

**RULES AND STANDARDS
OF THE
COBB COUNTY CIVIL SERVICE BOARD**

COBB COUNTY, GEORGIA

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RULE 1. DEFINITIONS

- Par. 1.1 "Act" or "The Act" or "Civil Service Act" means Act 733, approved by the Governor March 10, 1964, as amended.
- Par. 1.2 "Appointing Authority" means a department head, elected official, or division head.
- Par. 1.3 "Board" means the Cobb County Civil Service Board as provided in Act 733, approved by the Governor, March 10, 1964, as amended.
- Par. 1.4 "Civil Service" means the Cobb County Civil Service System established under Section 2 of the Act.
- Par. 1.5 "Class" means a group of positions sufficiently similar as to the duties performed, degree of supervision exercised or required, minimum requirements of training, experience, and such other characteristics, that the same title, the same tests of fitness, and same schedule of compensation may be applied to each position in the group; and which has been recognized as such in the Classification Plan established by the Board of Commissioners.
- Par. 1.6 "Classified Position" means a position occupied by a person who receives a salary or wages in whole or in part from Cobb County and which may be placed under the Cobb County Civil Service System pursuant to the terms of "the act."
- Par. 1.7 "Command Staff Appointments" shall be appointments in the Sheriff's Office, Police Department, Corrections Department and Fire Department to certain management and administrative positions held by officers with the title of Deputy Sheriff Assistant Division Commander, Assistant Chief Deputy Sheriff, Police Commander, Assistant Police Chief, Assistant Warden-Corrections, Fire Captain, Fire Battalion Chief, Fire Division Chief and Deputy Fire Chief. Employees filling command staff appointments shall retain permanent status in the position they held prior to such appointment.
- Par. 1.8 "Delinquency" means negligence or failure in doing what is required.
- Par. 1.9 "Demotion" means a reduction of an employee to a position of a different class with a lower salary grade.
- Par. 1.10 "Department" means any county department under the Civil Service System and designated as a department by the Board of Commissioners. Department shall not mean the Office of the County Manager or Board of Commissioners or Clerk to the

Board of Commissioners.

- Par. 1.11 “Director” means the Human Resources Director of Cobb County.
- Par. 1.12 “Employee” means an occupant of a “position” as hereinafter defined under the civil service system.
- Par. 1.13 “Family Member” means spouse, son, daughter, father, mother, brother, sister, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, son-in-law, or daughter-in-law. These relationships shall include those arising from adoption.
- Par. 1.14 “Full-time Employee” means an incumbent of a position under the civil service system authorized by the Board of Commissioners as full-time who works 30 hours or more each week on a continuous basis, who is eligible for benefits.
- Par. 1.15 “Governing Authority” means the Cobb County Board of Commissioners.
- Par. 1.16 “Incompetence” means the lack of abilities or the incapability of doing the job. Skills, knowledge and abilities are inadequate, unsuitable or obsolete to perform at minimally acceptable standards of performance.
- Par. 1.17 “Inefficiency” means unproductive, wasteful use of time, energy or material, or repeated errors and mistakes.
- Par. 1.18 “Insubordination” means the unwillingness or refusal to perform assigned work, or deliberate failure to comply with written or verbal instructions from a proper supervisory authority.
- Par. 1.19 “Misconduct” means mismanagement of job responsibilities and county property, improper behavior, or violation of county policies, state or federal law.
- Par. 1.20 “Negligence” means careless disregard for or lack of attention to job related matters.
- Par. 1.21 “Part-time Employee” means an incumbent of a position not under the civil service system authorized by the Board of Commissioners as part-time who works less than 30 hours per week on a continuous basis, who is not eligible for benefits.
- Par. 1.22 “Per Diem Employee” means an incumbent of a position not under the civil service system authorized by the Board of Commissioners as per diem who works for an approved daily fee for each day worked, who is not eligible for benefits.
- Par. 1.23 “Promotion” means advancing an employee to a different class with a higher salary grade.

- Par. 1.24 "Position" means a group of current duties and responsibilities assigned or delegated by competent authority, requiring the full-time employment of one person.
- Par. 1.25 "Public Notice" unless otherwise expressly stated, means a written notice on a bulletin board accessible to the public during business hours and other publicity as may be deemed necessary by the Director to assure reasonable notice to those concerned.
- Par. 1.26 "Unclassified Position" means a position occupied by a person who receives a salary or wages in whole or in part from Cobb County and which is either precluded from being placed under the Cobb County Civil Service System by law or which is one of the following types of positions:
- a) A position established as the head of a department;
 - b) A position established as the head of a division of a department;
 - c) A position held by an elected official;
 - d) A position head by an individual who is appointed by such elected official to serve on a policy making level, is under the direct supervision of the selecting elected official, and has regular contact with such official, or is an immediate advisor to the elected official with respect to the constitutional or legal powers of his office and is appointed by the elected official; or
 - e) A position occupied by a person in a managerial capacity, which person consents in writing to accept such managerial position knowing that such employment is in an "unclassified position" as defined in this paragraph and which position is approved as an "unclassified position" by the Cobb County Civil Service Board. The Human Resources Director shall review each request for a position to be approved as an "unclassified position" pursuant to this subparagraph and report to the Civil Service Board regarding the Human Resources Director's opinion of said request.
- Par. 1.27 "Unfitness" means incapable or unable to perform the duties assigned with or without reasonable accommodation for any reason.
- Par. 1.28 "Unlawful discrimination" means different treatment with respect to an employee's compensation, terms, conditions or privileges of employment because of race, color, religion, national origin, sex, age, disability, or other protected class as established by applicable state or federal law.

RULE 2. CIVIL SERVICE BOARD

SECTION 2.100 CIVIL SERVICE BOARD

Par. 2.101 Organization of Board

- A. The Board shall consist of five (5) members who shall be appointed or elected as pursuant to the Civil Service Code.
- B. A vacancy in the membership of the Board caused by a member's death, resignation, disqualification, removal for cause, or other condition shall be filled in the same manner as the member of the post in which the vacancy occurred was appointed. Except, if less than one year of the term remains at the time the vacancy occurs, then such vacancy shall be filled by appointment of the Board of Commissioners to fill the unexpired term. Notwithstanding the foregoing, the Board of Commissioners shall have the right to make an interim appointment during any time a vacancy exists.
- C. The Board shall, at the regular meeting in January each year, elect one member to act as Chairman for a term of one year, or until a successor is duly elected. At the same time the Board shall elect one of its members to act as Vice-Chairman for the same term and to act for the Chairman in his absence. If the office of Chairman is vacated because of death, resignation, or in any other manner, before the expiration of his or her term as Chairman, the Board shall elect a successor at its next meeting, and that person shall serve as Chairman for the unexpired term.
- D. Meetings of said Board shall be held as frequently as may be required for the discharge of its duties.
- E. Meetings of the Board may be called by the Director or any quorum of the Board upon giving twenty-four hours advance notice in writing to each member of the Board and Appointing Authority whose interests might be affected by such meeting.
- F. All meetings of the Board shall be open to the public.
- G. The Board shall adopt procedures for the conduct of its activities. Meetings of the Board may be informal, subject to such rules of order as may be declared by the Chairman of the Board. The Chairman may participate fully in all hearings, including but not limited to offering a motion, seconding a motion, or voting on an issue or appeals before the Board.
- H. Three members of the Board shall constitute a quorum for the transaction of all business.

- I. The time and place of each meeting of the Board; names of the Board members present; all official acts of the Board; the votes of each member except when the acts are unanimous, shall be recorded in the minutes. The original minutes or a true copy thereof, upon approval of the Board, shall be open to inspection by Appointing Authorities and the public.
- J. All decisions resulting from a hearing conducted by the Board shall be typewritten, subscribed to by the Board members concurring, and filed as a part of its proceedings with the minutes.
- K. The several Appointing Authorities shall have the right to attend or to be represented at and to participate in meetings of the Board, but shall be without voting power.

SECTION 2.200 Duties of the Board.

Par. 2.201 It shall be the duty, function, and responsibility of the Board within the scope of this Rule:

- A. To represent the interest of the public in the improvement of personnel administration in the departments covered by the Civil Service System.
- B. To hear appeals from any civil service employee, who claims to have been improperly suspended, demoted, discharged, unlawfully discriminated against, or improperly dismissed or adversely affected pursuant to a reduction-in-force.
 - 1. The Board's authority regarding an appeal by an employee who claims he or she was dismissed or adversely affected due to a reduction- in-force shall be limited to whether the action was in fact due to shortage of work, shortage of funds, abolishment of position, or other material changes in duties or organization to reduce the overall staff of the organization.
 - 2. In conducting hearings and rendering decisions, the board shall determine whether the appointing authority, department head or person whose action is being appealed had authority to exercise such action and did exercise such action for cause within the Rules and Standards of the Civil Service Board. If so found, the board shall affirm the action of the appointing authority. In the event that the board finds that the action appealed is contrary to the Rules and Standards of the Civil Service Board, the board shall reverse such an action. The board shall not modify the terms and conditions of said action of the person, appointing authority or department head, but may in its order of affirmance or reversal make recommendations of disposition which shall have persuasive force only.

3. In addition, the board may recommend amendments to the Rules and Standards of the Civil Service Board to the governing authority, so as to carry forth purposes of such recommendation disposition, and when such rules and standards have been approved and adopted by the governing authority of Cobb County, they shall be binding upon all parties affected by the civil service.
- C. To meet as may be required for the discharge of its duties.
- D. To avoid the appearance of impropriety, bias, or prejudice. To that end, no member of the Civil Service Board shall:
1. Preside, act, serve, deliberate, or vote in any case or proceeding in which the member has a financial interest;
 2. Preside, act, serve, deliberate, or vote in any case or matter when the member has a family member that has a direct interest in the result of the case or matter;
 3. Preside, act, serve, deliberate, or vote in any case or matter when the member has a family member who is employed by Cobb County in the appointing authority's department that is involved in the case or matter.

Any Board member who has a relationship or interest in such case or matter that prohibits the member from sitting on such case or matter should disqualify himself or herself. If the member does not do so, any person appearing before the Board may object to a Board member participating in the case or matter. If the Board member does not disqualify himself after such an objection is made, the Board, excluding the challenged member, will determine whether the member shall participate.

SECTION 2.300 Removal of Board Members for Cause

Par. 2.301 No board member of said civil service board may be removed prior to the expiration of their term except for cause, after having been given notice and afforded a public and open hearing before the governing authority of said county, pursuant to procedures established by said governing authority. Prior to said hearing, said member shall be served personally or by registered or certified mail addressed to his residence as shown in the files of the governing authority at least ten (10) days before the date set for hearing, with written specifications of charges. Any person or persons desiring a board member be removed for cause must file a petition with the Clerk of the governing authority stating the reasons such member should be removed for cause. The Clerk will have the duty of notifying said member of the petition and serve the petition on said member. The Clerk will notify said member and the petitioning party or parties of the date scheduled for a hearing before the governing authority. In no event will that date exceed sixty (60) days from the date said member is served with the petition. Service shall be deemed completed on the date personally served or three (3) days from the date of mailing.

Par. 2.302 For “cause” shall include, but not be limited to:

- Exhibiting bias or prejudice;
- A demonstrated contempt for rules and/or proceedings;
- Disruptive or disorderly conduct;
- An inability to perform the functions of the position;
- Violation of the oath of office; or
- Any other good cause.

RULE 3. GENERAL PROVISIONS

SECTION 3.100 PROHIBITION OF POLITICAL ACTIVITY

Par. 3.101 No person shall be appointed to, or demoted or dismissed from any position under the Civil Service System or in any way favored or unlawfully discriminated against with respect to employment under the Civil Service System because of his or her political or religious opinions or affiliations.

Par. 3.102 No employee holding a position under the civil service system shall participate in political activity, except as follows:

- A. An employee may:
 - 1. Exercise his or her right as a citizen privately to express his or her opinion;
 - 2. Cast his or her vote; or
 - 3. Run for political office provided that the office sought is outside the boundaries of Cobb County Service and the elected office must not create a conflict of interest for the employee.
- B. If the governing authority finds that a conflict of interest exists, notice of same must be given to the employee, and the employee must relinquish the elective office within thirty (30) days or be subject to dismissal.
- C. An employee may actively support a candidate for political office if for an elective office outside the boundaries of Cobb County, by:
 - 1. Contributing monetarily to the candidate’s campaign;
 - 2. Speaking on behalf of the candidate;
 - 3. Passing out campaign literature; and
 - 4. Displaying a candidate’s political signs.

- D. Any such activity as described in paragraph C above shall not be conducted during working hours, and the employee must not represent himself or herself as an employee of Cobb County.
- E. At no time shall an employee, in support of a candidate, engage in activity that would bring his or her employment with Cobb County into disrepute.

Par. 3.103. No person shall seek or attempt to use any political endorsement in connection with any appointment to a position under the Civil Service System, or to secure a promotion, an increase in pay, or any advantage in employment.

Par. 3.104. No person shall use or promise to use, directly, or indirectly, any official authority or influence, whether possessed or anticipated, to secure for any person an appointment or advantage in appointment to a position under the Civil Service System, or an increase in pay, or any other advantage in employment in any such position for the purpose of influencing the vote or political action of any person, or for any consideration.

Par. 3.105. It is the intention, in adopting these rules, to provide protection to employees from the political process, not to impede the rights of employees to exercise their right to free speech. In addressing the issue of prohibited political activity by an employee, the Board will consider the nature of the activity, the nature of the employee's responsibilities, whether the political activity is partisan or nonpartisan, and whether there is a realistic potential for conflict between the employee's position with Cobb County and the political activity involved.

SECTION 3.300 RECORDS

Par. 3.301 Records Open to Public. All records of the Civil Service Board shall be considered public records and may be inspected and/or copied for a fee, upon application made to the office of the Director during scheduled office hours.

RULE 4. ELIGIBILITY

SECTION 4.100 WORKING TEST

Par. 4.101 The first twelve months of service in a position to which an employee fills a vacant position pursuant to the Cobb County Employment Policy constitute a working test period. The Board may fix a different length for the working test period as it applies to positions of one or more classes. Such a period shall not be fixed at less than three months nor more than eighteen months. Any change in the length of the working test shall apply to all positions in the class or classes affected, but shall not affect the length of the working test of employees who are serving in such status at the time of the change. If the employee is absent for more than a four week period during his or her working test period, the working test will be extended for the period of absence. The Board also may extend the working test period based on a request from the appointing authority after hearing any input from the employee. The working test shall be utilized for the most effective adjustment of a new employee and for the elimination of any employee whose performance does not meet the required standard of work during the working test period.

Par. 4.102 At any time during a working test period an employee may be disciplined or separated from his position under the Civil Service System without right of appeal or hearing, but the reasons given for the separation shall be filed with the Board. An employee serving a working test period because of promotion within the civil service system retains civil service status in the lower class and may be demoted to the lower class without right of appeal or hearing.

Par 4.103 An employee who makes a lateral career move within the civil service system shall be required to serve a working test period as provided in Par.4.101 in the new position. While serving a working test period in the position, the employee retains civil service status in the former position.

Par 4.104 Supervisors of working test employees should evaluate those employees periodically during the working test period. Whether formal or informal procedures are used, it is the responsibility of the supervisor to point out areas of deficiency and inform the employee in the correct and expected manner to perform the job. It shall be the responsibility of the department head to obtain a statement in writing from the proper supervisor to the effect that the services of each employee appointed for an initial appointment working test period have or have not been satisfactory and that the employee is or is not recommended to be retained. The statement shall contain an appraisal of the value of the employee's service upon the employee's performance evaluation form. The department head shall obtain this statement prior to the completion of the working test period, and make a recommendation to the Director. No working test employee shall be considered to have attained civil service status as an employee of Cobb County until certified by the Director. If the employee is not certified as a civil service status employee, the department head shall notify the employee in writing in advance of the date on which the employee's services are to be terminated, and transmit a copy to the Director.

SECTION 4.200 EMPLOYEES COVERED

Par.4.201 (Rev. 1/99) Included in the jurisdiction of the Cobb County Civil Service Board and as members of said Cobb County Civil Service System shall be all eligible personnel in the following departments:

- Communications Department
- Community Development
- County Attorney's Office
- Elections and Registration Department
- Finance Department
- Fleet
- Human Resources
- Information Services Department
- Juvenile Court
- Medical Examiner's Office
- Parks, Recreation, and Cultural Affairs Department
- Property Management
- Public Safety Department (includes Police, Fire and Emergency Services, 911 and Animal Control)
- Purchasing Department
- Senior Services
- Sheriff's Office
- Tax Assessor Department
- Tax Commissioner's Office
- Department of Transportation
- Water System

Employees of classified positions in these departments are covered under the Civil Service System as described in the following paragraphs.

Par. 4.202 Employees who have completed their working test period in a classified position in a civil service department shall be a part of the Civil Service System.

Par. 4.203 Employees who are a part of the Civil Service System and transfer to another position of the same class shall retain the same status as he or she obtained in the position from which he or she was transferred.

Par.4.204 An employee covered by the civil service system as defined in 4.202 who is demoted shall retain civil service status in the former position.

Par.4.205 Employees who have been promoted will serve a working test period in their new assignment but will retain civil service status in the lower position. An employee serving a working test because of promotion may be demoted to the lower class without right of appeal or hearing.

Par. 4.206 Employees appointed to “Command Staff” positions as defined in the rules, serve in those appointments at the pleasure of the Appointing Authority, which may revoke those appointments, without being subject to these rules. Civil Service status does not extend to the “Command Staff” appointment, but employees will retain civil service status in the position he or she held at the time of such appointment.

SECTION 4.300 EMPLOYEES NOT COVERED

Par. 4.301 Employees serving in a part-time, temporary, or per diem positions, all Cobb County board of education employees, all appointed boards, members of commissions or authorities, court reporters, the County Manager and employees of his or her office, personal staff of the Board of Commissioners, all judges and their personal staff, and any other persons or officials expressly exempt by law.

Par. 4.302 Employees serving in a working test period as described in section 4.100 of these rules.

Par. 4.303 Employees making a lateral career move to a Civil Service Department. An employee who makes a lateral career move to a position in the Civil Service System from a position outside the Civil Service System will serve the same working test period as all employees who are covered by these rules.

Par.4.304 Departments not covered by Civil Service. No employee in a department not covered by civil service is covered under the Civil Service System.

Par.4.305 Unclassified Employees. Employees in positions in Civil Service Departments which are precluded from being under the Civil Service System by law are defined as unclassified.

RULE 5. ADMINISTRATIVE LEAVE

Par. 5.101 An Appointing Authority may, upon written notice stating reasons therefore, place an employee on administrative leave with pay when said employee is the subject of an investigation for an alleged violation for a period not to exceed 30 working days, unless extended by the County Manager.

Par.5.102 Employees placed on Administrative Leave shall have no right of appeal to the Civil Service Board.

RULE 6. ACTS THAT CAN BE APPEALED

SECTION 6.100 SUSPENSION

Par. 6.101 An Appointing Authority may, upon written notice stating the reasons therefore, suspend an employee without pay for:

- Delinquency;
- Negligence or inefficiency in performing the duties of the position held;
- Unfitness to perform assigned duties;
- Insubordination;
- Misconduct reflecting discredit on the department;
- Political activity in violation of Section 3.100;
- Abandonment of position or failure to return to work from an approved leave of absence; or
- Other good cause,

for a period not to exceed thirty calendar days in one calendar year, provided however that such suspension may be extended for not more than ninety additional calendar days, with the approval of the Civil Service Board.

Par. 6.102 A suspended employee must appeal in writing to the Board within ten calendar days from the date of the act complained of by the employee. The decision of the Board shall be final. If the Board exonerates an employee for the charges upon which his suspension is based, such employee shall be reinstated to the position from which he or she was suspended and shall be paid any salary and benefit lost as a result of the suspension.

SECTION 6.200 DEMOTION FOR CAUSE

Par. 6.201 An Appointing Authority may, upon written notice stating the reasons therefore, demote an employee for:

- Delinquency;
- Negligence or inefficiency in performing the duties of the position held;
- Unfitness to perform assigned duties;
- Insubordination;
- Misconduct reflecting discredit on the department;
- Political activity in violation of Section 3.100;
- Abandonment of position or failure to return to work from an approved leave of absence; or
- Other good cause.

Par. 6.202 A demoted employee must appeal in writing to the Board within ten calendar days from the date of the act complained of by the employee. If the Board exonerates an employee from the charges on which the demotion is based, such employee shall be reinstated to the position from which he or she was demoted and shall be paid any salary and benefits lost as a result of the demotion.

SECTION 6.300 DISMISSALS

Par 6.301 The Appointing Authority may, upon written notice stating specific reasons therefore, and after allowing the employee an opportunity to refute the charges, dismiss any employee for good cause. The Appointing Authority may suspend an employee without pay when proposing termination. The Appointing Authority shall send a copy of the notice to the Board. For the purpose of these rules, “good cause” for dismissal shall be:

- Delinquency;
- Negligence or inefficiency in performing the duties of the position held;
- Unfitness to perform assigned duties;
- Insubordination;
- Misconduct reflecting discredit on the department;
- Political activity in violation of Section 3.100;
- Abandonment of position or failure to return to work from an approved leave of absence or;
- Other good cause.

Par. 6.302 A terminated employee must appeal in writing to the Board within ten calendar days from the date of the act complained of by the employee. If the Board exonerates an employee from the charges on which the termination is based, such employee shall be reinstated to the position from which he or she was terminated and shall be paid any salary and benefits lost as a result of the termination.

SECTION 6.400 UNLAWFUL DISCRIMINATION

Par. 6.401 An employee under the Civil Service System who feels that he or she has been unlawfully discriminated against may appeal this action to the Civil Service Board. Unlawful discrimination shall mean different treatment with respect to an employee’s compensation, terms, conditions, or privileges of employment because of race, color, religion, national origin, sex, age, disability, or other protected class as established by state or federal law.

Par. 6.402 If an appeal is filed by an employee on the basis of unlawful discrimination, such appeal shall be filed with the Director and include the date, time, place, name and specific act of unlawful discrimination. The employee must appeal in writing within ten calendar days from the date of the act complained of by the employee.

SECTION 6.500 REDUCTION-IN-FORCE

Par. 6.501 An appeal by an employee dismissed or adversely affected due to reduction shall be limited to whether the dismissal was in fact due to:

- Shortage of work;
- Shortage of funds;
- Abolishment of a position; or
- Other material changes in duties or organization to reduce the overall staff of the organization.

Par. 6.502 An adversely affected employee pursuant to a reduction-in-force must appeal in writing to the Board within ten calendar days from the date of the act complained of by the employee.

RULE 7. APPEAL PROCEDURES

SECTION 7.100 FILING AN APPEAL

Par. 7.101 Any employee who has been suspended, demoted or dismissed, or who believes unlawful discrimination has been exercised, or who has been adversely affected pursuant to a reduction-in-force, may file an appeal to the Civil Service Board for a hearing. Such an appeal must be filed in writing with the Board not later than ten calendar days from the date of the act complained of by the employee.

