for personal business. State property and resources shall only be used for official business. Such prohibitions include, but are not limited to:
 - a. State credit cards and fuel cards shall not be used for personal purchases.
 - b. State vehicles shall not be used for personal purposes.
 - c. Personal long-distance telephone calls shall not be charged to State telephones or to State calling cards.
 - d. State-provided internet access is intended for public business. Employee use of the internet may be recorded and monitored. No employee is

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permitted to use or access the internet for pornographic, obscene, or other improper purposes.

- e. State-owned or leased cameras, fax machines, copiers and other reproduction equipment should be used only to accomplish official business tasks.

4. Policies, Procedures, and Orders

- a. Employees shall acquaint themselves with and comply with the rules of the Board of Corrections, the Commissioner's directives, the Department's policies and procedures and the post orders of the unit to which they are assigned.
- b. Employees shall comply with all lawful orders and directives issued by one of their superiors in their chain of command.

5. Employees shall not use excessive or unnecessary force against an offender.

6. Employee Language

- a. Employees shall not use profanity or abusive language against an offender.
- b. Employees shall not refer to an offender by the use of any slang name.

7. Employees shall not use illegal drugs or abuse legal drugs at any time. Employees also shall not consume alcohol while on duty or immediately prior to reporting for duty (for at least eight (8) hours). Employees shall be subject to disciplinary action if found to possess a blood alcohol concentration of .02 grams or greater while on duty.

8. Employees shall not proceed inside the guard line of a prison or other facility with or under the influence of alcohol or any illegal drug. Prescription drugs are prohibited inside a guard line without the express approval of the Appointing Authority.

9. Employees shall not purchase, handle, transport, consume nor be under the influence of alcohol while traveling (either driving or riding) in a state vehicle. Employees shall not drive a state vehicle while under the influence of alcohol.

10. Employees shall not purchase, handle, or consume alcoholic beverages while in uniform.

11. Employees shall be present for scheduled duty and remain alert while on duty.

12. Employees shall not use threats, intimidation, profanity, or abusive language against other employees or visitors.

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13. Employees shall not abuse arrest authority or give the impression of having an independent arrest authority. Employees shall only make arrests while in performance of their official duties or as otherwise specifically permitted.
14. Employee Finances
 - a. Employees shall not engage in financial dealings that conflict with the interests of the Department. They also shall not take official actions that give the appearance of benefiting their private or personal interests.
 - b. Employees must meet their personal financial obligations, to include complying with all applicable laws regarding the filing of state or federal tax returns. Employees shall manage their personal finances in a manner that does not bring discredit upon the Department nor make them susceptible to compromise their public duties.
15. Conflicts of Interest
 - a. Employees shall not engage in any activity which creates a conflict of interest with their public duties or responsibilities. This prohibition applies to actual conflicts of interest and to any other action or transaction, which could create an appearance of a conflict of interest in the mind of a reasonable person. This prohibition includes, but is not limited to, the following examples:
 - 1) Employees shall not use their status as a member of this Department to seek favor, to coerce, intimidate, or deceive others, or to receive any privilege not otherwise authorized by the performance of their duties.
 - 2) Employees shall not solicit or accept employment from a contractor, supplier, or consultant or their representative or agent during the conduct of procurement.
 - 3) Employees may serve for compensation as a corporate officer or director of any for-profit or publicly held company or perform voluntary, pro bono services on behalf of non-profit organizations, when services to such organizations would not have the potential to create a conflict and do not impair the employee's ability to discharge his or her public duties fully, faithfully, and impartially.
 - 4) No employee may accept any payment whatsoever for services for which fees are not legally or traditionally required, except employees may accept honoraria not related to their employment.

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- 5) No employee shall directly or indirectly accept gift(s) from any person with whom the employee interacts on official state business. Regardless of the value, no employee may accept any money or “gift certificates,” nor may any employee accept any kickbacks, points or items tied to purchases by the Department. If a gift has been personally accepted by an employee, the Department Ethics Officer (478-992-5240) must immediately be notified to make the final determination as to the status of the gift.
 - b. An employee on whose behalf actual and reasonable expenses for food, beverages, travel, lodging, and registration are paid by a third party to permit the employee’s participation in a meeting related to official or professional duties of the employee shall file a report with the Department Ethics Officer (478-992-5240) no later than the 30-days after such expenses are paid.
 - c. Any exceptions or waivers from this Standard of Conduct, in certain individual cases due to unique or compelling circumstances, require the prior written approval of the designated Department Ethics Officer (478-992-5240). Questions regarding interpretation of this policy provision should also be directed to the Department Ethics Officer.
16. Employees shall not show favoritism to other employees based on familial or personal relationships.
17. Employees shall refrain from "close personal relationships" with other employees within the chain of command.
18. Notification of Citations, Arrests or Convictions
 - a. Employees shall notify their immediate supervisor of all traffic citations (excluding parking citations), all arrests, all convictions, and all final dispositions of criminal cases including nolo contendere by the next business day after its occurrence. Supervisors are responsible for transmitting this notification to the appropriate individuals in the chain of command, including the duty officer and the Appointing Authority. Within seventy-two (72) hours of the event, the employee shall provide the Appointing Authority with a signed written explanation of the underlying facts.
 - b. Employees shall provide written notification to their Appointing Authority of any relevant civil action which has been filed against them or of any administrative action to which they are a party, including any action initiated by the Peace Officers Standards and Training (P.O.S.T.) Council,

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for certified employees. This notice must be provided within seventy-two (72) hours of being served or otherwise becoming a party to the action.

19. Employees shall not bring any unauthorized weapons into any work area.
20. Employees shall not bring any communications devices into any facility, any State of Georgia vehicle that is transporting offenders, any outside detail location or place of employment of an offender, or into any perimeter vehicle. These devices, personally owned by an employee, must be kept secured in the employee's personal vehicle at all times while the employee is on duty. The singular exception to this rule is a communications device issued by the Department to an employee for the specific purpose of performing his or her job duties and is utilized and maintained according to the rules governing these devices.
21. Employees shall not bring any contraband into any facility, any vehicle that is transporting offenders, or to any outside detail location or place of employment of an offender.
22. Employees shall report any violation or attempted violation of any law, regulation, policy, or procedure that could result in a breach of the Department's security to their supervisor or other responsible authority immediately upon becoming aware of such a violation.
23. Any employee who knows or has reasonable cause to believe that any other state employee has committed, or is in the process of committing an act or omission of fraud, waste, abuse or corruption shall file a report with the State Inspector General.
24. No Department employee shall retaliate against any employee for disclosing or threatening to disclose a violation of or noncompliance with a law, rule, or regulation to the appropriate Department personnel or to the State Inspector General.
25. Employees shall cooperate fully with any official investigation carried out by any law enforcement or administrative agency (including the State Inspector General). In cooperating with an official investigation, employees shall provide all information requested, respond truthfully to all questions asked, submit to any required polygraph, and provide a signed affidavit if requested, and follow any lawful orders unless officially notified that employee is the subject of a criminal investigation.
26. Employees shall protect and prevent improper release of confidential information.
27. Employees are prohibited from engaging in any illegal political activity. Employees taking part in political activities are responsible for complying with

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applicable federal and state laws, and State Personnel Board Rules. Employees may not solicit or knowingly accept a personal hand-delivered campaign contribution in a governmental building or office. Employees may express opinions on political subjects and candidates, and take an active part in political campaigns outside of working hours, including the wearing of badges or buttons and displaying of bumper stickers and posters. Employees are encouraged to vote. Employees who wish to seek office must comply with the applicable federal and state laws. Employees must notify the Department Ethics Officer (478-992-5240) prior to announcing or qualifying for any elected position or office.

28. Employees shall not represent the Department as a spokesperson regarding any Department policy, procedure, plan, program, or activity or regarding any rule or policy of the Board of Corrections without express authorization.
 29. Supervisors will maintain accurate personnel records to document employees' positive and negative performances.
 30. Employees shall adhere to professional standards of neatness, cleanliness, safety, and dress, which will reflect credit upon themselves and the Department.
 31. The unofficial circulation of scandalous or slanderous gossip (rumors) shall not be tolerated. Rumors create unnecessary distractions and are a threat to the security and efficient operation of the Department. A statement made to a superior in the chain of command or to an investigator while conducting an official investigation is not a violation of this standard.
 32. All employees shall treat all citizens equally in a professional and fair manner without regard to the citizen's race, gender, creed, color, national origin, religion, age, disability, political affiliation, sophistication, or affluence in conjunction with the Governors' Customer Service Initiative.
- B. These standards are a representative and not an exhaustive list. Employees who violate these standards may be subject to disciplinary action, including dismissal, even on the first offense.
- C. These are minimum standards of conduct for all employees of the Department of Corrections. Divisions, institutions, facilities, centers, offices or other units of the Department may have additional or more specific standards for its staff.

VII. RECORD RETENTION:

Attachment 1 – Employee Standards of Conduct Acknowledgment Statement

Retain permanently in the local and official personnel file.

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Attachment 2 – Employee Communications Device Acknowledgement & Agreement Statement

Retain permanently in the local and official personnel file.

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Policy Name: Unlawful Harassment (Includes Sexual Harassment)		
Policy Number: 104.46	Effective Date: 6/30/17	Page Number: 1 of 8
Authority: Commissioner	Originating Division: Administration and Finance Division (Human Resources)	Access Listing: Level I: All Access

I. Introduction and Summary:

The Georgia Department of Corrections (GDC) is committed to maintaining a harassment-free workplace. GDC prohibits and will not tolerate harassment of a sexual nature and/or harassment based on race, color, creed, national origin, ancestry, citizenship, religion, political opinions or affiliations, age, disability, genetic information, gender, pregnancy, childbirth or related conditions, military or veteran status, or other status protected by federal, or state law or regulation. Such harassment violates an individual's fundamental rights and personal dignity, and undermines the integrity of the workplace.

II. Authority:

- A. Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972;
- B. Age Discrimination in Employment Act of 1967, as amended;
- C. Americans with Disabilities Act of 1990, as amended;
- D. Genetic Information Nondiscrimination Act (GINA) of 2008;
- E. O.C.G.A.: §42-5-36, Confidential Information Supplied by Inmates;
- F. GDC SOPs: 104.64 Adverse Actions (Classified Employees) and 104.65 Adverse Actions (Unclassified Employees); and
- G. ACA Standard: 2-CO-1C-03.

III. Definitions:

Since harassment can take many forms, it is not possible to provide a complete list of prohibited conduct. While not exhaustive, the following definitions and examples are illustrative of the types of conduct that will not be tolerated in the workplace:

- A. **Sexual Harassment** - Unwanted sexual attention of a persistent or offensive nature made by a person who knows, or reasonably should know, that such attention is unwanted. Sexual harassment includes conduct of a sexual nature that is sufficiently

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severe or pervasive to unreasonably interfere with an employee's job performance or create an intimidating, hostile, or offensive working environment.

