

# **St. Clair County Employee Handbook**

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## **10 Resolution 2006-39**

WHEREAS, periodically the Personnel Manual/Employee Handbook is upgraded and re-printed to include amendments and changes since the last printing;

NOW THEREFORE BE IT RESOLVED by the St. Clair County Commission that revisions and re-printing of the new Personnel Handbook be approved as reviewed and approved by Michael L. Thompson, FOR THE FIRM, LEHR MIDDLEBROOKS PRICE & VREELAND.

FURTHER, that handbook will go into effect immediately upon receipt of Handbook from printers and distribution to employees of St. Clair County.

ADOPTED THIS 23rd day of May, 2006.

## **20 Introductory Statement**

This handbook is designed to acquaint you with St. Clair County and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. These policies, procedures, and rules are effective with the date of their adoption and are applicable until changed by the St. Clair County Commission.

You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by the County to benefit employees.

The benefits of employment with St. Clair County also carry certain obligations. The object of a job in the public service is just that, SERVICE TO THE PUBLIC. This requires a courteous manner, impartiality, and a desire to be helpful to the public beyond the mere essentials of your daily tasks. Good public service also requires an interest in your work, loyalty to your office and department, and pride in your contribution to St. Clair County.

County employees are expected to be good citizens, supporting and upholding all laws within their local jurisdiction as well as State and National boundaries.

No employee handbook can anticipate every circumstance or question about policy. As the County continues to grow, the need may arise and the County reserves the right to revise, supplement, or rescind any policy or portion of the handbook from time to time as it deems appropriate.

Employees will, of course, be notified of such changes to the handbook as they occur.

Changes become effective upon approval by the St. Clair County Commission. Such changes shall in no case affect benefits earned prior to the change but may affect benefits and other conditions of employment from the date of the change forward.

## **30 Orientation of New Employees**

Orientation of new employees is the responsibility of the Appointing Authority or supervisor to whom the employees are assigned and shall include:

1. Making sure the proper in-processing is completed in the Personnel Department.
2. Presenting detailed explanations of fringe benefits and policies in which work relationships, work habits, and safety are stressed and policies which affect the employee are discussed.
3. The employee's performance and progress during the probationary period shall be monitored and recorded by the supervisor for use in evaluating the employee's work performance during and at the completion of the probationary period.

## **40 Description of Terms Used in This Handbook**

### **Appointing Authority:**

Elected or appointed officials of St. Clair County who have the authority to hire, employ, and dismiss employees affected by these policies and procedures according to the provisions of State Act No. 808 (1961) and Act No.1728 (1971).

### **Supervisor:**

Elected officials and any other designated personnel in supervisory positions.

### **Personnel Department:**

Department located within the County Commission office, which is responsible for the proper functioning of the St. Clair County Personnel System.

### **Personnel Officer:**

The St. Clair County Commission is hereby authorized to appoint a Personnel Officer who is responsible for monitoring the day to day operation of the County Personnel System and for recommending changes to the Commission.

The Personnel Officer's duties specifically include:

1. Administering all provisions of the St. Clair County Personnel System as established by these policies and procedures;
2. Preparing and maintaining required personnel records in accordance with applicable laws;
3. Providing assistance to the County Commission, other elected officials, and employees as needed.

The County Commission may call upon the County's attorney to render such legal services to the Commission as it may deem necessary or advisable.

**Equal Employment Opportunity Officer:**

An EEO officer shall be designated by the County Commission, and shall receive complaints of discrimination, which cannot be resolved by the Employee Grievance procedure as outlined in Section 112 of this handbook.

**Regular Employment Classification:**

Those regular full-time and regular part-time employees who have successfully completed the probationary period of ninety (90) calendar days after the date of hire.

**50 St. Clair County Departments and Divisions Defined**  
**Revised and Amended January 14, 2014**

Department 1: **Administrative Department**

- Division: County Commission Office
- Division: Sales Tax Department
- Division: Building Maintenance
- Division: Emergency Management Agency
- Division: E-911 Administration
- Division: Animal Control
- Division: License Inspector
- Division: Tourism
- Division: Flood Plain Coordinator
- Division: Public Transportation

Department 2: **Transportation Department**

- Division: County Road Department

Department 3: **Judge of Probate**

- Division: Probate Office

Department 4: **Sheriff's Department**

- Division: Sheriff Department
- Division: Jails
- Division: Central Dispatch
- Division: Courthouse Security

Department 5: **Revenue Commissioner**

- Division: Revenue Commissioner's Office
- Division: Tax Reappraisal Department

**101 Nature of Employment**

This handbook is intended to provide employees with a general understanding of our personnel policies. Employees are encouraged to familiarize themselves with the contents of this handbook, for it will answer many common questions concerning employment with the County.

However, this handbook cannot anticipate every situation or answer every question about employment. It is not an employment contract and is not intended to create contractual obligations of any kind.

Employment with the County is voluntarily entered into, and the employee is free to resign at any time, with or without cause. Similarly, the County may terminate the employment relationship so long as there is no violation of applicable federal or state law.

Employees of local government have certain rights protected by the U.S. Constitution. Employees are protected from arbitrary dismissals and are entitled to organizational “due process.” Dismissals must be related to job performance, not on the grounds of partisan affiliation. Other guarantees include freedom of speech, right to privacy, and protection against unreasonable searches and seizures.

## **102 Employee Relations**

The County believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that the County amply demonstrates its commitment to employees by responding effectively to employee concerns.

## **103 Equal Employment Opportunity**

1. St. Clair County is an equal opportunity employer and shall not discriminate in any employment policy or practice on the basis of age, sex, race, religion, color, national origin, marital status, political affiliation, or disability status, except where age, sex, or disability shall constitute a bona fide occupational qualification. Minorities, women and disabled persons shall be encouraged to seek employment with the county so that a representation of all groups in the county service shall be maintained.

2. In the event any employee, including probationary employees, has a complaint of discrimination arising from an interpretation, application, or practice in any employment policy, rule or regulation of the County, that employee may, without penalty or fear of reprisal, initiate a formal complaint as follows:

- (a) Present the matter to his/her supervisor as provided in Grievance Procedure, Section 112. If the supervisor is unavailable, or if the employee’s grievance is against his immediate supervisor, or the employee believes that it would be inappropriate to contact that person, the employee should immediately contact the Appointing Authority or the St. Clair County Commission Personnel Department. The complaint must be in writing and must state the

specific act(s) or circumstance(s) of the alleged discrimination and the desired resolution.

- (b) If no satisfactory resolution is made of the complaint, the employee may, within ten (10) calendar days of the decision concerning such discrimination, notify the person designated by the County as the Equal Employment Opportunity Officer.
- (c) The Equal Employment Opportunity Officer shall notify the employee of the address of the appropriate state or federal office to pursue his/her claim.

## **104 Age for Employment**

Minimum age for employment with St. Clair County is 18 years of age with the exception of certain designated youth programs.

## **105 Hiring of Relatives Revised and Amended February 26, 2013 and Revised and Amended January 14, 2014**

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

Two or more members of an immediate family may not be employed in the same Department within the County Service. Departments are defined in Section 50 of this handbook. County departments, even though divided by separate locations, are considered one department.

Employees who were hired prior to the adoption of this policy shall not be affected.

For the purpose of this policy and all personnel policies contained in this handbook, IMMEDIATE FAMILY is defined to include:

The EMPLOYEE'S: spouse, parent, child, brother or sister, grandchild, grandparent, uncle, aunt, nephew, niece and spouse's child.

Notwithstanding anything herein, if the relationship is established after employment, the Appointing Authority is authorized to terminate one of the individuals if a transfer to a different department cannot be approved by another Appointing Authority. As it relates to this situation *only* and for purposes of this provision *exclusively* (where an immediate familial relationship is established after employment of both employees), the Appointing Authority may allow continued employment of related employees so long as said affected employees are in separate Divisions as defined in Section 50 of this Handbook.

## **106 Employee Medical Examinations**

To help assure that employees are able to perform their duties safely, medical examinations may be required.

After an offer has been made to an applicant entering a designated job category or upon recall from lay-off, a medical examination will be required at the employee's expense. The offer of employment and assignment to duties is contingent upon satisfactory completion of the examination. Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. (See Section 801.)

## **107 Immigration Law Compliance**

The County is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the County within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Personnel Department. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

## **108 Conflicts of Interest**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the County wishes to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the County's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that he or she disclose to an officer of the County, as soon as possible, the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the County does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the County.



The materials, products, designs, plans, ideas, and data of the County are the property of the County and should never be given to an outside firm or individual except through normal channels and with appropriate authorization. Any improper transfer of material or disclosure of information, even though it is not apparent that an employee has personally gained by such action, constitutes unacceptable conduct. Any employee who participates in such a practice will be subject to disciplinary action, up to and including possible termination of employment.

## **109 Outside Employment**

Employees may hold outside jobs as long as they meet the performance standards of their job with the County. Employees should consider the impact that outside employment may have on their health and physical endurance. All employees will be judged by the same performance standards, and will be subject to the County's scheduling demands, regardless of any existing outside work requirements.

If the County determines that an employee's outside work interferes with performance or the ability to meet the requirements of the County as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the County.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the County for material produced or service rendered while performing their jobs.

## **110 Supervisor's Responsibility**

Supervisory personnel will strive for high standards of performance in their various departments and will fairly and impartially implement disciplinary measures when necessary. Employees who do not meet established standards will be disciplined in a just and expedient manner with respect to the rights of the individual and the obligation of the County to serve its citizens.

Supervisors at every level are expected to be personally responsible for safeguarding the lives and health of employees under their supervision and for the prevention of loss, damage, and destruction of County property.

## **111 Disciplinary Actions – “Due Process” Procedures**

**1. General.** The tenure of every employee in a classified service shall be conditional on the satisfactory conduct of the employee and continued efficient performance of assigned duties and responsibilities. Employees serving in a probationary period may be disciplined or dismissed by a supervisor and/or Appointing Authority without right of appeal unless such employee had Regular status in some other position. Employees will be disciplined only for violation of established rules and regulations or for any other reason deemed to be in the best interest of the service of St. Clair County and shall be afforded “due process” and have the right of appeal.

No employee will be disciplined for any political activity, unless unauthorized.

Each supervisor will try to determine why an employee failed to observe proper conduct and to initiate corrective actions when appropriate.

All discipline will be taken to correct the employee's performance and behavior. Discipline will be fair, prompt, and certain.

All records of disciplinary action will be signed by the employee and the employee's supervisor prior to inclusion in the employee's personnel file.

The employee will be furnished with a copy of the report.

**2. Types of Discipline.** Progressive discipline is a system of administering more severe discipline if undesirable behaviors are not corrected. The types of discipline are listed in order of severity, beginning with the least severe type. However, the supervisor shall have the discretion to implement more severe types of discipline as may be warranted, depending upon the severity and particular facts of the offense, at the first need for discipline.

**(a) Verbal Counseling.** This is usually the first step in the progressive discipline process for group one offenses, and is the least severe type of discipline. Verbal counseling is a formal conversation between a supervisor and an employee about a behavior and/or a performance problem. Both may offer suggestions in trying to deal with the problem. To document the conversation, a written report must be prepared and signed by the supervisor and employee to be submitted to the Personnel Officer for the inclusion in the employee's personnel record. The employee will also be furnished a copy of the report.

**(b) Written Warning.** This is usually the second step in the progressive discipline process, and may be the first or second step for group one offenses. The report should state the reasons for the warning and that further violations will result in additional disciplinary action which may include suspension without pay or dismissal. The employee may offer comments and should be requested to sign the warning and given a copy of the report. The original must be submitted to the Personnel Officer for inclusion in the employee's personnel record.

**(c) Suspension Without Pay.** A suspension is a serious disciplinary action in which an employee is not allowed to report to work for a specific time period, and for which he or she is not paid. This is usually the first step in the disciplinary process for Group Two offenses, and an employee must be given "due process" prior to the decision to suspend. A supervisor may suspend an employee without pay for a period not to exceed thirty (30) calendar days. For offenses which may result in a suspension, a written notice of contemplated disciplinary action should be prepared. The notice should contain specific information about the offense which prompted this action, along with a date, time, and place for a "due process" hearing in which the employee will be allowed an opportunity to respond to the charges. The employee will be notified of the decision in writing, within three (3) working days after the hearing.

**(d) Dismissal from Service.** This is the most severe disciplinary action that may be taken against an employee. It severs the employer-employee relationship and is usually not the first step in the progressive discipline process. It would be the first step only for the most serious offense(s). For offenses which may result in discharge, a written notice of contemplated disciplinary action should be prepared. The notice should contain specific information about the offense which prompted this action along with the employee's disciplinary history. A date, time, and place for a "due process" hearing should be specified in which the employee will be given an opportunity to respond to the notice. The employee will be notified of the decision in writing within three (3) working days after the hearing.

In the event of a particularly violent action or intolerable offense on the part of the employee, e.g. fighting, destruction of County property, gross insubordination, etc. the employee may be

suspended with pay for up to ten (10) calendar days by the supervisor, pending the completion of the “due process” hearing for either a suspension without pay or a dismissal from service.

**3. Causes for Disciplinary Action.** This section provides examples and guidance regarding the appropriate actions for various types of offenses. Generally, the first Group One offense should result in verbal counseling or a written warning, whereas the first Group Two offense should result in a suspension or dismissal. The Supervisor may, at his or her discretion, implement more severe types of discipline as may be warranted, even at the first need for discipline and even for a Group One offense, depending on the severity and particular facts of the offense.

### **(a) Group One Offenses**

Such offenses include but are not limited to the situations listed below:

1. Failure to give proper notice of an absence which could be anticipated;
2. Irregular attendance and/or excessive absenteeism;
3. Tardiness (not at his/her assigned work station at the beginning of the first hour of the employees’ work day);
4. Interfering with the work of others; offensive personal habits which interfere with efficiency;
5. Excessive inefficiency, to include waste, loafing, and defective workmanship;
6. Violation of normal safety practices; failure to report a work-related accident or injury; accident proneness;
7. Improper use or care of County property;
8. Political activities during work time;
9. Misconduct, to include lack of cooperation, contravention of civil or criminal law, and any disgraceful conduct which reflects unfavorably on the County as an employer;
10. Willful and repeated failure to honor court judgments.

**Group I - Disciplinary Actions** (assuming the least severe option is utilized for an initial violation):

1. First Offense - Verbal Counseling
2. Second offense - Written Warning
3. Third Offense - Suspension Without pay
4. Fourth Offense - Dismissal

### **(b) Group Two Offenses**

Such offenses include but are not limited to the situations listed below:

1. Possessing, consuming or being under the influence of intoxicating substances, such as alcohol, use of illegal or un-prescribed dangerous drugs, or misuse/addiction to drug substances; or similar intoxicants while in County facilities or on the job;
2. Driving a County vehicle while under the influence of intoxicants such as alcohol, un-prescribed dangerous drugs, and/or prescribed drugs which induce an unsafe mental and/or physical state;
3. Loss of a driver's license and /or driving privileges by "due process" of law, when the employee's job requires the operation of a motor vehicle in the performance of his/her duties;
4. Unauthorized possession of a firearm while on the job or use of a deadly weapon and/or force on County Property (employees other than law enforcement personnel in the line of duty);
5. Deliberate falsification of records and/or personal misrepresentation of statements given to a supervisor, official, the public or board, such as application for employment or other data requested or required by the County including time cards; or permitting falsification of time records by another person; or fraudulent misrepresentation in securing an appointment or promotion in the County service;
6. Dishonesty as related to an individual's job duties and/or profession, or use of official position for personal advantage;
7. Fighting, or dangerous horseplay or improper unsafe conduct on the job, except when the employee is a victim of an unwarranted assault;
8. Gross insubordination, including refusal to accept a job assignment or refusal or willful failure to follow instructions issued by a supervisor, department head or Appointing Authority;
9. Conviction of an illegal act, criminal offense or misdemeanor involving moral turpitude;
10. Theft or attempted theft of County property or the property of another employee or assisting in such theft or attempt;
11. Intentionally destroying, damaging, misusing, carelessly or negligently using, or defacing of: equipment, machines, tools or other County property or the property of others;
12. Flagrant violation of safety practices that endanger the life or health of the employee or others; serious violation of County administrative regulations, department rules, lawful orders or directions made or given by a supervisor;
13. Membership in any organization which advocates the overthrow of the government of the United States by force or violence;
14. Acceptance of any consideration of value or gratuity which was given to improperly influence the employee in the performance of his/her duties;

15. Refusal to be examined by a County-authorized, fully-licensed physician when so directed;
16. Political activities that are gross violations of federal and/or state laws and these policies and procedures;
17. Sexual harassment;
18. Sleeping on the job;
19. Job Abandonment – leaving the work area without permission;
20. Incompetence or repeated inefficiency in the performance of duties;
21. Abusive personal conduct or language toward the public or fellow employees, abusive public criticism of a superior or other County official;
22. Incapacity for proper performance of duties because of a permanent or chronic non-job-related physical or mental defect;
23. Violation of any duly-adopted personnel policy or state/federal law or regulation governing public employment;
24. Conduct or actions determined to be a conflict of interest as defined by state law and/or Section 108, Conflicts of Interest, of this handbook.

#### **Group II – Disciplinary Actions**

1. First Offense - Suspension without pay, and may constitute justification for dismissal.
2. Second Offense - Dismissal.

“Due process” procedures as established by federal law, and/or these policies and procedures, will be strictly followed whenever any disciplinary action could result in suspension or dismissal of a Regular employee.

#### **4. Procedures – “Due Process”**

(a) “Due process” includes the act of informing an employee of a violation or offense, and providing the employee an opportunity to respond. An employee must receive “due process” in accordance with legal precedents, whenever disciplinary action could result in suspension or termination of a Regular employee. The Personnel Officer will be responsible for ensuring that an employee’s rights have been protected and the employee has been informed in writing by his/her supervisor of his/her rights under these procedures.

(b) Disciplinary actions will be administered uniformly and in progressive steps in the order listed and are usually initiated by the immediate supervisor.

(c) All disciplinary actions, including verbal counseling, will be recorded and filed in the employee’s personnel record that is maintained by the Personnel Officer. In no case shall a

counseling or warning report be made and placed in the personnel file without the employee's knowledge.

**(d)** In those disciplinary actions involving the deprivation of an employee's rights, such as suspension without pay, and/or involuntary dismissal, the Personnel Officer will ensure that "due process" procedures are strictly followed. Before the effective date of the proposed discipline, the supervisor will provide the employee notification containing the following elements:

1. Specific charges against the employee including all relevant information about the incident or behavior leading to the need for discipline;
2. Statement indicating the method of response (oral or written or both);
3. Specific time, date and place for hearing.

The notice shall be served by hand, by personal service, or by certified mail, to the affected employee. The employee may waive his/her right to a "due process" hearing after receiving the notice. All waivers must be in writing. If an employee fails to respond to the notice, the proposed disciplinary action will be effective on the date specified.

If the employee chooses to respond by appealing the disciplinary action of the supervisor, the employee's notice to appeal must be filed with the Personnel Officer and Appointing Authority within three (3) working days after receipt of the notification of disciplinary action. The appeal hearing will be held no later than ten (10) working days following service of the notice of appeal. At the hearing the employee will have the right to appear with or without counsel; to cross-examine any witnesses; and to present any evidence that is relevant to the disciplinary action.

Within three (3) working days of the conclusion of the appeal hearing, the Appointing Authority shall render a decision to:

**(a)** Affirm the disciplinary action taken by the supervisor if it is reasonably satisfied from the evidence offered at the hearing that the disciplinary action taken was lawful and not too severe;

or

**(b)** Reverse the action of the supervisor if it is reasonably satisfied from such evidence that the disciplinary action taken was not lawful;

or

**(c)** Modify the disciplinary action taken and prescribe the proper penalty if it is reasonably satisfied from such evidence that the employee was subject to disciplinary action but that the penalty imposed was too severe.

The employee shall have thirty (30) calendar days in which to appeal the decision of the Appointing Authority to the Circuit Court of St. Clair County for a de novo hearing.

## **112 Grievance Procedure**

## **1. General Provisions**

- (a) A grievance is an alleged wrong ensuing from the commission or omission of an act by a St. Clair County supervisor, official, or manager, having a significant adverse effect or impact on the employee's career or the terms and conditions of employment. It shall be the burden of the employee to provide sufficient proof of any allegations made against management.
- (b) The purpose of the grievance procedure is to permit every employee, who has successfully completed the probationary period, equal access to those individuals who make management decisions; and to provide a standard process for speedy investigation and resolution of employee complaints. The grievance procedure will not be used to resolve differences between/among employees of like rank.
- (c) No employee will be penalized in any way for exercising his/her rights under the grievance procedure.
- (d) A grievance may be withdrawn by the employee at any step in the process without prejudice.
- (e) An employee will have the right to be represented by a person, or reasonable number of persons, of his/her own choosing at any step in the grievance process.
- (f) An employee who has filed a grievance with his/her immediate supervisor and wishes to appeal the resulting decision to the Appointing Authority will be paid at his/her regular rate of pay for the time spent in the hearing if such hearing is conducted during the employee's regularly scheduled working hours. If the hearing is conducted outside the employee's scheduled working hours, he/she will not be paid for that time.
- (g) The provisions of the grievance procedure will not apply to pay reductions which are part of a general plan to reduce salaries and wages as an economic measure; provided, however, that said reductions are prorated to all employees.

## **2. Grievance Procedure**

### **Step 1**

- (a) Within ten (10) working days after the employee knows or should have known of an alleged violation or misapplication of a County personnel rule, regulation or procedure, the employee will present the matter orally or in written form to his/her immediate supervisor. If the supervisor is unavailable, or if the employee's grievance is against his immediate supervisor or the employee believes that it would be inappropriate to contact that person, the employee should immediately contact the Appointing Authority or the St. Clair County Commission Personnel Department.
- (b) The immediate supervisor, or such other person to whom the alleged violation is reported, is required to furnish the employee an answer within five (5) working days of receipt of the employee's written statement.
- (c) The immediate supervisor, or such other person to whom the alleged violation is reported, will furnish the Personnel Officer with a written statement concerning the complaint, pertinent facts and his/her decision.

## Step 2

**(d)** If the Grievant is not satisfied at Step One, he/she may submit an appeal to the Appointing Authority and Personnel Officer within three (3) working days from the date of the Supervisor's decision. The appeal will be presented in writing and will contain the following:

1. a statement of the rule(s), regulation(s) or procedure(s) that have been violated or misapplied, with the dates and descriptions of such violation(s) or misapplication(s);
2. the specific remedy which is being sought;
3. previous supervisory decision;
4. a notice of appeal of decision, and a request for hearing by the Appointing Authority.

**(e)** Within fifteen (15) working days of the notice of appeal, the employee will be allowed to appear before the Appointing Authority with reasonable representation of his/her choice, if he/she desires.

**(f)** The Appointing Authority will hear the employee's grievance, gather pertinent documents, interview witnesses as necessary, and prepare a written statement of fact.

**(g)** Within ten (10) working days of the hearing, the Appointing Authority will make the final determination in the case. The decision of the Appointing Authority shall be final and conclusive.

**(h)** The Appointing Authority will furnish the Personnel Officer a written statement concerning the complaint, pertinent facts and dates, and the decision made.

## **113 Political Activity** Code of AL (1975) Section 17-1-7 amended 1995

County employees shall not be denied the right to participate in city, county, state or national political activities to the same extent as any other citizen of the State of Alabama including endorsing candidates and contributing to campaigns of his or her choosing. County employees shall have the right to join local political clubs and organizations, and state or national political parties. All persons in the employment of the County shall have the right to publicly support issues of public welfare, circulate petitions calling for or in support of referendums, and contribute freely to those of his or her choosing.

No County employee or official shall attempt to use his or her official authority or position for the purpose of influencing the vote or political action of any person.

No County employee or official shall use any County funds, property or time for any political activities.

Any County employee shall be on approved leave to engage in political action or such employee shall be on personal time before or after work and on holidays.



No County employee or official shall solicit any type of political contributions from the other employees who work for the official or employee in a subordinate capacity. No County official or employee shall coerce or attempt to coerce any subordinate employee to work in any capacity in any political campaign or cause.

Any County employee who qualifies to seek a political office of the County shall be required to take an unpaid leave of absence from his or her employment, or use accrued comp time or vacation time with the County from the date he or she qualifies to run for office until the date on which the election results are certified or the employee is no longer a candidate or there are no other candidates on the ballot. Upon being elected to County office, the employee shall submit a resignation to be effective on or before the date on which he or she will take office. This paragraph does not apply to elected officials. For further information, see Policy 603 Political Leave.

When off duty, out of uniform, and acting as a private citizen, no law enforcement officer, fire fighter, or peace officer shall be prohibited from engaging in County political activities or be denied the right to refrain from engaging in County political activities. Conversely, a County employee may not engage in County political activities when on duty, in uniform and while performing his or her official duties.

No employee shall be disciplined, penalized, or promoted or rewarded in any way because of permitted political activity or lack thereof.

## **114 Classification and Pay Plan**

### **Classification Plan**

Each position in the County service will have a job description approved by the Appointing Authority and the St. Clair County Commission. The job descriptions will describe the education requirements, essential duties, knowledge, skills, and abilities necessary to perform the essential functions of the job, with or without reasonable accommodation.

Every position in the County Service shall be listed in a Classification Plan Allocation List established, maintained, and approved by the St. Clair County Commission. An employment category shall be designated for every position on the list. No deviations will be made from the approved classification plan. When necessary, the plan or a particular job in the plan may be amended by the County Commission. The approved classification plan will be maintained and kept on file in the County Personnel Department.

### **Pay Plan**

The pay of all employees other than those whose pay is established by State Law, shall be fixed by the St. Clair County Commission. The approved pay rates for every job listed in the classification plan will be established and maintained in a Pay Grade Schedule and will be used to determine the pay of employees paid from County funds. The approved Pay Grade Schedule will be kept on file in the County Personnel Department.

The appropriate Appointing Authority and the Personnel Officer are responsible for ensuring that the County pay plan is strictly followed.

Employees may be assigned to perform the duties of either a higher or lower classification for a period of time not to exceed 10 working days without approval of the County Commission.

The employee shall be paid the rate of pay of the higher classification for the hours worked in that classification. An employee required to perform the duties of a lower classification shall be paid at their regular rate of pay if it is higher than the classification to which they are assigned. If an employee's classification is changed to a lower or higher classification, the rate of pay shall be the rate for the classification. (Also see Section 207, Lay-off and Recall.)

## **115 Recruitment and Hiring Revised and Amended March 26, 2013**

### **1. Filling existing positions**

- a) The department head in whose department the vacancy occurs will notify the Personnel Office by presenting a Personnel Requisition form that has been approved by the County Commission indicating all pertinent qualifications and requirements for the position. The Personnel Office is responsible for preparation of vacancy notices.
- b) All vacancies will be open to regular full-time County employees who have been hired through established hiring procedures first. The job vacancy must first be posted "in house" in all departments and other areas readily accessible to employees and shall remain posted and open for 5 working days after the date of posting. Interview time should also be included in the posting/advertisement. Regular full-time County employees interested in applying for these positions must submit application to the Personnel Office. Occasional, part-time, and contract employees are only eligible to apply for vacancies in the department to which they were originally hired.
- c) After the closing date for receipt of applications, the Personnel Office will forward all applications to the appropriate Appointing Authority. The Appointing Authority will conduct interviews and background checks as deemed appropriate and shall notify the Personnel Office of the individual selected.
- d) It is the intent of the County to fill vacancies with persons who have the most potential for success. In the event two or more employees satisfy all qualifications and assessments of the Appointing Authority, the most senior applicant shall be selected.
- e) If no acceptable candidate is available from eligible County employees, or if the Appointing Authority has reason to believe that a better suited candidate may be available from sources other than from within the County service, the Personnel Office will be instructed to initiate external recruitment procedures.

### **2. External Recruiting Procedures**

- a) Recruitment will comply with the provisions of Subsection 1 of Section 115 of the St. Clair County Employee Handbook, Filling Existing Positions, **BEFORE** it is initiated outside County service.
- b) Active recruitment for full-time, part-time, occasional, and temporary employees from the general public will be accomplished through any number of recruiting methods including but not limited to advertisement in digital/printed newspaper, digital/printed professional job

listings and websites, the Alabama State Employment Service, and word of mouth. Vacancy notices should be posted/advertised for no more than 30 calendar days and should also be posted in other publicly accessible areas within the County including areas that are readily accessible to the disabled. Candidates will be notified by the Appointing Authority of interview time and location.

- c) Applications for employment can be obtained from and submitted to the Personnel Office. The personnel office will then forward all applications and resumes, if applicable, to the Appointing Authority. Occasional, part-time, and contract employees of the County can apply for vacancies in departments other than that for which they were originally hired through this procedure.
- d) After interviews and background check, as deemed appropriate, the Appointing Authority shall notify the Personnel Office, in writing, of the individual selected. The offer of employment should be extended to the applicant contingent upon all required documentation, physical examinations, drug testing, being performed and satisfactory.
- e) **Under no circumstances shall an applicant be allowed to commence working until ALL required records and testing have been completed, and it shall be the responsibility of the supervisor of the applicant to ensure that all processing, including but not limited to required drug testing, physicals, etc, has been completed prior to the applicant commencing work.**
- f) If the selected applicant does not complete the required processing or does not complete the probationary period, recruitment procedures may be initiated again.

### **3. Transfer and Promotion**

- a) Any employee in the regular employment classification may with his/her consent and approval of the involved Appointing Authorities be transferred to a similar position of the same Pay Grade in the regular full-time or part-time service without being subject to a new probationary period. Transfers are not promotions unless the specific conditions for promotions are met.
- b) A promotion is the assignment of an employee from one job classification to another on a higher pay grade. Promoted employees will be paid according to the Pay grade to which they have been promoted. Regular full-time and regular part-time employees will retain years of service on the pay scale. A new probationary period is not required if the original probationary period has been completed.

### **4. Establishing and Filling Newly Created Positions**

- a) When an Appointing Authority determines the necessity to establish a new position which has not been approved in the current fiscal year operating budget, the Appointing Authority shall complete the following documents and furnish them to the Personnel Office:

1. Personnel requisition
  2. Written statement setting out and supporting the need for the new position
- b) A description of the requirements and duties of the position
- c) In coordination with the Appointing Authority, the Personnel Office shall prepare a job description and recommend proper pay grade. Thereafter, the Appointing Authority shall submit the job description and recommended pay grade to the County Commission. If approved by the County Commission, appropriate recruitment actions should commence in accordance with Subsections 1 and 2 of Section 115 of the St. Clair County Employee Handbook.

## **201 Employment Categories Revised and Amended May 12, 2013**

It is the intent of the County to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws.

In addition to the above categories, each employee will belong to one other employment category:

### **Contract Employees**

Those employees, full-time or part-time, whose employment is governed through a legal binding contract between the County Commission and the employee. County benefits for contract employees will be outlined within the employee's contract.

### **Regular Full-Time Employees**

Those employees who have successfully completed the probationary period and who regularly work at least forty (40) hours in a workweek. Regular full-time employees are eligible for all County-provided employee benefits in accordance with guidelines established by the County Commission for such benefits.

### **Regular Part-time Employees**

Those employees who have successfully completed the probationary period and who regularly work no more than twenty-nine (29) hours in a workweek. Part-time employees shall be strictly limited to 29 hours of work or less in a workweek. Part-time employees are not eligible for any County provided benefits unless provided by law. Part-time employment will count as continuous years of service but will NOT apply to Longevity Pay. (See Section 312). Jail employees must complete the required Jail Management Training before being eligible to move from occasional to regular part-time employment.

### **Temporary Employees**

Those employees who have been approved for employment to perform temporary functions or to fill established jobs for a limited period of time. Temporary employees may also be used to fill critical vacancies, when due to unforeseen circumstances, an eligible candidate is not available. Temporary employees will work either a full or part-time workweek. Temporary employment will not exceed sixty-five (65) consecutive day's duration. Temporary employment will not count as continuous years of

service if a temporary service employee is hired for a regular full-time or part-time job. Temporary employees will not be converted from temporary service to full-time or part-time service unless they apply and are selected in accordance with the staffing guidelines of these policies and procedures. Temporary employees will not be given preferential consideration over any other applicant. The purpose of this requirement is to ensure that temporary service employment is not used to by-pass the required selection criteria established by these policies and procedures and federal laws. Temporary employees are not eligible for any County benefits unless provided by law.

### **Occasional Employees**

Those employees who have been approved to perform functions or to fill established jobs on a “call in” basis. Occasional employment will not count as continuous years of service if an occasional service employee is hired for a regular full-time or part-time job. Occasional employees will not be converted to the full-time or part-time service unless they apply and are selected in accordance with the staffing guidelines of these policies and procedures. Occasional employees will not be given preferential consideration over any other applicant. The purpose of this requirement is to ensure that occasional service employment is not used to bypass the required selection criteria established by these policies and procedures and federal laws. Occasional employees are not eligible for any County benefits unless provided by law.

### **Provisional Appointment**

Should a critical vacancy arise in the County Service, the position may be filled by provisional appointment for a period not to exceed 14 working days, during which time the vacancy will be advertised in the normal manner.

## **202 Access to Personnel Files**

The County maintains a personnel file on each employee. The personnel file includes such information as the employee’s job application, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of the County, and access to the information they contain is restricted. Generally, only the Appointing Authority or Supervisor of a Department who has a legitimate reason to review information in a file is allowed to do so. No Appointing Authority or Department Supervisor may review files of an employee in another department.

Employees who wish to review their own file should contact the Personnel Department. With reasonable advance notice, employees may review their own personnel file in the County’s offices and in the presence of the County Personnel Officer.

Information on an employee’s medical condition or history will be kept separate from other employee information and maintained confidentially. (See Section 801.)

## **203 Employment Reference Checks**

To ensure that individuals who enter the County service are well qualified and have a strong potential to be productive and successful, it is the policy of the County to check the employment reference of all applicants.

No employment data of any kind will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

The County will respond in writing only to those reference check inquiries that are submitted in writing. Inquiries pertaining to job quality will be forwarded to the respective elected official or office supervisor. Responses to other inquiries will confirm only dates of employment, wage rates, and position(s) held.

## **204 Personnel Data Changes**

It is the responsibility of each employee to promptly notify the County of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, number of withholding allowances for income tax, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times.

## **205 Probationary Period**

The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The Appointing Authority uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the Appointing Authority may end the employment relationship at will at any time during the probationary period, with or without cause or advance notice. Probationary employees are not entitled to use the Employee Right of Appeal/"Due Process" Procedure.

All new and rehired employees work on a probationary basis for the first 90 calendar days after their date of hire. Any significant absence will automatically extend the probationary period by the length of the absence. If the Appointing Authority determines that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee's performance, the probationary period may be extended for a specified period.

During the probationary period, all new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. Full-time probationary employees are granted the same benefits as regular full-time employees with the exception that accrued annual and sick leave may not be used until the employee has successfully completed the probationary period. During the probationary period, a new employee must be on the job for a full 80 hours each pay period to be eligible to accrue leave time.

Upon successful completion of the probationary period, the employee will enter the regular employment classification, either full-time or part-time.

## **206 Seniority**

Seniority shall be defined as the continuous length of service since date of hire as a regular full-time or regular part-time employee with St. Clair County and shall be classified as either:

### **County Seniority**

The continuous length of service since date of hire regardless of department, or

### **Departmental Seniority**

The continuous length of service within a particular department.

Seniority shall continue to accumulate during military leave, annual leave, sick leave, jury leave, witness leave, bereavement leave, or any other leave described in this handbook, including absences due to lay-off.

An employee shall cease to have any seniority if he or she:

1. Resigns;
2. Is discharged for just cause;
3. Has been on continuous lay-off for a period of 24 months or more;
4. Retires.

Seniority shall be computed exclusively on a departmental basis only for the purpose of: job transfers, promotion, lay-off and recall of employees, and other inter-departmental matters, i.e., vacations.

## **207 Reduction in Force**

### **Lay-off and Recall**

In the event that a lay-off or reduction in work force becomes necessary, DEPARTMENTAL SENIORITY according to specific job classifications within the department shall be the criterion used. Full-time employees shall be laid off in reverse order of hiring.

All Temporary, Part-time and Probationary employees shall be laid off prior to any full-time employees in the same department. Under no circumstances shall a temporary, part-time or probationary employee be allowed to work while a full-time employee in the same department is on reduced hours or lay-off.

All employees shall be given 2 weeks notice prior to lay-off. Employees notified of lay-off may elect to receive pay for all or any portion of unused annual leave, if available. Employees utilizing their annual leave under this article shall not be eligible for Unemployment Compensation until the expiration of their annual leave.

The County Commission may, at its discretion, and as an alternative to lay-off, decrease the number of hours normally worked by employees in a given department, in order to allow the maximum number of full-time employees to continue to work on a regular basis.

Laid off employees shall be notified of recall by certified mail, return receipt requested, mailed to the employee's last known mailing address. An employee notified of recall shall have a maximum of 2 weeks in which to report for work. A medical examination may be required before re-employment. (See Section 106.)

Employees who have been laid off shall retain recall rights for a period of 24 months from the date of lay-off.

As a last resort to lay-off, employees may be transferred from one department to another if a vacancy exists and the employee is qualified. Transfers shall be by seniority with the least senior employee being transferred first.

## **208 Employment Applications**

The County relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentation, falsifications, or material omissions in any of this information or data may result in the County's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

## **209 Performance Evaluation**

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at the end of an employee's initial period in any new position. This period, known as the probationary period, allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance reviews may be conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

## **301 Employee Benefits**

Eligible employees of the County are provided a wide range of benefits. The available benefits and eligibility for those benefits are subject to change from time to time, depending on the benefit plan currently in effect. A number of the programs (such as Social Security, Workers' Compensation and Unemployment Insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor or the Personnel Department can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in this employee handbook.

The following benefit programs are available to eligible employees as of this printing:

Annual Leave



Benefit Conversion/Continuation at Termination  
Bereavement Leave  
Cancer and Intensive Care insurance  
Credit Union  
Dental Insurance  
Family/Medical Leave  
Hand Gun Certification (Sheriff's Department)  
Holidays  
Jury Duty Leave  
Life Insurance  
Longevity Pay  
Medical Insurance  
Medical Insurance for Retired Employees  
Military Leave  
Retirement Plan  
Shift Differential Pay  
Short-Term Disability Insurance  
Sick Leave Benefits  
Tax Sheltered Annuities  
Uniforms and Clothing Allowances  
Voting Time Off  
Witness Duty Leave  
Workers' Compensation Insurance

Some benefit programs require contributions from employees, but most are fully paid by the County. The benefit package for regular full-time employees represents an additional cost to the County of approximately 60 percent of wages.

## **302 Retirement Plan**

Participation in the Retirement Systems of Alabama is mandatory if an individual is employed in a position that is eligible for coverage and is employed in a non-temporary capacity on at least a one-half time basis earning at least the federal minimum wage.

The County will withhold from employees' salaries each pay period the amount required as employee contribution.

The County will contribute the required amount on behalf of the employee. Other deferred compensation plans may also be available. You may check with the Personnel Department for specific information.

Unused sick leave may be converted to retirement service credit. Resolution 99-15, (4-13-99).

As a benefit for employees who retire according to the requirements of the Retirement System of Alabama, St. Clair County will provide health (hospital) insurance benefits for the retiring employee and dependents, according to Resolution 99-14 as amended June 22, 1999.

## **303 Annual Leave**

Annual leave (time off) with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use Annual Leave as described in this policy:

**Regular Full-time Employees**

The amount of paid annual leave employees receive each year increases with the length of their employment as shown in the following schedule.

Earning Schedule

<u>Years of Eligible Service</u>	<u>Hours bi-weekly</u>
Upon initial eligibility	4 hours
After 5 years	5 hours
After 10 years	6 hours
After 15 years	7 hours
After 20 years	8 hours

The length of eligible service is calculated on the basis of a “benefit year.” This is the 12-month period that begins when the employee starts to earn annual leave. An employee’s benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.)

Once employees enter an eligible employment classification, they begin to earn paid annual leave time according to the schedule. Leave time may not be used until an employee has successfully completed the probationary period. Employees must be on the job for a full 80 hours each pay period to be eligible to accrue leave time.

Paid annual leave can be used in minimum increments of one-quarter hour. To request annual leave, employees must complete a “Request for Leave” form and have the signed approval of the supervisor or department head. Employees shall request annual leave as far in advance as possible, but no less than 1 week prior to planned date of leave, except in extraordinary circumstances. Requests will be reviewed based on a number of factors, including County operation needs and staffing requirements. The County reserves the right to cancel scheduled annual leave in the event that employees are needed to maintain effective County operations. Every eligible employee, however, shall be entitled to use at least 5 days of accumulated annual leave between June 1 and August 31 of each calendar year.

Vacation scheduling shall be determined by the use of a department vacation procedure. Each County department shall post a vacation list on the first work day of January through January 31 of each year and shall indicate the number of employees who may take annual leave during each week of the calendar year, beginning January 1 and ending December 31. Employees may sign the vacation list during the month of January indicating their preference for vacation scheduling. Vacations shall be scheduled according to Departmental Seniority, with the most senior employee being awarded their preference, the next most senior, and so on. In the event that a greater number of employees sign for a given week than may be scheduled off, the most senior employees shall be awarded the desired week. Requests for annual leave not signed for during the month of January shall be granted on a first come, first service basis, without regard for seniority.

Annual leave is paid at the employee’s base pay rate at the time of leave. It does not include overtime or any special forms of compensation except shift differential, if applicable.

Holidays that fall within an employee's scheduled vacation will be paid as a holiday and the day will not be charged against vacation/annual leave.

As stated above, employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits. In the event that available annual leave is not used by the end of the last pay period in December of each year, employees may carry unused time forward to the next calendar year, up to a maximum of 240 hours.

Upon termination of employment and after all County equipment and supplies have been returned or accounted for, employees will be paid for unused annual leave time that has been earned through the last day of work up to a maximum of 240 hours, paid at employee's base pay rate at time of termination.

Leave time paid upon termination of employment, including retirement, must be taken in a lump sum payment.

Annual leave may be used as sick leave at the employee's discretion.

Paid time off for vacation will not be counted as worked for the purpose of determining overtime.

## **304 Holidays**

The County will grant holiday time off to all regular full-time employees according to a schedule approximating the holidays granted to employees of the State of Alabama. The St. Clair County Commission shall, at the beginning of each year, establish the specific dates to be observed as official paid holidays.

According to applicable restrictions, the County will grant paid holiday time off to all regular full-time employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) x 8 hours for each holiday.

Each department shall, at the beginning of the calendar year, post a schedule of paid holidays for that year as designated by the St. Clair County Commission. The Commission shall designate those paid holidays on which the Courthouse will be closed. The Commission may also designate additional holidays beyond those established in these policies and procedures. The Department Head may not schedule or approve any holiday other than those officially designated by the St. Clair County Commission.

To be eligible for holiday pay, employees must be present to work, or on approved leave with pay on the last scheduled day immediately preceding and the first scheduled day immediately following the holiday.

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday (Act #91-250). Exceptions may be made in County Departments which must remain open to provide adequate services to the citizens of the County. Holidays will be scheduled in accordance with departmental needs. Time off for a holiday worked shall be scheduled by the employee's supervisor within the pay period, if possible, or during the next pay period.

If a recognized holiday falls during an eligible employee's paid absence (e.g., vacation, sick leave), holiday pay will be paid instead of the paid time off benefit that would otherwise have applied. In addition to the holidays when County operations are closed, some floating holidays may be granted. These holidays must be scheduled with the prior approval of the employee's supervisor, and may not be taken until the official date of the holiday or after.

Paid time off for holidays will not be counted as worked for the purposes of determining overtime.

## **305 Worker's Compensation Insurance**

The County provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized immediately. Employees injured on the job who require 3 days leave or less, shall receive their regular hourly rate of pay for such period.

Earned leave time may be coordinated with Workers' Compensation benefits up to a maximum, but not to exceed, employee's regular salary. When accumulated leave benefits have been exhausted, the employee will receive only Workers' Compensation benefits. All County-provided benefits will be suspended for the duration of time an employee is receiving ONLY Workers' Compensation benefits.

Employees returning to work from drawing Workers' Compensation benefits must provide a release signed by a qualified physician.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported. If medical treatment is necessary, employees should seek treatment at one of the medical facilities authorized by the County.

It is the supervisor's responsibility to direct employees to the proper treatment facility and to complete and forward the standard "Employer's First Report of Injury or Occupational Disease" form to the Personnel Office as soon as possible. This will enable an eligible employee to qualify for coverage as quickly as possible.

## **306 Sick-Leave Benefits**

The County provides paid sick-leave benefits to all regular full-time employees for periods of temporary absence due to illnesses or injuries. Regular full-time employees will accrue sick-leave benefits at the rate of 4 hours per pay period. Sick-leave benefits are available to employees who have completed the ninety (90) day probationary period. During the probationary period, a new employee must be on the job for a full 80 hours each pay period to be eligible to accrue sick leave. Paid sick leave can be used in minimum increments of one-quarter hour. Regular full-time employees may use sick-leave benefits for

an absence due to their own illness, injury or incapacitation or that of an immediate family member as defined in section 105.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday if possible. The direct supervisor must also be contacted on each additional day of absence.

If an employee is absent due to illness or injury, a physician's statement may be requested verifying the illness or injury and its beginning and expected ending dates. Such verification may be required as a condition to receiving sick-leave benefits. Before returning to work from a sick-leave absence, an employee may be requested to provide a physician's verification stating that he or she may safely return to work.

Sick-leave benefits will be calculated based on the employee's base pay rate at the time of absence.

Unused sick-leave benefits will be allowed to accumulate until the employee has accrued a total of 1200 hours of sick-leave benefits. If the employee's benefits reach this maximum, further accrual of sick-leave benefits will be suspended until the employee has reduced the balance below the limit. There shall be no carry-over or accumulation of sick leave beyond this maximum and no monetary payment of unused sick-leave credits may be made except as provided in the following paragraph:

Unused sick-leave credits up to a maximum of 600 hours shall be paid upon the death or retirement of an eligible County employee (Minutes 1/14/92). Such leave credits must be taken in a lump-sum payment (Minutes 11/24/92). Unused sick-leave benefits will not be paid to employees while they are employed or upon termination of employment except as above. Sick leave may be converted to retirement service credit as defined in Resolution 99-14 dated 4-13-99.

Sick-leave benefits are intended solely to provide income protection in the event of illness, injury or incapacitation and may not be used for any other absence. Abuse of sick leave or falsification of records regarding sick leave may be cause for dismissal. Sick leave cannot be used in lieu of vacation or personal time.

When an employee is absent due to an injury for which compensation is provided under the Worker's Compensation Law of Alabama, benefits shall be paid in accordance with such law. Any accrued annual leave or sick-leave payment may be coordinated when an employee is receiving Worker's Compensation to equal one-hundred percent (100%) of the employee's normal pay.

## **307 Time Off to Vote**

The County encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their nonworking hours, the County will grant up to two hours of unpaid time off to vote.

Employees should request time off to vote from their supervisor at least two working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

## **308 Bereavement Leave**

Bereavement leave (time off) may be granted to a regular full-time employee due to the death of an immediate family member. If an employee wishes to take bereavement leave, the employee should notify his or her supervisor immediately.

Bereavement pay is calculated based on the employee's pay rate at the time of absence. Bereavement leave is not accruable and monetary payment shall not be granted in lieu of time away from work.

Bereavement leave will be approved except in unusual circumstances when the employee is needed to maintain effective County operations. An eligible employee may, with supervisor's approval, use any available paid leave for additional time off as necessary.

Bereavement leave will be granted for a death in the employee's immediate family as follows:

Up to 24 hours for the EMPLOYEE'S: Spouse, parent, child, brother or sister, grandchild, grandparent, spouse's parent, spouse's child, child's spouse.

Up to 16 hours for the EMPLOYEE'S: Spouse's brother or sister, brother's or sister's spouse, spouse's grandparent.

Up to 8 hours for the EMPLOYEE'S: Uncle, aunt, niece or nephew.

Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships at the discretion of immediate supervisor.

## **309 Jury Duty**

1. St. Clair County recognizes the duty of its employees to fulfill their civic responsibilities by serving on juries when required and shall pay the employee at his/her base rate for the regular working hours that the employee is absent in response to the summons. Employees receiving summons for jury duty are subject to the following requirements:

(a) On the next succeeding working day following receipt of the summons to jury duty, the employee shall present said summons to his/her immediate supervisor.

(b) In the event the employee is temporarily excused from attendance in the courtroom, said employee shall immediately report for work until his attendance is again required in the courtroom.

(c) Immediately upon dismissal as a juror, the employee shall report for work.

2. The employee or his/her supervisor may request that the employee be excused from jury duty if, in the supervisor's judgment, the absence of the employee would create serious operational difficulties.

## **310 Witness Subpoena**

1. St. Clair County recognizes the duty of its employees to appear in court in response to a subpoena and shall pay the employee at his/her base rate for the regular working hours that the employee is absent in response to the subpoena. Employees receiving a subpoena are subject to the following requirements:

(a) On the next succeeding working day following receipt of the subpoena, the employee shall present said subpoena to his/her immediate supervisor.

(b) Immediately upon release from said subpoena, the employee shall report for work.

2. The employee or his/her supervisor may request that the employee be placed "on call" if, in the supervisor's judgment, the absence of the employee would create serious operational difficulties.

### **311 Benefits Continuation (COBRA)**

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the County's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the County's group rates plus an administration fee, unless the amount is dictated under current Federal Law.

The County provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the County's health insurance plan. The notice contains important information about the employee's rights and obligations.

### **312 Longevity Pay**

Eligible, full-time employees shall be paid longevity pay in addition to their regular pay. Longevity pay shall be paid to all eligible employees on the last payday in November of each year. One year's service shall be computed from an employee's anniversary date of employment as a full-time employee of St. Clair County. Longevity pay shall be computed based on continuous years of service, which shall be defined as years of service not interrupted by resignation or termination for just cause. To be eligible for longevity pay or increase, the employee's anniversary date must fall on or before the last day of the last pay period in November.

Longevity pay for eligible employees shall be computed according to the following schedule unless changed by the St. Clair County Commission.

5 years to 10 years service	\$425.00 per year
10 years to 15 years service	\$475.00 per year
15 years to 20 years service	\$575.00 per year
20 years service or more	\$675.00 per year

(Minutes 8/27/85)

### **313 Shift Differential**

All employees assigned or required to work on the Evening Shift (3:00 p.m. to 11:00 p.m.) or Night Shift (11:00 p.m. to 7:00 a.m.) will be paid an additional pay step differential. Shift differential shall be considered as base wages for overtime and paid leave purposes for those employees assigned to the evening or night shift. An employee who works 3 hours or more on a shift for which a shift differential is paid shall receive the shift differential for those hours worked on said shift.

### **314 Uniform and Clothing Allowances**

All uniforms provided for County employees are subject to budgetary approval.

Full-time Sheriff's deputies shall receive uniform cleaning allowances or clothing allowances on the last day of each month, subject to budgetary approval.

### **315 Hand Gun Certification**

It shall be the policy of the County Commission and the Sheriff of St. Clair County that all full-time law enforcement officers of the St. Clair County Sheriff's Department who meet the Alabama Minimum Standards Act for Law Enforcement Officers be formally certified at least annually in the use of their service weapon. Such certification shall be by an appropriate and normally recognized authority.

The County Commission shall provide the Sheriff of St. Clair County with the necessary funds to purchase a minimum of two (2) fifty (50) round boxes of ammunition for each full-time officer to be certified.

### **401 Timekeeping**

Accurately recording time worked is the responsibility of every employee. Federal and state laws require the County to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is the time actually spent on the job performing assigned duties.

Employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time records may result in disciplinary action, up to and including termination of employment.



Employees should report to work no more than ten minutes prior to their scheduled starting time nor stay more than ten minutes after their scheduled stop time without expressed, prior authorization from their supervisor.

It is the employee's responsibility to sign his or her time record to certify the accuracy of all time recorded. The supervisor will review and then sign the time record before submitting it for payroll processing.

## **402 Daylight Savings Time**

Twice each year when Daylight Savings Time changes during a shift of work, full-time County employees will be given the following options:

1. Fall, clock set back 1 hour, 9 hour shift: Option of over-time pay or compensatory time off.
2. Spring, clock set ahead 1 hour, 7 hour shift: Option of taking annual leave or accumulated compensatory time (if available) to bring total to 8 hours, or receive pay for 7 hours only.  
Employees will be asked to choose an option in advance, and this will be noted on the time card.

Part-time employees will be paid for exact total of hours worked.

## **403 Paydays**

All employees are paid bi-weekly on every other Friday. Payroll periods are 14 calendar days in length. Each 7-day period within the payroll period stands alone in computing hours worked (with the exception of designated law enforcement positions) as established by the FLSA. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

In the event that a regularly scheduled payday falls on a holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

Paychecks will be distributed by supervisors, and will not be released to anyone other than the employee without the expressed permission of the employee.

Annual step raises are based upon satisfactory service and are subject to the approval of the Appointing Authority and/or Supervisor. These pay increases are effective the next full pay period after the employee's anniversary date.

Questions regarding time, hours worked, or pay should be discussed ONLY with supervisors or the Personnel Department.

## **404 Employment Termination**

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at

termination will be paid after all County equipment and supplies have been accounted for. Some benefits may be retained at the employee's expense if the employee so chooses.

Below are examples of some of the most common circumstances under which employment is terminated.

**Resignation** – A voluntary act initiated by the employee to terminate employment with the County. Notice should be given as far in advance as possible, but the County requests at least two weeks' written resignation notice from all employees. If an employee does not provide advance notice as requested, the employee may be considered ineligible for rehire.

Unauthorized absence from work for a period of 3 consecutive working days without notification may be considered by the Department Head as a voluntary resignation.

**Discharge** – For good cause, the Appointing Authority may implement termination proceedings. (See Section 111 – Disciplinary Actions.)

**Layoff or Reduction in Force** – Involuntary employment termination initiated by the organization for nondisciplinary reasons. (See Section 207 – Reduction in Force – Lay-off and Recall.)

**Retirement** – Voluntary employment termination initiated by the employee meeting age, length of service and any other criteria for retirement from the County.

Written notice of the employee's intent to retire should be given to the Personnel Department 90 days prior to the effective date of retirement, if possible, but in no case less than 30 days prior to the date of retirement. Such notification is necessary to ensure that benefits begin at the proper time. Direct Deposit is available for benefit checks.

Details, procedures and assistance for the retiring employee may be obtained from the Personnel Department. (See Section 302 – Retirement Plan.)

**Disability** – Separation due to a disability may be initiated by either the employee or the County if the essential functions of the job cannot be performed with reasonable accommodation. In all cases the separation action must be supported by medical evidence. The County may require an examination by a physician of its choice. Job related disability will be governed by Worker's Compensation laws of the State of Alabama.

**Death** – Separation is effective as of the date of death. All accrued compensation as of that date, any accrued annual leave up to 240 hours maximum, any accrued sick leave up to 600 hours maximum, and any accrued compensatory time will be paid to the employee's estate or designated beneficiary or agent. Any indebtedness to the County, when approved by the County Commission, will be withheld from final compensation.

The Personnel Department will give assistance in filing claims for life insurance and retirement benefits.

## **405 Administrative Pay Corrections**

The County takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Personnel Department so that corrections can be made as quickly as possible.

## **406 Pay Deductions**

The law requires that the County make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The County also must deduct Social Security taxes on each employee's earnings up to a specified limit, called the Social Security "wage base." The County matches the amount of Social Security paid by each employee.

The County offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, your supervisor can assist in having your questions answered, or you may contact the Personnel Office.

## **501 Work in a Different Capacity**

As a result of restriction in the Fair Labor Standards Act, no employee in any employment category with St. Clair County will be allowed to work in a different capacity for St. Clair County at the same time except with prior approval of each Appointing Authority concerned, and the St. Clair County Commission.

## **502 Safety**

To assist in providing a safe and healthful work environment, each employee is expected to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor, elected official or the Personnel Office. Supervisors are particularly responsible for the safety training, performance, and behavior of employees under their supervision and ensuring that tools, materials, supplies, equipment, and vehicles are in safe operating condition. Prompt action must be taken when it is determined that the health or safety of County employees is jeopardized.

