Table of Contents

I. Classification and Compensation

A. Classification of Employees — I-1
B. Exempt and Non-Exempt Employees — I-2
C. Employment for Classified Positions — I-2
D. Probationary Employees — I-3
E. Part-Time Employment — I-4
F. Job Classifications — I-4
G. Wage and Salary Administration — I-4
H. Pay Increases for Appointed Employees and Appointed Contract Employees — I-5
I. Approval for Salary Changes — I-5
J. Pay Periods — I-6
K. Working During Lunch Period — I-6
L. Breaks — I-7
M. Working Before and After Regular Hours — I-7
N. On-Call Policy — I-7
O. Call Out Pay — I-7
P. Pay Advances — I-8
Q. Direct Deposit — I-8

II. General Personnel Policies

A. Equal Employment / Workplace Discrimination and Harassment Policy — II-1
B. Equal Employment Opportunity/Employment Grievance Procedures — II-2
C. Administrative Grievance Procedures — II-3
D. Anti-Retaliation — II-5
E. Workplace Rules of Conduct — II-5
F. Workplace Violence Prevention — II-7
G. Americans with Disabilities Act (ADA) — II-8
H. Health Insurance Portability and Accountability Act (HIPAA) — II-8
I. Dress Code — II-9
J. Attendance — II-9
K. Work Hours and Time Records — II-10
L. Safe Harbor Policy — II-10
M. Inclement Weather/Declared Emergency — II-12
N. Central Personnel Files — II-14
O. Performance Appraisals — II-15
P. Temporary Assignments — II-16
Q. Cross-Training — II-17
R. Promotions — II-16
S. Transfers and Reassignments — II-17

T. Voluntary Demotion — II-18
U. Resignations — II-18
V. Exit Interviews — II-19
W. Rehire — II-19
X. Furloughs — II-19
Y. Reduction in Force — II-20
Z. Tobacco Use/Smoke Free Workplace — II-20
AA. Solicitation — II-21
BB. Employee Parking — II-21
CC. Garnishments and Levies — II-21
DD. Immigration Compliance — II-22
EE. Other Policies and Procedures — II-22

III. Progressive Discipline

A. Progressive Discipline Procedures — III-1
B. Administrative Leave with Pay Due to Potential Disciplinary Action — III-2
C. Suspensions without Pay — III-2
D. In-Voluntary Demotions — III-2
E. Terminations — III-3
F. Appeals Procedures for Adverse Action — III-4
G. Appeals Process to the Personnel Appeals Board for Adverse Action — III-4
H. The Personnel Appeals Board — III-5

IV. Leave Policies

A. Annual Leave — IV-1
B. Annual Leave Scheduling — IV-2
C. Sick Leave — IV-2
D. Sick Leave Notification and Approval — IV-3
E. Bereavement Leave / Funeral Leave — IV-4
F. Holidays — IV-5
G. Part-Time Employee Paid Time Off — IV-6
H. Leave without Pay — IV-6
I. Leave of Absence — IV-7
J. Administrative Leave with Pay — IV-8
K. Family Medical Leave Act (FMLA) — IV-8
L. Military Leave — IV-11
M. Uniformed Services Employment and Reemployment Rights Act (USERRA) — IV-12
N. Jury Duty or Court Appearance — IV-14
O. Voting Leave / Elections — IV-14

V. Employee Benefits

A. Benefits Eligibility—V-1
B. Benefits Effective and Termination Dates—V-1
C. Medical Coverage—V-1
D. Dental and Vision Coverage—V-2
E. Notice for Individuals Declining Health Coverage—V-2
F. Identification Cards—V-2
G. Annual Enrollment / Transfer Period—V-2
H. Benefit Premiums / Payroll Deductions—V-3
I. Consolidated Omnibus Budget Reconciliation Act (COBRA)—V-3
J. Flexible Spending Accounts—V-4
K. Change of Status—V-4
L. Supplemental Benefits—V-4
M. Life Insurance—V-5
N. Disability Insurance—V-5
O. Retirement Investments—V-5
P. Conditions for Retirement—V-6
Q. Benefits Due at Retirement—V-6
R. Retirement Disability—V-8
S. Longevity—V-8

VI. Code of Ethics

A. Ethical Conduct—VI-1
B. Statement of Economic Interest—VI-1
C. Political Activity—VI-1
D. Secondary Employment—VI-2
E. Nepotism—VI-2
F. Reporting Arrests—VI-3

VII. Safety

A. Introduction—VII-1
B. Responsibilities—VII-1
C. Loss and Safety Investigation—VII-3
D. Workers Compensation—VII-4
E. Workers Compensation Payments—VII-6
F. Transitional Duty—VII-7
G. General Safety and Health Rules—VII-11
H. Safety Rules—VII-11
I. Health Rules—VII-13