1. While sexual harassment encompasses a wide range of conduct, some examples of conduct that are specifically prohibited include:
 - a. Promising (directly or indirectly) to reward an employee for complying with a sexually-oriented request;
 - b. Threatening (directly or indirectly) to retaliate against an employee for refusing to comply with a sexually oriented request;
 - c. Denying (directly or indirectly) an employment-related opportunity to an employee for refusing to comply with a sexually-oriented request;
 - d. Engaging in sexually suggestive physical contact, including touching another employee in a way that is unwelcome, or restricting an employee's movement;
 - e. Displaying, storing, or transmitting pornographic or sexually-oriented materials;
 - f. Engaging in indecent exposure;
 - g. Making obscene gestures or leering;
 - h. Making sexual or romantic advances toward an employee and persisting despite the employee's rejection of the advances;
 - i. Using sexually-oriented language, or making inappropriate propositions, jokes, or remarks, including graphic verbal commentary about an individual's body or dress;
 - j. Inquiring, commenting, or gossiping about someone's sexual preferences, activities, deficiencies or prowess; and
 - k. Sending sexually suggestive or obscene letters, notes, or invitations.

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2. As these examples illustrate, prohibited sexual harassment can take many forms - physical, verbal, visual, and/or electronic - and can be physical and/or psychological in nature. It can involve males harassing females or other males, and females harassing males or other females. It can also involve harassment by a person in a greater position of authority harassing a subordinate, harassment by individuals in positions of lesser or equal authority, or harassment by persons doing business with or for GDC. In addition, sexual harassment can include conversation and/or conduct between consenting participants that is observed or overheard by another employee who finds the behavior hostile and/or offensive.
 3. Sexual harassment does not apply to a consensual relationship between employees so long as the relationship does not enhance or jeopardize the job opportunities of any employee. Employees should recognize the risks and complications that arise from intimate relationships with other employees and proactively address any concerns that might arise. At a minimum, employees are expected to ensure that the relationship does not jeopardize job performance, create a conflict of interest, or result in employment-related favoritism.
- B. Other Types of Harassment** - Harassment is also prohibited when it is based on any other protected status, such as race, color, creed, national origin, ancestry, citizenship, religion, political opinions or affiliations, age, disability, genetic information, gender, pregnancy, childbirth or related conditions, military or veteran status, or other status protected by federal, state, or local law or regulation. Such harassment includes, but is not limited to, conduct similar to that described above as well as:
1. Threats, epithets, derogatory comments, or slurs;
 2. Derogatory posters, photographs, cartoons, drawings, or gestures; or
 3. Assault, unwanted touching, or blocking someone's movement.
- C. Unlawful Retaliation** - Unfavorable employment action taken, unfavorable condition created, or other action taken for the purpose of intimidation, which is directed

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toward an employee as a result of that employee's having reported in good faith an allegation of unlawful harassment or having provided information and assistance during an investigation of alleged unlawful harassment or unlawful retaliation.

IV. Statement of Policy and Applicable Procedures:

- A. GDC's policy of maintaining a harassment-free workplace applies to everyone and includes Georgia Correctional Industries. GDC will not permit employees or others in the workplace to be harassed in the course of their work by supervisors, coworkers, or third parties, such as vendors or customers. Any employee who engages in prohibited harassment will be subject to prompt disciplinary action, up to and including termination of employment. Employees are expected to be aware of and to refrain from any conduct or behavior that could be construed as harassment.

- B. GDC prohibits and will not tolerate retaliation against anyone for raising a concern about, assisting in an investigation of, and/or filing a complaint concerning discrimination and/or harassment. If an employee believes that an act of retaliation has occurred, the employee must notify GDC as soon as possible in accordance with this policy. GDC will act promptly to assure compliance with this rule prohibiting retaliation.

- C. Policy Administration:
 - 1. The Commissioner's Statement Prohibiting Unlawful Harassment should be permanently displayed on Official Bulletin Boards of the GDC;
 - 2. Supervisors must take proactive steps to ensure their work environments are free from any unlawful harassment and to educate their staff regarding appropriate conduct;
 - 3. All employees shall be required, as a condition of their employment with GDC, to read and become familiar with GDC's policy regarding unlawful harassment;
 - 4. Annually at the beginning of the Fiscal Year, all employees shall be directed to complete a written acknowledgment of the prohibition of unlawful harassment

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(Attachment 1, Commissioner's Statement Prohibiting Unlawful Harassment) which will be forwarded to Corrections Human Resources Management (CHRM);

5. Compliance with GDC's Unlawful Harassment policy shall be a condition of the contract for contractors, and a condition of service for volunteers and interns. Volunteers and interns will be required to execute a written acknowledgement of the prohibition of unlawful harassment, prior to beginning their service.
6. Any employee, contractor, intern or volunteer who has any questions concerning this procedure should contact the CHRM Compliance Section.

D. Reporting and Management Action:

1. Employees are required to report events of unlawful harassment and/or unlawful retaliation against themselves or others.
 - a. If any employee believes that unlawful harassment or retaliation has occurred in violation of this policy, that employee is required to report such activity as soon as possible in accordance with this procedure.
 - b. The reporting of an alleged act of unlawful harassment or unlawful retaliation shall not relieve an employee of his/her obligation to follow lawful orders, comply with departmental policies or to perform duties.
 - c. Reports of unlawful harassment or unlawful retaliation may be made using the chain of command, to the Director of Human Resources (HR) at 478-992-5211, or to the Director of the Office of Professional Standards (OPS) at 478-992-5341.
 - d. Such reports may be submitted in writing and mailed to P.O. Box 1529, Forsyth, GA. 31029, by telephone using the above contacts, or in person.
2. An Appointing Authority may suspend, transfer, or reassign personnel involved to prevent any harassment or retaliation, or to facilitate the investigation. For emergency situations of a severe nature, a subordinate Appointing Authority, after consultation with the Director of HR, will take appropriate actions to protect the alleged victim and/or to deter the alleged violator from any further harassment of

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the alleged victim. The Director of HR or authorized Designee shall report all actions of this nature and any subsequent change in status or assignment to the Director of OPS.

3. Unless otherwise directed by the Director of HR, no disciplinary action shall be taken against the alleged violator until the investigation by the Internal Investigations Unit has been completed, a written report has been issued, and necessary action has been taken in accordance with this procedure.

E. Investigations:

1. Upon receiving a complaint, GDC will conduct a prompt, thorough, and objective investigation of the allegations. All state employees are expected to cooperate in these investigations. Investigations will be conducted in as confidential a manner as possible, and all employees involved in the process are expected to refrain from discussing the matter outside of the investigation process.
2. Complaints of unlawful harassment or retaliation will be referred to GDC's Office of Professional Standards (OPS). All complaints of unlawful harassment or unlawful retaliation shall be investigated in the manner and to the extent directed by the Director of OPS or any member of his/her staff, who will consult with Legal Services and with the Director of HR, if appropriate.
3. If the initial complaint does not specify facts sufficient to sustain the original allegation of unlawful harassment or unlawful retaliation, the Director of OPS may request additional information from the complainant, or, in consultation with Legal Services and/or the Director of HR, may determine that the allegations shall not be investigated further.
4. Counseling and other assistance shall be offered to the alleged victim through CHRM.
5. The investigator who conducts the investigation will present a written report of the investigation to the Director of OPS. All investigative reports must include a statement from the person reporting the alleged harassment or retaliation. After reviewing the written report, the Director of OPS will forward a final report to the

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affected Assistant Commissioner or Chief of Staff, the Director of Human Resource, and Legal Services for consideration.

6. Reports concerning employee unlawful harassment or unlawful retaliation complaints will be treated as "confidential matters" to the extent permitted by law.

F. Review and Disposition:

1. After reviewing the final report from OPS, Legal Services shall make a recommendation, based on a preponderance of the evidence standard, as to whether the facts support a finding that unlawful harassment or unlawful retaliation has occurred.
2. If Legal Services recommends that the facts do not support a finding of unlawful harassment, unlawful retaliation, or other policy violation, and it is determined by the Director of HR that no action should or could be taken at that time, the matter can be closed.
3. If Legal Services recommends that the facts do support a finding of unlawful harassment, unlawful retaliation, or other policy violation, the Director of HR will recommend disciplinary action and/or other corrective actions to the Appointing Authority.
4. The Director of HR, or authorized Designee will provide written notice to the complaining party and subject employee of the completion of the investigation as well as any information deemed necessary. Notice should be given as soon as is reasonably practical, provided that if a disciplinary action is to be initiated, no parties will be notified until all disciplinary actions are served.
5. An employee may appeal an adverse action arising from an allegation of unlawful harassment or retaliation in accordance with SOP 104.65 Adverse Actions (Unclassified Employees) and SOP 104.64 Adverse Actions (Classified Employees).

V. Attachments:

Attachment 1, Commissioner's Statement Prohibiting Unlawful Harassment

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VI. Record Retention of Forms Relevant to this Policy:

Upon completion, Attachment 1, Commissioner's Statement Prohibiting Unlawful Harassment shall be retained permanently in the employee's official and local personnel file.

GEORGIA DEPARTMENT OF CORRECTIONS

Standard Operating Procedures

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Subject: Secondary Employment		
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I. POLICY:

Department employees who wish to engage in a secondary job, whether self-employed or employed by another, must obtain permission prior to engaging in such employment.

II. APPLICABILITY:

All employees of the Department of Corrections (GDC).

III. RELATED DIRECTIVES:

- A. Georgia Code 45-10-25
- B. Governor's Executive Order, dated 01-13-03, Establishing a Code of Ethics for Executive Branch Officers and Employees
- C. State Personnel Board Rule, 3.600, Conflicting Office or Employment Prohibited
- D. SOP IVO14-0001, Employee Standards of Conduct

IV. DEFINITIONS:

Secondary Employment: Another job or position held concurrently while employed full-time or part-time with the Georgia Department of Corrections, and for which the individual receives additional salary/compensation.

V. ATTACHMENTS:

Attachment 1 "Secondary Employment Request and Verification" form

VI. PROCEDURE:

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- A. GDC employees will be permitted to engage in secondary employment, provided that it is not a conflict of interest with departmental employment, violation of law, rule or regulation and it does not impede or conflict with the employee's ability to perform his or her duties and responsibilities with the Department. New employees who are engaged in secondary employment at the time of their employment with the Department must request permission to continue in such employment.
- B. Current GDC employees who seek permission to enter into secondary employment, must submit the Secondary Employment Request and Verification form to their supervisor.
1. Before forwarding the form to the Appointing Authority for final action, each supervisor/manager will use the following criteria to review the request, and this information will be used to formulate his/her recommended action, to be taken by the appropriate Appointing Authority.
 2. Would the secondary employment activity interfere with the performance of the employee's duties or conflict with any regular or anticipated overtime required by the Georgia Department of Corrections job?

