

# I. Classification and Compensation

## A. Classification of Employees

The Personnel System of Baldwin County and the contents of this handbook apply to all persons employed by Baldwin County; however, the following individuals are *not* subject to protection as classified employees under the personnel system of Baldwin County:

- Elected Officials;
- Members of Appointed Boards and Commissions;
- Volunteers who receive no compensation from the County;
- Persons performing work under contract with the County and not carried on the payroll as employees;
- Persons whose employment is subject to the approval of the United States Government or the State of Alabama;
- Appointed Employees; and
- Appointed Contract Employees-

Baldwin County has the following classifications of employees:

- **Appointed Employees:** A limited class of employees which serves in a County department at the pleasure of a department of Baldwin County as designated by *Ala. Code §45-2-120, et seq.*, as amended, or other statute.
- **Appointed Contract Employees (sometimes referred to herein as “Appointed Department Head”):** A limited class of employees which serves under contract with the County Commission as specified in *Ala. Code §45-2-120, et seq.*, as amended, or other statute.
- **Classified Employees:** An individual who is assigned to a regular position authorized by the County Commission, whose salary is paid with funds allocated by the County Commission, and whose employment initially includes a probationary period of not more than six (6) months, during which time such a probationary employee is not a classified employee.

Appointed Employees and Appointed Contract Employees are eligible for the benefits that may be provided to Classified Employees (*e.g.* leave, holidays, insurance, etc.), but these employees have no expectation of continued employment for a definite term or employment rights afforded to classified employees. Appointed Employees and Appointed Contract Employees serve only at the “pleasure of the Appointing Authority” (*i.e.* County Commission, Probate Judge or Revenue Commissioner) who appoints them, in accordance with applicable law. Appointed Employees and Appointed Contract Employees shall have no right to employment as a classified employee after completion of his or her appointed service. However, if a vacancy exists in the County, he or she may apply for the position; and if qualified, may be considered with any other qualified

applicants for any vacant position, provided he or she applies within the time period for submitting applications for the vacant position.

An employee of the county may be further described as one of the following:

- **Probationary Employee:** An employee assigned to a classified position who has not achieved permanent status by being employed for more than six (6) months and who has not satisfactorily completed the probationary period.
- **Exempt Employee:** An employee not eligible for overtime as defined by the Fair Labor Standards Act. Additional pay may be allowed for pursuant to the “Inclement Weather/Declared Emergency” policy.
- **Non-Exempt Employee:** An employee eligible for overtime as defined by the Fair Labor Standards Act.

Only an employee who has satisfactorily completed the terms and conditions of his or her initial probationary period is eligible for classified service. Classified service is subject to satisfactory performance of work, personal conduct inherent to public service, demonstration of skills and work habits necessary for the performance of the work and availability of funds.

## **B. Exempt and Non-Exempt Employees**

Non-Exempt employees are covered by the overtime provisions of the Fair Labor Standards Act. Generally, an employee will receive over-time pay at the rate of one and one-half time for time actually worked beyond forty (40) hours in one (1) work week. (Time off such as holidays, annual leave or sick leave do not count as time worked.) All overtime must be recorded and approved by a supervisor verifying all hours worked by employees under his or her supervision.

Exempt employees are not covered by the overtime provisions of the Fair Labor Standards Act, unless authorized by the County Commission during a declared emergency as outlined in section *II.M Inclement Weather/Declared Emergency* guidelines.

Classifying a position as “exempt” is made on the basis of comparing actual job duties with criteria established by the Department of Labor. Responsibility for classifying Baldwin County positions as exempt or non-exempt is determined based on the requirements of the Fair Labor Standards Act and upon approval by the Baldwin County Commission.

## **C. Employment for Classified Positions**

Baldwin County will seek to select the applicant most capable of serving the County’s taxpayers efficiently and effectively.

Each Appointing Authority or Appointed Department Head is authorized to select employees to fill approved vacancies in accordance with the personnel hiring procedure. No employment offer shall be made by any person in the County other than by the Appointing Authority or Appointed Department Head in consultation with the Personnel Director. No final employment offer shall be effective until the prospective employee has completed and passed all applicable pre-employment screenings and the County Commission has approved the employment in regular or special session assembled.

To be considered for a classified position, a prospective or current employee must complete an application and provide the information requested therein. Using false information on an application or resume shall result in immediate disqualification and/or termination.

In accordance with the County's effort to promote internally, the Personnel Director, in consultation with the Appointing Authority or Appointed Department Head, will recommend whether to recruit applicants from existing employees or to advertise positions to the public. Included in this determination will be whether a vacancy should be filled by internal promotion, posted in the County organization (by job bid), or advertised externally to the public.

Openings for classified positions that are not filled by internal promotion will be posted on the bulletin boards of at least three (3) facilities owned and operated by the Baldwin County Commission and on the Baldwin County Commission website for a period of not less than ten (10) working days.