J. Fire and Environmental Rules—VII-13
K. Alcohol and Drugs – Drug Free Workplace Policy—VII-14
L. Fleet Policy—VII-30

VIII. Forms

A. Application for Employment—VIII-1
B. Pre-Employment Physical and Drug Screen Waiver —VIII-3
C. Authorization For Background Investigation and Release of Information —VIII-4
D. Personnel Appraisal Form —VIII-5
E. ADA Reasonable Accommodation Request Form —VIII-8
F. Employee Counseling Form —VIII-9
G. Notice of Disciplinary Action Form —VIII-10
H. Grievance Appeal Form —VIII-11
I. Leave Request Form —VIII-12
J. Temporary Transitional Duty Agreement —VIII-13
K. Medical Treatment Waiver —VIII-14
L. Property Damage/Collision/Injury/Illness Investigation Report —VIII-15
M. Accident Injury Witness Report —VIII-20
N. Last Chance Assistance Agreement —VIII-21

I. Classification and Compensation

A. Classification of Employees

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

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

Baldwin County has the following classifications of employees:

- **Appointed Employees:** A limited class of employees which serves in a County department at the pleasure of a department of Baldwin County as designated by *Ala. Code §45-2-120, et seq.*, as amended, or other statute.

- **Appointed Contract Employees (sometimes referred to herein as "Appointed Department Head"):** A limited class of employees which serves under contract with the County Commission as specified in *Ala. Code §45-2-120, et seq.*, as amended, or other statute.

- **Classified Employees:** An individual who is assigned to a regular position authorized by the County Commission, whose salary is paid with funds allocated by the County Commission, and whose employment initially includes a probationary period of not more than six (6) months, during which time such a probationary employee is not a classified employee.

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

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

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

- **Probationary Employee:** An employee assigned to a classified position who has not achieved permanent status by being employed for more than six (6) months and who has not satisfactorily completed the probationary period.

- **Exempt Employee:** An employee not eligible for overtime as defined by the Fair Labor Standards Act. Additional pay may be allowed for pursuant to the "Inclement Weather/Declared Emergency" policy.

- **Non-Exempt Employee:** An employee eligible for overtime as defined by the Fair Labor Standards Act.

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

B. Exempt and Non-Exempt Employees

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

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

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

C. Employment for Classified Positions

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

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

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

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

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

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

D. Probationary Employees

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

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

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

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

E. Part-Time Employment

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

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

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

F. Job Classifications

All job classifications are based on an analysis of the duties and responsibilities of each position and requirements of education, training, experience, skills, knowledge and abilities necessary for the position. If a position is reclassified to a higher pay grade due to increase in duties, the move will result in no less than a 2.5% increase above the employee's current salary. New employees or employees transferring or being promoted to new positions shall receive a copy of the new position description. All classified positions and position descriptions shall be approved and funded by the Baldwin County Commission.

Position descriptions do not necessarily cover every task or duty that might be assigned, and additional responsibilities may be assigned as necessary. The Personnel Department keeps position descriptions on file.

G. Wage and Salary Administration

The compensation plan intends to provide equal compensation for work of equivalent responsibility, pay according to work performance and/or outstanding service. Each position is rated according to experience, knowledge, training, duty complexity, leadership, effect of errors,

communication, problem solving, physical demands, potential work hazards, stewardship and responsibility and education.

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

Classified non-exempt (hourly) and classified exempt (salaried) employees may receive an increase in pay based on the overall score of the performance appraisal. Employees who receive an overall rating of 3.0 or higher are eligible to receive an increase in pay as outlined in Section *II.O. Performance Appraisals.*

Additionally, classified employees will receive a 1% cost of living increase at the beginning of each fiscal year.

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

H. Pay Increases for Appointed Employees and Appointed Contract Employees

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

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

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

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

I. Approval for Salary Changes

All increases in pay, with the exception of merit increases, recommended by an Appointing Authority or Appointed Department Head must be submitted to the Personnel Director for review and processing. No change shall be implemented until it is approved by the Commission

during its regularly scheduled or special meeting. All changes in rates of pay will be effective at the beginning of the pay period designated by the County Commission or the beginning of the next pay period after final approval.

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

J. Pay Periods

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

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

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

K. Working During Lunch Periods

Lunch period is time set aside for eating. The time is not considered part of the basic workday. No pay is earned during this period, and no work is to be performed during this period. All full-time employees are granted a thirty (30) minute lunch period. Employees that wish to take a one (1) hour lunch period must have approval from his or her Appointing Authority, Appointed Department Head or supervisor, and work hours must show an entire work day as applicable to the employee's assigned shift (i.e. eight (8) hour day 8 am to 5 pm). If a part-time employee is scheduled to work more than six (6) consecutive hours within a day, a thirty (30) minute lunch period shall be granted.

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

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

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

L. Breaks

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

M. Working Before or After Regular Hours

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

N. On-Call Policy

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

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

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

O. Call Out Pay

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

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

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

P. Pay Advances

Pay advances are not allowed under any circumstances.

Q. Direct Deposit

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

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

II. General Personnel Policies

A. Equal Employment / Workplace Discrimination and Harassment Policy

Baldwin County is an Equal Opportunity Employer and complies with all applicable state and federal laws, rules and guidelines, including, but not limited to, Title VII of the Civil Rights Act of 1964, governing discrimination in employment. Baldwin County recruits, selects, trains and promotes all employees without regard to race, color, sex, religion, national origin, age, marital status, political belief, actual or perceived disability or history of disability, or genetic information, except where specific age, sex or physical requirements constitute a bona fide occupational qualification that is necessary to proper and efficient administration.

The Baldwin County Commission hereby establishes and reaffirms its commitment to a clearly defined Equal Employment Opportunity Program (EEOP) as set forth by the following guidelines:

- Equal opportunity for all of our citizens is a historic American ideal, and it is the policy of the Baldwin County Commission to maintain equal employment opportunity in the public service position of county government by considering job applicants and employees for hiring and advancement on the basis of job-pertinent individual differences and not on the basis of the extraneous factors such as race, religious creed, color, national origin, ancestry, sex, marital status, medical condition, age or disability. The objective of this program is to continue to ensure nondiscrimination in all employment related decisions.

Baldwin County is committed to creating a workplace free from the unlawful harassment of employees by other employees and officials, or the unlawful harassment of its officials and employees by its vendors or visitors. Likewise, Baldwin County will not accept the unlawful harassment of a vendor or visitors by any employee of Baldwin County. This policy includes harassment because of race, sex, religious creed, color, national origin, ancestry, disability or medical condition, age, or any other basis protected under Title VII.

Baldwin County encourages employees to address harassment directly when it occurs. Any incident of harassment shall be reported immediately to the Personnel Director or the respective Appointing Authority, Appointed Department Head, or supervisor in the manner as described under the section *II.B. Equal Employment Opportunity/Employment Grievance Procedures*. If an employee is not satisfied with the results or action(s) taken as a result of his or her initial complaint, then the employee must report his or her complaint to the County Administrator.

All complaints for harassment will be investigated, and the results of the investigation will be reported to the complaining party. Investigation of a harassment complaint may include, but is not limited to, interviewing the complaining and accused parties as well as other employees and/or vendors necessary to obtain sufficient information upon which to make an assessment of the situation. While Baldwin County will make every effort to be sensitive to privacy issues,

there is no guarantee of confidentially. Retaliation and/or discrimination against an employee who complains of harassment are strictly prohibited and also may be a violation of Title VII.

1. Sexual Harassment: Each Appointing Authority, Appointed Department Head, supervisor and employee has a responsibility to maintain a workplace free of any form of sexual harassment. Sexually harassing conduct in the workplace, whether committed by supervisors or non-supervisory personnel, is prohibited. Such conduct includes, but is not limited to:

    a. Sexual flirtations, touching, advances or propositions;
    b. Verbal abuse of a sexual nature;
    c. Graphic or suggestive comments about an individual's dress or body;
    d. Sexually degrading words to describe an individual; or
    e. The display of sexually suggestive objects or pictures, including nude photographs.

As with any form of harassment, the employee has the responsibility to report sexual harassment to an appropriate authority as soon as possible. He or she may report the harassing behavior to his or her immediate supervisor, Appointing Authority, Appointed Department Head, or the Personnel Director. The complaint of sexual harassment will be investigated promptly and impartially, with confidentiality maintained to the greatest extent possible. The complaining employee will be advised of the findings following the investigation.

Any employee, supervisor or Appointed Department Head who is found to have engaged in any form of harassment of another employee will be subject to appropriate disciplinary action, up to and including termination.

If the employee is dissatisfied with the outcome of the investigation, or if any form of harassment persists or re-occurs, the employee has the responsibility to report the occurrence or re-occurrence to the appropriate authority as soon as possible.

B. Equal Employment Opportunity/Employment Grievance Procedures

If an employee or applicant feels he or she has been a victim of discrimination, the employee shall file a written complaint. Complaints by employees should be addressed to the employee's supervisor; if the supervisor is the subject of the complaint, it should be addressed to the employee's Appointed Department Head. Employees employed under the Revenue Commission should address the complaint to the Revenue Commissioner; employees employed under Probate Office should address the complaint to the Probate Judge. If the Appointed Department Head, Revenue Commissioner or Probate Judge is the subject of the complaint, or if for any reason the employee is unable to follow this process as outlined, the complaint should be directed to the Personnel Director. Complaints by applicants shall be filed directly with the Personnel Director, who would also serve as the EEO Officer for that purpose.

The complaint should contain the following:

1. Date(s), time(s) and location(s) of the incident/incidences that took place;
2. Description of each incident, including a statement as to any physical contact made and as to what was said and/or done;
3. Name(s) of witnesses, if any; and
4. The names of anyone with whom incident/incidences have been discussed.

All complaints of discrimination will be investigated, and the results of the investigation will be reported to the complaining party. Investigation of a discrimination complaint may include, but is not limited to, interviewing the complaining party as well as other employees and/or others necessary to obtain sufficient information upon which to make an assessment of the situation. While every effort will be made to be sensitive to privacy issues, in the course of an investigation, Baldwin County will discuss relevant information with appropriate parties on a need-to-know basis; and therefore, the information provided during the investigation may not be kept confidential. A record of the complaint and findings will become a part of the complaint investigation records and the file will be maintained separately from your personnel file.

The Personnel Director is principally responsible for investigating violations of the personnel policies of Baldwin County. When appropriate, the Personnel Director may explore informal means to resolve discrimination complaints. Informal dispute resolution procedures may include, but are not limited to, counseling the alleged violator or serving as a mediator between the two parties.

When the matter cannot be resolved informally, the Personnel Director or the appropriate party may prepare a written report of the investigation and a recommendation. Recommendations can include discipline for the violator as well as the restoration of any employment terms, conditions, or opportunities the complainant lost or was denied because of the discrimination.

If an employee is not satisfied with the resolution of the initial complaint, then the employee shall bring the complaint to the attention of the County Administrator in writing. The County Administrator will decide whether to approve the Personnel Director's recommendation, dismiss the complaint or order further investigation. In the event the complaint is against the County Administrator, the Personnel Director will submit his or her recommendation to the Clerk/Treasurer, who will decide whether to approve the Personnel Director's recommendation, dismiss the complaint or order further investigation.

C. Administrative Grievance Procedures

A grievance may be a complaint regarding some matter considered by an employee as unresolved and otherwise unsettled by Baldwin County Commission procedure rule or regulation already in effect.

Administrative Grievance Procedures

Step 1. (Applicable to Employees and Supervisors)

The employee is expected to make every effort to resolve problems as they occur through informal means. Therefore, within five (5) calendar days after an employee knows, or should have known, of an alleged violation or misapplication of a Baldwin County personnel rule, regulation or procedure, the employee shall discuss the grievance with his or her immediate supervisor or the next highest supervisor if the problem is with the immediate supervisor (collectively hereinafter "supervisor"). If this informal discussion fails to resolve the problem, the employee should prepare a written description of the problem at issue, including reference to any applicable personnel rule, regulation, or procedure, the discussion that was held with the supervisor and why the employee feels that no acceptable resolution was reached in the discussion. Any such written description shall be prepared and provided to the supervisor in question within three (3) working days of the discussion.

The supervisor should provide the employee an answer within three (3) working days of this initial meeting or receipt of said written description. The employee's signed written description of the grievance along with the response of the supervisor is required at this level.

Step 2. (Employee, Supervisor, Appointing Authority or Appointed Department Head)

Within three (3) working days from the receipt of the supervisor's final decision, the employee shall have the right to forward the decision to his or her Appointed Department Head. In the event the Appointed Department Head is actually the immediate supervisor, then to the Appointing Authority. Employees working in the Office of the Revenue Commissioner should forward the decision to the Revenue Commissioner, and employees working in the Probate Office should forward the decision to the Probate Judge. The appeal to the Appointed Department Head or Appointing Authority must be in writing, must describe and attach the decisions of the employee's supervisor and Appointed Department Head and must specify the relief sought. The Appointing Authority or Appointed Department Head shall furnish the employee an answer within three (3) working days of receipt of the appeal forwarded by the employee.

Written record of the grievance is required by the Appointing Authority and/or Appointed Department Head and shall include the following:

1. A statement of rules, regulations or procedures that have been violated or misapplied, with the dates and descriptions of such violations or misapplication signed by the employee;
2. A copy of the written action taken by the supervisor;
3. The specific remedy which is being sought signed by the employee;
4. The specific final action of the Appointing Authority or Appointed Department Head with respect to the grievance signed by the Appointing Authority or Appointed Department Head; and
5. Any decision of the Appointing Authority or Appointed Department Head will be final in all matters that do not concern the termination, suspension without pay or involuntary demotion of an employee who has completed the probationary period.

D. Anti-Retaliation

Baldwin County is committed to providing a work environment in which employees may complain about alleged discrimination or other problems, including harassment, without fear of retaliation. The County strictly prohibits discrimination against any employee because he or she has opposed any unlawful employment practices or because he or she has made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing regarding such alleged practices.

Any employee who wants to report an incident of retaliation should promptly report the matter. Employees can raise concerns and make reports without fear of reprisal or retribution. Any employee, supervisor, Appointing Authority or Appointed Department Head who becomes aware of possible retaliation shall promptly advise any of the persons listed above. Anyone engaging in retaliation will be subject to disciplinary action, up to and including immediate termination of employment.

E. Workplace Rules of Conduct

One of the County's most paramount principles is to demonstrate respect and dignity in service to the citizens of Baldwin County and interactions with each other. To assure orderly operations and provide the best possible work environment, the County from time to time establishes general work rules. Although it is not possible to list all the forms of behavior that are considered unacceptable in the workplace, the following are examples of some of the types of infractions which can result in disciplinary action up to and including termination. In order to avoid such severe consequences, just follow simple common sense, read and understand this list of examples and ask management before engaging in any questionable activity. Many of these policies and rules are outlined elsewhere in this handbook.

Examples of workplace rules of conduct for which an employee will be subject to progressive discipline under the Progressive Disciplinary Policy from counseling up to and including termination include, but are not limited to, the following:

1. Insubordination or lack of cooperation;
2. Failing to follow instructions or to perform work as requested;
3. Failing to meet reasonable standards of efficiency and productivity, or otherwise unsatisfactory job performance and/or repeated substandard work;
4. Unauthorized or excessive absences (including failure to report for work, late arrival, early departure or unauthorized absence from duty) from work;
5. Excessive break time or repeatedly attending to personal affairs on work time;
6. Sleeping or giving the appearance of sleeping while on County property or during the time in which the employee is supposed to be working; or
7. Failure to prepare and submit required reports and/or records in a timely manner.

Examples of workplace rules of conduct for which an employee may be subject to a letter of reprimand or other disciplinary action up to and including immediate termination as set forth in the progressive disciplinary policy include, but are not limited to, the following:

8. Abusing, damaging, wasting, stealing, inappropriately removing or possessing County property, records or the property of other employees;
9. Falsifying the employment application or making misrepresentations on any other personnel records;
10. Falsifying County reports or committing fraud with regard to any records (including time records, expense accounts, absence excuse, etc.);
11. Fighting, threatening violence or otherwise starting a disturbance on County premises or while performing job duties, including, but not limited to, assaulting or intimidating a County employee or non-employee;
12. Reporting to work in a condition unfit to perform his or her duties, including reporting to work with measurable amounts of illegal drugs, intoxicants, or controlled substances in the employee's system or being under the influence of alcohol or drugs or controlled substances;
13. Possessing, consuming or selling alcohol, illicit drugs or controlled substances on County premises or while performing job duties and/or any violation of the County Drug-Free Workplace Policy;
14. Violating a County safety, fire prevention, health, or security rule, policy or practice -- or creating or contributing to unhealthy or unsanitary conditions;
15. Boisterous or disruptive activity or horseplay in the workplace;
16. Conduct leading to damage of County-owned property;
17. Disclosing unauthorized confidential County information;
18. Unauthorized solicitation or distribution on County property;
19. Sexual, racial or other unlawful harassment or any violation of the Rules of Conduct and Harassment policies;
20. Failing to fully cooperate in any County investigation;
21. Failure to notify the County of wrongdoings of co-workers or for violation of any rules, regulations or law;
22. Failing to notify County of an accident as soon as possible;
23. Abuse of phone or other communication systems for personal use;
24. Abuse or misuse of the County telephone system, computer system or data;
25. Entering a restricted area without authorization;
26. Not being truthful or attempting to mislead or evade a direct question or inquiry from any supervisor or County official; or
27. Multiple or repeated violations of workplace rules or conduct.

The above list is not all encompassing or all-inclusive.

F. Workplace Violence Prevention

Baldwin County Commission is committed to maintaining a safe environment and preventing workplace violence. All employees should be treated with courtesy and respect at all times. Conduct that threatens, intimidates or coerces another employee, a client, or a member of the public at any time, including off-duty periods, will not be tolerated.

In an effort to prevent violence that may occur during business hours or on County premises, the Commission has developed these guidelines to identify and define prohibited conduct, which includes, but is not limited to, the following:

1. Physically or verbally threatening another individual;
2. The intentional destruction or threat of destruction of County property or a co-employee's property while at work;
3. Harassing or threatening phone calls or written communications;
4. Stalking;
5. Advocating or threatening the illegal use of weapons or bombs;
6. Threats or attempts to commit suicide;
7. Fighting;
8. Horseplay;
9. Bullying;
10. Profanity; or
11. Advocating or threatening revenge based upon a workplace occurrence.

All threats of violence, violent acts, potentially volatile situations and all conduct prohibited by this policy should be reported as soon as possible to the supervisor. This includes threats by employees, as well as threats by clients, vendors, solicitors or other members of the public. Reports should be as specific and detailed as possible. Additionally, any emergency, crisis or situation posing imminent danger should be immediately reported to 911. As soon as practical, notify the Appointing Authority, Appointed Department Head or supervisor.

The County will promptly and thoroughly investigate all reports. The identity of the individual making a report will be protected as much as is practical. No person will be subject to retaliation or reprisal because of making a report. In order to maintain workplace safety and the integrity of its investigation, the County may place employees on administrative leave, either with or without pay, pending investigation. Employees charged with a crime may be placed on administrative leave without pay for a maximum of ten (10) days for investigation.

Anyone determined to be responsible for threats of violence, violent acts or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

Baldwin County encourages employees to bring their disputes or differences with other employees to the attention of the supervisor before the situation escalates into potential violence. The County is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

G. Americans with Disabilities Act (ADA)

Baldwin County Commission complies with the Americans with Disabilities Act of 1990, Public Law 101-336 (ADA), which prohibits discrimination on the basis of disability. The ADA prohibits employers with fifteen (15) or more employees from discriminating against qualified job applicants and employees who are or become disabled.

Baldwin County Commission is committed to providing reasonable accommodations to qualified individuals with disabilities, unless it would impose an undue hardship on the employer. If an employee has a disability, he or she may request a reasonable accommodation at any time during the application process or during the period of employment. The employee, the employee's health professional, or any other representative acting on behalf of the employee may request an accommodation. This may be done verbally or by completing a reasonable accommodation request form. This form may be obtained from the employee's supervisor or the Baldwin County Personnel Department.

Reasonable documentation from an appropriate healthcare or rehabilitation professional may be required to establish that an employee has an ADA disability and that the disability necessitates a reasonable accommodation.

If you have a disability and need an accommodation to perform your job duties or to receive any regular benefit or condition of employment, you should make the request to your supervisor verbally, in a written note or memo, or by using a special form. Any other person may assist in making this request.

H. HIPAA

Baldwin County Commission complies with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and follows guidelines involving the protected health information of employees, dependents and patients. Contact the Personnel Department for a copy of the Baldwin County Commission Health Insurance Portability and Accountability Act of 1996 policy.

Employees can find the approved Health Insurance Portability and Accountability Act Privacy Policy that was adopted by the Baldwin County Commission on April 19, 2005, on the Personnel page at www.baldwincountyal.gov.

I. Dress Code

The Baldwin County Commission seeks to project a positive image and to promote professionalism in the workplace. Employees are required to dress in an appropriate manner consistent to the specific job duties to which he or she is assigned and to exercise good judgment. Appointing Authorities, Appointed Department Heads and supervisors are authorized/required to assure compliance in the particular areas for which they are responsible. Dress codes are left to the discretion of the department head over the department.

During business hours or whenever an employee represents the County, he or she should be clean, well groomed and wear appropriate clothes.

If an employee's supervisor finds that the employee's personal appearance is inappropriate, he or she will be asked to leave work and return properly dressed and groomed. If an employee is asked to leave, he or she will not be paid for the time away from work.

Where necessary, the County may make a reasonable accommodation to this policy for a person with a disability.

The following examples should help the employee understand the County's personal appearance guidelines:

1. Tank tops, tube or halter tops may not be worn under any circumstances;
2. Offensive body odor and poor personal hygiene is not professionally acceptable;
3. Perfume, cologne and aftershave lotion should be used moderately or avoided altogether, as some individuals may be sensitive to strong fragrances;
4. Facial jewelry and body piercings, such as eyebrow rings, nose rings, lip rings and tongue studs, is not professionally appropriate and must not be worn at work;
5. Torso body piercings with visible jewelry or jewelry that can be seen through or under clothing must not be worn at work;
6. Footwear should be fastened and secured to feet for safety and shall be appropriate for job duties; and
7. Skirt length must be no more than two (2) inches above the knee. Shorts may not be worn.

J. Attendance

Each employee is an important member of the Baldwin County Commission team. In order to accomplish this, each employee's prompt and regular attendance is required.

In case of an illness or injury that would prevent the employee from reporting to work at the scheduled time, notice must be confirmed to his or her supervisor, next level manager, Appointed Department Head or Appointing Authority. If notice is given, the employee will still be considered tardy once he or she arrives at work. The Appointing Authority and/or Appointed

Department Head of the department may further define specific departmental requirements.

Notice must be confirmed by your supervisor, next level manager, Appointed Department Head or Appointing Authority to give notification of absence or tardiness. Your Appointing Authority and/or Appointed Department Head may further define specific departmental requirements.

Failure to provide notification of absence for three (3) consecutive workdays may result in removal from the payroll as having resigned without notice. Employees who resign under such circumstances are not eligible for rehire.

K. Work Hours and Time Records

The normal workweek for a full-time employee consists of forty (40) hours depending on the job classification and work location and for a part-time employee no more than twenty-nine (29) hours a week on average. Core business hours are 8:00 am to 4:30 pm. Some jobs may require other hours of service. In such cases, the immediate supervisor will inform the employee of the required work hours.

Hourly (non-exempt) employees will be responsible for completing a time record with the beginning and ending work times, including lunch. This is necessary for payroll calculation of the employee's earnings.

All salaried (exempt) employees are expected to accomplish their duties irrespective of the time or days required to do so. Salaried exempt employees will be responsible for recording all time records if he or she is absent from work.

The employee reserves the right to examine and verify his or her personal time record prior to supervisor approval. Employees who willfully falsify a time record will be subject to immediate termination.

A workday may not be shortened by "working through" or reducing the lunch period on a voluntary basis, nor may an employee voluntarily begin work before or after his or her regularly scheduled hours for the purpose of accumulating overtime. Every adjustment to the work schedule requires advance approval from the employee's immediate supervisor.

You will be subject to immediate termination if you willfully falsify your time record. The same consequence applies if you falsify, or interfere with, the time record of any other employee.

L. Safe Harbor Policy

It is the policy and practice of the Baldwin County Commission to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure that

the employee is paid properly for all time worked and that no improper deductions are made, the employee must record correctly all work time and review his or her paychecks promptly to identify and to report all errors.

The Baldwin County Commission makes every effort to ensure all employees are paid correctly. When mistakes do happen, and are called to our attention, we will promptly make any corrections necessary. Each employee should review his or her pay stub when received to make sure it is correct. If a mistake has occurred or if there are any questions, please use the reporting procedure outlined below.

If an employee is classified as non-exempt (hourly), he or she must maintain a record of the total hours worked each day. These hours must be accurately recorded in the time keeping system provided by the County. Each employee must verify that the reported hours worked are complete and must accurately reflect all regular and overtime hours worked, any absences, late arrivals, early departures and meal breaks. The employee should submit the completed time record to his or her supervisor for verification and approval. When an employee receives each pay check, the employee must also verify immediately that he or she was paid correctly for all regular and overtime hours worked each work week.

Unless authorized by the employee's supervisor, the employee shall not work any hours that are not authorized, unless authorized to do so by his or her supervisor and that time is recorded on his or her time record. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work the employee may perform but fails to report on his or her time record. Any employee who fails to report or inaccurately reports any hours worked will be subject to potential disciplinary action, up to and including, termination.

It is a violation of the County's policy for any employee to falsify a time record, or to alter another employee's time record. It is also a serious violation of County policy for any employee or manager to instruct another employee to incorrectly or falsely report hours worked or alter another employee's time record to under- or over-report hours worked. If any supervisor or employee instructs another employee to (1) incorrectly or falsely under- or over-report an employee's hours worked, or (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, the employee should report it immediately to the Personnel Director or County Administrator.

