

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2012 – 71

AN ORDINANCE TO AMEND THE CLAYTON COUNTY CIVIL SERVICE RULES AND REGULATIONS, AS AMENDED, SPECIFICALLY TO DELETE RULE 3.110.5 “POLITICAL ACTIVITIES, PROHIBITED”; TO DELETE RULE 3.110.6 “VIOLATION”, AND TO INSERT IN LIEU THEREOF NEW LANGUAGE AS PROVIDED HEREIN; TO DELETE ARTICLE VIII “POLITICAL ACTIVITY”; TO REPEAL ANY AND ALL CONFLICTING LAWS, ORDINANCES, RESOLUTIONS, RULES AND REGULATIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners adopted certain Civil Service Rules and Regulations; and

WHEREAS, the Rules and Regulations establish certain privileges and prohibitions with respect to the conduct of political activities and ensure such political activities shall comport with the objective of protecting the integrity of County government; and

WHEREAS, the Rules and Regulations also prescribe only such essential restrictions as will not impose barriers repugnant to conscientious public service; and

WHEREAS, the Board of Commissioners, with the approval of the Clayton County Civil Service Board, desires to amend said Rules and Regulations with regard to “Political Activity”.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF
CLAYTON COUNTY, GEORGIA, AND IT IS HEREBY ORDAINED

Section 1. Clayton County Civil Service Rule 3.110.5 is hereby deleted in its entirety. The existing Rule 3.110.6 is also deleted and inserted in lieu thereof language to read as follows:

“3.110.5 Violation:

If a violation by a classified employee of any provision of these Rules is alleged to exist, a complaint may be filed with the Director of Human Resources to the Civil Service Board. If the Civil Service Board finds, following an investigation by the Human Resources Department, that probable cause exists to believe a violation has occurred, the Civil Service Board shall set the matter down for a hearing at its next regularly scheduled hearing date and all interested parties (specifically to include the complainant and accused violator) shall be notified accordingly. A hearing shall be conducted in a manner consistent and in accordance with provisions contained in Rule 11 “Appeals and Grievances”. In the event the Civil Service Board, after the hearing, determines that a violation has occurred, the classified employee, through his or her Elected Official or Department Director, shall be directed to immediately discontinue the prohibited activity or be subject to suspension, dismissal from the County’s employment, or such other disciplinary action as the Elected Official or Department Director may recommend under the circumstances.”

Section 2. The existing Article VIII “Political Activity”, Sec. 70-260 through Sec. 70-265 is hereby deleted.

Section 3. All ordinances, resolutions, rules and regulations, or parts thereof which conflict with this Ordinance are hereby repealed.

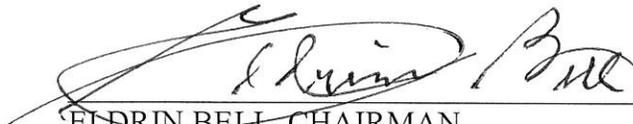
Section 4. It is declared to be the intention of the Board of Commissioners that all sections and paragraphs of this Ordinance are or were, upon their enactment, believed to be fully valid, enforceable and constitutional. To the greatest extent allowed by law, each and

every section and paragraph herein is severable from the other. In the event that any portion of this Ordinance shall be declared invalid, unconstitutional or otherwise unenforceable by valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that the remaining portions of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. This Ordinance shall be effective on the date of its approval by the Board of Commissioners.

SO ORDAINED, this the 10th day of April, 2012.

CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


WOLE RALPH, VICE-CHAIRMAN


GAIL B. HAMBRICK, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK