

St. Clair County Employee Handbook

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Introduction

- 10 Introductory Statement
- 20 Orientation of New Employees
- 30 Description of Terms
- 40 Departments Defined

Employment

- 101 Nature of Employment
- 102 Employee Relations
- 103 Equal Employment Opportunity
- 104 Age for Employment
- 105 Hiring of Relatives
- 106 Employee Medical Examinations
- 107 Immigration Law Compliance
- 108 Conflicts of Interest
- 109 Outside Employment
- 110 Supervisor's Responsibility
- 111 Disciplinary Actions – “Due Process” Procedure
- 112 Grievance Procedure
- 113 Political Activity
- 114 Classifications and Pay Plan
- 115 Recruitment and Hiring

Employment Status and Records

- 201 Employment Categories
- 202 Access to Personnel Files
- 203 Employment Reference Checks
- 204 Personnel Data Changes
- 205 Probationary Period
- 206 Seniority
- 207 Reduction in Force
- 208 Employment Applications
- 209 Performance Evaluation

Employee Benefit Programs

- 301 Employee Benefits
- 302 Retirement
- 303 Annual Leave
- 304 Holidays

Department: **Road Department**

Department Head: St. Clair County Engineer

Department: **Technology Department**

Department Head: St. Clair County Information Technology Director

Department: **Sheriff***

Department Head: St. Clair County Sheriff

Divisions: Sheriff's Department

St. Clair County Jails

Central Dispatch

Juvenile Detention Officers work at the discretion and under the supervision of the District Court Judge.

* E-911 Administration functions as a division within the Emergency Response Department of the County Commission but are and have always been employees of the E-911 Board

** The Sheriff is an employee of the State of Alabama and the employees working in the Sheriff's Department are employees of the Sheriff and not St. Clair County.

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 considered "at-will employment," voluntarily entered into, and the employee is free to resign at any time, with or without cause or advance notice. Similarly, the County may terminate the employment relationship with or without cause or advance notice.

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, or disability status, except where age, sex, or disability shall constitute a bona fide occupational qualification.

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. If not originally submitted in writing, a complainant may be requested to put any complaint in writing and state the specific act(s) or circumstance(s) of the alleged discrimination and the desired resolution in an effort to assist the investigation of the complaint.
- (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

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 40 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 40 of this Handbook.

106 Employee Medical Examinations

To help assure that employees are able to perform their duties safely, medical examinations may be required. These examinations may be required when a supervisor has a reasonable concern about an employee's ability to perform the essential functions of their job in a safe and effective manner, e.g. after an accident, after a period of sick leave, etc.

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 defined in the same manner as defined in Section 105 of this handbook.

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. 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 employment interferes with his or her job duties and responsibilities with the County, 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 employed 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 help ensure that a safe and healthful workplace is provided that is free from serious recognized hazards and to help prevent 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 his or her assigned job 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 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 if the employee is deprived of any protected property right by the discipline.

No employee will be disciplined for any political activity, unless the same is conducted at work. Each supervisor will try to determine why an employee failed to observe proper conduct and to initiate corrective actions when appropriate.

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.

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, up to and including dismissal.

(a) Verbal Counseling. 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.

(b) Written Warning. 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 the report will be signed by the supervisor and employee to be submitted to the Personnel Officer for inclusion in the employee’s personnel record.

(c) Suspension With Pay. A suspension with pay is a disciplinary action in which an employee is not allowed to report to work for a specific time period. Suspension with Pay shall be evidenced by a report / writing advising of the reasons for the disciplinary action and the employee may offer comments and the report will be signed by the supervisor and employee to be submitted to the Personnel Officer for inclusion in the employee’s personnel record.

(d) Suspension Without Pay. A suspension without pay is a 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. An employee must be given “due process” prior to the decision to suspend without pay. 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 without pay, 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 if the employee so desires. The employee will be notified of the decision in writing, within three (3) working days after the hearing. The report will be signed by the supervisor and employee to be submitted to the Personnel Officer for inclusion in the employee’s personnel record.

(e) Dismissal from Service. Dismissal from service severs the employer-employee relationship. It may be the first step for 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 if the employee so desires. The employee will be notified of the decision in writing within three (3) working days after the hearing. A dismissal report will be signed by the supervisor and employee to be submitted to the Personnel Officer for inclusion in the employee’s personnel record.

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 may result in verbal counseling or a written warning, whereas the first Group Two offense may result in a suspension or dismissal. The Supervisor may, at his or her discretion, implement more severe types of discipline as may be warranted, up to and including dismissal, 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;
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.
11. Poor / Unsatisfactory work performance.

Group I - Disciplinary Actions (assuming the least severe option is utilized for an initial violation which is **not** required):

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 drugs, or misuse of prescribed medication; 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 essential job functions 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 and the employee's actions are in self-defense;

- 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 directed in accordance with this Handbook or governing law;
- 16.** Political activities that are gross violations of federal and/or state laws and these policies and procedures;
- 17.** Sexual harassment or harassment on the basis of other protected characteristics;
- 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;
- 22.** Abusive public criticism of a superior or other County official in such a manner as to cause disruption in the activities of the County or cause public distrust of the Official or the County;
- 23.** Inability to perform essential job functions with or without a reasonable accommodation;
- 24.** Violation of any duly-adopted personnel policy or state/federal law or regulation governing public employment;

25. 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 law, 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 are usually initiated by the immediate supervisor.

(c) All disciplinary actions, including verbal counseling, will be documented 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 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 as per the below, 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 or was not severe enough.

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 hearing as to whether the decision was arbitrary and capricious.

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 counsel 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 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 response.

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 legal 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 list the essential functions of the job and describe the qualifications, duties, knowledge, skills, and abilities necessary to perform them.

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.

If the duties assigned to the employee were extraordinary in scope or duration, the employee's supervisor can petition the County Commission for the employee to be paid at the higher rate.

115 Recruitment and Hiring

With regard to any hiring practice, it is the intent of St. Clair County to fill any position with the person believed to be the best candidate for the position (i.e. the one which will provide the greatest level and highest quality of service for the County in the applicable position) and the person who will have the most potential for success therein. Nothing herein shall abrogate the above stated intent.

1. Filling existing positions by promotion:

If a vacancy occurs within a Department and the Department Head has allowed an existing employee within the Department to train for the position prior to its vacancy and the best interest of the Department and the County would be served by promoting the employee who has been trained for the position into said position, the Department Head may make such a promotion without the need for posting of the same as per the below.

2. Filling existing vacancies by internal recruitment:

- 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) For logistical reasons, at the Department Head’s discretion, occasional / casual and part-time employment may be advertised “in-house” and externally simultaneously.
- d) 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.
- e) It is the intent of the County to fill vacancies with the best candidate for the position (i.e. the one which will provide the greatest level and highest quality of service for the County in the applicable position) and the person who will have the most potential for success therein.
- f) 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.

3. Filling existing vacancies by external recruitment:

- a) Recruitment will comply with the provisions of Subsection 1 and 2 of Section 115 of the St. Clair County Employee Handbook, 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 if applicable, being performed satisfactorily.
- 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 post-offer, pre-employment drug testing, physicals, etc., has been completed prior to the applicant commencing work.
- g) If the selected applicant does not complete the required processing or does not complete the probationary period, recruitment procedures may be initiated again.

4. 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.

5. 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

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. Contract employees are **not** independent contractors but, rather, are employees whose rights and obligations have been reduced to a written agreement.

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 generally be 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 without said temporary employment being renewed. 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. Temporary service employment should not be 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 or Casual 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. Occasional service employment should not be 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, disciplinary notices, 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 at will relationship 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 one hundred eighty (180) 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 at the Appointing Authority's discretion.

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 at-will 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 or by email with read-receipt requested. 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 12 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 probationary 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 and/or in Plan documents applicable to various benefits offerings.