NOTE: When discussing and approving secondary employment with security employees or other shift workers, supervisors and Appointing Authorities should remind the employee of the Department's right as an employer to change shift assignments. Adverse impact on secondary employment is not a required consideration for shift changes.
 3. Would the secondary employment activity create either a conflict or appearance of conflict with the Georgia Department of Corrections employment?
- C. Department employees who are Exempt from federal Fair Labor Standards Act (FLSA) requirements will be permitted to work with other state agencies, commissions or authorities, provided:

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1. The employee who seeks employment with another state agency has met the criteria described in paragraph B, above; and
 2. The affected individuals have been informed that they are prohibited from receiving any duplication of benefits (e.g., insurances, retirement contributions, workers' compensation, etc.). If an FLSA Exempt GDC employee accepts employment with another state agency, while still maintaining their current employment with this department, that individual must provide the GDC Appointing Authority written confirmation of their **declination of benefits**.
 3. Department employees who are Non-Exempt from federal Fair Labor Standards Act (FLSA) requirements are **prohibited** from working with other state agencies, commissions or authorities.
- D. Supervisors will forward the form to the Appointing Authority with a recommendation for approval/denial.
1. Appointing Authority will make the final decision and return the form to the employee.
 2. Copies of the completed form with approval/denial will be placed in both the employee's local and official personnel file.
- E. Appointing Authorities will ensure that all employees, who currently have secondary employment have completed a Secondary Employment Request and Verification form (Attachment 1). Employees are personally responsible for informing their supervisors/Appointing Authorities about secondary employment. To help avoid unforeseen conflicts or work impediments, employees should actively seek the advice of their Appointing Authority before accepting a secondary job.
1. GDC employees who subsequently obtain, change, or end secondary employment relationships (with other employers) must complete Attachment 1, or provide other written verification to the Appointing Authority, within fifteen (15) calendar days after the occurrence. Failure to provide this updated secondary employment verification in a timely manner

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will result in an official/written reprimand. Evidence of repeat offenses may be reflected in the offending employees's subsequent Performance Management review(s).

- F. No employee may accept any payment whatsoever for services for which fees are not legally or traditionally required.
- G. No employee shall serve for compensation as a corporate officer or director of any for-profit or publicly held company. Voluntary, pro bono services on behalf of non-profit organizations may be permitted, so long as services to such organizations would not have the potential to create a conflict and do not impair the employee's ability to discharge his or her public duties fully, faithfully, and impartially.

H. **SPECIAL NOTE:**

An employee who holds the job chaplain, fireman, physician, dentist, psychologist, registered nurse, licensed practical nurse, or a person with a doctoral or master's degree from an accredited college or university; may not be employed by another state agency unless:

1. The Commissioner of the Department, the agency, commission or authority that wishes to provide secondary employment to a GDC employee, certifies in writing the need for the services and sets forth why the best interest of the state will be served by obtaining the part-time services of such a person in lieu of obtaining such services from a person not presently employed by the state and;
2. The Commissioner of Corrections certifies in writing that the person whose services are desired is available to perform such services, that the performance of such services will not detract or have a detrimental effect on the performance of said person's employment and, where appropriate, that the part-time employment of such persons by the department, agency, commission, or authority desirous of obtaining the services will be in the best interest of the state; and

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3. The departments, agencies, commissions, or authorities, after having complied with the above, shall, by agreement, establish the procedures under which the employee shall perform the additional services. The agreement shall specify the means of employment either as a part-time employee or as a consultant, the compensation, and other pertinent details and conditions of the employment relationship. The agreement shall be terminable at any time by either of the departments, agencies, commissions, or authorities.

4. Requests for secondary employment from persons described in this paragraph must include a Secondary Employment Request and Verification form (Attachment 1), a memo from the employee outlining their current job, description of other secondary job, and a detailed description of the employee's credentials. This will be routed directly to the Department Personnel Director, who will be responsible for processing this employment agreement.

I. Appointing Authorities will ensure that all employees who currently have secondary employment have a completed attached form on file.

VII. RECORD RETENTION:

Attachment 1 - Secondary Employment Request and Verification Form

Retain permanently in the local and official personnel file.

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I. Introduction and Summary: Supervisors will administer working hours, overtime, and compensatory time as set out in the rules, regulations, and procedures established by the Fair Labor Standards Act (FLSA), the Governor's Office of Planning and Budget, the Department of Administrative Services – Human Resources Administration and the Georgia Department of Corrections (GDC).

- II. Authority:**
- A. Fair Labor Standards Act: C.F.R. Title 29;
 - B. OPB/DOAS/HRA Policy Memorandum No. 7, effective Jan. 1, 2009;
 - C. State Personnel Board Rule: 478-1-.16 Absence from Work; and
 - D. GDC SOPs: 205.06 Administrative Duty Officer, 104.01 Delegation of Authority, 104.03 Bulletin Boards, 104.39.04 Leave Without Pay, 104.39.05 Military Leave, 104.39.09 Court Leave, 104.66 Teleworking, and 104.67 Official Hours and Alternative Work Schedules.

III. Definitions:

A. **Appointing Authority** - The Commissioner and those whom the Commissioner has delegated as outlined in SOP 104.01 Delegation of Authority.

B. **Compensatory Time** - Compensatory time compensates an employee for time worked or total time accrued beyond established maximums. There are three (3) distinctly different types of compensatory time listed as follows:

1. **FLSA Compensatory Time:** Earned when a Non-Exempt employee works in excess of the maximum hours in the designated work period. All hours and minutes must be physically worked in the work period (e.g., a law enforcement/security officer whose designated work period maximum is 171 hours must physically work more than 171 hours to earn FLSA compensatory time). This compensatory time is earned at the rate of one and one-half (1½) times the hours and minutes over the maximum hours allowed.
2. **State Compensatory Time:** Earned when an employee's credited work time (hours and minutes) and observed State Holiday time (employee

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does not work on holiday) total more than the scheduled number of hours in a work period, but the employee does not physically work over the maximum. (i.e. a holiday or annual/sick/personal leave taken). Employees must be holiday eligible in order to earn State Compensatory time. To be eligible, an employee must be full time and in pay status. State Compensatory time is earned on a straight time basis for an employee's time credits that exceed the work period maximum. Exempt employees may earn state compensatory time for time worked in excess of the maximum hours in their assigned work period.

3. **Holiday Deferral (Holiday Compensatory Time):** Earned when an eligible employee works any hours and minutes on a day designated by the Governor as a state holiday. Holiday deferral is earned at the rate of one-for-one for all time worked up to 8 hours per holiday maximum.
- C. **Assistant Commissioners** - Exercise managerial authority (and other responsibilities as delegated or designated by the Commissioner) over this agency's major divisions.
 - D. **Chief of Staff** - Serves as the Appointing Authority for senior and key management level positions.
 - E. **Exempt Employees** - Employees who satisfy the salary basis and duties test are Exempt from the minimum wage and overtime provisions of the FLSA.
 - F. **Non-Exempt Employees** - Employees who do not meet the tests or definitions of an Exempt employee and must be compensated for time physically worked in excess of the allowed number of hours in a specified work period. There are two categories of Non-Exempt employees: non-security, which does not require Peace Officer Standards and Training (P.O.S.T.) certification, and security/law enforcement, which generally requires P.O.S.T. certification.
 - G. **Overtime** - Overtime is used to compensate a Non-Exempt employee for any time worked beyond the maximum permitted hours for a designated work period under the FLSA. Overtime is compensated at the rate of one and one-half hours for every one hour worked beyond the maximum. Time worked

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beyond the maximum for the work period may **not** be rounded up or down and must be accounted by the minute.

H. **Work Period/Cycle/Rotation** - Various terms used to indicate the regularly scheduled work period assigned by the Appointing Authority over a designated time span.

V. Statement of Policy & Applicable Procedures:

Employees cannot waive their rights to compensation under the Fair Labor Standard Act. This procedure applies to all GDC employees, including classified or unclassified and full-time or part-time.

A. **Hours and Work Periods:** Appointing Authorities will ensure that each employee is assigned to a Department-approved work period and that supervisors enforce work period compliance. Work periods are as follows:

1. Non-security employees: The standard work period for non-security employees, both Exempt and Non-Exempt, consists of seven consecutive twenty-four hour days. The standard work period for non-security employees starts at 1:00 a.m. on Saturday, and ends at 12:59 a.m. the following Saturday. Standard work days are Monday through Friday, eight (8) hours per day. Appointing Authorities shall designate work hours each day according to GDC SOP 104.67, "Official Hours and Alternative Work Schedules". Immediate supervisors must ensure employee compliance as follows:
 - a. Full-time, non-security employees must work or take paid leave for a minimum of 40 hours in each seven-day work period to receive full compensation. Non-Exempt employees who physically work over forty (40) hours in a work period are entitled to compensatory time or cash overtime, as deemed appropriate by the Appointing Authority.

NOTE: Certain employees in GDC nursing positions may be assigned to work periods of 14 consecutive calendar days and 80 hours of work in duration. Appointing Authorities shall coordinate with the Director, Human Resources to assign these

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employees to a 14 calendar day work schedules and comply with FLSA regulations.

- b. Appointing Authorities must submit a request to the Director, Human Resources to establish work periods with starting and ending days different than the standard work period. Variances to the standard work period may be approved as long as the employee's minimum work hours are forty (40) in the specified seven-day period. This plan must be established between the employee and the Appointing Authority through written agreement.
 - c. Within the work period, work hours shall be assigned by the Appointing Authority in compliance with GDC SOP 104.67. However, an Appointing Authority may not change the employee's scheduled work period start and end dates and times to prevent the employee from earning extra compensation.
2. Security/Law Enforcement Employees: Work periods for law enforcement and fire protection employees may be established for any period between seven and twenty-eight days (43 hours to 171 hours, respectively). Eligibility for overtime is based on Non-Exempt employees exceeding the maximum number of hours for the established work period.
- a. The following chart outlines the maximum hours for each work period. Employees are entitled to compensatory time or overtime compensation at the rate of one and one-half times the regular rate for any time worked (hours and minutes) over the maximum hours listed for the specific schedule.

MAXIMUM HOURS WORKED (ROUNDED) BEFORE OVERTIME

Consecutive-Day Work Period	Hours of Law Enforcement
28	171
27	165
26	159
25	153

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24	147
23	141
22	134
21	128
20	122
19	116
18	110
17	104
16	98
15	92
14	86
13	79
12	73
11	67
10	61
9	55
8	49
7	43

- b. Standard security work periods and scheduled hours within the work periods for the Department are:

STANDARD WORK PERIODS SCHEDULED HOURS

5/2, 28 days, 171 hours	165
6/3, 27 days, 165 hours	148 hrs. 30 min.
4/4, 24 days, 147 hours	144
5/2, 7 days, 43 hours	41 hrs. 15 min.

- c. Appointing Authorities must submit a request to the Director, Human Resources to establish work periods that vary from the standard work periods mentioned above.
- d. Requests for non-standard work periods shall include intentions concerning the lunch or duty free period. Security/Law Enforcement

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employees shall receive a lunch or duty free period for any shift longer than 10 hours 30 minutes.

- e. GDC fire protection employees will work or take paid leave under the same conditions as law enforcement personnel.
- f. Any work period or partial work period for security employees (i.e., changing work period during mid-schedule) having less than seven days will have the maximum number of hours established under the following schedule: (1 work day = 8 hours 36 minutes; 2 work days = 16 hours 51 minutes; 3 work days = 25 hours 17 minutes; 4 work days = 33 hours 42 minutes; 5 work days = 43 hours).

