



POLICY ID# 2013-007
CLEARED BY: Janice Cook
DATE: 12/12/13

STATE OF ALABAMA DEPARTMENT OF
PUBLIC HEALTH

Donald E. Williamson, MD
State Health Officer

MEMORANDUM

TO: Area and Local Health Officers
Area Administrators
Assistant Area Administrators
Bureau, Office, and Division Directors

FROM: Donald E. Williamson, M.D. *DEW*
State Health Officer

DATE: December 9, 2013

SUBJECT: Revised Semi-Monthly Employee Handbook (Policy ID#2013-007)

Attached is the Department's revised Semi-Monthly Employee Handbook (Policy ID#2013-007) which replaces the Employee Handbook, Policy ID#2010-002.

Portions of the Handbook have been reorganized and expanded. Also, revisions have been made to include the following:

- changes in health and dental insurance, the retirement program, and the donated leave program;
- changes in requirements for outside employment;
- changes in State law concerning hiring employees' relatives;
- clarification of the Department's right to monitor electronic communications transmitted through its electronic equipment and systems and to access and search all offices and work areas on the Department's premises; and
- changes in State law concerning firearms stored in employees' vehicles at work.

Supervisors are responsible for ensuring that all current and new semi-monthly employees read the Handbook and sign an Acknowledgment of Review. Due to the numerous important changes, it is crucial for employees to read the Handbook closely and seek clarification from their supervisors if needed. Signed acknowledgment forms must be kept in worksite employee files.

The Semi-Monthly Employee Handbook is available on the ADPH employee Web site (Internal HR Website) and in the Lotus Notes ADPH Policy Library. Printed copies will be made available for new employees.

DEW/SAW/LJ
Attachment

ALABAMA DEPARTMENT OF PUBLIC HEALTH

POLICY ID# 2013-007
CLEARED BY: Jamie Cook
DATE: 12/12/13



SEMI-MONTHLY EMPLOYEE HANDBOOK

Alabama Department of Public Health

Mission

To serve the people of Alabama by assuring conditions in which they can be healthy.

Value Statement

The purpose of the Alabama Department of Public Health is to provide caring, high quality, and professional services for the improvement and protection of the public's health through disease prevention and the assurance of public health service to resident and transient populations of the state regardless of social circumstances or the ability to pay.

The Department of Public Health works closely with the community to preserve and protect the public's health and to provide caring, quality services.

Authority

Alabama law designates the State Board of Health as an advisory board to the state in all medical matters, matters of sanitation, and public health. The Medical Association, which meets annually, is the State Board of Health. The State Committee of Public Health meets monthly between the annual meetings and is authorized to act on behalf of the State Board of Health. The State Health Officer is empowered to act on behalf of the State Committee of Public Health when the committee is not in session.

More than 135 years ago, medical leaders in Alabama advocated constitutional authority to oversee matters of public health. The purpose of the authority was to develop a system of hygiene to preserve and prolong life; to plan an educational program for all people on the rules which govern a healthful existence; and to determine a way for enforcing health laws for the welfare of all people.



STATE OF ALABAMA DEPARTMENT OF
PUBLIC HEALTH

Donald E. Williamson, MD
State Health Officer

WELCOME NEW PUBLIC HEALTH EMPLOYEE!

I would like to take this opportunity to welcome you to what I hope will be a long and productive career in public health. The Alabama Department of Public Health, with fulltime offices in each of our 67 counties, is a service unit of government meeting the needs of Alabama citizens. Our financial support comes from taxpayers through local, state, and federal dollars.

I believe that the only reason for the Health Department to exist is to protect the health of Alabama citizens. I appreciate the fact that you have chosen to become a member of what I consider to be a very special team of health professionals dedicated to meeting these needs by utilizing their talents, education, and expertise. Utmost in my philosophy of public health services is the fact that we are here to ensure that we meet both the individual patient's needs and the health needs of the community. I hope that citizens presenting to our health departments will be treated with the same courtesy and respect that you and I would want if we were in their place.

In the environmental area, our mission is to prevent, through licensure and regulation, the development and spread of diseases that once plagued our country and contributed to massive premature death and preventable morbidity. We are also involved in safeguarding Alabama citizens through enforcing licensure and certification regulations of health care facilities and services; providing health-related information, education, and promotion services; working to ensure health care access; and coordinating emergency preparedness and response.

If you will keep our objectives in mind, I am sure you will receive personal fulfillment and reward from your public health career. As individuals we can do little, but as a dedicated team, we can strive for excellence with pride.

Again, let me welcome you to the Alabama Department of Public Health.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Williamson", written over a horizontal line.

Donald E. Williamson, M.D.
State Health Officer

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STATE OF ALABAMA
BENEFITS SUMMARY
Semi-Monthly Employees

BENEFIT	ELIGIBILITY	EXPLANATION
Health and Dental Insurance	Eligible for coverage upon employment.	Employee portion of premium for single coverage health insurance may be reduced by participating in Wellness Program and not using tobacco products. Premium for part-time employees based on percentage of time worked. Dependent coverage available at employee's expense. Dental coverage available separately.
Retirement Program	Employees in non-temporary positions working at least 50% time; program participation begins at employment.	Employee Contribution Rates: with any service prior to 1/1/13 (Tier 1), 7.5% of earnable compensation; 6.0% if hired on or after 1/1/13 (Tier 2) . Department contribution rates determined annually. Vested after 10 years of service. Retirement benefits differ for Tier 1 and Tier 2; see Compensation and Benefits section for more information.
Holidays / Personal Leave Day	Eligible upon employment; part-time employees eligible if holiday is on a day of the week they normally work, for number of hours they normally work.	13 days per year. If not on payroll as of January 1, do not receive Personal Leave Day for that year. Baldwin Co. and Mobile Co. employees receive Mardi Gras holiday rather than Personal Leave Day.
Annual Leave	Employees in permanent positions begin earning annual leave upon employment; part-time employees earn annual leave on a prorated basis.	Accruals based on total years of service. Maximum accumulation of 480 hours.
Sick Leave	Employees in permanent and temporary positions begin earning sick leave upon employment; part-time employees earn sick leave on a prorated basis.	Four hours & 20 minutes per pay period. Max accumulation of 1,200 hours.
Flexible Work Schedule (Flex Time)	All employees eligible upon employment if Flex Time available at worksite, with supervisory approval.	Regular workweek Monday - Friday; starting times between 7:00 a.m. and 9:00 a.m.; quitting times between 3:30 p.m. and 6:00 p.m.
Deferred Compensation (two plans available)	Employees in permanent positions eligible upon employment.	May defer portion of salary; deferred income and investment earnings not subject to federal income tax until distributed to employee.

STATE OF ALABAMA
BENEFITS SUMMARY
Semi-Monthly Employees

BENEFIT	ELIGIBILITY	EXPLANATION
Direct Deposit	Employees in permanent positions eligible upon employment.	Contact supervisor or office manager for necessary form.
Longevity Pay	Permanent employees with 5 or more years of service.	Paid in December to eligible employees in pay status as of 12/1.
Employee Assistance Program (EAP)	All employees and their dependents.	Up to 3 free sessions per plan year for each employee and each dependent.
Survivor Benefit	All active employees participating in retirement program have this coverage.	If employee dies prior to retirement, benefits paid to beneficiary. Amount based on factors including employee's age, years of service, and salary.
Wage replacement for on-the-job injury requiring absence of more than 3 days	All semi-monthly employees covered.	2/3 rate of salary not to exceed maximum set by SEICTF.
Family and Medical Leave	All employees employed in ADPH for at least 12 months and worked 1,250 hours during 12 months prior to leave.	Job and benefits protection during qualifying absences.
Military Leave	<p>Employees in permanent positions.</p> <hr/> <p>For military training - eligible upon employment.</p> <hr/> <p>For active duty (called or volunteer) – eligible if served in permanent position for at least 3 months.</p>	<p>Member of Guard or Reserves - up to 168 hours of leave per calendar year for training.</p> <hr/> <p>Called to duty or volunteer - 168 hours with pay, leave without pay for remainder of military service.</p>
Travel Reimbursement	All employees eligible upon employment.	Paid at State rates for approved in-state travel. Approved out-of-state travel, paid for actual expenses.
Shuttle Service to and from Parking Deck and RSA Tower	Central Office employees with substantially limiting mobility impairments; request form available in Lotus Notes Document Library.	Supporting medical documentation or disability placard required.

SECTION 1

INTRODUCTION

Purpose of Handbook

This Handbook has been prepared to provide you with a written summary of some of the important policies, rules, and standards of conduct which govern your employment with the Alabama Department of Public Health. It is not to be considered a contract and is not all-inclusive but is a set of general guidelines and procedures to assist you in performing your job. Please read the Handbook carefully and keep it as a reference. If you have questions about the content, seek clarification from your immediate supervisor.

Human resources policies may be accessed through the Department's employee web site (www.adph.org/personnel) and the ADPH Policy Library in Lotus Notes. You may get clarification of policies and rules from your supervisor/director or the Department's Office of Human Resources (referred to in the Handbook as the Office of Human Resources or Human Resources). As policies are written, changed, or updated, they take precedence over any conflicting information found in this Handbook.

History of Department

Organization of the Alabama Department of Public Health began in 1875 when the Alabama General Assembly united the Medical Association of the State of Alabama with the State Board of Health. Traditionally, administrative support for public health has been provided at the state level, while the local health departments have been responsible for the direct delivery of health services. To decentralize administration, the state has been divided into public health areas with an assistant state health officer and/or area administrator for each.

In the early years, a primary function of the health department was the treatment of infectious diseases such as malaria, pneumonia, and tuberculosis. Private doctors were unable to cope with severe epidemics on a one-to-one basis, so a close cooperative effort between public and private medical communities was essential. This strong relationship continues today. In recent years in public health practice, emphasis has shifted from the treatment of disease to prevention. Chronic diseases are now the major areas of concern. Health education of the public is designed to achieve more healthy behaviors and lifestyles. In addition, the Department of Public Health is vitally concerned with a variety of issues such as management and productivity of community services; populations at risk for social and health problems; emergency medical care; improvement of local health departments; emergency response and medical needs shelters; and public health diagnosis. The challenge of public health is to utilize community resources to reach its goals. If the resources are provided, the system is in place to provide all Alabamians with conditions in which they can be healthy.

SECTION 2

TYPES OF APPOINTMENTS

As a new semi-monthly employee, you should know the type and provisions of your appointment. Employees who receive this Handbook will generally have one of the following types of appointments: regular, conditional, provisional, direct, or semi-monthly Form 8.

Regular

If you have this type of appointment, you have been appointed to a permanent position in the classified service after certification from an employment register and are required to complete a probationary period of at least six months. If you successfully complete your probationary period and are granted permanent status, you are entitled to due process rights and certain layoff protections under the State merit system.

Conditional

When a position is to be filled due to circumstances requiring limited tenure, such as federal grant funding, a conditional appointment can be made requiring that the position be vacated upon expiration of the special condition. If you have a conditional appointment, you are required to serve a probationary period of at least six (6) months, and you are entitled to benefits provided to merit system employees. However, you are not entitled to layoff protection under this type of appointment.

Provisional

Sometimes it is necessary to fill a position on a provisional basis when there is no appropriate employment register of eligible candidates. If you have this type of appointment, you are appointed to fill an existing vacancy until a register is established in your job classification and your appointment can be made from such list. A provisional appointment cannot be longer than 156 work days. In order to be appointed from the register, you must rank among the top ten candidates. If appointed from the register, time worked in the provisional appointment does not count toward completion of the probationary period.

Direct

For some permanent positions, there is no competitive examination process, and no employment register is established. Individuals submit applications for these positions directly to specific State agencies, and positions are filled via Departmental Appointment Notification (Form5). If

you have this type of appointment, you are required to complete a probationary period of at least six months, and you are entitled to benefits provided to merit system employees. In addition, if you successfully complete your probationary period and are granted permanent status, you are entitled to due process rights and certain layoff protections under the State merit system.

Semi-Monthly Form 8

Appointments to semi-monthly Form 8 positions do not involve a competitive examination process but are made via a Notice of Appointment to Labor Position (Form 8). If you were appointed to a semi-monthly Form 8 position, you are entitled to leave privileges and other benefits as provided under the State merit system. However, you do not serve a probationary period and are not eligible to obtain permanent status; therefore, you do not have due process rights or layoff protections.

SECTION 3

GENERAL EMPLOYMENT PROVISIONS

The Merit System

The law that established the State of Alabama's merit system was passed in 1939. One purpose of the merit system is to ensure that all qualified individuals have an equal opportunity to compete for service with the State of Alabama. Also, the merit system offers you protection against job discrimination and unfair dismissal. It gives you protection so long as you deserve it through your own merit. It provides job protection against demands that have nothing to do with how well you do your job, such as:

- You cannot be forced to pay any political contribution or assessment.
- You cannot be made to vote "as you are told."
- You cannot be fired for failing to "vote right" in any election.
- You cannot be replaced by someone who happens to have more "pull."

Your employment CAN be terminated for cause. Some rule violations that may result in termination are listed in the Discipline Process section of this Handbook.

Further details on the terms of your employment are specified in this Handbook. The information in this section covering General Employment Provisions and in the Standards of Conduct section, while not all inclusive, is particularly important because it provides guidelines about the kind of behavior the Department expects from each employee as a prerequisite for continued employment.