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.

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.

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 his/her 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 Sheriff's Office 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.

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

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 should always be approved before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time records, or performing overtime work without prior supervisor approval, 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

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 non-disciplinary 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 or without reasonable accommodation. 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, as soon as the same is or should be known by the employee, 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. If your concern is not resolved or you still have questions, please call [insert designated department]. If you believe that your paycheck contains an error, please be prepared to discuss the details of the error to help us identify and resolve it. When notified about incorrect deductions, the County will conduct a prompt and thorough investigation. If the County determines that you are owed additional pay due to an error, the additional pay will be authorized and processed promptly, typically at the next pay period. The County will also take steps to try to prevent

reoccurrences of the same error and will remain committed to complying with the Fair Labor Standards Act and any other applicable federal and state laws governing wage payments. No retaliation will be tolerated against any employee for making an inquiry or complaint under this policy or for assisting with an investigation.

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.

505 Smoking

In keeping with the County's intent to provide a safe and healthful work environment, smoking, including but not limited to the use of e-cigarettes, 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 otherwise eligible County employees are provided with one meal period each workday as set and approved by the applicable Department Head and as is consistent with applicable law. 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 for County employees; law enforcement officers may work on a two-week pay period as allowed by the Fair Labor Standards Act and any payment of overtime to said employees will not be in violation thereof.

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 County's Comprehensive Overtime Policy along with applicable law shall be followed.

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.

Notwithstanding anything to the contrary herein, the County's Comprehensive Overtime Policy shall be strictly adhered to.

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 County Operations. 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 or otherwise, non-essential employees will be given paid leave for their scheduled hours of work. Employees in essential operations may be asked to work when operations are officially closed. In these circumstances, if the employee was otherwise scheduled to work, said employees will be paid at his / her regular rate of pay. If the employee was not otherwise scheduled to work, he / she will be paid at overtime rates or be allowed to take compensatory time if said employee has not surpassed the maximum number of comp hours allowed by the Fair Labor Standards Act, as amended, for those hours worked.

Essential operations are defined as follows:

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

Employees who were not scheduled to work but who are called in to work due to the emergency situation will be paid at their regular rate of pay so long as said hours worked are worked during the regular working hours of said employee; in such instances, any hours worked will be credited to said employee for purposes of calculating overtime pursuant to Section 507 of the Employee Handbook. Any hours worked by the employee during hours outside of his/her normal working hours will be paid at overtime rates, regardless of the number of hours said employee may have worked that week, and said hours will not be credited toward his/her accrual of hours for the purposes of overtime as described in Section 507 of the Employee Handbook.

Employees who volunteer to work in non-essential functions when operations are officially closed will receive regular rate of pay and any hours worked will be credited to said employee for purposes of calculating overtime pursuant to Section 507 of the Employee Handbook.

Employees who are scheduled to take personal leave of any type (sick, vacation or otherwise) and are not scheduled to work as a result of said leave and do not work during said emergency closings as a result of said leave are ineligible for any provisions herein and shall have their personal leave debited for said time off work; however, employees in essential operations scheduled to take personal leave, if requested by their supervisor, may elect to work during said emergency closings and shall then be paid pursuant to the provisions herein.

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 personally by an employee 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 leaves of absence without pay to eligible employees who are temporarily unable to work due to the birth of a child and to care for the newborn child within one year of birth, a serious health condition, or who wish to take time off from work duties to fulfill family obligations relating directly to a serious health condition, adoption, or placement of a foster child within one year of placement. For purposes of this policy, serious health conditions 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 12 months of service. 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 use any accrued paid leave time concurrently with taking 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.

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.

Military-Related Leave Under the Family and Medical Leave Act

Military and Family and Medical Leave may be requested by an eligible employee for any of the following reasons:

- Because of any qualifying exigency arising from the active duty service (or call to active duty) in a foreign country of a parent, spouse, son, or daughter in the Regular Armed Forces, National Guard, or Reserves.
- To care for a parent, spouse, son, daughter, or next-of-kin who is a current member of the Regular Armed Forces, including the National Guard or Reserves, and who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty (or for a

pre-existing injury or illness which is aggravated in the line of duty) and that renders the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating, or

- To care for a parent, spouse, son, daughter or next-of-kin who is a covered veteran of any branch of the Regular Armed Forces, including the National Guard or Reserves, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness that occurred in the line of duty (or for a pre-existing injury or illness which was aggravated in the line of duty) at any time within the 5 years preceding the treatment, recuperation or therapy. A covered veteran has a serious illness or injury for purposes of this paragraph when one of the following occurs:
 - The injury or illness is a continuation of a serious injury or illness that was incurred or aggravated when he or she was a member of the Regular Armed Forces, National Guard or Reserves and rendered him or her unable to perform the duties of the service member's office, grade, rank, or rating; or
 - It causes him or her to have a VA Service-Related Disability Rating of 50% or greater; or
 - It is a mental or physical condition that substantially impairs his or her ability to obtain gainful employment; or
 - The VA enrolls him or her in the Department of Veteran Affairs Program of Comprehensive Assistance for Family Caregivers.

Amount of Military Leave

Employer provides eligible employees with:

- Up to 12 work weeks of unpaid, job-protected leave during any calendar year because of a qualifying exigency, or
- Up to 26 work weeks of unpaid, job-protected leave for eligible employees within a single 12-month period to care for a covered service member with a serious illness or injury.

Eligible employees using qualifying exigency leave are covered by the same policy provisions (as to duration, benefits, return to work, etc.) as employees requesting traditional FMLA leave, as detailed above.

Employees using military caregiver leave alone or military caregiver leave in combination with traditional FMLA – qualifying leave or qualifying exigency leave may take a total of up to 26 workweeks of leave during any single 12-month period. The amount of traditional and/or qualifying exigency leave combined is limited to a total of 12 work weeks; the difference may be taken as military caregiver leave. The 26 work weeks of military caregiver leave run on a separate FMLA year that commences with the first day leave is taken and can run forward until the end of that 12-month period. Any combination of FMLA leave may not exceed the maximum limit of 26 workweeks in that single 12-month period. Unused military caregiver leave is forfeited at the end of that 12-month period.

With regard to military caregiver leave, if both a husband and wife work for Employer, the husband and wife's leave is limited to a combined total of 26 workweeks for military caregiver leave alone. The same 26 work week limitation applies when military caregiver leave is combined with FMLA leave to care for the employee's parent with a serious health condition, for the birth of the employee's son or daughter or to care for the child after the birth, or for placement of a son or daughter with the employee for adoption or

foster care or to care for the child after placement. Thus, for example, if a husband and wife each take 10 work weeks of military caregiver leave (for a combined total of 20 work weeks), they could take an additional combined total of 6 work weeks of leave for additional military caregiver leave and/or leave to care for the employee's parent with a serious health condition, for the birth of the employee's son or daughter or to care for the child after the birth, or for placement of a son or daughter with the employee for adoption or foster care or to care for the child after placement.

This 26-work week combination limitation for husbands and wives that both work for Employer does not apply to FMLA leave for the employee's own serious health condition or to care for a child with a serious health condition. Thus, for example, if a husband and wife each took 10 work weeks of military caregiver leave (for a combined total of 20 work weeks of military caregiver leave), they could each still take 12 work weeks of additional FMLA leave for their own serious health condition or to care for a child with a serious health condition.

In certain cases, military caregiver leave may be taken on an intermittent basis or the employee may work a reduced schedule. Intermittent leave must be necessary and should be scheduled to avoid disruption insofar as is reasonable.

Notice of Need for Leave

When the need for leave because of a qualifying exigency related to a covered family member's active duty is "foreseeable," the employee should provide notice as soon as practicable, regardless of how far in advance such leave is foreseeable. When an employee becomes aware of a need for leave less than 30 days in advance, it should be practicable for the employee to provide notice for the need for leave either the same day or the next business day after the employee learns of the need for leave. "As soon as practicable" means as soon as both possible and practical taking into account all of the facts and circumstances in the individual case.

When military caregiver leave is requested, as with traditional FMLA, an employee must provide Employer at least 30 days' advance notice before FMLA leave is to begin if the need for the leave is foreseeable. If 30 days' notice is not practicable, notice must be given as soon as practicable.

A request for Military Leave Form is available from Human Resources.

Eligibility Notice/Rights & Responsibilities

Employees will receive the same Notice of Eligibility and Rights & Responsibilities form when requesting military FMLA leave as under traditional FMLA. Employer will provide employees who request military FMLA leave with the appropriate certification form for Qualifying Exigency Leave or Military Caregiver Leave at this time. The Notice of Eligibility and Rights & Responsibilities form is available from Human Resources.

Certification for Leave Taken Because of a Qualifying Exigency

The first time an employee requests leave because of a qualifying exigency, the employee must provide a copy of the covered servicemember's active duty orders or other documentation issued by the military. The documentation must indicate that the covered servicemember is on active duty or called to active duty status in a foreign country and the dates of active duty service. The employee shall need to supply such documentation again only if requesting leave for a different active duty or call to active duty status of the

same or a different covered servicemember.

A completed Certification for Qualifying Exigency Leave Form is also required to support a request for Qualified Exigency Leave. This form is available in Human Resources.

“Qualifying Exigencies” include:

- Short-notice deployment: to address issues arising when the notification of a call or order to active duty is seven (7) days or less;
- Military events and related activities: to attend official military events or family assistance programs or briefings;
- Childcare and school activities: for qualifying childcare and school related reasons for a child, legal ward or stepchild of a covered service member;
- Care of the covered service member’s parent if the parent is incapable of self-care;
- Financial and legal arrangements: to make or update financial or legal affairs to address the absence of a covered service member;
- Counseling: to attend counseling provided by someone other than a health care provider for oneself, for the covered service member, or child, legal ward, or stepchild of the covered service member;
- Rest and recuperation: to spend up to fifteen (15) calendar days for each period in which a covered service member is on a short-term rest leave during a period of deployment; or
- Post-deployment activities: to attend official ceremonies or programs sponsored by the military for up to 90 days after a covered service member’s active duty terminates or to address issues arising from the death of a covered service member while on active duty.

Employer also may contact an appropriate unit of the Department of Defense to request verification that a covered servicemember is on active duty or called to active duty status, without the employee’s permission.

Employer may require confirmation of the employee’s relationship with the servicemember at any time in this process.

Certification for Military Caregiver Leave

When an employee takes leave to care for a covered servicemember with a serious injury or illness, Employer will require the employee to obtain a certification completed by an authorized health care provider of the covered servicemember. A Certification for Military Caregiver Leave Form is available from Human Resources. Except as stated below, a completed form is required in order for the employee to be granted this Leave. Employer may require confirmation of the employee’s relationship with the covered servicemember at any time in this process.

In lieu of any certification, Employer will accept Invitational Travel Orders (ITOs) or Invitational Travel Authorizations (ITAs) issued to any family member to join an injured or ill servicemember at his or her

bedside, regardless of whether the employee is named in the order or authorization. An ITO or ITA is sufficient certification for the duration of time specified in the ITO or ITA. During that time period, an eligible employee may take leave to care for the covered servicemember in a continuous block of time or on an intermittent basis.

Employer may seek authentication and clarification of the ITO or ITA but will not seek a second or third opinion or a re-certification during the period of time in which the employee's leave is supported by an ITO or ITA.

If an employee will need leave to care for a covered servicemember beyond the expiration date specified in an ITO or ITA, Employer will request that the employee have an authorized health care provider complete a certification form for the additional time. Timelines designated under the traditional FMLA policy will apply for return of such certifications.