An employee transferring from the Baldwin County Sheriff's Office to the Baldwin County Commission without a break in service, shall retain longevity, for the purpose of longevity pay only, as well as accrued sick leave. Annual leave will not be retained and will accrue at the lowest rate as outlined in section *IV.A. Annual Leave*. The employee is still required to serve a probationary period as outlined in section *I.D. Probationary Employees* and will not be able to use sick or annual leave during his or her probationary period.

## **D. Probationary Employees**

The probationary period is intended to give new and rehired employees the opportunity to demonstrate his or her ability to achieve a satisfactory level of performance. The County uses this working period to evaluate employee capabilities, work habits and overall performance. Probationary employees are encouraged to ask questions so that they will have a clear understanding of the job and performance expectations. All probationary employees shall receive an orientation to advise him or her of the policies of the County. Each probationary employee shall complete all necessary forms, sign for a copy of this Handbook, and attend all required orientation sessions.

The first six (6) consecutive months of employment in the position for which the employee is hired is considered the probationary period. During this time, an employee is an "at will employee" and may be terminated, with or without cause, without the right of appeal.

If the Appointing Authority or Appointed Department Head determines that the employee's services should be terminated before the end of the probationary period, the employee will be notified in writing, and the Appointing Authority or Appointed Department Head shall notify the Personnel Director of such termination.

If a classified employee transfers to another position, he or she will not begin a new probationary period.

## **E. Part-Time Employment**

A part-time classified position is one that is scheduled for no more than twenty-nine (29) hours a week on average. All part-time positions must be approved, and budgeted for, by the Baldwin County Commission. Part-time employees will be eligible for paid time off (PTO) at a rate as outlined in section *IV. Leave Policies*. Part-time employees are not eligible for any other benefits with the exception of retirement.

If a part-time employee accepts a full-time position, all PTO accumulated will be converted to annual leave, and he or she will begin to accumulate full-time leave benefits as outlines in *IV.A. Leave Policies* and *IV.C. Sick Leave*. He or she will also be eligible for full-time benefits as outlined in section *V. Employee Benefits*.

Part-time employees will follow all other policies as outline in the Baldwin County Commission Employee Handbook.

## **F. Job Classifications**

All job classifications are based on an analysis of the duties and responsibilities of each position and requirements of education, training, experience, skills, knowledge and abilities necessary for the position. The Personnel Department keeps position descriptions on file. New employees or employees transferring or being promoted to new positions shall receive a copy of the new position description. All classified positions and position descriptions shall be approved and funded by the Baldwin County Commission.

Position descriptions do not necessarily cover every task or duty that might be assigned and additional responsibilities may be assigned as necessary.

## **G. Wage and Salary Administration**

The compensation plan intends to provide equal compensation for work of equivalent responsibility, pay according to work performance and/or outstanding service. Each position is rated according to experience, knowledge, training, duty complexity, leadership, effect of errors, communication, problem solving, physical demands, potential work hazards, stewardship and responsibility and education.

Employees are generally hired at the entry level of the position's pay grade, but may receive a different amount depending on experience and skill level.

Classified non-exempt (hourly) employees may receive an increase in pay based on the overall score of the performance appraisal. Employees who receive an overall rating of 3.0 or higher are eligible to receive a merit increase. Merit increases are based on the step an employee is in within his or her classification. Employees hired or promoted before January 1, 2017 who are at entry level up to a step two (2) will be eligible for a 2.5% increase. Once an employee reaches a step two (2) then the employee is eligible for a 5% increase annually until the employee reaches a step eight (8). Employees who reach a step eight (8) or higher are eligible for a 2.5% increase annually. Employees hired or promoted after January 1, 2017, shall only be eligible for a 2.5% increase annually.

Classified exempt (salaried) employees may receive an increase in pay based on the overall score of the performance appraisal. Employees who receive an overall rating of 3.0 or higher are eligible to receive an increase in pay which is usually in the form of a percentage over the current salary level, up to, but not exceeding, the top of the salary scale for his or her job title.

All exempt and non-exempt merit increases will take effect the first full pay period of the month following the employee's annual anniversary of hire date or annual anniversary of promotion. (ie: November hire date increase effective first full pay period of December.)

Notwithstanding anything contained in this employee handbook to the contrary, all funding for increases in pay must be approved in the fiscal year budget by the Baldwin County Commission, in its discretion, and may be suspended and/or frozen at any time and for any reason deemed appropriate by the Baldwin County Commission.

Increases shall not be approved if an employee's record indicates unsatisfactory job performance, including, but not limited to, any of the following:

1. Suspensions since the last evaluation date;
2. Two (2) documented disciplinary actions since the last evaluation date; or
3. Documented lack of care, misuse or negligence involving County property since the last evaluation date.

## **H. Pay Increases for Appointed Employees and Appointed Contract Employees**

Appointed Contract Employees and Appointed Employees will receive an annual written performance evaluation. Annual increases may be based on these evaluations and other considerations. Annual increases for Appointed Contract Employees and Appointed Employees may be in the form of a percentage increase over the current salary level, up to but not exceeding the top of the salary scale for their job title.

Annual increases for Appointed Contract Employees will be considered the first Commission meeting of December each year.