Employees may be subject to disciplinary action, up to and including termination of employment, if they **violate safety standards** or **cause hazardous/dangerous situations**. In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the appropriate supervisor or the Personnel Office. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

## **503 Work Schedule**

Work schedules for employees vary throughout our organization. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

## **504 Communications**

The use of County-owned computers for illegal or immoral purposes is not permitted and will result in disciplinary actions which may include termination. (For further information, see St. Clair County Computer Use Policy #34.)

Personal use of County-owned telephones for long-distance and toll calls is not permitted. Employees should practice discretion in using County telephones when making local personal calls. Reimbursement will be required for any charges resulting from personal use of telephones.

To assure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner, confirm information received from the caller, and hang up only after the caller has done so.

The County mail system is reserved for business purposes only. Employees should refrain from receiving personal mail at the workplace. The use of County-paid postage for personal correspondence is not permitted.

Failure to so conduct oneself in compliance with this policy may result in suspension, dismissal and/or other disciplinary actions. Actions, words, jokes or comments based on an individual's sex, race, ethnicity, age, religion or any other legally protected characteristic will not be tolerated.

## **505 Smoking**

In keeping with the County's intent to provide a safe and healthful work environment, smoking is prohibited throughout the workplace.

## **506 Rest and Meal Periods**

Each workday, all County employees are provided with two rest periods of 15 minutes in length. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstation beyond the allotted rest period time.

All County employees except the Road Department employees are provided with one meal period of 60 minutes in length each workday. All Road Department employees will have one meal period of 30 minutes in length each workday. Supervisors will schedule meal periods to accommodate operating requirements. Employees must be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

Employees may not, on a regular basis, take less than their normal meal period in order to accumulate additional time.

## **507 Overtime and Compensatory Time**

In all decisions pertaining to overtime or compensatory time, the Fair Labor Standards Act as amended will be strictly applied. Overtime is calculated on all hours “worked” over 40 hours per week.

Any work over an established workweek is strongly discouraged, and the Appointing Authority and supervisor must not permit unauthorized work. Employees who work overtime without receiving prior authorization may be subject to disciplinary action.

If overtime work should become necessary to meet County requirements, the following procedures should be followed:

1. Before any overtime work is performed, the Appointing Authority and the employee must agree on the form of compensation for the overtime hours.
2. If an employee requests to be paid for the proposed overtime work the Appointing Authority must come before the County Commission to ask for, and get approval of, additional funding to cover payment of the overtime hours.
3. If the employee agrees before overtime work is scheduled to accept compensatory time, the employee will be granted compensatory time off at the rate of one-and-one-half the hours worked.

A maximum of 480 hours compensatory time may be accumulated by law enforcement employees and a maximum of 240 hours compensatory time for all other County employees. All compensatory time exceeding the maximum hours must be paid as overtime.

For overtime hours worked, employees of the Sheriff’s Department who meet the definition of a law enforcement officer under the Minimum Standards and Training Act for Peace Officers in the State of Alabama, shall have the option of pay or compensatory leave as provided by law. The employee shall indicate on the time card if overtime pay or compensatory leave time is desired.

Employees who are subject to call by the Appointing Authority will be required to work if notified in the time of emergencies such as inclement weather, dangerous road conditions, or any other emergency situation that would require the providing of necessary services to the citizens of the County. Any hours worked by non-exempt employees due to being called will be compensated at one-and-one-half the employee’s regular rate of pay for the actual hours worked.

## **508 Use of Equipment and Vehicles**

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The value of an employee's personal usage of County vehicles for commuting will be included in W-2 forms annually. This value will be computed under an applicable method established by IRS regulations.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

A Commercial Drivers License (CDL) is required for every regular full-time position in the St. Clair County Road Department with the exception of the Officer Manager position. New employees who do not have a CDL will be allowed the 90 days probationary period to obtain the CDL at their own expense. Failure to do so will result in automatic termination. (Minutes 4/9/91)

## **509 Emergency Closings**

At times, emergencies such as severe weather or power failures can disrupt County operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs during nonworking hours, local radio and/or television stations will be asked to broadcast notification of the closing.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid. Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances employees who work will receive over-time pay.

Non-essential employees who volunteer to work when operations are officially closed will receive regular pay only.

Essential operations are defined as follows:

Central Dispatch  
Emergency Management Agency  
Highway Department  
Jail Personnel  
Juvenile Detention Personnel  
Sheriff's Department

If operations are not officially closed, employees will be expected to report to work as soon as they may safely do so. Time missed from work will be charged to available leave time.

## **510 Business Travel Expenses**

The County will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by the County Commission.

Employees whose travel plans have been approved are responsible for making their own travel arrangements.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by the County. Employees are expected to limit expenses to reasonable amounts.

When County-owned credit cards are used for travel, only expenses for the authorized official/employee can be charged. The law does not allow St. Clair County to lend its credit to anyone other than the authorized County official or employee, even where the employee agrees to reimburse and/or intends to reimburse and/or actually reimburses the County for unacceptable charges. Itemized receipts must be obtained for each charge made to a County-owned credit card.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor. Vehicles owned, leased, or rented by the County may not be used for personal use.

When travel is completed, employees should submit completed travel expense claims for reimbursement. Claims should be accompanied by itemized receipts for all individual expenses.

Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

## **601 Family and Medical Leave** (Family and Medical Leave Act of 1993, effective 8/5/1993, Public Law 103-3)

St. Clair County provides medical leaves of absence without pay to eligible employees who are temporarily unable to work due to a serious health condition or disability or who wish to take time off from work duties to fulfill family obligations relating directly to a serious health condition or disability, adoption, or placement of a foster child. For purposes of this policy, serious health conditions or disabilities may include inpatient care in a hospital, hospice or residential medical care facility; continuing treatment by a health care provider; and temporary disabilities associated with pregnancy, childbirth and related medical conditions.

Employees may be eligible to request family/medical leave, as described in this policy, if the employee has been on the County payroll for at least twelve (12) months, and has worked at least 1250 hours during the previous twelve (12) month period.

Eligible employees may request family/medical leave only after having completed 365 calendar days of service. Exceptions to the service requirement will be considered to accommodate disabilities. Eligible

employees should make requests for family/medical leave to their supervisor at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.

A health care provider's statement must be submitted verifying the need for family/medical leave and its beginning and expected ending dates. Any changes in this information should be promptly reported to the County. Employees returning from medical leave must submit a health care provider's verification of their fitness to return to work.

An eligible employee may take up to twelve (12) weeks of leave under this policy during any twelve (12) month period. The County will measure the twelve (12) month period as a rolling twelve (12) month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the County will compute the amount of leave the employee has taken and subtract it from the twelve (12) weeks available leave, and the remaining balance is the amount the employee is entitled to take at that time.

Any combination of family/medical leave may not exceed this maximum limit. Employees will be required to first use any accrued paid leave time before taking unpaid family/medical leave. Married employee couples may be restricted to a combined total of twelve (12) weeks leave within any twelve (12) month period for childbirth, adoption, or placement of a foster child; or to care for a parent with a serious health condition.

Employees who sustain work-related injuries are eligible for a medical leave of absence for the period of disability in accordance with all applicable laws covering occupational disabilities.

Subject to the terms, conditions and limitations of the applicable plans, the County will continue to provide health insurance benefits for the full period of the approved family/medical leave. If an employee is absent from work for more than eighty (80) hours in a one-month period, the employee will be required to pay all other insurance (County-paid or deducted) for that month or the insurance will be cancelled.

Benefit accruals, such as vacation, sick leave or holiday benefits will be suspended during the leave and will resume upon return to active employment.

So that an employee's return to work can be properly scheduled, an employee on family/medical leave is requested to provide the County with at least two weeks advance notice of the date the employee expects to return to work. When family/medical leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

If the employee fails to report to work promptly at the end of the family/medical leave, the County will assume that the employee has resigned, and the County may, under certain circumstances, recover from the employee the premium paid for maintaining health insurance coverage during the period of unpaid leave.

Nothing in this section shall be interpreted to provide rights greater than those provided by the Family and Medical Leave Act of 1993, and any inconsistencies between this section and the FMLA shall be interpreted in accordance with the FMLA.

## **602 Military Leave**



Authorization of military leave will be in accordance with the Code of Alabama, 1975, Title 31-2-13 as summarized below:

All officers and employees of St. Clair County who are active members of the Alabama National Guard, Naval Militia, the Alabama State Guard organized in lieu of the National Guard, or of any other Reserve Component of the Armed Forces of the United States, shall be entitled to military leave-of-absence from their respective civil duties and occupations on all days that they are engaged in field or coast defense or other training or on service ordered under the National Defense Act, or of the federal laws governing the United States Reserves, without loss of pay, time, efficiency ratings, annual vacation, or sick leave. Notwithstanding the foregoing, no person granted a leave-of-absence with pay shall be paid for more than 168 working hours per calendar year, and those persons shall be entitled, in addition thereto be paid for no more than 168 working hours at any one time while called by the governor to duty in the active service of the state.

Service in the National Guard or Naval Militia of Alabama, when called, drafted, or ordered into the service of the United States, shall be considered as equivalent service in the Alabama National Guard or Naval Militia for any and all state purposes regarding privileges, honors, pay allowances, and exemptions provided by law for members of the National Guard and Naval Militia of Alabama.

Employees on active duty training assignments or active duty training drills are required to return to work for the first regularly scheduled shift after the end of training, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with all applicable state and federal laws.