In all instances in which certification is requested, it is the employee's responsibility to provide Employer with complete and sufficient certification, and failure to do so may result in the delay or denial of FMLA leave.

Employer may seek authentication and/or clarification of the Certification Form but will not seek second and third opinions or re-certifications for military FMLA leave when the Certification Form is filled out by a military affiliated health care provider.

A Certification for Military Caregiver Leave is available from Human Resources.

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.

As provided in Policy 38, When the employee returns from military leave without pay, benefits will again be provided by the County according to the applicable plans.

If a full-time employee, who is a member of the Alabama National Guard, Reserves or other branch of service is activated, the St. Clair County Commission will pay the difference in their military base pay and county compensation if the military base pay is less than the employee's compensation with St. Clair County. It will be the responsibility of the employee to provide a Defense Finances and Accounting Service Military Leave and Earning Statement or certified statement from his or her Company showing the period covered and basic pay for that period. A copy of the employee's Deployment Orders will be required also.

The employees may file a claim with the County, with the above documentation, after his or her first month of active duty is completed. The employee will have up to one year from his last active day with the military to file a claim. This policy applies only to active duty call-up and does not apply to monthly drills, etc.

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.

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 Discrimination or 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, disability, 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. If the report is not made in writing, the Employee may be asked to reduce the same to writing to assist with the investigation of the same.

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.

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.

803 Guns at Work Policy

Subject to the provisions set forth in this handbook, St. Clair County generally prohibits possession or use of firearms and other potentially dangerous weapons in the workplace, whether on the Company's premises or while conducting company business. Bringing firearms of any type into the workplace, a County automobile, or offsite location while conducting County business is strictly prohibited. Violations of this policy may result in discipline up to and including ejection from County property and immediate dismissal.

Exceptions

Employee may transport or store a lawfully possessed firearm or ammunition in the Employee's own privately-owned vehicle while properly parked in a County parking area if the employee satisfies all of the following:

- 1) The Employee either:
 - a. Has a valid concealed weapon permit; or
 - b. If the weapon is any firearm legal for use for hunting in Alabama other than a pistol:
 - i. The Employee possesses a valid Alabama hunting license;
 - ii. It is during a season in which hunting is permitted by Alabama law or regulation;
 - iii. The Employee has never been convicted of any crime of violence as defined by Ala. Code § 13A-11-70, nor of any crime as set forth in Ala. Code, Title 13A, Chapter 6, nor is subject to a Domestic Violence Order, as defined in Ala. Code § 13A-6-141; and
 - iv. The Employee has no documented prior workplace incidents involving the threat of physical injury, or which resulted in physical injury.
- 2) The motor vehicle is operated or parked in a location where it is otherwise permitted to be.
- 3) The firearm is either:
 - a. Kept inside the Employee's vehicle and out of sight, while the employee is attending the vehicle; or
 - b. Kept out of sight, locked in a compartment, container, or in the interior of the Employee's privately-owned vehicle, or in a compartment or container securely affixed to the Employee's vehicle,

when the vehicle is unattended.

Employees not meeting any of the above requirements are prohibited from having a firearm in a vehicle on County property. The County reserves the right to restrict or prohibit the presence of a hunting weapon, to the extent permitted by the Americans with Disabilities Act, if the County knows that the Employee meets any of the factors listed in Ala. Code § 13A-11-75(a)(1)a.1.-8.

The County has the right to question an employee regarding verification of any of the above exceptions. Also, in any instance in which the County believes an Employee poses a risk of danger to themselves or others, the County reserves the right to make further inquiry as to whether an employee has a weapon on County property. If the Employee in question does have a weapon, the County has the right to take the required steps to ensure the Employee is compliant with Alabama Code § 13A-11-90. If it is found that the Employee is not in compliance, the Employee is subject to disciplinary action, up to and including termination.

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. I understand that I am required to comply with the policies and procedures contained in this 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 with or without cause or advance notice.

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) _____