Equal Employment Opportunity

The Alabama Department of Public Health is committed to providing equal employment opportunity for all qualified persons without regard to their race, color, religion, sex, national origin, age, physical or mental disability, or genetic information. (See the **Equal Employment Opportunity/Affirmative Action Policy**.)

Employment of Relatives and Household Members

Before an employment offer is made to a first, second, third, or fourth degree relative (by blood or by marriage) of a Department employee or to any person who resides with a Department employee, the hiring office must submit a request on the appropriate form to the Human Resources Director for approval. First, second, third, and fourth degree relatives include

husband, wife, father, mother, son, daughter, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, first cousin, great grandparent, great grandchild, grandnephew, grandniece, granduncle, grandaunt, and any of these relationships “in-law.” This rule applies to all types of appointments, including merit, hourly, temporary, and contract.

Changes in relationship to another employee in the same organizational unit, such as becoming a relative as described above through marriage or becoming a member of the same household, must be reported on the appropriate form through the chain of command to the Human Resources Director. Organizational unit is defined as an office, bureau, division, branch, area office, or county health department, regardless of the physical location of the work.

No employee is permitted to supervise, directly or indirectly, or to have any influence in decisions affecting the employment of, a first, second, third, or fourth degree relative or any person who resides with the employee. Employees may refer relatives and members of their households to the Department for employment, but appointments must follow normal hiring procedures. Employees should not contact Department offices to ask about hiring relatives and household members.

Failure to report relationships with relatives or household members before an employment offer is made or failure to report changes in relationship to another employee in the same organizational unit may result in disciplinary action, up to and including termination of employment.

Disclosure/Acceptance of Outside Employment

Employees may engage in outside employment so long as it does not constitute a conflict of interest with the employee’s job duties with the Department; violate State ethics laws; hinder nor is counter to the Department’s mission; or impose demands on the employee’s time that would be detrimental to the Department. Employees may not work a second job during their normal work hours, even if on leave or compensatory time. In addition, employees may not work for two State agencies, including public education institutions. All outside employment activities, including self-employment and contract consulting work, must be made a matter of record following prescribed procedures and approved by the State Health Officer. Whenever possible, employees are expected to obtain approval prior to engaging in outside employment. Refer to the Department’s **Professional Conduct Policy** for additional information.

Americans with Disabilities Act – Reasonable Accommodations

It is the policy of the Department to comply with all provisions of the Americans with Disabilities Act (ADA) as amended in 2008. Title I of the ADA prohibits employment discrimination against qualified individuals on the basis of disability. Consistent with the ADA, it is the policy of the Department to provide, upon request, reasonable accommodation to the known physical or mental limitations of an otherwise qualified employee or applicant with a disability, unless such accommodation would cause an undue hardship.

An employee who needs a modification (an adjustment or change) at work due to a medical condition should notify his or her immediate supervisor, a higher level supervisor in the chain of command, or the Employee Relations Officer. The employee may be required to obtain supporting medical documentation, if the disability and need for accommodation are not obvious. All requests for accommodations and supervisory recommendations must be submitted to the Employee Relations Officer. ADA accommodations require the approval of the State Health Officer.

Information about employees' medical conditions and ADA accommodations is confidential and must be discussed only with those who have an official need to know. All related information must be kept in a file separate from the employee's personnel file. (See the **ADA Employment Policy**.)

Job Related Injury or Illness

The State Employee Injury Compensation Trust Fund (SEICTF) program provides indemnity and medical benefits for injuries incurred on the job. Indemnity benefits consist of lost wages caused by on-the-job injury, payment for permanent partial and permanent total disability, and payments to dependents and for burial expenses in the event of a fatal injury. In order for an injury or illness to be covered under SEICTF, all required forms must be completed, and the employee must see specified doctors.

If you are injured on the job or have onset of any occupational disease incurred on the job, you are required to report this immediately to your supervisor or other designated person in case of the supervisor's absence. This procedure is to be followed regardless of how slight the injury is and whether or not medical assistance is necessary.

If the situation is a medical emergency, you should seek medical attention immediately and complete required forms as soon as possible. A medical emergency is a sudden and unexpected onset of a medical condition which is so severe that failure to receive immediate treatment could result in permanent damage or danger to health; serious impairment to bodily functions or serious permanent dysfunction of any bodily function, organ, or part; or other serious medical consequences. Follow-up care must be provided by a SEICTF Network physician. For a listing of Network physicians, please visit the web site for the Division of Risk Management at www.riskmgmt.alabama.gov and click on "Employee Injury."

Genetic Information Nondiscrimination Act (GINA)

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by GINA. "Genetic information" as defined by GINA includes an individual's family history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or

family member receiving assistive reproductive services. In instances where an employee is required to submit medical documentation in support of a personnel action, a GINA notice will be included with the request/form, as applicable, for presentation to the health care provider.

Community and Political Activity

Time spent on community affairs, when not undertaken at the request of Department management, must be on your own time, either outside your working hours or while you are on annual leave/compensatory time, and will not be considered work time. Use of the Department's equipment and supplies for such activities is prohibited.

You may participate in city, county, state, or national political activities to the same extent as any other citizen of the State of Alabama, which includes the right to join and contribute to political clubs, organizations, and parties; publicly support issues and candidates; make financial contributions; hand out campaign literature; put up campaign signs in your yard; and express your individual opinions on political subjects and candidates. However, you may not use any state funds, equipment, or supplies for such political activity. Also, you must be away from the work place and on approved personal leave or holiday or on your own personal time before or after work to engage in these activities. It is your responsibility to ensure that your conduct and representations are such that no one may reasonably perceive your views, position, or actions as officially representing those of the Department.

You may not use your official authority or influence for the purpose of affecting an election, even if on your own time and away from the workplace. If you are a supervisor, you may not solicit any contributions from your subordinates or force or attempt to force them to refrain from working in any political campaign or cause.

The Department recognizes that running as a candidate for public office is an important component of political activity. However, a federal law known as the Hatch Act prohibits some state employees from running for office in any partisan election. **Because the penalties for violating the Hatch Act are severe (even if the candidate is not successful), employees are strongly encouraged to seek an advisory opinion from the U.S. Office of Special Counsel, before running for office, as to whether or not their candidacy will violate the Hatch Act.** Advisory opinions may be requested by calling (800) 854-2824 or by e-mail at hatchact@osc.gov. In addition, an employee who seeks public office must notify the State Health Officer of his or her intention to run in an election for public office. Violations of the Hatch Act may result in termination of employment.

Only staff members with explicit authorization of the State Health Officer may communicate on behalf of the Department with legislators, members of the executive branch of government, or representatives of the press on a political or legislative matter.

Religious Expression

The Department does not seek to promote or discourage the practice of any religion or faith. Casual religious conversation between employees is not prohibited, but such conversation must not give the appearance of approval of any religion by the Department or supervisors and must not be disruptive to the Department's functioning.

Employees may attend prayer sessions and/or Bible or religious book studies during the work day during lunch times only. Sessions may be on Department premises but are to be in an area that can be closed off, so as not to offend employees or patients/clients who do not wish to be involved. If inviting other employees to attend such sessions, you must ensure that the invitation carries no appearance of pressure, coercion, or approval by the Department or by supervisors.

Verbal or written solicitation for membership in a religious group or for attendance of religious services, or advocacy of religious principles, may be conducted only during lunch times. However, such activities may not take place, even at lunch times, when employees are not free to leave the lunch area if they wish (e.g., work-related meeting held during lunch).

Employees must not engage in religious solicitation or advocacy of religious principles to patients/clients. Do not use contacts made while on Department time to make such invitations or advocacy.

Religious materials are not to be posted on official Department bulletin boards or on Department windows, doors, or walls. Employees may display religious materials in their personal work areas so long as a reasonable observer would not interpret it as Departmental endorsement of any religion. Religious expressions are not to be included in written or electronic communication in which Department business is conducted, either within or outside the Department.

Title VII of the Civil Rights Act of 1964, as amended in 1991, requires that employers reasonably accommodate the religious practices of employees and prospective employees, unless to do so would create an undue hardship. If you need a religious accommodation, talk with your supervisor about the need, and your supervisor will coordinate with the Employee Relations Officer about a possible accommodation.

Operation of Motor Vehicle on the Job

Any person performing duties on behalf of the Department must possess a valid driver's license before operating a state, county, or municipal owned vehicle, rental vehicle, or a private vehicle on the job. Failure to do so may result in disciplinary action. All employees who drive any vehicle on Department business, whether government-owned, rental, or personal, are automatically covered for liability through the Employee Auto Liability Program.

For employees or volunteers operating a motor vehicle on Department business, the supervisor is responsible for questioning whether s/he has a conviction for reckless driving or driving under the influence. A statement by the employee or volunteer will be accepted unless there is reason to question it.

If you operate any motor vehicle on the job, it is your responsibility to notify your supervisor immediately upon conviction for reckless driving or driving under the influence, whether or not the offense was committed while on the job, or upon the suspension or revocation of your driver's license.

Use of Electronic Equipment

The Department's electronic equipment (including telephones, e-mail, voice and video communications, facsimiles, the Internet, computers, flash drives, copiers, beepers, and cell phones) is provided to support the Department in achieving its goals and missions. Incidental and occasional personal use is permitted so long as it does not:

- adversely affect the performance of your duties;
- violate existing Departmental rules or policies;
- overburden the communications system;
- create significant additional cost to the Department;
- involve a for-profit personal business activity;
- have potential to harm or reflect adversely on the state, including, but not limited to, uses involving pornography, gambling, offensive/harassing messages or images, chain letters or jokes, improper handling of confidential information, advertising, soliciting, or selling (with the exception of posting personally owned items for sale in the ADPH Bulletin Board in Lotus Notes); or
- involve illegal activities.

The Department reserves the right to monitor electronic communications transmitted through its electronic equipment and systems, including but not limited to, Internet usage, e-mail, and telephone communications. Employees have no reasonable expectation of privacy concerning materials viewed, transmitted, or stored on Department-owned electronic equipment and systems.

Employee Records

Official records are maintained on all appointed Department of Public Health employees. Files are kept at the work site and in the Office of Human Resources, as well as in the State Personnel Department. Personnel records of all present and former employees are confidential and will be kept in a secure area with access limited to those with an official need to know. Employee records contain only information related to work history. No medical information is kept in an employee's file. You must be provided a copy of any document pertaining to disciplinary action within ten days of its placement in your employee file, and you must sign a statement acknowledging receipt of the document.

Prevention of Fraud, Waste, and Abuse

All employees and contracting entities who furnish or authorize the furnishing of federally reimbursed health care items or services; perform billing or coding functions; or are involved in

the monitoring of health care provided by the Department are expected to advise the Office of General Counsel of any suspected fraud, waste, or abuse observed during the performance of their duties. Individuals making such reports in good faith are protected against retaliation. Employees should refer to the Department's **Policy on False Claims Liability, Anti-Retaliation Protections, and Detecting and Responding to Fraud, Waste, and Abuse** for further information, and supervisors should ensure that appropriate training is provided.

Office Flower/Gift Funds

Office funds for flowers/gifts for coworkers or supervisors are acceptable. Participation in such activities, however, must be wholly voluntary on your part, and any gifts should be of nominal value in keeping with the spirit of the event, rather than for financial benefit.

Tobacco Free Health Department Facilities

All buildings occupied by the Alabama Department of Public Health are tobacco free. In some locations, employees may smoke or use tobacco in other forms, in designated areas outside the buildings during break periods. Two fifteen-minute rest breaks may be granted each day, one in the first half and another during the second half of the workday or shift. Check with your supervisor for the rules in your location.

Safety and Emergency Guidelines

The Department is committed to providing a work environment as free as practicable of all recognized hazards. Employees are responsible for maintaining work areas that are free from debris and unnecessary items that might cause harm to themselves or others. In addition, they are responsible for notifying their supervisors of any potential hazards in the workplace.

Employees may enter or remain on the Department's premises outside the normal working hours when authorized to do so by their supervisor or designee. Employees who work outside the office are expected to exercise reasonable care for their own protection and property while away from the premises on business.

All employees must become familiar with and follow their location's procedures for emergency situations such as fire, inclement weather, power failure, bomb threats, and medical emergencies. Please contact your supervisor for this vital information.

Security Measures

For the safety of Department employees and our clients and to protect the confidential information maintained by the Department, all employees must become familiar with and follow the Department's **Security Policy** and their location's security procedures. Also, all ADPH employees and contractors, whether in Department buildings or facilities or performing work in

the field, must wear ID badges on their outer garments, so that both the picture and information on the badge are clearly visible.

Personal Visitors in the Workplace

Family members and friends visiting the workplace must remain with the employee. While visiting, they are not allowed to use state equipment or have access to work products. Occasionally, an unexpected event may require an employee to take care of his or her child in the workplace during work hours. These times should be brief and only until other arrangements are made or leave used. In some situations, it may be acceptable to allow a child to be brought to the parent at the workplace or for the parent to bring the child to work when s/he is to be picked up shortly thereafter. These occurrences, however, should not disrupt the operations of the office. It is never acceptable for employees to bring their children to work in lieu of making childcare arrangements. Furthermore, it is inappropriate for an employee to ask a coworker to supervise his or her child while the child is in the workplace.