Note: If a security employee is changed from one work period rotation or "key" to another "key" with different work days and off-days, the Appointing Authority/designee must submit a time sheet of the "key" the employee just left so reported time can be immediately approved. All overtime earned should be approved and paid accordingly.

- 3. Security employees, through work or a combination of work, paid leave, holidays, and other management approved leaves of absence, should meet scheduled hours for every work period. Paid leave (Annual, Sick, or Personal) charged for approved absences, will be for shift length including shift briefing (e.g., 8 hours and 15 minutes, 9 hours or 10 hours).
- 4. If the amount of an employee's accumulated time falls between the work period's minimum hours and maximum hours, then Appointing Authorities/designees may retroactively restore paid leave to the scheduled work hours for an assigned work period. Appointing Authorities/designees may deduct leave for security/law enforcement employees if needed after the timesheets for the work period have been totaled and finalized.

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B. FLSA Status Determination/Designations:

1. The Correctional Human Resource Management (CHRM) Workforce Development Unit determines each position's FLSA status, with final approval by the Director of Human Resources.
2. Supervisors must know each subordinate's FLSA status to properly control work hours and assign work.
3. HR Representatives may review an encumbered position's FLSA status as follows: Access PeopleSoft and select Workforce Administration > Job Information > Job Data, then go to the Job Information tab and locate FLSA Status near the bottom of the computer screen.

NOTE: The FLSA designation in the PeopleSoft System may be incorrect for vacant positions; therefore, contact the CHRM Workforce Development Unit for assistance.

4. Supervisors should consult the local HR Representative if there are any questions, inconsistencies, or concerns.
5. If the duties of a position appear to warrant a change in FLSA designation, the Appointing Authority shall forward a written request to the CHRM Workforce Development Unit with supporting documents that indicate the position's duties (e.g., an updated Performance Management Plan).
6. The CHRM Workforce Development Unit will communicate changes to a position's FLSA status to the local HR Representative.

C. Hours Worked (All Employees):

1. Appointing Authorities will ensure that Exempt employees' work hours are maintained in accordance with the GDC's Exempt Employee time keeping system.
2. Appointing Authorities must control Non-Exempt employees' work hours to ensure that no work outside scheduled hours is performed if the Appointing Authority does not want the work performed.

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3. Non-Exempt employees must be compensated for all hours worked. Generally, all time the Non-Exempt employee is required or permitted to perform services for the employer’s benefit, including time outside the scheduled work period or off premises, are hours worked and must be recorded. The work day begins when the first official act of work occurs.
4. Work performed by an employee that is permitted, even if the work was not requested or authorized, must be counted as hours worked. Each supervisor shall monitor subordinates’ work and ensure that employees do not perform work that management does not want performed.
5. The mere announcement of a rule against performing work during non-scheduled work hours is not sufficient to relieve the employer of the liability for extra time worked.
6. Supervisors must not allow Non-Exempt employees to occupy their work stations before or after scheduled working hours or during unpaid meal periods. Non-Exempt employees occupying their workstation or post before or after scheduled work time may be able to claim such time as work time.
7. The Appointing Authority must approve time worked outside the normal scheduled work hours in advance, except in cases of emergencies. In emergency situations, Appointing Authorities must be notified as soon as possible.

NOTE: To avoid the potential for FLSA overtime liability, employees who are FLSA Non-Exempt are not authorized to work for another State agency.

D. Meal Periods/Break Time:

1. The FLSA does not require employers to provide a meal period for employees. However, if the meal break is to be unpaid, the FLSA mandates that the break must be a minimum of thirty (30) minutes of uninterrupted work-free time for the employee.

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2. GDC employees are not permitted to work through their meal period on a regular basis in order to shorten their workday.
3. Employees who work shifts longer than 10 hours 30 minutes must receive a 30-minute work free meal period, except when the Appointing Authority determines that institutional security requirements for particular days (no on-going situations) dictate meal period waivers.
4. When workload allows, an Appointing Authority may allow an employee up to two "breaks" each lasting 15 minutes or less per day. These breaks are considered work time, and are not a mandatory requirement.
5. State policy mandates that a supervisor may not allow an employee to lengthen a meal period, report to work late, or depart early for not taking or for "working through" a break.

E. Shift Briefings:

1. The Appointing Authority determines if a shift briefing is needed and the period of time needed for that briefing.
2. Any shift briefing time, pre-shift and/or post-shift, is work time and must be accurately recorded, and counts toward total hours to be compensated.
3. Time required for shift briefing is included in the calculation of the scheduled hours for the work period. Therefore, if an employee is absent for an entire day, leave must be utilized to cover the entire shift including the briefing (8 hours/15 minutes, 8 hours/ 30 minutes, 9 hours, etc.).

F. On-Call/Call-Back Time:

1. On-Call Time: On-call time is not work time unless the employee is required to remain at a specific location or so close thereto they may not use the time for their own purposes. An employee who is only required to wear a paging device, answer a cellphone call, or to leave word where he/she can be reached is not considered to be working.
 - a. When an employee serves as duty officer, the following counts as work time:

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- i. Time spent on the telephone talking with the work site (i.e. text, emails, telephone calls), and
 - ii. Time actually spent at the work site after normal scheduled work hours.
 - b. The time spent commuting from place of residence to the work site while serving as duty officer is not work time.
 - c. The employee who served as duty officer must record all times worked (hours and minutes) on the official timekeeping system.
 - d. If the employee who served as duty officer has instances of adjusted work schedule during the same work period as the duty officer assignment, this employee's work time, leave, and/or eligible holidays combined must still meet the required total time for the assigned work period.
2. Call-Back Time: When any Non-Exempt employee is called back to the work site during his/her off time, the time actually spent at the work site counts as work time and must be recorded by the official timekeeping system.
- a. Non-Exempt employees who are scheduled to be "on-call" and meet all other provisions will be paid a supplement equivalent to one hour of pay for each time the employee is called back to the work site.
 - i. This supplement will be paid regardless of the length of time spent at a work site, and is addition to overtime earned;
 - ii. Schedule adjustments or compensatory time may not be given to an employee in lieu of Call-Back pay; and
 - iii. Employees who are subject to being called back to work for public safety purposes (e.g., Correctional Officers) are not eligible for the supplement.

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G. Sleep Time:

1. In certain situations, GDC will assign designated employees to work shifts in excess of 24 hours for business necessity. If a continuous work shift exceeds 24 hours, the Appointing Authority may declare unpaid sleep time. An employee will not be paid for declared unpaid sleep time if the following conditions are met:
 - a. The employee is provided adequate sleeping arrangements, which, at a minimum, include mattresses, blankets, etc., conditioned in-door climates suitable for sleeping or suitable outdoor provisions to protect the sleeper from pests and weather conditions, if applicable, and quiet locations suitable for uninterrupted sleep;
 - b. The declared sleep time is at least five (5) hours but not more than eight (8) hours of uninterrupted sleep; and
 - c. The employee signed a "Sleep Time Requirements Acknowledgement Statement" containing sleep time requirements, which is on file in the local HR Office and in CHRM.
2. The Appointing Authority may schedule an employee for continuous work shifts exceeding 24 hours up to five (5) consecutive calendar days. After five (5) consecutive days, the assigned employee must receive a forty-eight-hour break before being called back to duty, unless otherwise agreed upon in writing by the employee.
3. If possible, employees will be notified in advance that a situation requires them to report for a shift that may involve unpaid sleep time.
4. If one or more of the conditions in item #1 above are not met, then employees must be paid for all time spent sleeping.

H. Mandatory Training:

1. Mandatory training is work time. Normally, work schedules and training schedules are to be adjusted so those employees do not attend training classes on their time off.

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2. Employees who attend training will receive work time credits equaling work time (hours and minutes) as regularly scheduled at the work location provided it is a full day of training, e.g., an officer working a shift of 8 hours/15 minutes will receive work time credit on the actual full day of training for his/her regularly scheduled work day of 8 hours/15 minutes; an employee who works four 10-hour days will receive work time credit on the actual full day of training for his regularly scheduled work day of 10 hours.
3. If travel time and full-day training time exceed the regular, daily scheduled work time, the employee must itemize the training day, including meal breaks, using the current official timekeeping system.

I. Travel Time:

1. GDC compensates employees for travel during regularly scheduled work hours.
2. Time spent traveling from home or an out-of-town lodging arrangement to the work site and back home or the lodging arrangement (normal commute time) does not count as work time. This is the case whether an employee works at a fixed location or at different job sites.
3. An official work site location must be assigned to each employee to establish normal commute time.
4. If an employee's position requires regular or daily travel, then normal commute time must be omitted from an employee's travel time to job assignments or field assignments where the employee is **not** required to first report to an official work site.
5. An employee assigned to work in another city for one day (does not spend the night) counts all travel time (except time taken for meal breaks) as work time. For purposes of this provision, Metropolitan Atlanta is considered one city.
6. An employee assigned to out-of-town duty that involves lodging (i.e., either operator of a vehicle or passenger) may count all travel time as

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work time (except time taken for meal breaks). GDC excludes from work time traveled between the employee's home and location where a change in mode of transportation is made. Likewise, travel time **must not** be awarded for reasonable travel time from lodging to the assigned work site and from the assigned work site back to lodging.

J. Compliance with Regulations and Policies:

1. The FLSA requires that a notice to employees concerning the reporting of all time worked must be posted. Appointing Authorities must ensure that this employee notice Attachment 3, GDC Notice to Employees is posted, at a minimum, on each Official Bulletin Board.

NOTE: Information on availability of this federally required notice may be found by navigating to: Captiva < Administration & Finance Division < Administration < Human Resources < Official Bulletin Board< Fair Labor Standards Act Poster

2. Each prospective employee is required to initial the acknowledgement form contained in the New Hire Packet that FLSA compensatory time or monetary payment may be used. The Director, Human Resources must be notified immediately if a prospective employee refuses to initial the form. Such individual shall not commence work until permission is received from the Director, Human Resources.
3. All individuals who were employed by the State on, or prior to April 15, 1986, and have been continuously employed since that date, are considered to have agreed to the use of FLSA compensatory time as a condition of employment.

K. Record-keeping Mandates and Requirements:

1. Employers covered by FLSA must maintain wage and time records on Non-Exempt employees.
2. Each work day, employees must record time worked (hours and minutes) worked, including start and stop times, using GDC's timekeeping system. Customized time sheets or record keeping systems that are operationally necessary must be submitted to the Director, Human Resources for

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approval. Time records must include total hours worked each work period.