Annual increases for Appointed Employees will be effective the first full pay period of the month following the employee's annual anniversary of hire date or annual anniversary of promotion. (i.e.: November hire date increase effective first full pay period of December.)

Notwithstanding anything contained in this employee handbook to the contrary, all funding for increases in pay must be approved in the fiscal year budget by the Baldwin County Commission, in its discretion, and may be suspended and/or frozen at any time and for any reason deemed appropriate by the Baldwin County Commission.

## **I. Approval for Salary Changes**

All increases in pay, with the exception of merit increases, recommended by an Appointing Authority or Appointed Department Head must be submitted to the Personnel Director for review and processing. No change shall be implemented until it is approved by the Commission during its regularly scheduled or special meeting. All changes in rates of pay will be effective at the beginning of the pay period designated by the County Commission or the beginning of the next pay period after final approval.

Notwithstanding anything contained in this employee handbook to the contrary, all funding for increases in pay must be approved in the fiscal year budget by the Baldwin County Commission, in its discretion, and may be suspended and/or frozen at any time and for any reason deemed appropriate by the Baldwin County Commission.

## **J. Pay Periods**

All non-exempt, full-time employees are on a forty (40) hour workweek schedule that begins on Monday and ends on Sunday of each week.

All non-exempt, part-time employees are scheduled to work no more than twenty-nine (29) hours on average within the workweek that begins on Monday and ends on Sunday of each week. An employee's average hours per week will be calculated during the first week of April, July, October and January.

Employees are paid on a bi-weekly basis. Payroll checks are available every other Friday. Some pay dates may occur earlier due to holidays.

## **K. Working During Lunch Periods**

Lunch period is time set aside for eating. The time is not considered part of the basic workday. No pay is earned during this period, and no work is to be performed during this period. All full-time employees are granted a thirty (30) minute lunch period. Employees that wish to take a one (1) hour lunch period must have approval from his or her Appointing Authority, Appointed

Department Head or supervisor, and work hours must show an entire work day as applicable to the employee's assigned shift (i.e. eight (8) hour day 8 am to 5 pm). If a part-time employee is scheduled to work more than six (6) consecutive hours within a day, a thirty (30) minute lunch period shall be granted.

A workday may not be shortened by "working through" or reducing the lunch period on a voluntary basis. Eliminating or reducing a lunch period requires prior approval from the employee's immediate supervisor. Such approvals must be limited and will typically be for one (1) day due to unusual or special circumstances. Working through the lunch period is not to be used as an on-going solution for scheduling issues.

To the extent possible, without undue hardship of the department, employees are required to clock in and out for lunch periods.



*If you need to make a one-time adjustment to your work schedule, you may ask your immediate supervisor, in advance, for permission to reduce or eliminate your lunch period on the day in question. This may not be used on an on-going basis.*

## L. Breaks

Each department may allow reasonable breaks for employees. The length and time of such breaks shall be determined and posted by each department, but shall not exceed fifteen (15) minutes. During the paid rest break, employees are not allowed to leave the premises. If the rest break is extended without authorization, the employee will be subject to disciplinary action. Each department is responsible for the scheduling of rest breaks.

## M. Working Before or After Regular Hours

Employees may not voluntarily begin work early, or work after hours, to extend the workday for the purpose of accumulating overtime. An employee may begin work early, or work after hours, for the purpose of making up time missed within the work week only with prior approval from the employee's immediate supervisor.

## N. On-Call Policy

An employee who is not required to remain on the premises, but is merely required to leave word where he or she may be reached, is not working while on-call. On-call time will be considered hours worked when an employee is required to restrict his or her personal activities such that the employee cannot use this time effectively for his or her own purposes. Under these circumstances, the employees are paid at their normal pay rate (or overtime when appropriate). Employees on leave are not subject to be on call.



An employee in a position that requires him or her to be called back into work after working hours are required to respond to all emails or voicemail messages within a reasonable time of receipt. Employees on call are to stay within a reasonable driving time from the office. Employees who are on-call shall not use alcoholic beverages or any drugs or medications that may impair the employee or affect the employee's performance.

Hourly employees who respond to a call and are able to handle the matter by telephone or instant messaging are to be paid for the actual time worked and will not be paid a minimum of two (2) hours of call out pay as set forth in section *I.O. Call Out Pay*. All time must be documented.

## **O. Call Out Pay**

A classified, non-exempt employee who is called out by a supervisor will be paid a minimum of two (2) hours call out pay if he or she works less than two (2) hours.

On-call employees and employees who are subject to being called out during an emergency should make sure their supervisor has their updated contact information.

Exempt employees are not subject to Call Out Pay, unless he or she is among the critical emergency personnel who must work during inclement weather or a declared emergency. Refer to section *II.M. Inclement Weather/Declared Emergency* policy.

## **P. Pay Advances**

Pay advances are not allowed under any circumstances.

## **Q. Direct Deposit**

Direct Deposit is mandatory for all County employees. Deposits will be made directly to the financial institution of the employee's choice.

For any questions on how to change a direct deposit account, contact Payroll in the Accounting Department.