Personal Business

Department employees may not make arrangements to meet with a salesperson in Public Health office space to discuss products or services or to deliver ordered products during working hours. This includes break time, which is defined as work time. Lunch time is considered “free” time for personal use. Therefore, employees should make arrangements to use such time away from the office for personal business. Exceptions will be made for insurance companies that have been approved by the State Finance Department for payroll deductions and when marketing promotions are mandated by the Legislature and/or the Governor’s Office or approved by the State Health Officer. Visits will be arranged by the Office of Facilities Management for state offices and by the County Administrator for county offices.

Property Searches

The Department reserves the right to access and search all offices and work areas on the Department’s premises and any equipment belonging to the Department, including but not limited to locked and unlocked offices and desks, file cabinets, paper files/records, and computer files/records (including flash drives), and employees have no expectation of privacy in this regard. Such searches may be performed for business reasons, as determined in the Department’s sole discretion, without an employee’s consent or knowledge. The scope of the search will be limited to what is necessary to achieve the purpose of the search. Refusal to permit a search may be grounds for disciplinary action, up to and including termination of employment.

SECTION 4

STANDARDS OF CONDUCT

Professional Behavior and Language

It is essential that you remain aware of your role as an employee of the Alabama Department of Public Health. You are not only employed by a State agency, but more importantly you are paid by the people of Alabama. Therefore, it is essential that you demonstrate high standards of personal integrity; adhere to high moral and ethical standards in your business relationships and your personal conduct; conduct yourself in a professional manner; and show a sense of dedication and responsibility toward your job.

An attitude of cooperation is expected of every employee. Interaction with fellow employees must not cause dissension or discord. Malicious or excessive griping; loud, disruptive talking that affects the activities of other employees; vulgar, abusive, or threatening language; and emotional outbursts at another individual or the Department are examples of inappropriate behavior that will not be tolerated. Any such misconduct or any other action that causes disruption in the workplace may be cause for disciplinary action. Employees are also cautioned against the use of profanity in general conversation with each other. Such language is inappropriate in a business setting and may be offensive to other coworkers.

Employees are expected to perform their assigned duties conscientiously and to respond readily to the direction of supervisors. Failure to comply with a supervisor's instructions, arguing with a supervisor, and resisting authority are unacceptable and will subject the employee to disciplinary action.

You are expected to perform your job according to standards set by your supervisor and Department Head. Inattention to your job, leaving your work station without being properly relieved, and misuse and abuse or unauthorized operation of equipment and vehicles cannot be tolerated and will subject you to disciplinary action. Serious violations, such as insubordination; theft or unauthorized possession of State property; fighting on the job; use of abusive or threatening language; falsification of records; possession or use of alcohol, controlled substances, or dangerous weapons; sleeping on the job; and abandoning your job may result in suspension or dismissal for the first offense.

Employees may not sell merchandise, products, or services (including lending money for profit) to another Department employee during work hours or at any time under circumstances which might cause the employee to believe that failure to purchase the merchandise, products, or services may adversely affect his continued employment, performance evaluation, opportunity for advancement, or opportunity for merit pay raises. Supervisors, in particular, should avoid placing themselves in a position which could interfere with the objective evaluation and direction of their subordinates.

There may be occasions when business meetings need to be electronically recorded for accurate minutes to be maintained, and this is acceptable. However, it is unacceptable for any employee or supervisor to electronically record a conversation with another employee or supervisor, or any other individual, without the express consent of all parties involved and approval from the Office of General Counsel or Human Resources. Violation of this rule will result in disciplinary action.

Employees must serve the public with respect, concern, courtesy, and responsiveness. Rules must be applied and services must be provided in a nondiscriminatory manner.

The Department expects employees to act in a professional and ethical manner in all circumstances, including those not covered in this section. Failure to do so may result in disciplinary action being taken against you, up to and including termination of employment. (See the **Professional Conduct Policy**.)

Professional Dress and Appearance

Employees contribute to the Department's professionalism and reputation by the way they present themselves. A professional appearance is essential to a favorable impression with patients, clients, regulators, and the general public.

Employees are expected to maintain good hygiene and grooming for work. Facial hair should be neat and well-trimmed. Due to sensitivity (allergies, illnesses) of some employees and patients, perfume and cologne should be used sparingly or not at all.

Earrings are acceptable; however, rings or studs through the nose, eyebrow, tongue, or body parts other than the ear lobe that are visible to others, may not be worn while working. All tattoos must be small in size or covered at all times and must not be offensive in nature.

In order to present to the public our best image, each employee is expected to wear appropriate business or office apparel. Certain employees may be required to wear uniforms, depending on the nature of their jobs. All employees must come to work dressed in clothing that is clean, neat, and properly fitting. Clothing that reveals too much back, chest, or cleavage, or that reveals an employee's stomach or undergarments, is not appropriate for work. Clothing with wording or pictures that may be offensive to other individuals is unacceptable.

Appropriate Business Attire

- * Blazers/sports coat
- * Blouses/shirts – tucked in unless made to wear outside of pants or skirts
- * Plain T-shirts worn under blouse or jacket
- * Polo shirts with departmental logo may be appropriate in certain limited circumstances, when work does not require routine contact with the public
- * Vests
- * Pants/slacks in business suitable fabrics
- * Skirts and dresses (length that covers thigh area when sitting)

- * Suits/pantsuits
- * Any type of business shoes (heels, flats, etc.)
- * Non-thong type sandals

When meeting with someone from outside the agency, men should wear a tie and suit jacket or blazer.

Casual business attire may be allowed on certain days (as designated by the State Health Officer for the central office and by Administrator/Director for locations outside the central office). Even when more casual attire is permitted, employees are expected to present a neat appearance and are not permitted to wear ripped or disheveled clothing, athletic wear, or similarly inappropriate clothing. Casual business attire is not appropriate if meeting with individuals outside the Department.

Acceptable casual business attire (for designated days)

- * Casual shirts with collars (golf and polo shirts)
- * Denim (including pants [jeans], shirts, skirts, dresses, etc. with no holes or frays)
- * Shirts with departmental logo/shirts with university or team names on designated “sports” days
- * T-shirts without logo
- * Capri pants; gaucho or similar pants (at or below mid-calf length)
- * Casual slacks (cargo pants)
- * Athletic shoes
- * Casual shoes

Attire which is unacceptable for work at any time

- Halter tops/crop tops
- Sun dresses; strapless dresses; beach cover-up dresses
- Tank tops
- T-shirts with logos
- Flannel pants
- Jogging outfits
- Shorts or skorts
- Stirrup pants and leggings
- Sweatshirts/sweatpants
- Flip-flops

If you report to work dressed or groomed inappropriately, you may be counseled by your supervisor and possibly sent home to change. In these instances, you will be charged the appropriate amount of annual leave.

If you need a reasonable accommodation regarding your dress or appearance for bona fide health and/or religious reasons, you should contact your supervisor.

Drug Free Workplace

The Department is committed to maintaining a drug free workplace. Employees are absolutely prohibited from using unauthorized drugs, including alcohol, during work hours; shall not report to work with detectable levels of unauthorized drugs in their systems; and shall not manufacture, distribute, dispense, possess, or use illegal drugs on Health Department premises. For purposes of this policy, “premises” means “property rented, owned, or otherwise occupied by the Alabama Department of Public Health.”

Employees who violate this policy will be subject to disciplinary action that may include their immediate suspension or termination from employment. (See the **Drug Free Workplace Policy**.)

Workplace Harassment (including Sexual Harassment)

The Department is committed to providing a workplace that fosters mutual respect; promotes harmonious, productive working relationships; and is free from all forms of harassment. In general, harassment is repeated and persistent verbal or physical conduct that annoys, disturbs, or troubles another individual. All employees must comply with this policy and are expected to take appropriate measures to prevent harassment. If you feel you are being harassed, it is recommended (but not required) that, if possible, you tell the offending party that his/her behavior is offensive and needs to stop. The individual may not realize the conduct is offensive. Sometimes a direct confrontation will solve the problem.

Not only is harassment a violation of Department policy, but verbal or physical conduct that denigrates or shows hostility toward an individual because of his/her race, color, gender, national origin, religion, age, or physical or mental disability could potentially be a violation of federal law. Some examples of conduct that might constitute unlawful harassment include: offensive or derogatory comments, slurs, or epithets about a person’s gender, race, religion, national origin, age (40 or over), or disability; cartoons, jokes, written materials, or slurs that are degrading to or reflect negatively on any protected group; abusive or intimidating physical conduct against an individual based on the individual’s gender, race, religion, national origin, age, or disability.

Sexual harassment includes verbal or physical behavior/conduct of a sexual nature that explicitly or implicitly affects an individual’s conditions of employment; unreasonably interferes with an individual’s work performance; or creates an intimidating, hostile, or offensive work environment. It may also involve derogatory treatment based on gender. Examples of behavior/conduct prohibited under the Department’s Sexual Harassment Policy include, but are not limited to: unwelcome sexual advances; sexual demands or requests for sexual favors; graphic verbal commentaries about an individual’s body; sexually degrading comments to or about an individual; display in the workplace of sexually suggestive objects or pictures; sexually explicit jokes which are offensive and unwelcome; and actual sexual assault.

If you believe you are being harassed by a coworker, supervisor, manager, or any other individual in the workplace (whether or not employed by the Department), or if you witness potential harassment, you should report the conduct promptly so that it can be stopped before it

becomes severe or pervasive and rises to the level of a possible violation of law. Generally, employees should report such matters to their immediate supervisor. However, in cases where an employee feels threatened or uncomfortable reporting such incidents to his/her immediate supervisor, or where the immediate supervisor is the offending party, the employee should make a report to a higher level supervisor in the chain of command. Alternatively, reports may be made to the Employee Relations Officer in Human Resources; however, in the interest of fostering more positive working relationships, employees are encouraged to first try to resolve the issue through their chain of command. *All* allegations must be documented with a copy forwarded to the Employee Relations Officer.

It is especially critical that supervisors who are informed of or observe behaviors that may be considered harassment immediately report the matter to upper level management or the Employee Relations Officer. A supervisor's failure to do so may result in disciplinary action.

If the Department receives an allegation of harassment, or has reason to believe such harassment is occurring, it will take the steps necessary to ensure that the matter is promptly investigated and addressed. In conducting an investigation, the Department will ensure that the rights of the charging party and the alleged offender are protected. If the allegation is determined to be credible, the Department will take immediate measures to end the unwelcome behavior, even if the individual does not wish to file a formal complaint and regardless of whether or not the behavior meets the legal definition of harassment. If an employee is not satisfied with the conclusion or results of the investigation, s/he may present the complaint to the State Health Officer.

Making false claims, especially with malicious intent, is prohibited.

The Department strictly prohibits retaliation of any kind against an employee who, in good faith, reports or makes an allegation of harassment, intimidation, or discrimination or who assists in investigating such complaints. If an employee feels s/he has been subjected to any form of retaliation, the employee should promptly report the conduct to her/his immediate supervisor, another member of management, or the Employee Relations Officer.

Violations of this policy will be grounds for disciplinary action, including possible termination of employment.

(See the **Sexual Harassment Policy**.)

Workplace Violence

It is the Department's policy to promote a safe environment for its employees. Violence, threats, harassment, intimidation, and other disruptive behavior in the workplace will not be tolerated; all reports of incidents will be taken seriously and handled accordingly. Such behavior may include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm.

Possession of weapons by any employee during the course of conducting Departmental business in the workplace, while visiting other State property, or while performing job duties in the field, is prohibited. In compliance with State law, employees who possess a valid Alabama concealed weapon permit may keep a firearm in their privately owned vehicle at work, provided the firearm is in a locked compartment or container and out of plain sight. Employees who possess a firearm that is legal for use during hunting season may have that firearm in their privately owned vehicle at work, provided the firearm is in a locked compartment or container and kept from ordinary observation, and the following additional requirements are met: employee must have a valid hunting license; the firearm must be unloaded; the firearm can only be kept in the employee's privately owned vehicle during hunting season; the employee does not have a conviction for a crime of violence; and the employee does not have a documented workplace violence incident involving threats of physical injury or an incident that resulted in physical injury.

If you observe or experience violence, threats, harassment, or intimidation by anyone on agency premises, whether or not they are a Department employee, you should report it immediately to your supervisor or contact the Human Resources Director or the Employee Relations Officer in Human Resources. Threats or assaults that require immediate attention by security or police should be reported first to local enforcement officers. For State offices located in Montgomery, the first contact in such cases should be the State Capitol Police at (334) 242-0700; in all other locations, dial 911. (See the **Policy against Workplace Threats and Violence**.)

Violation of the Policy against Workplace Threats and Violence will result in disciplinary action, up to and including termination.

Confidentiality

Personal information, written or unwritten, such as medical, financial, or social (e.g., address, social security number, telephone number, etc.) given to any Department employee in any capacity, including the personal information of Department employees, is strictly confidential. Information may be released to parties outside the Department only upon the written consent of the individual or parent/guardian as applicable, or as otherwise provided by law. Confidential information is to be discussed within the Department only as minimally necessary. Employees may be held personally liable for any adverse consequences to individuals resulting from inappropriate release of information or breaches of confidentiality. Employees must not attempt to obtain confidential information for which they are not authorized. Violation of this policy will not be tolerated and is grounds for disciplinary action up to and including termination of employment and/or legal action. All suspected breaches of confidentiality must be reported immediately through the ARIA (Automated Report of Incidents and Accidents) to the Privacy Officer in the Office of General Counsel. Any employee may make a report through the ARIA; it is not necessary that employees report through the chain of command. Employees are protected from any discrimination, harassment, or retaliation for reporting in good faith a suspected violation of confidentiality.

SECTION 5

HOURS OF WORK

All employees must comply with the rules regarding hours of work; holidays; and annual, sick, military, and special leaves of absence with or without pay. The beginning and ending work hours may vary in the county health departments, depending upon clinic schedules and the type of work being performed.

Regular Workweek

The regular workweek is Monday through Friday, eight hours per day, with a one-hour lunch break at approximately the middle of the work day. You are expected to comply with established work hours. Tardiness and absenteeism disrupt work schedules, placing an added burden on fellow employees and supervisors, and will subject you to disciplinary action. If you are required by your supervisor to work over 40 hours in a workweek, you may be entitled to overtime pay or compensatory time. Talk with your supervisor about the work hours for your office and details concerning overtime and compensatory time.

Breaks

Rest breaks of fifteen minutes are normally acceptable, once each morning and once each afternoon. Morning and afternoon breaks may not be taken in conjunction with the beginning and ending of work hours or the lunch break. Breaks are not cumulative. If you do not take a break, you may not add it to a later break. Your supervisor has the responsibility to arrange your breaks to give you some rest during your workday. However, remember that rest breaks are a privilege rather than a right and must not interfere with the needs of the office.

If needed, an employee who is a nursing mother will be granted additional reasonable break times to express breast milk for her nursing child for one year after the child's birth. Each work location has private space which may be used for this purpose. If you qualify for this benefit, you should talk with your supervisor to make arrangements.

Flexible Work Hours (Flex Time)

The Department offers the use of flex time where possible in order to maintain or increase productivity, to decrease tardiness and short term absences, and to benefit employees. While supervisors are encouraged to work with employees in scheduling flex time, the business of the Department must be the priority.

Definitions:

- * Regular Workweek - The regular workweek is Monday through Friday, 8:00 AM - 5:00 PM.
- * Core Time - The hours designated during which all full-time employees must be present, except for the lunch period, are 9:00 AM – 3:30 PM.
- * Flexible Time - The hours within which employees may choose their starting (7:00 AM - 9:00 AM) and quitting (3:30 PM - 6:00 PM) times.

Requirements:

- All full-time employees must work during the core times and must account for 40 hours per week.
- Lunch time must be taken at approximately the middle of the work day with a minimum of 30 minutes and a maximum of 1 ½ hours.
- Normal rules concerning break times apply.
- Normal policies governing leave will apply.

Note: Exceptions to these requirements require approval of the State Health Officer.

Allowable starting and quitting times, as shown in the definitions section above, apply to full-time employees. Work hours for part-time employees may be set by each work location as deemed appropriate.

As many employees as possible will be allowed to participate in flex time. However, supervisors may identify employees or groups of employees who, because of the type of duties or workload, must be excluded from participation. Since flex time is a privilege and not a right, documented abuse of flex time may be cause to exclude an employee from participation.

In cases where several employees' choices conflict with each other or with the needs of the Department, every effort will be made to arrange a schedule that is satisfactory to all employees involved. In order to be fair to all employees, the supervisor may devise a rotation system.

The supervisor/director has the authority to require employees to revert to the normal operating hours when the workload necessitates. Employees will be notified as soon as possible and provided the reason for such change.

Employees who are attending training or a conference or who are in travel status will be subject to the hours of the training/conference (assuming a full work day), which may or may not be the same as their normal working schedule.

Overtime and Compensatory Time

Employees are expected to perform the duties assigned to them within their normal work hours. On those occasions when the supervisor requires employees to work outside their normal work hours for business reasons, it is the State's policy, in compliance with the Fair Labor Standards Act (FLSA), to grant time off rather than wages to compensate nonexempt employees for overtime worked. Nonexempt employees are those in positions subject to the overtime provisions of the Fair Labor Standards Act (FLSA).

Nonexempt employees are granted compensatory time at one and one-half times the amount of time physically worked in excess of 40 hours per week. If a nonexempt employee works outside his/her normal work hours on one or more occasions during a workweek but does not physically work more than 40 hours due to other time off during the week, he/she will earn straight time (time for time) for the time worked outside his/her normal work hours. A nonexempt employee cannot work overtime without compensation. In addition, the Department must compensate the nonexempt employee for overtime worked, even if the supervisor did not request that the employee work overtime. Unapproved overtime will be treated as noncompliance with Departmental policy, and appropriate disciplinary action will be taken.

Employees in positions that are exempt from overtime provisions are not entitled by law to overtime compensation but may receive compensatory time on a time-for-time basis for hours worked in excess of their normal scheduled work hours. This is not intended to reward inefficiency or the misuse of time, but to recognize that in some instances, it may be appropriate to compensate exempt employees for working more than their scheduled work hours when it is in the best interest of the Department.

All overtime must be approved in advance by the supervisor and should be for the good of the business and not for the convenience of the employee. Accumulated compensatory time must be used prior to the use of annual leave, unless this would cause a loss of accumulated annual leave at the end of the calendar year. Upon transfer out of or separation from the Department, nonexempt employees must be paid for their balance of compensatory time, but exempt employees lose any accumulated compensatory time.

If you believe your job is incorrectly classified for overtime purposes, please notify your supervisor or the Department's Human Resources Director.

SECTION 6

COMPENSATION AND BENEFITS

Salary

A State Pay Plan establishes the salary scale (pay range) for your job classification. The scale consists of a minimum and a maximum salary with intermediate steps. New employees normally enter service at the minimum salary for the class. You may be recommended for salary increases at the end of your probationary period and annually thereafter, up to the maximum of the pay range. The amount of the salary increase will be determined by your work performance and rules and procedures in effect at that time. Until further notice, performance salary increases (merit raises) are limited to two steps (5%). Availability of funds will also be taken into consideration by your Department Head in approving your supervisor's recommendation.

State employees are paid on a semi-monthly basis (24 pay days per year). Paydays will normally be on the 1st and 16th of each month, unless the date falls on a weekend or holiday. In those cases, the payday will be the last work day prior to the pay date. The one exception to this is at the beginning of the fiscal year. If October 1 falls on a weekend, payday will be the following Monday. State employees are paid in arrears, which means that when you receive a paycheck, it is not for the pay period you just completed but for the previous pay period. Therefore, you will receive your first paycheck at the end of the second pay period worked, which will be approximately one month after the start of employment.

On-call Pay for Home Care Services Nurses

Nurses who are assigned on-call duty will receive on-call pay at the rate of \$2.00 per hour for RN's and \$1.00 per hour for LPN's, plus time and one-half pay for visits made while on call.

Overtime Pay for Home Health Aides

In some cases, Home Health Aides may receive monetary payment for overtime worked. Procedures are maintained at the county offices.

Direct Deposit

Employees of Public Health who are in permanent positions may have their payroll checks deposited directly in their bank accounts. Please contact your payroll clerk for the appropriate paperwork.

Payroll Deductions

Payroll deductions will be made from your gross salary for federal and state income taxes, social security tax, retirement contributions, and health insurance premiums. Upon your authorization, the following may also be deducted: savings deposits or repayment of loans to the Alabama State Employees' Credit Union, deferred compensation contributions, purchase of U.S. Savings Bonds, Alabama Public Health Association (ALPHA) dues, State Combined Charity Campaign, Alabama State Employees' Association (ASEA) dues, and personal insurance premiums to companies on approved state lists.

Longevity Pay

Employees with five years or more of state service may be eligible for a longevity bonus check. Longevity pay is issued each year in December to employees in pay status. The amount received is based on the following schedule (amounts for eligible part-time employees will be adjusted according to their percentage of work time):

<u>Total Service:</u>	<u>Annual Amount:</u>
Less than 5 years	\$0.00
At least 5 years, but less than 10	\$600.00
At least 10 years, but less than 15	\$700.00
At least 15 years, but less than 20	\$800.00
At least 20 years, but less than 25	\$900.00
25 years or more	\$1,000.00

Health and Dental Insurance

As a merit system employee or semi-monthly Form 8 employee, you are eligible to receive health and dental insurance coverage effective as of the date of employment. Dental coverage is available with a separate premium.

You must complete the appropriate form(s) during your first three work days and mark your election as applicable (see supervisor or office manager for details):

1. State Employees' Health Insurance Plan (SEHIP) Basic Medical (primary coverage)
2. Supplemental Coverage (Secondary Medical)
3. Southland Optional Policies (Vision/Dental/Cancer/Hospital Indemnity)
4. Health Reimbursement Arrangement (if covered under other health insurance plan, with limited exceptions, receive funds to apply toward your premium)
5. Decline Coverage

Visit the State Employees' Insurance Board (SEIB) website (www.alseib.org/HealthInsurance/SEHIP) for more information. You may also contact the SEIB at (334) 263-8341 or (866) 836-9737 if you have questions about coverage or premiums.

Premium Discounts

- 1) Non-Tobacco User Premium Discount – Must complete application certifying that you (and your spouse if covered as a dependent) have not used tobacco products within the last twelve months. New employees have 60 days from the date of hire to apply for the non-tobacco user discount.
- 2) Wellness Premium Discount – Must either receive a worksite Wellness Screening or submit to SEIB a Provider Screening Form completed by your physician within 60 days of date of hire.
- 3) Federal Poverty Level Premium Discount – If your combined family income is less than or equal to 300% of the Federal Poverty Level (FPL), you may be eligible for a percentage premium discount. See your Office Manager or go to www.alseib.org for details. You may apply for this discount at any time during the year.

Flexible Employees' Benefits Plan

The Flexible Employees' Benefits Plan offers three programs designed to save employees money by allowing for payment of health insurance premiums and eligible health care and dependent care expenses via payroll deduction before state and federal taxes are applied:

- ***Premium Conversion Plan (PCP)***
- ***Health Care Reimbursement Account (HCRA)***
- ***Dependent Care Reimbursement Account (DCRA)***

New full-time and part-time employees may enroll within 90 days of employment, with coverage effective the first day of the month following the receipt of the enrollment. Employees may enroll online via the State Employees' Insurance Board (SEIB) website (www.alseib.org/HealthInsurance/flex) or complete the appropriate form for submission.

(For purposes of the HCRA and the DCRA, part-time employees may be excluded from participation by IRS rules. Part-time employees should consult their tax advisor before enrolling in the HCRA or the DCRA.)

Premium Conversion Plan (PCP)

Under the PCP, part of your salary is redirected to pay your health insurance premiums prior to taxes being withheld. When you enroll in the State Employees' Health Insurance Plan, you are automatically enrolled in the PCP. To opt out, you must notify the Flexible Employees' Benefits Board in writing.

You also have the option to pay your premiums for certain qualified voluntary coverages purchased through payroll deduction on a pre-tax basis (see the Flexible Employees' Benefits Plan Employee Handbook on the SEIB Flex Plan website for a list of approved companies). To enroll in the PCP for qualified voluntary coverages, you will need to complete a Salary Reduction Agreement form (available on website). In order to ensure that your premiums for voluntary coverage are properly billed, you need to contact your insurance carrier.

Health Care Reimbursement Account (HCRA)

The HCRA allows you to pay for eligible out-of-pocket healthcare expenses with tax-free money. To enroll, you will need to determine the estimated amount you expect to spend for qualifying out-of-pocket healthcare expenses during the calendar year. That amount is divided by the number of pay periods you will be working during the year to determine how much will be deducted from each paycheck.

There are 3 methods of accessing the funds in your Health Care Reimbursement Account: traditional reimbursement (automatic reimbursement for qualifying out-of-pocket healthcare expenses); the Flex Card (allows you to make payment using the MasterCard network); and the manual method (file for reimbursement using claim form).

Dependent Care Reimbursement Account (DCRA)

A DCRA allows employees to pay for certain eligible dependent care expenses with pre-tax dollars. Using the DCRA for qualified dependent care expenses reduces the amount of the available tax credit on a dollar-for-dollar basis. See the Flexible Employees' Benefits Plan Employee Handbook (www.alseib.org/HealthInsurance/flex) for detailed information concerning employee requirements, dependent qualifications, eligible expenses, and contribution amounts, and participation restrictions.

More detailed information about the Flexible Employee Benefits Plan is available on the SEIB website (www.alseib.org/HealthInsurance/flex).

Retirement Program

The Employees' Retirement System (ERS) is a defined benefit plan, meaning it provides employees with a specific monthly benefit at retirement, based on a formula. Benefits are payable monthly for the lifetime of the member, possibly continuing for the lifetime of the member's beneficiary. Participation in the ERS is mandatory if an individual is employed in a position eligible for coverage in a non-temporary capacity on at least a one-half time basis earning at least the federal minimum wage. Once enrolled, the member must continue participation until employment is terminated.

Members with any creditable service prior to January 1, 2013, are classified as Tier 1 participants. Members hired on or after January 1, 2013 are classified as Tier 2 participants. Member contribution rates and retirement benefits are set by law. The contribution rate for Tier

1 participant is 7.5% of earnable compensation. For Tier 2 participants, the contribution rate is 6.0% of earnable compensation. Employee contributions are deducted from the regular salary payments and overtime payments of all members. The Department's contribution rate is determined annually.

Creditable service is one part of the formula used to calculate your retirement benefit. Periods of part-time service are prorated based on the percentage of time worked in relation to full time. Alabama state law allows active members to purchase service credit for certain types of past employment. Purchasing service credit may increase the amount of your retirement income or allow you to retire sooner.

Purchase of Military Service

During your **first year** of participation in the ERS, you may purchase up to four years of eligible military service, provided you have had no previous period of eligibility. The next opportunity to purchase military service will be after accumulating ten years of creditable service with the ERS. Eligible service includes honorable service in the U.S. Armed Forces for which the member is not currently receiving service retirement benefits from any branch of the U.S. Armed Forces, or from any other source other than benefits received exclusively as payment for a service connected disability. Weekend service and summer camp service with the National Guard and Reserves are not eligible to be purchased as creditable service. For additional information, contact the ERS at (334) 517-7000 or 1-877-517-0020, or refer to the ERS Member Handbook, available on the ERS website (www.rsa-al.gov/ERS/ers.html).

Vesting

Vesting means the member has earned enough service credit to be eligible for a lifetime retirement benefit. A member is vested in the ERS after accumulating ten years of creditable service.

Service Retirement

An employee with any creditable service prior to January 1, 2013 (Tier 1) is eligible to receive retirement benefits if he has at least ten years of service credit and has reached age 60 **OR** has at least 25 years of service credit at any age. Tier 1 employees may convert unused sick leave to service credit to meet the minimum requirement for service retirement instead of receiving payment for one half of the sick leave balance.

An employee hired on or after January 1, 2013 (Tier 2) will be eligible to receive retirement benefits when he has at least ten years of service credit and has reached age 62. There is no provision for sick leave conversion for Tier 2 employees.

Disability Retirement

An employee who has a permanent qualifying disability and at least ten years of service credit may be eligible for disability retirement benefits. The criteria for disability retirement are different for Tier 1 and Tier 2 employees; visit the ERS website for more information (www.rsa-al.gov/ERS/ers.html).

Employee Assistance Program (EAP)

Employee work performance may be affected by personal problems such as substance abuse (alcohol and other drugs), health problems, financial problems, home and family problems, depression, and other mental/emotional problems. Recognizing the need for assistance in coping with these issues, the Department participates in the State Employee Assistance Program (EAP), with services offered through Behavioral Health Systems, Inc. (BHS). This service is available to all employees, including merit, hourly, and contract, and to their dependents, and covers up to three free sessions per plan year for each employee and each dependent.

You may contact BHS directly at (800) 245-1150 to schedule an appointment. Emergency access is available 24 hours a day, seven days a week. If you wish to notify your supervisor that you have an appointment with BHS, you will be granted time off for the initial visit without using your leave. All other visits will require you to use your leave. As always, you must follow normal office procedures for having leave approved. If you contact BHS directly, information about your participation in the program will not be provided to the Department.

If you wish, you may contact your supervisor for enrollment information. In addition, your supervisor may refer you to the EAP, but participation is voluntary.

Records of participation will not be part of an employee's personnel file, and no medical or personal information will be provided to the Department by BHS. Participating in the program does not exempt employees from adhering to job performance and behavior standards and does not protect employees from disciplinary action.

If you have questions concerning the Employee Assistance Program, you may contact the Employee Relations Officer in the Office of Human Resources at (334) 206-5815. You may also access the BHS web site at www.behavioralhealthsystems.com for more information.

Travel Allowances

Employees are entitled to reimbursement for official travel. For in-state travel, you may be reimbursed for mileage, if not required to use a Motor Pool vehicle, and per diem for trips of six hours or more. Out-of-state travel is reimbursed for actual expenses, with prior approval.

SECTION 7

LEAVE AND OTHER TIME OFF

Provisions have been made for time off from your job with pay subject to certain rules of the State Personnel Board.

You must get permission from your supervisor before you take leave except in cases of emergency when the need could not be anticipated. In every case, you must follow the procedures of your office for requesting leave. Authorized leave is defined as any leave in which an employee has followed proper notification procedures and has received approval for the absence. Unauthorized leave is defined as any leave in which an employee is absent without following proper notification procedures or the absence has not been properly approved. Unauthorized leave may subject the employee to disciplinary action, up to and including termination of employment.

For all absences of unscheduled leave, you are expected to notify your immediate supervisor or designee as soon as possible, in accordance with your office's established procedures. Failure to report to work for three or more work days without notifying appropriate staff is considered job abandonment and may be grounds for termination.

Your supervisor recognizes that you are entitled to leave, but your cooperation in arranging your leave is expected so that your absence will not hinder the activities of the office. Excessive tardiness and poor attendance disrupt work flow and customer service and place a hardship on coworkers. Supervisors are responsible for monitoring employees' absenteeism and tardiness and following the steps of progressive discipline when appropriate. Disciplinary action may not be taken for absences covered by the FMLA.

Annual Leave

Annual leave may be used for time off for conducting personal business, for vacation, or for any other reason (except to engage in other employment), subject to supervisory approval. If you are a full-time employee in a permanent position, including provisional status, and are in pay status at least eighty percent (80%) of your normal work hours for the pay period, you will earn annual leave according to the following schedule:

<u>Total Service*:</u>	<u>Leave Earned Per Pay Period:</u>	<u>Annual Accumulation:</u>
Less than 5 years	4 hrs, 20 min	13 days
At least 5 years, but less than 10	5 hrs, 25 min	16 days, 2 hours
At least 10 years, but less than 15	6 hrs, 30 min	19 days, 4 hours
At least 15 years, but less than 20	7 hrs, 35 min	22 days, 6 hours
At least 20 years, but less than 25	8 hrs, 40 min	26 days
25 years or more	9 hrs, 45 min	29 days, 2 hours

Part-time employees (those paid on a semi-monthly basis for a fixed schedule of work per pay period) in permanent positions will accumulate annual leave on a prorated basis following the same total service annual leave schedule that is utilized for full-time employees. For example, if you are a permanent part-time employee who is working 50%-time with less than five years of service, you are eligible for annual leave accumulation at a rate of 2 hours and 10 minutes per pay period.

*Total service means paid employment in a permanent position. Service credit is given for the amount of time worked; part-time work is credited on a proportional basis. For example, an employee who works on a half-time basis for five years is credited with two and one-half years of service. In computing the total service date, time is not counted for periods of leave without pay for 20 or more consecutive work days or for any periods of educational leave, whether paid or unpaid.

Semi-monthly paid employees cannot carry over more than 480 hours of annual leave beyond the end of a calendar year. If you separate from State service, you will be paid for the actual number of hours of annual leave you have earned up to a maximum of 480 hours, with the amount being computed on the basis of the hourly rate of pay at the time of separation multiplied by the number of hours leave due.

Employees in temporary positions do not earn annual leave.

Personal Leave Day

Semi-monthly employees (including permanent, temporary, probationary, provisional, and non-merit) receive a personal leave day each year (except for those employed in Baldwin and Mobile counties, who receive the Mardi Gras holiday). The personal leave day is granted as of January 1 of each year; therefore, only those who are employed as of January 1 are entitled to the time. In addition, employees must be in pay status the work day before and the work day after January 1 to receive a personal leave day that calendar year. Those employees who enter State service after January 1 do not receive the personal leave day for that calendar year. Full-time employees receive a personal leave day equivalent to the number of hours worked in a normal day (e.g., those who work five 8-hour days per week receive eight hours; those who work four 10-hour days per week receive 10 hours). Part-time employees receive a prorated personal leave day based on the percentage of time they work as of January 1 of that year.

The first full day off other than sick leave should be charged as a personal leave day. All employees must use their personal leave day by November 1 of each year.

Sick Leave

Sick leave is defined as absence from work because of personal illness or injury, illness or injury of an immediate family member requiring your care, death in your immediate family, or doctor/dentist visits. The definition of immediate family includes wife, husband, son, daughter,

mother, father, sister, brother, grandchildren, grandparents, mother/father-in-law, and daughter/son-in-law. You may use sick leave to attend the funeral of someone in your immediate family. To attend other funerals, you must use annual leave.

If you are a full-time employee, including provisional or temporary, and are in pay status at least eighty percent (80%) of the work hours in a pay period, you will earn sick leave at the rate of four hours and 20 minutes every pay period. Part-time employees (those paid on a semi-monthly basis for a fixed schedule of work per pay period) in permanent positions will earn sick leave on a prorated basis.

Sick leave with pay is not a right for which you may make demand but a privilege granted in accordance with prescribed rules and regulations, to which the State Personnel Board may make exceptions as the best interests of the work demand.

Employees may be required to provide medical documentation to support leave for illness or injury. Any unjustified or fraudulent claim for sick leave may be punished by loss of pay, loss of accumulated leave, suspension, or dismissal. A release to full duty from the employee's treating physician will be required prior to an employee returning to work if he/she has been absent for more than five consecutive work days due to his or her own illness or injury.

Employees may carry over beyond the last day in a calendar year up to a maximum of 1,200 hours of sick leave. Any sick leave earned above the 1,200-hour maximum will be placed in an excess sick leave account as it is earned. If you suffer an extended illness or disability lasting more than 150 days, the State Personnel Board may, on the recommendation of the appointing authority, approve the restoration and use of any sick leave you earned in excess of this maximum.

You cannot be compensated for accumulated sick leave when you are separated from State service, except in the case of retirement (or death, when payment would be made to your estate). In those cases, payment is made for 50 percent of your accumulated balance, up to a maximum of 600 hours. However, if you leave the service in good standing and are reemployed within a period of four years from the date of separation, sick leave accumulated during previous employment, or any part thereof, may be restored upon recommendation by your Department Head and approval by the State Personnel Director. It is your responsibility to notify your supervisor if this applies to you.

If you were employed by a public school or post secondary institution in Alabama prior to becoming a merit system employee and had an accumulated sick leave balance, you should inform your supervisor of that fact. A request may then be submitted to the State Personnel Director for approval to transfer the leave. However, such leave will be kept as a separate record since it may only be used in the case of illness or disability when all of your sick and annual leave earned under the merit system is exhausted.

Bereavement Leave

If you do not have accrued sick leave, a maximum of three days of bereavement leave may be granted to you for the death of a person related to you by blood, adoption, or marriage. The leave must be repaid in the form of leave accruals including sick, annual, and personal leave day within one year. You may not transfer to another state agency until all bereavement leave has been repaid. If you leave State service prior to repaying the leave, payment for the remaining time will be deducted from your final paycheck. If the final paycheck is insufficient to cover the amount of money owed, you must reimburse the Department. Failure to do so will result in a recommendation of “No” for rehire and possible disqualification for any State job until the leave is repaid in full.

Advanced Sick Leave

In case of serious illness or injury to you or an immediate family member, sick leave may be advanced to you if you are an employee with permanent status under the following conditions: (1) All accrued leave (sick, annual, compensatory, and personal leave day) must be exhausted before an advance of leave is made; (2) No advance will be made unless the absence from duty because of serious illness or injury is for at least five consecutive work days; (3) Each application for an advance must be supported by a certificate from a registered practicing physician; (4) The total of advances must be paid back by your accruals of sick leave and annual leave or by monies equivalent to the amount of sick leave owed. The maximum amount of sick leave that can be advanced is 24 work days. For nonexempt employees, any accrual of compensatory time will also be used to pay back advanced sick leave. You may not transfer to another state agency until all advanced sick leave has been paid. If you leave State service prior to repaying the leave, payment for the remaining time will be deducted from your final paycheck. If the final paycheck is insufficient to cover the amount of money owed, you must reimburse the Department. Failure to do so will result in a recommendation of “No” for rehire and possible disqualification for any State job until the leave is repaid in full.

Advanced sick leave is not a right for which you may make demand, but a privilege granted in accordance with prescribed rules and regulations.

Donated Leave

Leave donation is a procedure which allows sick and annual leave to be transferred from one State employee to another under certain circumstances (employees in nonexempt positions may also donate accumulated compensatory time). The donating employee must be in an equal or higher pay range than the beneficiary employee, unless the donating employee is the immediate family member (spouse, child, or parent) of the beneficiary employee; in such cases, the donating employee may be in a lower pay range.

Donated leave may be requested when an employee has a catastrophic illness or injury, or when a member of his or her immediate family has a catastrophic illness or injury and the employee

serves as caregiver. A catastrophic illness or injury is defined as one from which an individual will never fully recover the ability to work or which is life threatening, or one requiring a recuperation period of approximately one (1) year or longer. The catastrophic illness must be certified by a licensed physician and approved by the State Personnel Director. Immediate family members include husband, wife, son, daughter, and parents. In addition, donated leave may be used for the employee's maternity leave ("delivery and recovery") under the same rules as the use of regular sick leave for maternity.

Donated leave is not a right for which you may make demand, but a privilege granted in accordance with prescribed rules and regulations. A request for donated leave must be initiated on the proper form and must be accompanied by supporting medical documentation. The request must be submitted through supervisory channels for review and recommendation of approval or disapproval. **In addition, Department employees will be eligible to receive donated leave only if their absence is covered under the Family and Medical Leave Act (FMLA).** If your Administrator/ Director recommends approval of your request, it will be submitted to the Office of Human Resources for review and submission to the State Personnel Department for final approval or disapproval.

Effective October 1, 2012, an employee may not receive more than 480 hours of donated leave throughout his/her career in State service. Donated leave received prior to October 1, 2012 will not be considered in the 480-hour maximum.

The Family and Medical Leave Act (FMLA)

The FMLA was enacted to help balance the demands of the workplace with the needs of families. Under the FMLA, covered employers must provide eligible employees up to 12 weeks of job-protected time off in a 12-month period for certain family and medical reasons ("traditional FMLA leave") and up to 26 weeks in a single 12-month period for "military caregiver leave."

For State employees, the 12-month period for traditional FMLA leave is a rolling year, meaning that, when you take FMLA leave, your remaining entitlement is the balance of the 12 weeks that has not been used during the previous 12 months.

You are eligible for FMLA-protected leave if you have worked for the Department for at least 12 months and have physically worked at least 1,250 hours within the 12 months prior to the beginning of the leave. Hours physically worked do not include holidays; leave without pay; or paid leave, except for military leave.

The time off will be unpaid unless you have accumulated leave in the appropriate category (annual leave, personal leave day, and comp time may be used for any FMLA absence, but sick leave may only be used for FMLA absences that are health-related).

Charging absences as FMLA leave is not a matter of employee choice. Even if you are using paid leave, FMLA procedures must be followed, and the time off will be counted against your FMLA leave entitlement if:

- you are eligible for FMLA leave,
- have not exhausted your entitlement,
- are absent from work for a qualifying reason,
- and, if applicable, your absence is consistent with the medical certification completed by your healthcare provider.

Traditional FMLA Leave

If you are an eligible employee, you are entitled to up to 12 weeks of time off in a rolling 12-month period for certain family or medical reasons:

- for the birth of your child and bonding time during the first 12 months after birth;
- for placement of a child with you for adoption or foster care, including court appearances and social work home visits and bonding time during the first 12 months after placement;
- to care for your child, spouse, or parent with a serious health condition;
- because of your own serious health condition that makes you unable to perform the functions of your job; or
- to take care of urgent matters arising out of the fact that your spouse, son, daughter, or parent is on or has been notified of an impending call to “covered active duty” in the Armed Forces.

Serious Health Condition

Under the FMLA, a serious health condition is an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider.

Six categories of serious health condition (numbers 2 – 6 are under the category of “continuing treatment”):

1. conditions that require an overnight stay in a hospital or other medical care facility;
2. conditions that involve incapacity (inability to work, attend school, or perform other regular daily activities) for more than three consecutive days and require ongoing medical treatment (either multiple appointments with a health care provider, or a single appointment and follow-up treatment such as prescription medication);
3. chronic conditions that cause occasional periods of incapacity and require treatment by a health care provider at least twice a year;
4. pregnancy (including prenatal medical appointments, incapacity due to morning sickness, and medically required bed rest);
5. permanent or long-term conditions for which treatment may not be effective (for example, Alzheimer’s Disease, terminal stages of a disease);
6. conditions requiring multiple treatments (for example, restorative surgery after an accident or injury, conditions that would likely result in a period of incapacity of more than three consecutive days in the absence of treatment).

Military Caregiver Leave

If you are an eligible employee who is the spouse, son, daughter, parent, or next of kin of a “covered servicemember,” you are entitled to a total of 26 workweeks of combined paid and unpaid leave during a single 12-month period to care for the covered servicemember who has a “serious injury or illness.” The maximum of 26 workweeks of leave includes any traditional FMLA leave taken during the 12-month period.

(See the **FMLA Policy** for definitions and other details.)

Employee Rights and Responsibilities

Rights:

- Your use of FMLA leave cannot be used as a negative factor in employment actions such as hiring, promotion, and disciplinary actions.
- If you are on LWOP for an FMLA-covered absence, the Department will continue to cover your health insurance premiums under the same conditions as if you were on paid leave. You will be required to make direct payment to the State Employees’ Insurance Board for your share of premiums and, if applicable, premiums for dependent coverage.
- Generally, at the end of FMLA leave, you are entitled to reinstatement to the same position or an equivalent position (see FMLA Policy for exceptions).

Responsibilities:

- You must provide your supervisor with enough information for him/her to be aware that the FMLA may apply.
- You must inform your supervisor of the anticipated dates and length of time of the leave.
- If you are requesting time off due to a reason for which you have previously been on FMLA-covered leave, you must specifically let your supervisor know that the requested leave is due to that reason in order for your leave to be protected.
- If you know you will need to be off work, you must notify your supervisor as far in advance as possible. If you fail to do so, your supervisor may ask you to provide an explanation, and you may be required in some instances to delay the leave.
- If the need for leave is unexpected, you must notify your supervisor as soon as possible.
- You must always follow established office procedures for requesting time off or notifying your supervisor of unplanned absences, unless unusual circumstances apply. Failure to do so may result in your leave not being approved. Also, you may be disciplined for your failure to follow notification (call-in) procedures.
- You are required to comply with your supervisor’s requests for information needed to determine if the absence is FMLA-qualifying.
- If you need leave for planned medical treatments, you are expected to consult with your supervisor and make a reasonable effort to schedule your absences so as not to unduly disrupt work operations.

If you are on leave when your supervisor becomes aware that your absence may be FMLA-qualifying, FMLA paperwork will be mailed to you for completion.

If you are on FMLA leave for an entire week that contains a holiday, the holiday hours will be counted against your FMLA entitlement. If you are on FMLA leave for only a portion of the week, the holiday will not count against your FMLA entitlement unless you would have otherwise been scheduled and expected to work that day.

If you are out on FMLA leave and determine that you will not be returning to work, you must notify your supervisor immediately.

If absent from work for more than 5 consecutive work days due to your own health condition (whether or not the absence is FMLA-qualifying), you must provide a fitness-for-duty certification (doctor's release) to return to your job, unless the medical documentation on file specifies the length of absence needed.

Once approved for FMLA leave due to your own serious health condition or the serious health condition of a family member, you may be required to obtain recertification during the applicable 12-month period in some circumstances, including:

- if you request additional time off not supported by the medical certification on file;
- if there is a significant change in circumstances described in the previous medical certification (for example, your pattern of absences is significantly different than indicated by the health care provider); or
- if your supervisor receives information that is inconsistent with your stated reason for being off work.

As part of the request for recertification for leave taken due to a serious health condition, your supervisor may include a written record of your absences and ask the health care provider if the pattern of absences is consistent with the serious health condition and need for leave.

Refer to the **Family and Medical Leave Act Policy** for complete information about your rights, benefits, and responsibilities under the FMLA and procedures to be followed. You may direct questions to your supervisor, unit leave clerk, or the Office of Human Resources.

This policy is not intended to create any entitlements for employees greater than those required under the Family and Medical Leave Act.

Military Leave

If you are an active member of a reserve or guard component of the U.S. Military, you are entitled to a maximum of 168 hours of paid leave in a calendar year for time engaged in defense or other training activities. A copy of the orders must be submitted with the application prior to departure. If you are called to serve more than 168 hours, you may choose to use your annual leave, compensatory time, personal leave day, or go on leave without pay. If you have served in a permanent position for three months or more and are called to or volunteer for U.S. military service, you will be allowed 168 hours of leave with pay as provided by law and will be granted leave without pay for the remainder of the period of your military service. Although the law

allows payment of 168 hours for military leave, you must take a responsible attitude toward any use of military leave beyond what is necessary to remain qualified for National Guard or Reserve duty (i.e., summer camp and required training schools other than weekend training). Any excessive absence from work places a hardship on your supervisor who must schedule someone to take your place while you are on military leave.

Employees who are members of the military called to active duty for 30 or more consecutive days during the war on terrorism and who use annual leave for this purpose may request to have their annual leave restored when they return from active duty; if they go on leave without pay, they may be due additional compensation equal to the difference between the lower active duty base pay and the higher public salary.

Jury Duty

Leave with pay will be granted to you if you are required by a court to serve in the capacity of juror, for the time your attendance is required by the court. You must present the summons to your supervisor for the leave to be granted. You may retain any jury fees and mileage reimbursement received. If you are released from serving on the jury, you will be allowed sufficient time to return to work. If you do not return to work, you must get your supervisor's approval to take leave.

Attendance in a court by employees of the State as witnesses in their official capacities is not considered leave, but part of their assigned duties. Employees who are called as witnesses in a personal capacity are not entitled to court attendance leave and should arrange to take time off through their annual leave or go on leave without pay, if necessary.

Voting and Working at Voting Polls

Employees are urged to use the opportunity to vote as they choose in local, state, and national elections. If your work hours start less than two hours after the polls open and end less than one hour before the polls close, you may be allowed up to one hour off to vote without the loss of accumulated leave. Otherwise, you must use appropriate leave if you wish to vote during work hours. You must get your supervisor's approval before taking time off work to vote. If you wish to work at the voting polls during your work hours, you must use your annual leave or go on leave without pay, if necessary.

Inclement Weather/Hazardous Conditions

When state/area offices and/or county health departments are closed due to inclement weather or other hazardous or unforeseen conditions, employees will be granted time off without charging leave. Also, in specific situations where an office is open but employees cannot report to work due to the official closing of roads, leave will not be charged. State offices will be closed at the discretion of the State Health Officer, and area/county offices will be closed at the discretion of the Assistant State Health Officer or Area Administrator. Weather leave or closing the Health

Department due to hazardous conditions is not a holiday. This leave is granted to prevent undue risks to employees and clients. Employees absent from work for other reasons will be expected to charge leave appropriately.

All employees who are absent from work because of weather or hazardous situations are required to be reachable by telephone, radio, or pager if possible. Some tasks may be required such as telephone consultations, correspondence, reports, and other assignments. Talk with your supervisor about your office's specific procedures for unplanned and/or emergency situations.

Blood Donation Leave

The Department encourages employees to donate blood. Employees at the State Office are allowed time off to donate blood in conjunction with blood drives sponsored by the Department of Public Health. Area and county employees will be allowed time off to donate blood at an approved blood bank in accordance with the State of Alabama policy and upon supervisory approval. Employees will be allowed time for blood donation and recovery. In addition, employees who donate blood will receive blood donation leave time in accordance with State policy. If, during the screening process, an employee does not meet the health requirements to donate blood, the employee is allowed the time off required for attempting to donate but not the additional time awarded for donating blood. Blood donation leave should be used within thirty days from the date blood was given and should be taken all at once. Supervisors are responsible for scheduling and coordinating the times their employees donate blood so that all program services continue to be provided.

Time Off for Job-Related Injury or Illness

If you have lost work time due to a job-related injury or illness, after a three-day waiting period, you have the option of using your own accrued leave or receiving two-thirds of your current wage subject to the maximum compensation rate in effect at the time of your injury or illness. If you choose the two-thirds pay option, the amount is not taxed and you continue to accrue leave, but you will not accrue retirement credit. If you are eligible for leave under the Family and Medical Leave Act (FMLA) and the injury or illness is an FMLA-qualifying condition, your time off will be counted toward your FMLA leave entitlement. (See the section "Job-Related Injury or Illness" on page 3-3 for information about the State Employee Injury Compensation Trust Fund; see FMLA section above beginning on page 7-5.)

Educational Leave

In some cases, employees may be able to attend school during work hours and receive compensation with pay and benefits for the approved time, up to 20 hours per week. To participate in the program, you must meet the eligibility requirements and have the recommendation of your immediate supervisor and the Area Administrator or Bureau/Office Director. Educational leave is for the travel time to and from school and the time in the classroom. Employees must complete study assignments, attend meetings with advisors, and other related school activities on their own time.

To be eligible for educational leave, you must be a full-time merit system employee with permanent status and have at least two years of continuous service with the Department. You must have received a performance appraisal score of “Exceeds Standards” or higher on your last evaluation and be free of any disciplinary action within the past twelve months. If requesting educational leave to obtain a Bachelor’s Degree, you must have completed at least two years of college course work toward the degree; if for a Master’s or Doctoral Degree, you must be accepted into the Master’s or Doctoral program. You must submit a letter of acceptance or enrollment from an accredited school. The course work must be of benefit to the Department and to you in the direct performance of your current job. Therefore, if you change jobs by transfer, reassignment, demotion, or promotion while using educational leave, you must reapply if you wish to continue to receive this benefit.

If you are in the classification of Licensed Practical Nurse, Home Health Aide, or Clinic Aide, you may be approved for educational leave upon acceptance into an Associate Degree program in nursing.

If approved for Educational Leave, you must submit a schedule to your supervisor each semester. Approval for each semester is contingent upon such factors as staffing levels and workload being completed in a timely manner.

You must agree, upon completion of educational leave, to continue employment with the Department for a period of time at least equal to two hours for every one hour of educational leave taken. Once approved for educational leave, you must complete at least one college course per semester or begin to fulfill the service obligation. You may apply for and accept promotions or transfers within the Department while working out your service obligation. If you do not complete the service obligation, you must make payment to the Department for the amount of the unsatisfied obligation.

If you are interested in and qualify for this benefit, talk to your supervisor about application procedures.

Leave without Pay (LWOP)

You are responsible for maintaining a sufficient leave balance so that going off the payroll is avoided. If you are absent from work unexpectedly and do not have the appropriate type of leave to cover your time off, you will be placed on leave without pay (LWOP). You must follow your office’s procedures for reporting absences. The LWOP may be authorized or unauthorized, depending on the circumstances. If it is unauthorized, disciplinary action may follow. Disciplinary action will not be taken for absences that qualify under the Family and Medical Leave Act (FMLA).

If you are asking to schedule LWOP, you must submit the request in writing, specifying the reason and requested dates of absence. If requesting LWOP due to a medical reason, you may be required to provide supporting medical documentation. You must first use all of your leave in the appropriate categories (comp time, annual leave, personal leave day, and, if applicable, sick

leave) prior to going on LWOP. The period of LWOP cannot exceed one year. Your request may be approved only if work schedules permit your absence, unless the absence qualifies under the FMLA.

Holidays

State offices may be closed on legal holidays declared by the laws of Alabama and on other days declared holidays by the Governor. Unless you are advised otherwise, the following are the legal holidays that are observed and on which the Department offices are closed:

New Year's Day - January 1
Birthday Observance of Martin Luther King, Jr. and Robert E. Lee - 3rd Monday in January
Birthday Observance of George Washington and Thomas Jefferson - 3rd Monday in February
Mardi Gras Day - Mobile and Baldwin counties only. All other employees granted personal day.
Confederate Memorial Day - 4th Monday in April
National Memorial Day - last Monday in May
Birthday Observance of Jefferson Davis - 1st Monday in June
Independence Day - July 4
Labor Day - 1st Monday in September
Columbus Day - 2nd Monday in October
Veterans Day - November 11
Thanksgiving Day - 4th Thursday in November
Christmas Day - December 25

When a holiday falls on a Saturday, the previous Friday is generally observed. When a holiday falls on a Sunday, the following Monday is generally observed.

Full-time employees are paid for holidays, provided they are in pay status both the work day before and the work day after the holiday. If a full-time employee is required to work on a legal holiday, s/he will receive a compensatory day off at a later date, as soon after the holiday as possible. Part-time employees are entitled to be paid for a holiday only if it falls on a day when they are normally scheduled to work, and they are only paid for the number of hours normally worked.

SECTION 8

PERFORMANCE APPRAISAL

Introduction

Your position is assigned to one of the job classifications that make up the State of Alabama's classification plan. Each classification in this plan includes a job title and specifications describing the general duties and responsibilities of the job class, as well as any special requirements of the job. Your job will consist of a group of duties and responsibilities which are assigned by your supervisor, within the scope of your job classification. Your main duties will be explained to you at the time of assignment; however, other work related tasks may be required of you as workloads vary.

General Guidelines

The Department has adopted the State of Alabama Performance Appraisal System, which provides a way for your supervisor to evaluate and document your work performance and to make recommendations for improvement or recognize exceptional performance. Work performance of all employees is to be evaluated at least annually.

Your signature is required on all performance appraisal documentation, denoting discussion and receipt of forms, not necessarily agreement. If you disagree with an evaluation, you may attach comments to the appraisal form. Refusal to sign appraisal forms is considered insubordination and will result in disciplinary action.

Appraisal scores (service ratings) are used in several ways, including: for determining merit raises; as a portion of promotional examination scores; and as 50% of the layoff retention score. Performance appraisal scores may also be considered when making decisions about promotions or disciplinary actions.

Your immediate supervisor is your Rating Supervisor ("Rater") and is responsible for completing performance appraisal forms. The Reviewing Supervisor ("Reviewer") is usually the Rater's immediate supervisor. However, in some instances the Reviewer may be an individual in a different chain of command. It is important that you know who your Rater and Reviewer are.

Your performance appraisal score will be based on your performance of assigned duties as described in your **Responsibilities and Results statements (R&Rs)**, your conduct in four **Work Habits** areas, and any disciplinary action taken.

The performance appraisal process consists of three phases: Preappraisal, Midappraisal, and Final Appraisal (probationary or annual).

Preappraisal

In the Preappraisal phase, which is at the beginning of employment and at the beginning of each appraisal period, your supervisor(s) should meet with you to discuss your **R&Rs** and what is expected of you in terms of **Work Habits**. The Preappraisal session is documented on the Employee Performance Preappraisal form (Form 13P). It is important that you ask your supervisor for clarification if any information is unclear to you.

Your **R&Rs** describe the functions of your position and the outcomes and accomplishments expected. **R&Rs should be written at the “Meets Standards” level of performance.** This is the fully competent level of performance expected in the position. Your supervisor should also define the performance that contributes to an “Exceeds Standards” or “Consistently Exceeds Standards” rating.

Work Habits are terms and conditions of employment that are job-related and are similar for most employees. Your supervisor should provide you guidelines for attendance, punctuality, and other work behaviors. Your performance appraisal will include evaluation of your compliance in four Work Habits areas:

Attendance – the use of leave in accordance with the Department’s policies and procedures;
Punctuality – the timing of arrival to work, return from lunch and breaks, and departure from the shift; may also include arrival at necessary meetings;
Cooperation with Coworkers – the extent to which you work with and do not hinder coworkers in their work to achieve work unit goals and directives; and
Compliance with Rules – conformance to policies and regulations involving standards of conduct that apply to all or the majority of employees; program-specific rules and policies are normally reflected in R&Rs.

Midappraisal

During the Midappraisal phase of the appraisal process, your supervisor will observe your work; provide training or arrange for training; and provide informal feedback to you about your work performance. If any changes are made to your R&Rs during the appraisal period, the changes must be written on your Preappraisal form and discussed with you, with each change initialed and dated by you and your supervisor.

At the midpoint of your appraisal period, your supervisor should complete the Midappraisal section of the Preappraisal form and meet with you to provide preliminary feedback regarding your work performance, providing an opportunity for improvement when needed. No scores are provided, but your supervisor will discuss areas of your work where you are performing in a fully competent manner or above the expected level, as well as areas where you need to improve in performance of responsibilities and/or work habits.

Final Appraisal (Probationary or Annual)

At the end of the probationary period and each annual appraisal period, you will be evaluated based on your performance in terms of Work Habits and your R&Rs.

Work Habits Ratings

Your conduct in each “Work Habits” area will be rated as either “Satisfactory” or “Unsatisfactory,” depending on the defined expectations of your supervisor and your performance during the appraisal period. If you are assigned a rating of “Unsatisfactory” in the “Work Habits” section, it is the policy of the Department that you must have received some prior formal notification of the problem, such as counseling, the Midappraisal session, or disciplinary action.

R&R Ratings

In the “Responsibilities” section of the form, an abbreviated version of your R&Rs should be written if you were assigned the task during the appraisal period; any R&R that has not been assigned to you during the appraisal period should not be listed on the evaluation. Your performance of each R&R is to be compared to the requirements of the position as written and discussed in the Preappraisal.

Your performance of each R&R will be rated according to the following scale (using whole numbers only):

4 = Consistently Exceeds Standards: performance consistently and clearly exceeded requirements for the position during the appraisal period and you can be relied upon to accomplish the most complex assignments with little or no supervision.

3 = Exceeds Standards: performance frequently exceeded expected Results for the Responsibility and you needed little or no supervision.

2 = Meets Standards: performance met the expected Results. In other words, you demonstrated fully competent performance.*

1 = Partially Meets Standards: performance was below the expected level more often than not; requirements were not routinely met. It may also indicate that you required close supervision where you should be operating independently.

0 = Does Not Meet Standards: performance consistently and clearly fell below the expected Results during the appraisal period; may also indicate that you required close supervision where he should be operating independently.

*It is important to recognize that performing a duty at the level expected leads to a rating of “2.” Earning a “3” or “4” rating requires that you accomplish more than what is required.

Disciplinary Actions

If a step of disciplinary action (warning, reprimand, suspension, or involuntary demotion) has been taken during the appraisal period, it will be documented in the “Disciplinary Actions” section of the appraisal form and reflected in the “Disciplinary Score” section. If no disciplinary action was taken or the most severe step of discipline was a Warning, the Disciplinary Score will be “0.” If the most severe step was one or more Reprimands, the Disciplinary Score will be “7.” If the most severe step was one or more Suspensions, the Disciplinary Score will be “17.” If the most severe step was an involuntary Demotion, the Disciplinary Score will be “24.” The disciplinary action of Demotion is included on the annual performance appraisal form, but not on the probationary form. (See the **Discipline Policy**.)

Performance Appraisal Score

Your final performance appraisal score is computed by subtracting the Disciplinary Score from the Responsibility Score. This final score falls into one of five categories:

- 6.6 or below: Does Not Meet Standards
- 6.7 – 16.6: Partially Meets Standards
- 16.7 – 26.6: Meets Standards
- 26.7 – 36.6: Exceeds Standards
- 36.7 – 40: Consistently Exceeds Standards

Probationary Period

If you are appointed from an open-competitive or promotional register, you are required to serve a probationary (or “working test”) appraisal period of not less than six months (some jobs require a twelve-month probationary period). If you are appointed from a reemployment register, the probationary period is three months.

The probationary evaluation is documented on the Employee Performance Probationary form (Form 13F). Any R&R that has not been assigned to you during the appraisal period should not be listed on the evaluation; however, if it is an essential R&R for the position, your supervisor should not recommend you for permanent status until you have had the opportunity to perform the responsibility and have demonstrated fully competent performance.

At the end of the probationary period, there are three possible outcomes. You may be:

- Recommended for permanent status;
- Recommended for extended probation; or
- Recommended for separation from employment (dismissal).

Permanent Status

At the end of your probationary period, you will be recommended for permanent status if you have reached the fully competent level of performance in all duties (rating of at least “2” - “Meets Standards”); are rated “Satisfactory” in all Work Habits; have a Disciplinary Score of “0”; and have obtained any required license and met any other special requirements. Under the merit system, having permanent status means you are entitled to specific protective steps (“due process”) before certain disciplinary actions may be taken against you, including: suspension without pay, involuntary demotion, and termination. While non-permanent employees are afforded the same fair and equitable treatment as permanent merit system employees, they are not entitled to the same due process rights.

If you have been granted permanent status in a particular job classification, you are not required to serve another probationary period if you transfer from one location to another within the Department, or from one Department to another, in the same job classification.

Extended Probation

In certain instances, your supervisor may recommend that your probationary period be extended. Examples of such instances include: when work performance is less than fully competent in one or more responsibilities but improvement is expected; when there is a work behavior problem that has been addressed but not totally corrected; or when there is some required training you have not yet completed or license you have not yet obtained. Extension may also be recommended if you do fully competent work but need too much supervisory guidance. Probationary extensions are in three-month increments. The probationary period may be extended only twice, for a maximum of twelve months (no extensions are allowed for jobs with 12-month probationary periods). Documentation submitted with the recommendation must show that the issue was discussed with you prior to the performance appraisal.

If you are on LWOP or two-thirds pay for 20 or more consecutive work days during your probationary period, your probation will automatically be extended by that amount of time.

Separation during Probationary Period

During your probationary period, if it is found that you are unable or unwilling to perform your job responsibilities satisfactorily or that you are not suited for the particular job you hold, your supervisor may recommend your dismissal from employment. You would be given an opportunity to respond to the information provided by your supervisors. The action would require review and approval of the documentation, and a written notice from your Appointing Authority. If you are removed from your position during the probationary period but may be suitable for appointment to another position in the same classification, you may request that State Personnel return your name to the employment register.

Preappraisal for Next Appraisal Period

At the end of your probationary period, your supervisor will complete a Preappraisal form for the coming appraisal period. The first appraisal period following completion of probation and receipt of a probationary raise is for ten months, to allow adequate time for submission of appraisal forms prior to your annual raise month. Each appraisal period thereafter will be for twelve months. At approximately the midpoint of your appraisal period, you will again have a Midappraisal evaluation to receive preliminary feedback about your work performance.

Annual Appraisal

Employees with permanent status have their work performance evaluated on an annual basis following the same procedures and using the same rating scale as that used for the probationary evaluation. The annual evaluation is documented on the Employee Performance Appraisal form (Form 13).

Merit Raises

Under the merit system, salary increases are tied to work performance.

If you satisfactorily complete the regular six-month probationary period with an overall rating of “Meets Standards” or above, you may receive a two-step (5%) raise effective the first pay period following completion of the probationary period, unless raises are frozen.

If you were appointed from a reemployment register at the first or second step of the pay range, a raise to the third step may be given following satisfactory completion of the three-month probationary period. You are not eligible for a probationary increase if you were appointed at the third step or above from a reemployment register.

When you receive a probationary raise, that month becomes your annual raise month, when you may be considered for a salary increase. Progress within a salary range is determined by your performance evaluation. At no time may your salary be increased higher than the maximum salary of the pay range for your job classification. Raises may be frozen at times for all State employees or for Department employees.

Employee evaluations are related to performance raises according to the following schedule (each step represents 2.5%):

<u>Performance Appraisal Score (Service Rating)</u>	<u>Number of Steps</u>
Does Not Meet Standards	0
Partially Meets Standards	0
Meets Standards	1*
Exceeds Standards	2
Consistently Exceeds Standards	2

*For *probationary* ratings in the “Meets Standards” category, State Personnel Board Rules allow for a one- or two-step raise to be granted. The Department’s policy is to grant a two-step raise. For *annual* ratings in this category, only a one-step raise is granted.

SECTION 9

CHANGES IN EMPLOYMENT STATUS

Promotion

Vacancies are generally filled by promotion of regular employees holding positions in the classified service on the basis of merit and competition. Promotions can be made from open-competitive or promotional registers. Promotional registers are open only to employees who have permanent status in a classification in line for promotion, with service ratings (appraisal scores) being a factor in the examination process. If you feel you qualify for a particular job that is open for applications, you may make application to the State Personnel Department for placement on the appropriate register. Actual promotion to a higher position, however, is based primarily on the need for the job and the availability of funds.

Employees can refer to the Department's Career Path Opportunities guide located on the Department's Web site for help in determining possible career paths and their requirements. (www.adph.org/employment)

Transfer

You may transfer from one State department to another in the same classification if both department heads and the State Personnel Director approve the transfer. If the department to which you are transferring is unwilling to accept your leave balances, you will lose any accumulated leave upon transfer. Any advanced sick leave or bereavement leave balance due must be repaid prior to transferring to another department. Employees are not allowed to transfer into the Department with an advanced sick leave balance.

Your Department Head or designee may transfer you from one position to another in the same classification if the need arises because of changes in the duties of a job, organization restructuring, a layoff, funding changes, or for any other reason which s/he believes will better serve the interests of public health or the needs of the organization.

If a Department position is to be filled by transfer, the vacancy must be posted to provide Department employees an opportunity to apply, unless an exception is granted by the Human Resources Director. Exceptions may be granted in cases involving layoffs, demotions, accommodations under the Americans with Disabilities Act, and when deemed in the best interest of the Department. Assignment changes within an area office, county, bureau, or central office do not have to be posted. However, supervisors must document the selection criteria used and follow all applicable laws and state merit system rules when making assignment changes.

Demotion

You may request to take a demotion to a lower classification within your classification series or a comparable series upon approval of your appointing authority, with final approval from the State Personnel Director. If your salary is above the maximum of the lower class, your salary must be reduced to that maximum.

Your appointing authority has the authority to demote you from a position in one classification to a position in a lower classification. The reasons would most likely be: (1) your inability or unwillingness to perform the duties and responsibilities of the higher classification; or (2) a significant reduction of duties and responsibilities of the position. However, you must be given the reasons for the demotion in writing, and the action is subject to approval by the State Personnel Director. If you have permanent merit system status, you will be offered a pre-demotion hearing before an administrative hearing officer prior to final action being taken; however, you do not have the right to request a hearing before the State Personnel Board. (See the **Discipline Policy**.)

Suspension

Your appointing authority has the authority to suspend you without pay as a disciplinary action in order to correct improper behavior or for other just cause. Such suspension, however, shall not exceed 30 calendar days in any year of service. You must be notified in writing of the reasons for the suspension, and you may submit in writing any answers or explanations concerning the reasons for suspension to your department head and/or the State Personnel Director. If you have permanent merit system status, you will be offered a pre-suspension hearing before an administrative hearing officer prior to final action being taken; however, you do not have the right to request a hearing before the State Personnel Board. (See the **Discipline Policy**.)

SECTION 10

COMPLAINTS AND GRIEVANCES

The most effective accomplishment of the work of any office requires prompt consideration and equitable resolution of work-related disputes. Most complaints can be addressed within the work location, which generally results in a more positive work environment. Resolving complaints is an integral part of a supervisor's responsibilities, and employees and supervisors are encouraged and expected to openly discuss concerns with the sincere intention of resolving them.

The Employee Relations Officer in the Office of Human Resources provides guidance to supervisors and employees in resolving workplace conflicts. If you have a complaint, you should first discuss the problem with your immediate supervisor. If you believe your immediate supervisor is biased or may have a conflict of interest in the matter, you may address the problem with the next higher supervisor. Should informal attempts at resolution not be satisfactory, employees may then utilize the formal grievance procedures as found in the Department's **Grievance Policy**.

Complaints of alleged discrimination related to equal employment opportunity (EEO) rights on the basis of race, color, religion, national origin, sex, age, disability, or genetic information may be submitted directly to the attention of the Employee Relations Officer (ERO) in the Office of Human Resources. However, employees are encouraged to communicate with their supervisors and attempt to resolve matters before filing a grievance.

Grievances must be submitted in writing on the Employee Grievance Report form. Examples of matters covered by the Grievance Policy include disputes over granting time off, work assignments, the classification of jobs for overtime purposes, and the application of rules or policies.

Disputes related to promotions, job classifications, pay plans and pay rates, performance appraisal ratings, and disciplinary actions are not within the scope of the Grievance Policy but will be addressed in accordance with the *Rules of the State Personnel Board*, unless the complaint also involves alleged discrimination related to equal employment opportunity rights on the basis of race, color, religion, national origin, sex, age, disability, or genetic information. Whether or not a dispute is within the scope of the grievance procedures will be determined by the Human Resources Director and the Employee Relations Officer, subject to the review of the State Health Officer.

Any employee may file, or participate in the investigation of, a complaint or grievance in accordance with the Grievance Policy without fear of retaliation.

SECTION 11

EMPLOYMENT SEPARATIONS

Employees are expected to give written notice of their intent to vacate their positions. **Failure to give timely written notice (as specified below) may result in ineligibility for reemployment. An employee who is not recommended for reemployment must be notified in a letter from the supervisor.**

All advanced sick leave and bereavement leave balances not paid back by leave accruals must be monetarily reimbursed to the Department prior to an employee's separation. In addition, monetary payment must be made to the Department for any unfulfilled educational leave service obligation. Failure to do so will result in a recommendation of "No" for rehire and possible disqualification for any State job until the financial obligation is paid in full. If reemployment is not recommended solely because of money owed, the recommendation will be changed to "yes" once the money is repaid.

Resignation or Transfer

An employee who intends to separate from employment with the Department of Public Health by resignation or transfer to another department is expected to submit a letter of resignation or letter requesting a transfer to his or her immediate supervisor. Upon acceptance by the Appointing Authority, the resignation or transfer request is final. A two-week notice is usually considered appropriate for employees in permanent positions. Temporary employees or hourly workers should give at least a one-week notice.

Retirement

Employees retiring due to meeting the minimum service requirement should give at least a thirty-day notice. If retiring due to medical disability, employees should give notice immediately upon approval by the Retirement Board.

Immediately preceding retirement, a full-time employee may take up to 160 hours of leave, subject to the supervisor's approval. The employee must have a plan in place to ensure that the work will continue to be done and must be reachable and available to return to work if needed.

Upon retirement, employees are paid for their annual leave balance up to 480 hours and one-half of their sick leave balance up to 600 hours (maximum accumulated sick leave is 1,200 hours). Tier 1 employees (those with any creditable service prior to January 1, 2013) may convert unused sick leave to service credit to meet the minimum requirement for service retirement instead of receiving payment. For Tier 2 employees (those hired on or after January 1, 2013), there is no provision for sick leave conversion.

Separation during Probation

State Personnel Board Rules provide for removal of a probationary employee whose job performance is unsatisfactory or who is otherwise unsuitable for employment. The Department's policy is that prior to the end of the probationary period, an unsatisfactory or unsuitable employee may be involuntarily separated, based upon written justification provided by the probationary employee's supervisor. The supervisor of a probationary employee is responsible for carefully evaluating that employee and making recommendations to the Appointing Authority on the appropriate action to be taken. Supervisors must coordinate with the Employee Relations Officer in cases where a probationary employee is recommended for involuntary separation.

Layoff

If a shortage of work or funds or other major changes in the organization occur, the Department Head may have to recommend that employees be laid off. However, seniority in your present job, service ratings, and veterans' preference are considered using a formula in determining the order of layoffs.

Merit system employees with permanent status who are laid off have a right, based on their layoff retention score, to the first available position in the class when jobs become available in the location where they were separated, for a period of two years. An employee who had permanent status in more than one class in the series will be placed on the regular reemployment register for each class in which s/he held status. In addition, employees who are laid off also have employment rights with other State agencies and other county/area Public Health Departments. A laid off employee is to be offered employment in the class from which s/he was laid off before an appointment in the class can be made provisionally or from an open-competitive register by other counties/areas or State agencies.

Dismissal (Termination)

If you are a merit system employee with permanent status, your Appointing Authority may dismiss you only for cause and must give you a written notice of the reasons before the termination date. You will be provided an opportunity to respond to the charges before a Department representative. If you wish to appeal the dismissal, you may file a request with the State Personnel Board, addressed to the attention of the State Personnel Director. This request for a hearing must be received in State Personnel within ten (10) days of your notice of dismissal. The State Personnel Board will hold a hearing and may either approve the dismissal or, if the charges appear to be unjustified, order reinstatement to your job with or without back pay. (See the **Discipline Policy**.)

Return of State Property upon Separation

An employee who separates from employment with the Department of Public Health under any circumstances (resignation, retirement, transfer, dismissal, etc.) is responsible for the return of any property that belongs to the State. Some examples of property are State credit cards, identification cards, equipment, keys, and parking cards.

SECTION 12

DISCIPLINE PROCESS

Supervisors must ensure that employees are aware of and have access to copies of departmental standards, rules, and policies for which they are held accountable. This includes the information in this Employee Handbook. Failure by an employee to conform to the policies, procedures, and directives of the Department may result in disciplinary action.

Violations that normally result in disciplinary actions of increasing severity are:

- Violations of safety rules
- Absenteeism - unexcused absence, unreported absence, a pattern of absences, or excessive absences (FMLA-qualifying absences not subject to disciplinary action)
- Tardiness - not on the job ready to work at the beginning of the shift
- Inattention to job - doing anything distracting while on the job
- Failure to perform job properly
- Leaving job station without permission
- Disruptive conduct of any sort
- Abuse of equipment
- Abuse of telephone and facsimile services
- Violations of specific departmental rules

Serious violations that may result in suspension or dismissal on the first offense include:

- Violations of safety rules that endanger life or property
- Insubordination - failure to follow an order; disobedience; failure to submit to authority as shown by demeanor or words, with the one exception of not following an order which the employee has good reason to believe is unsafe or illegal
- Theft or unauthorized possession of state property
- Fighting
- Falsification of records - examples include application for employment, time card, mileage and per diem reports, doctor's excuse
- Possession or use of alcohol, narcotics, or dangerous weapons
- Sleeping on the job
- Leaving before the end of the shift/walking off the job
- Serious violation of any other Department rule
- Job abandonment - three days of unexcused, unreported absence
- Breach of confidentiality
- Abusive, obscene, or threatening language or gesture

The above listing of violations is not meant to be all inclusive and does not imply that discipline may not be imposed for other sufficient reasons.

In general, the Department follows the progressive discipline system used by all state agencies. Progressive discipline is a system of escalated penalties which are imposed with increasing severity for repeated infractions. However, the Department reserves the right to bypass any and all of these steps or use other forms of discipline which are in the best interest of the Department and for the good of State service.

The escalation proceeds in this fashion:

- ✓ Warning
- ✓ Reprimand
- ✓ Suspension without pay and/or involuntary demotion
- ✓ Termination

At each step, the supervisor provides a clear statement of the problem behavior, what to do to correct the problem, a time limit for correction, and consequences of continued misconduct.

Warnings, reprimands, and suspensions should be viewed as stimuli for positive changes in behavior and performance and not considered simply as punishments or steps toward termination.

All suspensions, involuntary demotions, and terminations, including those of probationary and Form 8 employees, are coordinated through the Employee Relations Officer. While non-permanent employees are afforded the same fair and equitable treatment as permanent merit system employees, they are not entitled to the same due process rights.

Permanent merit system employees are offered a pre-suspension or pre-demotion hearing before an administrative hearing officer. Probationary merit system employees and Form 8 employees are not entitled to an administrative pre-disciplinary hearing, but they are offered an opportunity to provide any information to their supervisor or a designee of the appointing authority for consideration. Suspensions and involuntary demotions are not appealable to the State Personnel Board.

In cases of termination, permanent merit system employees are offered a pre-termination conference before a designated Department representative and may appeal terminations to the State Personnel Board. Probationary merit system employees and non-classified employees are not entitled to a pre-termination conference and may not appeal terminations to the State Personnel Board, but they are offered an opportunity to provide any information to their supervisor or designee of the appointing authority for consideration.

In addition to disciplinary action, criminal violations are also subject to prosecution in accordance with the Alabama Criminal Statutes.

(See the **Discipline Policy**.)

EMPLOYEE HANDBOOK

ACKNOWLEDGMENT of RECEIPT

My signature below certifies that I have read the **Alabama Department of Public Health Semi-Monthly Employee Handbook**, Policy ID# 2013-007.

I agree to comply with the rules, policies, standards, and procedures contained in the Handbook. I understand that, as policies and procedures are written or revised, they take precedence over any conflicting information found in this Handbook. In addition, I understand it is my responsibility to read and comply with any new or revised policies and procedures.

I understand the Handbook is not to be considered a contract and is not intended to cover every situation that may arise during my employment. If I have questions or concerns about any information in the handbook, I will consult my immediate supervisor, other manager in the chain of command, or the Office of Human Resources.

Employee Signature: _____

Employee Name (printed): _____

Date: _____

Last 4 Digits of Social Security Number: XXX-XX-_____

Job Classification: _____

Area/County/Bureau/Office of Employment: _____