An employee who is called to active duty full-time will be granted a military leave without pay. Every reasonable effort will be made to return eligible employees to their previous position or a comparable one if the employee applies for reinstatement within the applicable federal period, which under normal circumstances, will not exceed 90 days following honorable separation from military service. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service, such as the rate of annual leave accrual and job seniority rights. Subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible, health insurance benefits will be provided by the County for periods of up to 30 days of military service. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue. The employee will be paid for any accumulated annual leave or compensatory time in a lump sum, if requested. Sick leave will be frozen beginning the day shown on the employee's activation orders.

During the active military leave, the Appointing Authority of the department will have the option to hire, under the same job classification, a temporary full-time employee (with full benefits) to fill the vacant position. When the regular full-time employee is reinstated, the temporary employee will be terminated. The Appointing Authority will work out the details with the County Commission and the Personnel Officer.

When the employee returns from military leave without pay, benefits will again be provided by the County according to the applicable plans.

## **603 Political Leave**

Any County employee desiring to campaign for a COUNTY political office shall be required to take an unpaid leave of absence, beginning with the solicitation of votes, or on the date of first public announcement of his or her candidacy, or upon the date of filing or otherwise qualifying, whichever occurs first.

The employee may elect to be paid for any eligible accumulated leave time in a lump-sum payment at the beginning of the leave of absence.

To request political leave, the employee must complete a "Request for Leave Form" and have the signed approval of the Supervisor and Appointing Authority.

The leave of absence will continue in effect until:

(a) The employee is elected, at which time the employee will resign from his or her classified position with the County to be effective on or before the date on which he or she will take office.

(b) The employee is defeated for political office, at which time the employee may, within 5 working days, be reinstated to his or her former position or one of comparable rank and pay.

No County employee shall campaign or otherwise engage in political activity in support of or against any candidate or any cause during the employee's working hours.

No employee shall be rewarded or penalized in any way for authorized political leave.

## **604 Pregnancy-Related Absences**

The County will not discriminate against any employee who requests an excused absence for medical disabilities associated with a pregnancy.

Such leave requests will be made and evaluated in accordance with the medical leave policy provisions outlined in this handbook. (See Section 601 Family and Medical Leave.)

Requests for time off associated with pregnancy and/or childbirth (apart from medical disabilities associated with these conditions) will be considered in the same manner as any other request for unpaid family leave. (See Section 601 Family and Medical Leave.)

## **701 Drug and Alcohol Use**

St. Clair County is committed to providing a safe work environment and to fostering the well-being and health of its employees and the general public. For these reasons, the County has implemented a DRUG-FREE WORKPLACE POLICY. Adherence with this policy is a condition of employment with the County, and all employees and independent contractors/contractor employees will be required to execute the applicable consent forms. An employee whose conduct violates this policy will be subject to discipline, up to and including termination. You will be given a copy of the ST. CLAIR COUNTY DRUG-FREE WORKPLACE POLICY in its entirety and you may request a copy of the policy at any time from the Personnel Office.

## **702 Sexual and Other Unlawful Harassment**

The County is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, or any other legally protected characteristic will not be tolerated. As an example, sexual harassment (both overt and subtle), a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship and is strictly prohibited.

Any employee who wants to report an incident of sexual or other unlawful harassment should promptly report the matter to his or her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Appointing Authority or the St. Clair County Commission Personnel Department. Employees may raise concerns and make reports without fear of reprisal.

Any supervisor who becomes aware of possible sexual or other unlawful harassment should promptly advise the Appointing Authority or the St. Clair County Commission Personnel Department who will handle the matter in a timely and confidential manner.

Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

## **703 Attendance and Punctuality**

To maintain a safe and productive work environment, the County expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the County. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

## **704 Personal Appearance**

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the County presents to customers and visitors.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions.

Consult your supervisor or department head if you have any questions as to what constitutes appropriate attire.

## **705 Security**

The County wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, (except authorized law enforcement personnel) explosives, or other improper materials. To this end, the County prohibits the possession, transfer, sale or use of such materials on its premises. The County requires the cooperation of all employees in administering this policy.

## **801 Life Threatening Illnesses in the Workplace**

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by the condition. The County supports these endeavors as long as employees are able to meet acceptable performance standards. As in the case of other disabilities, the County will make reasonable accommodations in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Medical information on individual employees is treated confidentially. The County will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

Employees with questions or concerns about life-threatening illnesses are encouraged to contact the County's ADA Compliance Officer for information and referral to appropriate services and resources. may transfer to the approved employee all or part of his/her accumulated sick leave, annual leave, or compensatory time hours in eight (8) hour increments by completing a "Leave Donation Form."

## **802 Emergency Sick-Leave Policy**

**General Conditions:** The St. Clair County Commission is authorized to declare an "employee sick-leave emergency" when a County employee or a County Employee's family member experiences an unexpected and extended period of illness or terminal illness. For purposes of this policy, an unexpected and extended period of illness is an illness, injury, impairment or physical or mental condition that involves (1) inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, and any treatment for the condition for which hospitalization is required and any necessary period of recovery there from or (2) a condition that, although inpatient care is not required, requires continuing treatment by a health care provider. The illness must be such that the affected individual is unable to work, attend school or perform other regular daily activities due to the illness for duration of longer than two calendar weeks. A terminal illness is one for which the anticipated life expectancy is less than 6 months.

**Unexpected Need Requirement:** The intent of this policy is to provide an additional possible avenue of financial support to employees who could not reasonably predict the need for leave. That is, the need for leave must be unexpected. Where an employee knows or reasonably could have predicted that he or she would need leave for their condition or that of a family member, the employee is not eligible for emergency sick leave designation. Examples of conditions that are not eligible for emergency sick leave designation include, but are not limited to, elective medical procedures and maternity leaves for pregnancies without complications.

**Family Member:** For leave related to an employee's family member, the employee's presence must be necessary, as certified by a treating physician, to provide care to the family member. Family member as provided herein shall include only the employee's spouse, parent, child, sibling, grandchild, grandparent, child's spouse, spouse's child and/or spouse's parent.

**Exhaustion Requirement:** The employee must exhaust all of his/her accumulated sick leave, annual leave and compensatory time prior to becoming eligible for receipt of donated time. The employee must submit a completed "Request for Declaration of Emergency Illness" form to his/her Appointment Authority for approval and then to the St. Clair County Commission for final authorization. A certification from the employee's or the employee's family member's treating physician on a form provided by the County will be required to consider the request.

**Employee Transfers:** When an "employee sick-leave emergency" is declared as provided within this policy, any employee who is in a pay grade not more than five pay grades lower than the approved employee may transfer to the approved employee all or part of his/her accumulated sick leave, annual leave, or compensatory time hours in eight (8) hour increments by completing a "Leave Donation Form." For example, an employee in Pay Grade 10 is eligible to donate to an employee in Pay Grade 14. However, the same employee in Pay Grade 10 is not eligible to donate to an employee in Pay Grade 21. The restriction applies only where an employee donates "up" the Pay Grade as there is no restriction for donating from a higher Pay Grade to a lower Pay Grade. The donation of hours is totally voluntary. All current employee emergency sick leave designations will be posted in the same manner as in-house job advertisements described in Section 115 (Recruitment and Hiring). Although the County recognizes there will be a natural flow of information among County employees, any form of solicitation or coercion to request donated leave or suggest that leave should be donated will absolutely not be tolerated and will result in disciplinary action up to and including termination. Employees are encouraged to report any requests or suggestions related to leave donation that they consider inappropriate. No employee shall be penalized for not participating in the process.

**Department Approval:** The "Leave Donation Form" must be completed and approved by the employee donating leave, his/her immediate supervisor and the Appointing Authority. The supervisor will submit the form, along with the payroll time card on which the leave adjustment is to be made, to the St. Clair County Commission Payroll Department.

**Use of Donated Hours:** Upon receipt of the approved "Leave Donation Form" the Payroll Department will transfer the donated leave hours from the donating employee to the employee receiving the donated hours. The total number of donated leave hours will appear on the recipient's payroll notice in the sick-leave hours category, and can be utilized immediately. Each donation will be processed in the order it is received by the Payroll Department. The total donated leave hours for any one period of illness will be restricted to 480 hours (60 days) subject to review after 60 days has been exhausted.

Donated hours are for the sole purpose of enduring a serious illness. Donations may be made each pay period until the emergency situation ends; therefore employees should use caution when donating hours. Any unused portion of donated hours will belong to the recipient and will be treated as outlined in Section 306, Sick Leave Benefits, of the handbook. This policy does not apply to on-the-job injuries where the employee is injured on the job and receiving workers compensation benefits or where the employee is eligible to receive any other form of short-term compensation that replaces more than 50% of the employee's average gross weekly wages. Normal sick-leave accrual will continue during the time the employee is utilizing donated sick leave. St. Clair County reserves the right to amend or terminate this policy at any time.

**SHERIFF DEPARTMENT EMPLOYEES**

**Employees of the St. Clair County Sheriff’s department, including deputies, jailers, etc., are exclusively employees of the Sheriff’s department and are in no manner employees of St. Clair County or the St. Clair County Commission. The regulations and policies set forth in this handbook are not applicable whatsoever to said employees. The St. Clair County Sheriff shall manage the personnel within the Sheriff’s department as he or she sees fit and without interference from St. Clair County and/or the St. Clair County Commission.**

**Employee Acknowledgment Form**

The employee handbook describes important information about St. Clair County, and I understand that I should consult my supervisor or the Personnel Department regarding any questions not answered in the handbook. Furthermore, I acknowledge that this handbook is not a contract of employment and that my employment is at will and that either St. Clair County or I can terminate my employment at any time.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies.

I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

Employee’s Signature \_\_\_\_\_

Date \_\_\_\_\_

Employee’s Name (Printed) \_\_\_\_\_