If an employee is classified as exempt (salaried), the employee will receive a salary that is intended to compensate him or her for all hours he or she may work for the County. This salary will be established at the time of hire or when he or she becomes classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work the employee performs.

Under federal and state law, an employee's salary is subject to certain deductions. For example, absent contrary state law requirements, an employee's salary can be reduced for the following reasons:

1. Full day absences for sickness, disability or personal reasons;
2. Partial day absences for sickness, disability or personal reasons when:
    a. Permission for paid leave has not been sought or has been sought and denied;
    b. Accrued leave has been exhausted; or
    c. Employee is granted leave without pay, in accordance with the policies adopted by the Baldwin County Commission.
3. Full day disciplinary suspensions for infractions of the Baldwin County Commission's written policies and procedures;
4. Family and Medical Leave absences (either full or partial day absences);
5. To offset amounts received as payment for jury or witness fees or military pay;
6. The first or last week of employment in the event the employee works less than a full week; or
7. Suspension without pay for full or partial day absences based on violation of a safety rule.

An employee's salary may also be reduced for certain types of deductions such as his or her portion of health, dental or life insurance premiums; state, federal or local taxes and social security; or voluntary contributions to a retirement plan.

If an employee has questions about deductions from his or her pay, please immediately contact the Personnel Director. If an employee believes that his or her pay does not accurately reflect the employee's hours worked, the employee should immediately report the matter to his or her supervisor. If the supervisor is unavailable or if the employee believes it would be inappropriate to contact that person (or if the employees has not received a prompt and fully acceptable reply), the employee should immediately contact the Personnel Director. If an employee has not received a satisfactory response within five (5) business days after reporting the incident, immediately contact the County Administrator.

Every report will be fully investigated and corrective action will be taken where appropriate, up to and including discipline for any employee(s) who violates this policy. In addition, the County will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the County's investigation of such reports. Retaliation is unacceptable and any form of retaliation in violation of this policy will result in disciplinary action, up to and including, discharge.

M. Inclement Weather/Declared Emergency

1. Inclement Weather/Declared Emergency without Official Closing: Inclement weather/declared emergency usually does not warrant closing of County offices. Absence due to inclement weather/declared emergency requires an employee to make a personal judgment pertaining to his or her safety in traveling to and from work. Loss of work time for this reason is charged to the employee's accrued annual leave. If an employee has no annual leave, then the time is charged as leave without pay.

2. Official Closings Due to Inclement Weather/Declared Emergency: The Commission will decide if Baldwin County offices will be closed on normal work days during inclement weather/declared emergency. If the Commission decides to close one or all of Baldwin County offices, full-time classified employees will be paid administrative leave in the amount of hours to bring them to their regularly scheduled work hours for the day. Employees who are out on annual, sick or any other type leave or has requested leave for the day of closing must be charged with the leave requested. Closing information will be given to the major media outlets via press release.

The County Administrator will also contact the Probate Judge, Revenue Commissioner and Appointed Department Heads to inform them of the closing and each department will have a notification process. If an employee has any questions about an official closing, the immediate supervisor should be contacted.

The Commission will also determine whether certain "critical emergency service personnel" must report to work during inclement weather/declared emergency. Such personnel may include, but, are not limited to, employees from:

- Highway;
- Solid Waste; and
- Communication and Information Systems.

If other employees are needed to assist with services, they will be contacted by a supervisor. If an employee is not required to work during an inclement weather/declared emergency closing, he or she will receive administrative pay for the regularly scheduled working hours during the period of closing. If an employee is called to work and refuses to come in during the inclement weather/declared emergency closing, the employee will not receive administrative leave and will be charged with leave without pay.

If a full-time hourly (non-exempt) employee is among the critical emergency service personnel who must work, the employee will receive his or her regular wages, plus overtime for the hours actually worked over forty (40) in addition to eight (8) hours of administrative leave per day to exceed forty (40) hours within a work week with the exception of the first and last day of declaration, then the employee will receive administrative leave in the amount of hours from time the declaration was declared or undeclared to bring them up to the eight (8) hours. Example: Employee works from 8 am to 4:30 pm, emergency declared at 11:00 am. The employee has already worked three (3) hours, so five (5) hours administrative leave will be granted plus all hours actually worked.

If a salaried (exempt) employee is among the critical emergency service personnel who must work, the employee will receive his or her regular wages, plus time and a half for the hours actually worked over forty (40) starting at the time the Commission declares the state of emergency in addition to eight (8) hours of administrative leave per day not to exceed forty (40) hours within a work week with the exception of the first and last day of declaration, then the employee will receive administrative leave in the amount of hours from time the declaration was declared or undeclared to bring them up to the eight (8) hours. Example: Employee works from

8 am to 4:30 pm, emergency declared at 11:00 am. The employee has already worked three (3) hours, so five (5) hours administrative leave will be granted plus all hours actually worked. The exempt employee will not receive supplemental pay for work during any portion of the pay period that is not during the inclement weather/declared emergency.

If an employee is not scheduled to work during an inclement weather/declared emergency closing, the employee will not be paid for the closing.