3. The time records are to be based solely on the employee's work period. They cannot be based on a calendar month, a payroll pay period, etc. Work units that require non-standard time sheets must submit examples and justification to the Director, Human Resources for approval prior to the use of such forms.
4. Each Appointing Authority is responsible for ensuring that non-security, full-time employee work the required 40 hours per week or equivalent, and that variances are accounted for by use of leave, leave without pay, or compensatory time.
5. Each Appointing Authority is responsible for ensuring that security/law enforcement, full-time employee actually work the required number of hours established for the assigned work period. All work periods have required work hours (e.g., 7-day period = 40 hours; 24-day period with shift briefing = 141 hours; 27-day period with 15-minute briefing each shift = 148 hours/30 minutes; and 28-day period with no shift briefing = 160 hours). Any actual time worked variance which falls below required hours must be documented and paid leave, compensatory time, or leave without pay charged to the employee whose work time falls short of the required work period hours.
6. DO NOT reconstruct time records in the event of lost or misplaced records.
 - a. If an employee claims time worked over the maximum hours and time records are unavailable, other forms of proof, such as training records, absentee reports, duty rosters, use of force reports, or any document with a date and time stamp, may verify time worked; and
 - b. If hours over the maximum cannot be verified, the Director of Human Resource will be notified.

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7. Upon transfer within GDC, an accurate Leave Verification form must be sent to the employee's new assigned facility.

L. Holidays and Paid Leave Time Credits:

1. Time spent using paid Leave (Annual, Sick, or Personal only) or State Holidays designated by the Governor counts toward the total hours to be compensated for the work period.
2. An employee, who is approved for Military Leave or Administrative Leave, remains in pay status, but does not receive time credits for purposes of awarding compensatory time.

M. Methods of Compensation:

1. The FLSA does not limit the number of hours that an employee may work. It simply requires that overtime compensation for Non-Exempt employees must be granted at a rate of not less than one and one-half times the regular rate for each hour physically worked in the work period in excess of the maximum hours applicable to the type of employment.
2. FLSA does not require that an employee be granted one and one-half times compensation for hours worked in excess of eight hours per day, or for work on holidays, or on scheduled off days, provided the maximum number of hours prescribed in the FLSA are not exceeded.
3. Exempt employees may earn State Compensatory Time when the total hours for a work period exceed the normally scheduled hours. (See limitations in paragraph 4.c. below)
4. Non-Exempt employees are not entitled to FLSA compensation for any hours worked less than the maximum hours allowable under FLSA (e.g., non-security = 40 hours, maximum; security/law enforcement under assigned schedule such as 27 days = 165 maximum, 28 days = 171 maximum, etc.) Non-Exempt employees who exceed the maximum number of hours allowed during their work period should be compensated by one of the following methods:

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- a. **Schedule Adjustment:** An Appointing Authority must give an employee one hour for each extra hour worked **before** the end of the employee's work period. **This is not granting an employee compensatory time or overtime; it is a schedule adjustment.**

- b. **FLSA Compensatory Time:** Non-Exempt employees only earn FLSA Compensatory Time when they physically work more than the maximum hours allowed for the work period and their work schedule cannot be adjusted prior to the end of the work period. The employee earns FLSA compensatory time at one and one-half times the regular rate of pay.
 - i. Non-security employees may earn a maximum of 240 hours of FLSA compensatory time. Any overtime earned over that maximum is to be paid by monetary compensation.
 - ii. Security/Law Enforcement employees may earn a maximum of 480 hours of FLSA compensatory time. Any overtime earned over the maximum is to be paid by monetary compensation.

- c. **State Compensatory Time:** State Compensatory Time compensates an employee for non-FLSA overtime on a one-to-one ratio.

NOTE: Appointing Authorities may restore leave already used in the work period to reduce or eliminate the accumulation of State Compensatory Time.

- i. The maximum state compensatory time accrual allowed is 240 hours. Any state compensatory time earned in excess of 240 hours is lost. An employee will not be compensated for such time in any manner, and it will not transfer with the employee to another State Agency.
- ii. All State Compensatory Time must be utilized within one year of the date that it is earned.

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iii. The use of State Compensatory Time will not be approved until all available Deferred Holiday time and FLSA compensatory time has been used.

- d. Leave keepers shall charge absences to accumulated compensatory time balances in lieu of other requested paid leave such as annual, sick, or personal leave. An exception may be made late in the calendar year when an employee should be allowed to use personal leave for an approved absence rather than lose it.

NOTE: Appointing Authorities may direct employees to schedule and take time off from work to use and reduce FLSA compensatory balances.

N. Authorizing FLSA Overtime:

1. Each Appointing Authority foreseeing the need for overtime work must consider all reasonable alternatives. In emergencies, Appointing Authorities must take prudent action and when those actions include overtime, follow up as soon as possible using the procedures below:
 - a. Approval for FLSA overtime:
 - i. Attachment 1, Overtime Claim and Payment Request and Attachment 2, Overtime Payment Request must be submitted to the appropriate Region Director/Designee, if applicable.
 - ii. When forms are received, the Region Director/Designee will submit to Facility Operations Administrative Support Office for approval then to CHRM for processing.
 - iii. All requests for overtime for Exempt employees **must** be approved, in advance, by the Director, Human Resources.
 - b. Claims for Overtime Payment:
 - i. Claims for payment of cash overtime may be submitted by completing Attachment 1, Overtime Claim and Payment Request, or in a manner approved by Director of Human Resource. The

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date of the work period should be the date that the period began, regardless of whether the employee worked on that date. Additionally, the claim sheet should reflect the entire work period, including scheduled off days, holidays, leave, etc. for that employee, unless prior approval has been obtained to make a special exception.

- ii. The hourly rate for payment of FLSA Compensatory Time will be calculated based on the employee's monthly salary, plus any additional pay supplements at the time the pay supplements are paid.
2. GDC Options - GDC has discretion at any time to:
- a. Monetarily compensate employees for any accumulated balance of compensatory time; or
 - b. Direct the use of accumulated compensatory time to reduce the retained balances of individual employees.

O. Use of Compensatory Time for Employee Transfers within GDC:

- 1. When a Non-Exempt employee leaves the jurisdiction of an Appointing Authority by promotion, transfer, or demotion, that Appointing Authority must diminish FLSA compensatory time, and the Appointing Authority should make every reasonable effort to assist the employee in diminishing other types of accumulated compensatory time.
 - a. FLSA compensatory time must be reduced to a zero (0) balance before the effective date of a transfer to another GDC Departments. Use of FLSA compensatory time will be at the pay grade in which the employee accumulated the FLSA compensatory time, except for demotion (which would be effective on the date set by the Appointing Authority).
 - b. When FLSA compensatory time cannot be brought to a zero balance, payment must be made to the employee prior to the transfer.

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Note: If payment is not made prior to the transfer, the local HR Representative at the facility, center, or office where the FLSA compensatory time was earned must immediately submit a written request (describing the reason(s) it was not paid in a timely manner) for a hand drawn check to their assigned CHRM HR Technician. Payment will be calculated as stated above.

- c. State Compensatory Time must be used within twelve (12) months of accrual. Every effort should be made to require employees with accumulated State Compensatory Time to use the compensatory time and maintain minimal balances.
- d. Holiday Deferral (Holiday Compensatory Time) must be used within 120 days of being earned and should not be transferred from one Appointing Authority's unit to another Appointing Authority's unit. Employees should use accumulated Holiday Deferral in lieu of other paid leave to avoid any situations requiring monetary pay-outs.

P. Use of Compensatory Time when Transferring to Other State Agencies:

1. Accumulated FLSA compensatory time must be paid upon separation of an employee from GDC. This may be accomplished, if agreeable to the other Agency, by delaying the effective date of transfer until the FLSA balance is zero.
2. When FLSA compensatory time cannot be brought to a zero balance, payment must be made to the employee prior to the transfer.
3. Accumulated State Compensatory Time is lost and will not be paid to any employee upon transfer to another State Agency.
4. Accumulated Holiday deferral will be paid to any employee upon transfer to another State Agency.

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V. Attachments:

Attachment 1, Overtime Claim and Payment Request;
Attachment 2, Overtime Payment Request; and
Attachment 3, GDC Notice to Employees

VI. Record Retention of Forms Relevant of this Policy: Attachments 1 and 2 shall be retained in CHRM and the local personnel office for a period of three (3) full years. Attachment 3 shall be posted permanently on the "Official" Bulletin Board.

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Standard Operating Procedures		
Functional Area: Human Resources/Health Services - Physical Health	Reference Number: VH54-0008	Revises Previous Effective Date:
Subject: Tuberculosis Screening of Correctional Personnel		9/1/01
Authority: Donald/Ryan	Effective Date: 1/01/04	Page 1 of 14

I. POLICY:

- A. All Georgia Department of Corrections (GDC) employees, Contract employees, and students/interns working at GDC sites who have a risk of exposure to tuberculosis, will be screened for tuberculosis (TB) at the time of hire, and then periodically, as deemed necessary (i.e., annually thereafter and/or following exposure to a suspected or confirmed case of TB).
- B. Appointing Authorities will ensure all current and new employees read this standard operating procedure and sign the acknowledgement form (Attachment 1). A copy of the completed acknowledgement form will be placed in each employee's local personnel file. The original acknowledgement form will be forwarded to Central Personnel Administration (CPA) for placement into the official personnel file.

II. APPLICABILITY:

This procedure is applicable to all GDC employees, regardless of work location (prison, boot camp, center, probation office, or central office location) or job title, who have a risk of exposure to tuberculosis.

III. RELATED DIRECTIVES:

- A. NCCHC 1997 Adult Standards: P-14, P-15.
- B. NCCHC 1995 Juvenile Standards: Y-16, Y-17.
- C. Centers for Disease Control and Prevention (CDC): Prevention and Control of Tuberculosis in Correctional Facilities. Vol. 45, No. RR-8, June 7, 1996.

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- D. Centers for Disease Control and Prevention (CDC): Controlling TB in Correctional Facilities. 1995.
- E. Federal Register: Rule 29 CFR Part 1910, "Occupational Exposure to Tuberculosis; Proposed Rule," October 17, 1997.
- F. Georgia Department of Corrections, Office of Health Services Infection Control Manual, May 1999 Edition.
- G. GDC SOP:
 - 1. IVO10-0005 [Sick Leave]
 - 2. VH04-0007 [Treatment of Employees by Health Care Personnel]
 - 3. VH05-0003 [Health Related Training for Correctional Officers]
 - 4. VH36-0004 [Contact Investigation Following the Identification of a TB Suspect or Confirmed Case]
 - 5. VH54-0001 [Infection Control Plan]
 - 6. VH54-0006 [Training of Health and Correctional Personnel Regarding Communicable Diseases]

IV. DEFINITIONS:

- A. Student/Intern - a person enrolled in a school, college or university participating in learning activities at any GDC work location.

V. ATTACHMENTS:

Attachment 1 - Employee's Acknowledgement Statement

VI. PROCEDURE:

- A. New Employees with Previously Negative or Unknown TB Skin Test Results or Previous BCG Vaccination
 - 1. At the time of employment, two-step Mantoux tuberculin skin-test screening will be mandatory for

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all employees who do not have a documented history of a positive skin test.