Par. 7.102 The Director will promptly transmit copies of an appeal to the Appointing Authority concerned.

Par. 7.103 The Director will designate an appropriate time and place to conduct the hearing when a quorum of the Board can be present. The appellant and the Appointing Authority concerned shall be notified in writing at least ten (10) working days in advance of the time and place designated for hearing the appeal, and shall have the right to present witnesses, to give evidence and to have legal representation. All appeals shall be heard and determined by the Board within sixty (60) days from the date said appeal is filed with the Board, or as soon as reasonably possible thereafter as determined by the board as provided in Section 7.201. No such hearing shall be held in closed or executive session.

SECTION 7.200 REQUEST FOR CONTINUATION

Par. 7.201 A continuation of an appeal will be granted by the Board if the following conditions are met:

- A. It is the first time the hearing has been scheduled; and
- B. A written request verifying each party's agreement to the continuation and conditions is received in the office of the Director prior to the meeting; and
- C. The agreement stipulates that both parties waive the right to have the appeal heard and determined within 60 days. If the appellant requests the continuation, the agreement also waives any claim to back pay or benefits during the period beginning with the scheduled date of the appeal until the date the appeal is heard.

Par. 7.202 Any request for continuation not meeting the above stated conditions must be requested in person at the scheduled meeting. Both parties should be in attendance and prepared to go forward should the Civil Service Board deny the requested continuation.

SECTION 7.300 HEARING PROCEDURES

Par. 7.301 In the hearing of an appeal before the Board, parties may represent themselves or be represented by counsel. The Civil Service Board does not provide an attorney for either side. The proceedings shall be as informal as is compatible with justice. The following procedures shall prevail:

- A. The Chairman will call for the hearing.
 - 1. Charges against the employee are read.
 - 2. Appeal letter from the employee is read.
- B. All witnesses to testify in the case will be sworn by the Civil Service Board Attorney.
- C. Opening statement will be offered.
 - 1. Opening statement is offered by the Appointing Authority.
 - 2. Opening statement is offered by the Employee.
- D. Presentation of evidence.

The Board shall hear evidence upon the charges and specifications as filed by the Appointing Authority, and shall not consider any additional evidence beyond the scope of the charges, and may exclude evidence which is purely cumulative. The evidence of each party may be supported by the submission of pertinent documents

 - 1. The Appointing Authority presents evidence.
 - a. Witness may be cross-examined by the Employee.
 - b. Any Board member may ask questions to witnesses.
 - 2. The Employee presents evidence.
 - a. Witness may be cross-examined by the Appointing Authority.
 - b. Any Board member may ask questions to witnesses.
- E. The Appointing Authority may present rebuttal evidence.
- F. Closing Arguments are offered.

1. Closing Arguments are offered by the Appointing Authority.
 2. Closing Arguments are offered by the Employee.
 3. Closing Arguments are offered by the Appointing Authority.
- G. After due consideration, the Board will then consider the case and render its judgment affirming or disaffirming the action of the Appointing Authority. The Board shall not modify the terms and conditions of said action of the Appointing Authority, but may in its order of affirmance or reversal make recommendation of disposition which shall have persuasive force only.
1. The Board may vote immediately.
 2. The Board may retire and discuss the case before a vote.
- H. A majority vote shall constitute the decision of the Board. In the event of a tie, no decision shall be deemed to have been reached, and the matter shall be submitted for rehearing by the full Board.

RULE 8. AMENDMENTS

SECTION 8.100

If, and when it seems desirable in the interest of good administration, the Board, by simple majority vote, may make recommendations as to amendments, additions to, or changes in these Rules, to the Governing Authority of Cobb County. Such amendments shall be effective upon adoption by the Board of Commissioners.

RULE 9. EFFECTIVE DATE

SECTION 9.100

These rules and standards shall be effective upon adoption by the Board of Commissioners.