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March 6, 2020

Ms. Connie Jacobs-Walton
1109 Lanford Cir SW
Lilburn, GA 30047

Dear Ms. Jacobs-Walton,

The purpose of this letter is to inform you that I am terminating your employment with the City of Decatur. This decision is based on the violations of the City policies listed below and more specifically outlined in the pre-termination letter you received on Monday, March 2, 2020.

Article 1, Section II. Mission Statement and Statement of Values:

Our mission is to work with the citizens of Decatur to meet the needs of the community while serving all with respect and Responsiveness, and Excellence. We CARE! To care is to value:

HONESTY & INTEGRITY

COMPETENCE & SKILL

DEPENDABILITY

RESPECT FOR OTHER PEOPLE

COMMITMENT

TEAMWORK & COOPERATION

Article 4, Sec. I, Paragraph B Failure in Personal Conduct, Item (8)

Engaging in infamous or notoriously disgraceful conduct that adversely affects the City's legitimate interests.

Article 4, Sec. I, Paragraph B Failure in Personal Conduct, Item (9)

Insubordinate, rebellious, or factious conduct; harassment of or grossly disrespectful behavior toward other employees.

On Monday, March 2, 2020 you received a letter in reference to the pending termination. In that letter, you were advised to provide me with any information by 9:00 a.m. on Wednesday, March 4, 2020 for consideration in making this personnel decision.

I have reviewed the information you provided and nothing contained therein altered my decision in this personnel matter. However, I would like to address some of the points that you raised.

DEC - 000670

First, my final decision is not based on any uncorroborated allegations from Ms. Kindred. The decision is based on information obtained during my investigation that was corroborated by multiple witnesses.

Second, in regards to your statement about due process, you were interviewed during the investigation and asked to provide a statement in writing. You agreed to provide a written statement at the time of your interview, but did not do so. You were given notice of your pending termination and an opportunity to respond, which you did. It is the City's position that the pending termination process provides you with adequate due process.

Third, in regards to Ms. Kindred's message to you in the screenshot that you forwarded, we have sent communication to Ms. Kindred addressing her behavior and letting her know that the City finds it inappropriate and she should not be reaching out to you and our other staff.

After considering all of the available information including your response to the Notice of Pending Termination, effective Friday, March 5, 2020 your employment is terminated and you are relieved of your duties and responsibilities as they relate to your position of Human Resources Director with the City of Decatur. Administrative Leave With Pay will end on the effective termination date. You have the right to appeal your termination in accordance with the provisions (attached) set forth in the City of Decatur Personnel Policies. If you decide to file a grievance, it must be presented to the City Manager within five working days of today's date.

Regards,



Teresa Taylor, Assistant City Manager

cc: Andrea Arnold, City Manager

ARTICLE FIVE. GRIEVANCE PROCESS

Section I. Procedure.

A. Purpose. It is the policy of the City to provide a means whereby employees may freely discuss problems with supervisors and to provide a procedure for the presentation and mutual adjustment of points of disagreement that arise between employees and their supervisors. The purposes of this policy are:

1. To provide employees a procedure by which their complaints can be considered rapidly, fairly, and without reprisal.
2. To encourage employees to express themselves about the conditions of work which affect them as employees.
3. To promote better understanding of policies, practices, and procedures that affect employees.
4. To instill in employees confidence that personnel actions are taken in accord with established, fair, and uniform policies and procedures.
5. To develop in supervisors a greater sense of responsibility in their dealings with employees.

B. Definition. A grievance is a complaint made by an employee concerning the interpretation or application of these Regulations, City administrative regulations, departmental work rules, or disciplinary action affecting his/her employment with the City.

C. Policy. When an employee has a grievance, the successive steps described below are to be taken toward resolution of the matter. The number of days indicated at each step of the grievance procedure should be considered as the maximum number of working days allowed for presentation of and response to the grievance at that level. However, specified time limits may be extended when mutually agreed upon by the parties concerned or when the City Manager determines that unusual circumstances justify an extension of the normal time limits.

An employee may be accompanied by another City employee or an attorney of his/her choosing in attempting to resolve his/her grievance. All conferences provided for in the grievance procedure shall be held during the City's normal business hours unless otherwise mutually agreed by the parties concerned.

The City Manager, at his/her discretion, may appoint a person to act in his/her behalf in conducting a hearing and making a determination of facts and to recommend a decision to the City Manager.

D. Procedure. Grievance procedure to be followed by employees is described below:

Step One. An employee with a grievance shall present the matter to his/her immediate supervisor within five working days after the employee knew or, in the exercise of due diligence, should have known of the conduct or acts upon which the grievance is based. The grievance may be presented either orally or in writing but shall state specifically the action or failure of action upon which the grievance is based. The supervisor shall consider the grievance and make a determination as to whether the grievance is valid and whether remedial action is justified. The supervisor shall attempt to adjust the matter and shall give the employee a response, either orally or in writing, no later than three working days after the grievance is presented. The supervisor's response shall include a statement of his/her decision and shall specify the reasons for the decision. The grievance and response shall be reported by the supervisor to his/her immediate superior.