2. For non-security employees, the initial tuberculin skin-test screening (1st skin test), which includes training regarding communicable diseases, will be made available after pre-service orientation and within 10 working days of the initial assignment. The interview and skin test will be made available at no cost to the employee. The second of the Two-Step Mantoux skin tests should be received within 3 weeks of employment.
3. The facility health care staff, local health department or personal physician or health care provider may perform tuberculin skin testing.
4. Employees who had skin testing performed within the twelve months prior to employment may count such testing as the first of their two required skin tests. The employee must submit suitable documentation that verifies negative results to the local personnel office. NOTE: Any Security employee (Correctional Officer, Probation Officer, Surveillance Officer, etc.) whose TB test result was negative on their pre-employment physical can use a copy of the TB test results as documentation for a negative skin test. The local personnel office will be responsible for providing the local medical unit with a copy of the TB test results on all security employees. Probation Region Offices and Diversion Centers will be responsible for sending copies of TB test results to the assigned site outlined in VI.E.2. The second of the Two-Step Mantoux skin tests should be received within 3 weeks of employment. The second test may be received in conjunction with the training on communicable diseases, which is required within 10 working days of initial assignment.
5. Tuberculin skin testing is not contraindicated for persons who have received the Bacillus of Calmette and Guerin (BCG) vaccine or pregnant/lactating women, and skin testing should be performed.

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6. TB skin test results will be provided to the Health Authority at the facility. The information will be recorded onto the Employee Mantoux Test Record (P54-0008-01), which will be maintained in a confidential manner by the health care staff coordinating infection control activities at the facility. The Employee Mantoux Test Record form is located in the TB section of the Infection Control Manual, issued by the Office of Health Services.
 - a. A copy of the Employee Mantoux Test Record, containing the most recent skin test results, should be placed into the OSHA Health Record. This will ensure that the most recent skin test results are available should the employee transfer to another facility.
 - b. Once the Employee Mantoux Test Record is completely filled out, this **original** should be filed in the OSHA Health Record. The **copy** of previous skin test results should then be removed and discarded in a confidential manner (i.e., shred).
 - c. Refer to the procedure for maintaining and handling the OSHA Health Record, as described in the Employee Health section of the Infection Control Manual, page 4.
 - d. When an employee transfers to another facility, the health care staff coordinating infection control activities will forward the employee's OSHA Health Record to the new facility.
 - e. When an employee terminates from the facility, the health care staff coordinating infection control activities will forward the employee's OSHA Health Record to Central Personnel Administration, where the information will be placed into the official medical file.
7. At the time of hire, employees assigned to field probation offices will receive tuberculin skin test screening, unless they submit a documented history of a positive skin test or provide proof of a prior

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negative skin test. Employees will receive skin test screening, which includes training regarding communicable diseases, within 10 working days of their initial assignment. However, since probation employees do not necessarily go to training within their first 10 days of employment, they must be sent to one of the designated facilities listed in the SOP to receive required training and skin testing. All employees, those who submitted proof of a negative result and those who received their first tuberculin test at the time of hire, are required to receive training on communicable diseases within 10 working days of their initial assignment and should have the second tuberculin test completed within 3 weeks of hire. In each circuit, the Chief Probation Officer or designee will coordinate this process. NOTE: This includes all employees - law enforcement and support staff.

- B. New Employees with a Prior History of a Positive TB Skin Test, Previous Tuberculosis or Severe Reaction to a TB Skin Test
1. The local personnel office will forward a copy of the pre-employment TB results to the local medical unit.
 2. New employees with a documented history of a positive skin-test result (TB infection), a documented history of TB disease, or a reported history of a severe necrotic reaction to tuberculin will be exempt from routine tuberculin skin-test screening.
 3. These employees should be screened for symptoms of TB by facility health care staff and the information documented on the Employee Mantoux Test Record (P54-0008-01). Documentation of previous TB skin-test results and a recent (less than 1 year from the employee's date of hire) chest x-ray report, which indicates the employee is free of active disease should be provided to the Health Authority.
 4. If symptoms compatible with TB are present (cough, fever, weight loss, night sweats, etc.), the

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employee should be allowed to use accumulated leave or be placed on authorized leave without pay until a diagnosis of active TB is ruled out (negative) or confirmed (positive). If a diagnosis of active TB is established (positive), the employee will not be permitted to return to work until clinical treatment has been initiated and medical certification is presented which confirms the individual is no longer infectious. Acceptable documentation must include, at a minimum, three consecutive reports of "negative" sputum smears for acid-fast bacilli.

C. Students/Interns

1. Students/interns engaged in an on-site learning experience will be required to provide evidence of current TB skin test status. Only one negative TB test result is required for students/interns.
2. The local personnel office must immediately notify the medical unit of any students/interns that begin work at their site.
3. The Health Services Administrator, Nurse Manager or designee serving as the student's preceptor will be responsible for verifying the student's/intern's TB skin test status. Verification may be in the form of a copy of the original TB skin test result, or recent (within one year of the student's/intern's learning experience at the site) negative CXR report for someone previously TB skin test positive.
4. In a probation office, the Chief Probation officer or designee will verify and maintain confidential records of the student's/intern's skin test status.
5. The student/intern will be expected to participate in contact investigation procedures if exposed to someone suspected or confirmed to have active TB.
6. Any student/intern who refuses to comply with the above requirements will not be permitted to perform their learning experience with the Department.

D. Scheduling TB Skin Test for Correctional and Probation Employees.

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1. Employees working in State Prisons, Private Prisons, Boot Camps and Transitional Centers where inmate/probationer health care is provided will receive TB skin testing at their respective facilities.
2. Probation Division employees, which includes Diversion Center employees, will receive TB skin testing at designated Probation Detention Centers or State Facilities listed below:
 - a. Southeast Probation Detention Center
 - 1) Eastern Circuit
 - 2) Brunswick Circuit
 - 3) Atlantic Circuit
 - b. Women's Probation Detention Center
 - 1) Ogeechee Circuit
 - 2) Savannah Diversion Center
 - c. Central Probation Detention Center
 - 1) Dublin Circuit
 - 2) Oconee Circuit
 - 3) Cordele Circuit
 - d. Treutlen Boot Camp
 - 1) Middle Circuit
 - e. Augusta State Medical Prison (ASMP)
 - 1) Augusta Circuit
 - 2) Augusta Diversion Center
 - f. Lee State Prison

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- 1) Dougherty Circuit
- 2) Southwestern Circuit
- 3) Albany Diversion Center
- g. Southwest Probation Detention Center
 - 1) Tifton Circuit
 - 2) Southern Circuit
 - 3) Alapaha Circuit
 - 4) Thomasville Diversion Center
- h. Ware State Prison
 - 1) Waycross Circuit
 - 2) Waycross Diversion Center
- i. Western Probation Detention Center
 - 1) Chatahoochee Circuit
 - 2) Macon Circuit
 - 3) Houston Circuit
 - 4) Macon Diversion Center
 - 5) Columbus Diversion Center
- j. Calhoun State Prison
 - 1) Pataula Circuit
 - 2) South Georgia Circuit
- k. Putnam State Prison
 - 1) Ocmulgee Circuit

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1. Rockdale-DeKalb Probation Detention Center
 - 1) Alcovy Circuit
 - 2) Gwinnett Circuit
 - 3) Rockdale Circuit
 - 4) Jimmy Helms Diversion Center
 - 5) Stone Mountain Circuit
- m. J. C. Larmore Probation Detention Center
 - 1) Atlanta Circuit
- n. West Central State Prison
 - 1) Towaliga Circuit
 - 2) Griffin Circuit
 - 3) Flint Circuit
 - 4) Coweta Circuit
 - 5) Clayton Circuit
 - 6) Griffin Diversion Center
 - 7) Clayton Diversion Center
- o. Northwest Probation Detention Center
 - 1) Douglas Circuit
 - 2) Cobb Circuit
 - 3) Cobb Diversion Center
 - 4) Tallapossa Circuit

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- p. Hays State Prison
 - 1) Rome Diversion Center
 - 2) Rome Circuit
 - 3) Lookout Mountain Circuit
 - 4) Conasauga Circuit
 - 5) Cherokee Circuit
- q. I. W. Davis Probation Detention Center
 - 1) Athens Diversion Center
 - 2) Piedmont Circuit
 - 3) Western Circuit
 - 4) Alcovy Diversion Center
- r. Whitworth Probation Detention Center
 - 1) Northern Circuit
 - 2) Toombs Circuit
- s. Colwell Probation Detention Center
 - 1) Appalachian Circuit
 - 2) Northeastern Circuit
 - 3) Mountain Circuit
 - 4) Blue Ridge Circuit
 - 5) Gainesville Diversion Center
 - 6) Enotah Circuit
 - 7) Bell Forsyth Circuit

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t. Gateway Diversion Center

1) Atlanta Diversion Center

3. The Responsible Health Authority at each facility or probation office will establish a TB skin-testing schedule that will be made available to supervisors of eligible correctional or probation employees (Wardens, Superintendents, Regional Directors, Chief Probation Officers, etc.).
4. Probation Division administrative staff will be responsible for coordinating TB skin test screening of their respective employees and will maintain records verifying that staff are compliant with the TB skin test screening procedures outlined in this SOP.
5. It is suggested that certain days be routinely set aside each week for TB skin testing (e.g., every Monday or Friday between 1-4 p.m.) in order to minimize disruption of other clinic activities. The facility providing TB skin testing should be notified of the number of tests to be performed on a weekly basis.

E. Central Office Employees

1. Central Office employees routinely working at GDC sites who have a risk of exposure to tuberculosis should be periodically screened (e.g., at time of hire, annually and in conjunction with a contact investigation) for possible exposure to tuberculosis.
2. The employee's supervisor/manager will be responsible for monitoring the TB skin testing process. During the month prior to the Performance Management Form (PMF) review, the employee is responsible for obtaining a TB skin test from their health care provider, personal physician, local health department or correctional facility where currently working. A written hardcopy of test results will be given to the supervisor/manager. The supervisor/manager will forward, in a confidential

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manner, the TB skin test results to CPA where they will be placed into the employee's official medical file.

3. Skin test results should be filed in the employee's medical file, which is maintained by CPA.

F. Interpreting TB Skin-Test Results

1. Employees with a negative initial test (via the two-step Mantoux method) will be retested with another skin test within 1 - 3 weeks following the initial skin test. If the results of the second test are negative, the employee will be considered non-infected and will then be retested annually or more often if necessary based upon the system risk assessment; in response to a contact investigation; or as clinically indicated.
2. **New** employees who have a positive TB skin-test result upon initial testing should be promptly evaluated for active TB.
 - a. If no symptoms of TB are present, the supervisor or Appointing Authority will immediately refer the employee to the local health department or personal physician for evaluation (which includes a chest x-ray). The employee must provide documentation of a chest x-ray report, which excludes active TB, in order to return to work. The employee will be allowed to use any accumulated leave or be placed on authorized leave without pay.
 - b. If tuberculosis disease is excluded (negative), the employee would not be considered infectious, but should be considered for preventive therapy and referred to the local health department or personal physician for ongoing evaluation and monitoring.
 - c. The supervisor or Appointing Authority should immediately refer the employee with symptoms of TB to the local health department or personal physician to confirm the diagnosis of active TB (positive) or to rule out active TB (negative).

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The employee will be allowed to use any accumulated leave or be placed on authorized leave without pay. If a diagnosis of active TB is established, the employee may not return to work until treatment is initiated, and it has been clinically determined that the employee is no longer infectious. Acceptable documentation should include, at a minimum, reports of three consecutive negative sputum smears for acid-fast bacilli.

3. **New** employees whose TB skin-test results are positive are presumed to be infected prior to employment and will **not** be eligible for Worker's Compensation benefits related to the development of tuberculosis.

G. TB Skin-test Logs and Data Collection

1. The health care staff or Chief Probation Officer or designee who is responsible for coordinating infection control activities at the facility or probation office will maintain an Employee Mantoux Test Record (P54-0008-01), which will contain skin testing information for their employees. This document will also serve as the Employee PPD Tracking log.
2. The health care staff or Chief Probation Officer or designee who is responsible for coordinating infection control activities at the facility or probation office will develop and maintain a database for recalling employees due for TB skin-testing. The database may be arranged by employee birth month, anniversary date of hire or another mechanism, so long as the method chosen contains accurate and reliable TB skin-testing information for employees.

H. Periodic Tuberculin Skin-Testing of Employees

1. Correctional and probation employees must be skin-tested annually or more frequently if required by CDC guidelines regarding Prevention and Control of

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Tuberculosis in Correctional Facilities and OSHA Rule - 29 CFR 1910.135.

2. Employees who are skin-tested will be provided education regarding the meaning of the test and test results.
3. Employees who have a positive TB skin-test result (new conversion) following negative skin-test results will be screened for symptoms of TB.
 - a. If no symptoms of TB are present, the employee will be directed to complete an examination to rule out active TB by a health provider on the Workers' Compensation Panel of Physicians. The supervisor or Appointing Authority must insure that this examination/treatment information is reported immediately (within 24 hours of the employer's knowledge) to the Workers' Compensation Risk Management, via the TELECLAIM service phone number 877-656-7475.
 - b. Any employee with symptoms of active TB (i.e., cough, fever, weight loss, night sweats, etc.) or suspected of having active TB will be directed by the supervisor or Appointing Authority to complete an examination by a health provider on the Workers' Compensation Panel of Physicians to rule out or confirm active TB. The supervisor or Appointing Authority must insure that this examination/treatment information is reported immediately (within 24 hours of the employer's knowledge) to the Workers' Compensation Risk Management, via the TELECLAIM service phone number 877-656-7475. The employee may not return to work until a medical certification is received, indicating that the individual does not have infectious, pulmonary TB (at a minimum, reports of three consecutive negative sputum smears for acid-fast bacilli). The employee will be permitted use of all available sick and annual leave time, as deemed necessary under the circumstances. If active TB is confirmed, the employee may request Workers'

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Compensation benefits in lieu of using accumulated leave.

4. All correctional and probation employees with suspected or confirmed TB disease will be reported to the health department by Medical.

I. Employees Refusing TB Skin Testing

1. TB prevention and control in correctional facilities and probation offices is critical to the health of employees, inmate/probationers and the general public. The CDC and Occupational Health and Safety Administration (OSHA) have established that TB skin-testing should be mandatory for employees. Therefore, employees must be tested in accordance with CDC recommendations.
2. Employees refusing skin-testing following education and counseling will undergo progressive discipline up to and including termination if necessary. Employees will be sent home without pay and will not be permitted to return to the facility until skin testing has been performed and results obtained.

J. TB Skin-Testing of Correctional and Probation Personnel, and Students/Interns, Following Identification of a Suspected or Confirmed TB case

Follow the procedures documented in SOP VH36-0004 (Contact Investigation Following the Identification of a TB Suspect or Confirmed Case) for further instructions.

K. Exposure Control Regarding Tuberculosis

1. The Office of Health Services published an Infection Control Manual in May, 1999 which was distributed to the medical sections of state and private prisons, boot camps, detention and transitional centers. Section II of the manual contains information regarding exposure control for tuberculosis.
2. Field probation staff should be referred to their chief probation officer for access to the exposure control plan for tuberculosis. Section II of the Infection Control Manual has been made available.

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3. Each site must determine which class of employees and what job duties pose a risk of exposure to TB. If they are not already listed in the exposure control plan, add them.

GEORGIA DEPARTMENT OF CORRECTIONS

Standard Operating Procedures

Functional Area: Support Services/Personnel	Reference Number: IVO01-0008	Revises Previous Effective Date: NEW
Subject: Workplace Violence		
Authority: Donald/Owens	Effective Date: 5/01/05	Page 1 of 3

I. POLICY:

The Georgia Department of Corrections (GDC) is committed to providing a safe, secure work environment for all employees. Any abusive behavior, violent act or threat of violence will result in appropriate disciplinary action, up to and including dismissal, removal from the workplace and/or criminal charges.

II. APPLICABILITY:

All employees and persons doing business with the Georgia Department of Corrections.

III. RELATED DIRECTIVES:

- A. O.C.G.A. 16-11-127, Public Gatherings
- B. GDC Standard Operating Procedures (SOP's)
 - 1. IVO01-0006, Employee Assistance Program
 - 2. IVO01-0007, Critical Incident Debriefing
 - 3. IVO04-0002, Workers' Compensation

IV. DEFINITIONS:

- A. Workplace Violence: Any act which would be interpreted by a reasonable person as abusive, threatening, intimidating, disruptive, or violent behavior committed by State employees, visitors, relatives, acquaintances, or strangers directed against any State employee, visitor, contractors or vendors in the work location or threatened to be carried out at the work location or in connection with GDC employment.
- B. Intimidation: Engaging in actions that include but are not limited to stalking or behavior intended to frighten, coerce or induce duress.

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- C. Physical Attack: Unwanted or hostile physical contact such as hitting, fighting, pushing, shoving or throwing objects.
- D. Domestic Violence: The use of force, attempted use of force, or threatened use of a deadly weapon in the commission of a crime by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent or guardian of the victim.
- E. Property Damage: Intentional damage of property owned by the State, GDC, employees, visitors, contractors or vendors.

V. ATTACHMENTS:

None

VI. PROCEDURE:

- A. Every employee is responsible for safety in the workplace and for notifying their supervisor or Appointing Authority of any threats that they have witnessed, received, or have been told that another person has witnessed or received, when that behavior will be or might be carried out on GDC property or in connection with GDC employment. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis.

NOTE: Failure of an employee to report such acts or threats of violence will be considered a basis for disciplinary action, up to and including dismissal.

- B. Managers and supervisors should be constantly aware of the environment and attempt to address the signs of potential workplace violence as soon as it is detected.
- C. Any reported instances of workplace violence will be handled promptly and allegations of workplace violence

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will be investigated thoroughly by immediate supervisors and reported to the Appointing Authority.

NOTE: Safety precautions should be put in place, if determined appropriate, as soon as threats are reported. Staff and others should be warned of potential danger if directly involved or likely to be involved.

- D. Appointing Authorities/Designees are to notify and consult with their Division Director, the Employment Support Services Unit of Central Personnel Administration (CPA), and Legal Services to determine appropriate resolution of instances of workplace violence.
- E. Any injury to an employee must be handled in accordance with GDC SOP IVO04-0002, Workers' Compensation.
- F. Critical Incident Debriefing (CID) should be offered to the victim of workplace violence and to any staff impacted by or witnessing the incident, by the CID coordinator for the unit or by CPA's Employment Support Services, if needed. CPA's Employment Support Services may be utilized in obtaining assistance to address workplace violence issues.
- G. Individuals who apply for or obtain a protective or restraining order which lists GDC location(s) as being protected areas, must provide to the Appointing Authority a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent. These orders will be enforced and all affected locations will be notified of the orders.
- H. Employees who in good faith report what they believe to be workplace violence or who cooperate in any investigation will not be subjected to retaliation. Any employee who believes he/she has been the victim of retaliation for reporting workplace violence and/or cooperating with an investigation should immediately contact their Appointing Authority or the Department Personnel Director.

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GEORGIA DEPARTMENT OF CORRECTIONS

Standard Operating Procedures

Functional Area: Office of Information Technology	Reference Number: IVJ01-0001	Revises Previous Effective Date: 5/01/00
Subject: Technology Policies & Procedures		
Authority: Wetherington/Ferrero	Effective Date: 12/31/01	Page 1 of 10

I. POLICY

It is the policy of the Georgia Department of Corrections (GDC) that the Office of Information Technology (OIT) will provide and assume the responsibility for the procurement, delivery, maintenance and support for the information technology environment of the agency solely or via State approved processes.

II. APPLICABILITY

All state correctional institutions, transitional centers, probation detention centers, probation diversion centers, boot camps, other facilities and offices operated by the Georgia Department of Corrections. All employees within the Department of Corrections, its contractors or sub divisions, and other part-time employees of the Department.

III. RELATED DIRECTIVES

- A. O.C.G.A: 16-9-90
- B. GDC-Rules: 125-1-1.09, 125-1-2-.02, 125-1-2.04
- C. Standard Operating Procedures: IIA0503, IVJ0201
- D. ACA Standards:

IV. DEFINITIONS:

**Computing
environment**

Refers to all computers and processors of all types used for data manipulation, transmission, or storage. It includes all hardware, software, connectivity devices, storage devices, printers, modems, cabling, servers, monitors, and keyboards, mouse-pointing devices, speakers and multimedia peripherals that were bought, provided or maintained by OIT. Generally it applies to those computer related devices and software that assist the user in the performance of their business activity. It does not include embedded

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computing devices such as perimeter detection monitoring computers, control room fire/safety monitoring units, inmate telephone systems, access point devices, and so forth.

Software Any computer application, purchased off the shelf or developed from code or developed from a purchased shell program. Any application loaded on any computer or server within the Georgia Department of Corrections.

Hardware The physical part of a computer system, the machinery and equipment. Hardware consists of the computer system's CPU (central processing unit), disks, CDs, keyboard, modem, monitor, cables, printer, and so forth.

V. ATTACHMENTS:

N/A

VI. CONTENTS

- (1) Total Cost of Ownership
- (2) Purchasing Equipment and/or Software
- (3) Computing Hardware
- (4) Inventory
- (5) Software
- (6) Computing Environment
- (7) Internet Access
- (8) Security

VII. PROCEDURES:

This document contains the standard operating procedures pertaining to the computing environment in the Georgia Department of Corrections.

VIII. Total Cost of Ownership

The Total Cost of Ownership (TCO) is a financial figure derived from the actual cost of placing a computer into use in the Department of Corrections work environment for authorized users. This figure is an all inclusive one that begins with the purchase of the user workstation but also extends to the software installed on it, its license, service, network access prorating; WAN costs for installation

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and monthly recurring fees; use of central office servers, their purchase, applications; central office developers and maintenance engineers, just to mention some of the behind the scenes costs. This is not an all-inclusive list. The TCO can, very generally, be derived by dividing the number of computers in the agency into the overall OIT budget. For example, the TCO for 1999 was \$2727 per computer workstation.

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IX. Purchasing:

The Georgia Technology Authority (GTA) is the only authorizing body in the State of Georgia with the authority to grant permission and approval to purchase computing equipment, regardless of the source of money (GDC budget, grants, etc.). All purchases must be approved via OIT through GTA. Procedures for what must have prior approval versus routine purchases are outlined in GTA procedures and purchasing work flow diagrams. Purchasing in the Georgia Department of Corrections for computing related items (software, hardware, peripherals, etc.) will be handled through the OIT Business Office. Payment for such items may originate from a variety of sources but will comply with this policy in all aspects. This will help ensure that standard items are introduced into our environment and help minimize the maintenance and trouble calls.