Step Two. If the grievance is not resolved at Step One, the employee may present the grievance to the head of his/her department within five working days after the supervisor's response is given or is due, whichever first occurs. The grievance may be presented either orally or in writing but shall state specifically the action or failure of action upon which the grievance is based and the remedy requested. The department head shall confer with the employee about the grievance within three working days after the grievance is presented. The department head then shall consider the grievance and make a determination as to whether the grievance is valid and whether remedial action is justified. The department head shall render a written response to the employee within three working days after the conference with the employee. His/her response shall include a statement of his/her decision and shall specify the reasons for the decision.

Step Three. If the grievance is not resolved at Step Two, the employee may present the grievance to the City Manager within five working days after the department head's decision is rendered or is due, whichever first occurs. The grievance shall be in writing unless the City Manager agrees to accept an oral statement of the grievance. Whether presented orally or in writing, the grievance shall specifically state the action or failure of action upon which the grievance is based, the essential facts of the grievance, and the remedy requested by the employee.

The City Manager shall confer with the employee about the grievance within five working days after the grievance is presented. If the employee is to be represented by legal counsel, he/she shall so notify the City Manager at least twenty-four hours before the conference. The City Manager shall conduct the conference in a manner that assures the employee of a fair hearing.

The City Manager shall consider the grievance and the decision of the department head. He/she then shall determine whether the department head's decision should be affirmed, reversed, or modified and whether any remedial action is justified. The City Manager shall render a written response to the employee within ten working days after the conference with the employee. His/her response shall include a statement of his/her decision and shall specify the reasons for the decision. The City Manager's decision shall be final.

E. Grievances Involving Disciplinary Actions. An employee who is reprimanded or suspended by his/her immediate supervisor may present a grievance concerning such action directly to his/her department head, in accordance with Step One of the grievance procedure described above. An employee who is reprimanded or suspended by his/her division head may present a grievance concerning such action directly to his/her department head, in accordance with Step Two of the grievance procedure described above. An employee who is reprimanded, suspended, demoted, or dismissed by his/her department head may present a grievance concerning such action directly to the City Manager, in accordance with Step Three of the grievance procedure described above.

F. Grievances of Department Heads. A department head who has a grievance shall submit the grievance directly to the City Manager in accordance with provisions of Step Three of the grievance procedure described above.

Section II. Discrimination Complaints. A complaint of discrimination in violation of these Regulations shall receive prompt consideration. A discrimination complaint is defined as an allegation by an applicant for employment, an employee, or a former employee that the City of Decatur has engaged in an improper practice by discriminating against the applicant, employee, or former employee because of sex, race, color, religion, national origin, political affiliation, age, or handicap.

A discrimination complaint by an applicant for employment or a former employee shall be made in writing to the City Manager within ten days after the applicant for employment or former employee knew or, in the exercise of due diligence, should have known of the conduct or acts upon which the complaint is based. Upon receiving such a complaint, the City Manager shall make an investigation in order to determine whether discrimination has occurred. The City Manager may terminate his/her investigation and dismiss the complaint if the complainant fails or refuses to cooperate in the investigation. If the City Manager finds that a preponderance of the evidence indicates that discrimination has occurred, he/she shall devise an appropriate remedy therefor and shall take such disciplinary action against the person or persons responsible for the discrimination as may be appropriate under the circumstances. When possible, discrimination complaints made by applicants for employment or

former employees shall be investigated and resolved within twenty working days of the date that the complaint is received.

A discrimination complaint by an employee shall be considered a grievance and shall be received and treated in accordance with the grievance procedure described elsewhere in these Regulations, including the time limits established by said grievance procedure. If a discrimination complaint grievance is sustained, the City Manager shall take such disciplinary action against the person or persons responsible for the discrimination as is appropriate under the circumstances.

Section III. Sexual Harassment Complaints. A complaint of sexual harassment in violation of these Regulations shall receive prompt consideration. A sexual harassment complaint is defined as an allegation by an employee or a former employee that he/she or she has been subject to unwelcome advances, requests for sexual favors or other verbal or physical conduct of a sexual nature.

A sexual harassment complaint by an employee shall be considered a grievance and shall be received and treated in accordance with the grievance procedure described elsewhere in these Regulations, including the time limits established by said grievance procedure; except that a sexual harassment complaint may be filed directly with the Assistant City Manager or the City Manager. If a sexual harassment complaint grievance is sustained, the City Manager shall take such disciplinary action against the person or persons responsible for the sexual harassment as is appropriate under the circumstances.

A sexual harassment complaint by a former employee shall be filed with the City Manager. If a sexual harassment complaint grievance is sustained, the City Manager shall take such disciplinary action against the person or persons responsible for the sexual harassment as is appropriate under the circumstances.

Section IV. Retaliation. No employee shall be retaliated against by any supervisor, co-worker, or other City employee for exercising the rights described in this article.