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X. Computing Hardware

A. Assignment:

The placement of computers within the agency will be determined by a combination of the requesting user, proper approval from Division Information Systems Coordinators (DISC) or Directors with sufficient business justification, security, and the technological feasibility of the location (considering connectivity and functionality limitations).

B. Relocation:

Computer equipment is not to be moved from one location to another without the knowledge and approval of OIT. If the computing needs change for any reason, OIT should be contacted to express those needs and request assistance. Requests will be considered and addressed as resources and policy allow.

1. Most workstations are configured with the software and hardware interface devices to comply with the user's needs. Movement of a workstation, or any of the equipment making up that workstation, may cause conflicts, logon failures, incompatibilities, and unnecessary support calls and/or return of the workstation to the original location. Generally, moves can be accomplished with little or no trouble within the same

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segment or LAN location; however, it should not be attempted without OIT approval.

2. All GDC staff and sites are accountable for the computing equipment inventory at the location to which it is assigned. Once the equipment is placed at a site, it can be moved from that site only by OIT staff or its authorized maintenance vendor/contractor or via common carrier or courier services authorized by OIT.

C. Equipment Replacement and Upgrade:

OIT has, as part of the Technology Strategic Plan, the vision of maintaining a refreshed level of computing capability. This is to be accomplished by identifying approximately the oldest 25% of existing hardware and replacing it annually with new equipment. This can only be accomplished if the appropriate budget funding is available but should keep the equipment at most only three to four years old. The goal is to reduce the maintenance cost of repairing older equipment and to provide users with a reasonably modern computing tool set.

D. Maintenance:

The responsibility for maintaining computing equipment within the agency will be that of OIT. OIT will have each item of authorized equipment inventoried and will use this authorized equipment inventory list to determine maintenance. If the item is not part of the official OIT inventory, maintenance will not be authorized. Maintenance will be accomplished through factory warranty service, field technician on site visits, or OIT central office repair staff. Maintenance may, in some cases, result in replacement of the item.

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- E. Equipment not purchased via the authorized method will not be maintained or replaced by OIT and will be in violation of this policy. (Return to Contents)

XI. Inventory

A. Inventory Transfers

1. OIT equipment shall be transferred from a site only by OIT staff or its authorized contractors.
2. All equipment transfers will be documented and tracked in the OIT SCRIBE Computer Inventory application.

B. OIT Staff, Authorized Contractors

1. The OIT authorized staff and/or contractors may swap broken equipment during a service call to a site.
2. OIT staff and/or authorized contractors are required to document the change out of equipment. The OIT staff/contractor will document a transfer out of the piece of equipment being replaced on the transfer inventory page in the OIT SCRIBE Computer Inventory application.
3. The OIT staff/contractor will receive the replacement piece of equipment for the receiving site on the Receive Inventory page in the OIT SCRIBE Computer Inventory application.
4. OIT field staff and/or authorized contractors shall not remove the GDC sticker from any OIT equipment.
5. OIT equipment shipped to the local site via common carrier or courier service authorized by OIT will be deemed to have arrived at the site when the transfer form packed with the equipment is signed by the local site. OIT inventory staff will document the transfer out of equipment in the OIT SCRIBE Computer Inventory application. The receiving site should notify the field tech that transferred equipment has arrived. The field tech will accept the transferred equipment on the Receive Inventory page in the OIT SCRIBE Computer Inventory application for the receiving site.

C. GDC Sticker

1. Only OIT may issue a GDC sticker for OIT equipment.
2. OIT will issue a GDC sticker for the equipment swapped out by the vendor at a site. The sticker will be mailed to the site with the instructions for the LISC (Local Information Services Coordinator) or OA (Operations Analyst) to sticker the specific piece of equipment.

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D. OIT Inventory

1. OIT inventory will maintain and update a local inventory tracking program identifying equipment, transfer or receipt, GDC sticker number and serial number.
2. OIT inventory will issue all GDC sticker numbers for new OIT equipment or for vendor exchanged equipment.

E. Surplus

1. The determination that equipment will be surplus will be made by OIT. OIT staff will physically surplus equipment and complete the appropriate surplus and inventory documentation.
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XIII. Software

Software will be provided for the users in the agency. It may be in the form of applications loaded locally on a computer, on a server on a Local Area Network (LAN), or in centralized servers accessed via a Wide Area Network (WAN).

- A. OIT will maintain a master list of software and will publish it on the GDC Intranet (Captiva) under Information Technology. Only that software needed for business and deemed appropriately licensed will be allowed. Licensing records will be maintained via OIT purchases and records.
- B. Any use or installation of any software from any source other than that authorized by OIT will be in violation of this policy. Companies that police software usage are hired by major vendors to identify abuses. Federal authority regulates their access to our computers, and they can obtain access upon request.
- C. In addition to placing the agency in jeopardy, any person violating this policy may be subject to personal liability for fines.
- D. Any person needing software for a legitimate business purpose should request it through their Division Information Systems Coordinator (DISC).
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XIII. Computing Environment

A. Appropriate Use:

GDC computing equipment is purchased for authorized individuals for the intended business purposes for which the equipment was purchased. The limited or occasional personal use of equipment and software may be accomplished with the supervisor's permission but

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will adhere strictly to the policies outlined in this document governing the use of computers.

B. Inappropriate Use:

The inappropriate use of a computer can be a physical abuse, neglect, or purposeful misuse. It can also be an inappropriate utilization of the equipment or software that would violate usage, security, or access policies and procedures. It can also include negligence in maintaining the data kept within the storage devices or drives. Care should be taken to protect the computing equipment from extremes in temperature, moisture, damage, or any other damaging environmental hazard or exposure. Care should be taken to insure the safety of diskettes, CDs, tapes or any other means of storage of data. (Return to Contents)

XIV. Internet Access

The use of GDC provided Internet access imposes certain responsibilities and obligations on users and is subject to state government policies and local, state, and federal laws. As a condition of being granted Internet access by GDC, each employee must comply with this policy and refrain from inappropriate and/or prohibited use at all times.

Information and files composed, transmitted, or received on GDC equipment may be considered part of the GDC records. Employees should ensure that all information accessed with or stored on GDC equipment is appropriate, ethical, and lawful.

Unnecessary Internet usage causes network and server congestion, slows other users, takes away from work time, and could over burden other shared resources. Because of this, accessing/downloading large audio or video files is strictly limited to business purposes only.

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A. Appropriate Use

1. Federal, state, or local government Internet sites.
2. Access to sites related to professional organizations or other professional development information.
3. Downloading of technical bug fixes, patches or drivers used by OIT for providing the latest updates to software and applications.
4. Job-related research.
5. Other supervisor approved usage.

B. Inappropriate Use

1. Any use of the Internet (WWW) that is not in the best interest of the Department of Corrections will be considered inappropriate. Inappropriate Internet use includes, but is not limited to:
 - a) Private or personal for-profit activities. This includes business or solicitations related to commercial ventures, religious or political causes, or any matter related to outside organizations.
 - b) Knowingly downloading or distributing pirated software, information, or malicious program code (viruses).
 - c) Downloading any software or electronic files without ensuring that GDC-provided virus protection is active.
 - d) Uploading or downloading commercial or agency software in violation of copyrights or trademarks.
 - e) Playing games and "chatting".
 - f) Performing any activity that could cause the loss or corruption of data or the degradation of system/network performance.
 - g) Any other activity that would reflect discredit on GDC.

C. Prohibited Use

1. Any use of the Internet (WWW) for the following purposes is strictly prohibited:
 - a) Accessing or downloading pornographic or sexually explicit material.
 - b) Accessing or downloading material that could be considered discriminatory, offensive, threatening, harassing, or intimidating.

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c) Conducting any illegal activities as defined by federal, state, or local laws or regulations.

d) Gambling.

D. Internet Usage Monitoring

1. Employees with access to the Internet should be aware that any information accessed, downloaded, or transmitted may be reviewed by system's staff and agency management. While GDC respects the privacy of its employees, the importance of ensuring appropriate use of state resources may result in the occasional monitoring of Internet sites visited by GDC employees. Inappropriate Internet usage can expose the GDC to significant legal liability and reflect discredit on the department.
2. When using GDC computers and resources to access Internet sites, employees are consenting to the monitoring of their use and have no reasonable expectation of privacy in the use of these resources.
3. OIT staff is required to notify agency management when inappropriate material is discovered on GDC computers or when a review of Internet sites visited indicates misuse.

E. Penalties for Misuse of Internet Access

1. Employees using GDC provided Internet access agree to adhere to the policies and guidelines established by the department. Alleged violations of this policy will be reviewed on a case-by-case basis.
 - a) Internet access can be revoked at any time.
 - b) Clear and willful violations or abuse of what is considered to be acceptable use will be subject to appropriate disciplinary action, up to and including termination from employment.
 - c) In appropriate circumstances, criminal or civil action may be initiated.

F. Purchasing ISP Accounts

1. The purchase of Internet access accounts must be approved by Division Information System Coordinators (DISC) or Directors, and will be reviewed for conformity to standards by the Office of Information Technology. The responsibility of the payments for ISP accounts, modems, modem lines, and any services associated with the access to the Internet will be the responsibility of the section under which the facility or

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office falls. The Office of Information Technology is not responsible for these payments. (Return to Contents)

XV. Security

The introduction of information technology throughout the Georgia Department of Corrections (GDC) has resulted in the GDC becoming heavily dependent on the availability of reliable information technology to meet its business needs. The networks that facilitate our ability to instantaneously share information may also allow unauthorized persons to gain detrimental access to information technology resources in the GDC network.

- A. Detrimental access to the GDC enterprise network is defined as any intervention, from either an internal or external entity, that creates any situation whereby authentication and access control mechanisms are bypassed that may compromise the confidentiality or integrity of information resources or render it unavailable. OIT Security Administration will proactively track detrimental access activity and work to prohibit or correct such activity.
- B. Detrimental access may be intentional or unintentional. Where unintentional detrimental access activity is detected, the affected individual will be advised to correct exploitable vulnerabilities to prevent future occurrences. Where detrimental access activity is determined to be intentional, it will be assumed as malicious activity and an appropriate response will be initiated.
- C. The Georgia Computer Systems Protection Act (O.C.G.A. 16-9-90) specified unlawful acts involving information resources and the subsequent penalties upon conviction. As data residing or transiting State networks and equipment is held in public trust, it must be afforded the greatest safeguards. Therefore, computer security policies, procedures, instructions, processes, and standards created in furtherance of protecting GDC computer assets rely upon the Georgia Computer System Protection Act (O.C.G.A. 16-9-90) to ensure compliance. Violators may be prosecuted accordingly.

The Georgia Department of Corrections security policy, procedures, and processes are outlined in SOP IVJ0201. Please refer to that document for security procedures. (Return to Contents)