If an employee is on annual, sick or any other leave with pay during the declared times of closing, he or she will be required to use the previous scheduled leave and will not receive administrative leave with pay.

N. Central Personnel Files

It is the intention of the Personnel Department to ensure that all personnel files are accurate, relevant and safe from improper disclosure. Employee information not kept in the central personnel file in the Personnel Department is not deemed part of his or her file. All medical information on the employee is kept in a separate file detached from other files. At no time, should an employee's medical information be kept any place other than in the employee's medical file located in the Personnel Department.

Personal information will be disclosed according to the requirements of public records law and it is the intent of the Personnel Department to inform affected employees of requests for information or access to personnel files. To review a file, contact the Personnel Office at (251) 580-1663. Individuals shall submit a letter of request to view personnel files, and such letter will be placed in the employee file that was viewed showing who reviewed the file and the date. An employee of the Personnel Department will remain in the room while the file is being reviewed.

It is important that each employee promptly report any changes to the Personnel Department. Other records, such as educational accomplishments, should also be reported as they are factors in consideration for future promotional opportunity. Be sure that the Personnel Department always has an employee's current:

- Address;
- Contact number;
- Marital status;
- Any increase or decrease in number of dependents;
- Any change affecting Social Security records; and
- Correct beneficiary.

There is, however, restricted access to certain types of employee information. The following records of government employees will not be open for inspection by members of the public:

- Unpublished telephone numbers;
- Bank account information;

- Social security numbers;
- Driver's license information – unless driving a vehicle is part of the employee's duties or incidental to the performance of the job; and
- The same information about an employee's immediate family members.

If you experience a change in educational status, identifying information, or family status, you should report these changes to the Personnel Department at, (251) 580-1663.

Personnel representatives are the only persons authorized to disclose information, and any phone calls or written inquiries seeking such information shall be directed to the Personnel Department. The County will provide employee information to outside agencies as requested in writing and only when accompanied by the original employee signed authorization for release of information. Information is limited to confirming the dates of employment and job title.

O. Performance Appraisals

The performance appraisal is a systematic method of appraising and strengthening an employee's performance. Supervisors make a rated evaluation based on factors such as job knowledge, job duties, leadership, promotion of accuracy, safety, communication, problem solving, stewardship and responsibility. He or she reviews the position description for any necessary changes and gives feedback about the employee's performance. Together, the supervisor and employee may develop goals to improve job skills and enhance performance.

The Baldwin County performance appraisal system is based on a scale of 1.0 – 5.0. An overall score of 3.0 or higher is deemed to be satisfactory. A score below 3.0 is deemed unsatisfactory, and a corrective action plan will be developed by the supervisor and employee, unless disciplinary actions, including, but not limited to, termination, is deemed necessary. The written performance appraisals will be reviewed with the employee and retained in the employee's personnel file.

Probationary employees will receive an evaluation prior to the end of the six (6) month probationary period. Probationary employees must receive a satisfactory evaluation of at least a 3.0 on a scale from 1.0 – 5.0 to be deemed a classified employee. If a probationary employee receives less than a 3.0 on the evaluation, then the evaluation will be considered unsatisfactory and the employee will be terminated. Probationary employees will then be evaluated at the end of their first year of consecutive employment. Probationary employees are not eligible for a merit increase until he or she has completed one (1) consecutive year of employment and receives a score of 3.0 or higher on his or her one (1) year evaluation.

Annual written performance appraisals will be performed on all non-probationary hourly (non-exempt), salaried (exempt) employees, and Appointed Employees, on anniversary of hire date or anniversary of promotion date. These employees may receive an increase in pay based on the overall score of the performance appraisal. Employees who receive an overall rating of 3.0 or

higher are eligible to receive an increase in pay in the form of a percentage over the current salary level, up to, but not exceeding, the top of the salary scale for his or her job title. Performance appraisal percentage increases are as follows:

Performance Appraisal Score		**Merit Increase**
From	*To*	
3.0	3.39	1.50%
3.4	3.79	2.00%
3.8	4.19	2.50%
4.2	4.59	3.00%
4.6	5.0	3.50%

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

Additionally, classified employees will receive a 1% cost of living increase at the beginning of each fiscal year.

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

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

When merit increases have been suspended and/or frozen by the Baldwin County Commission, evaluations will be conducted on an annual basis, with the exception of new employees which receive semi-annual evaluations for the first year of employment.

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

P. Temporary Assignments

A temporary assignment of a classified employee is defined as a special assignment on a full-time basis for a period not exceeding six (6) months. No salary or salary range adjustments are generally made for temporary assignments. The performance review cycle continues and is based on the wage rate assigned to the employee's non-temporary position with Baldwin County.

Q. Cross-Training

To promote efficiency within an office, an Appointing Authority or Appointed Department Head may require employees to cross-train and perform tasks contained in the position description of an employee's position that have not previously been performed by the employee in lieu of, or in addition to, the tasks generally assigned to the employee. No salary or salary range adjustments are made for cross-training or the performance of these tasks. The performance review cycle continues and is based on the wage rate assigned in relation to the employee's generally assigned tasks.

R. Promotions

Baldwin County continually strives to promote employees and fill job vacancies on an equal opportunity basis. Promotions are based on an objective evaluation of each vacancy and the candidates involved. When possible, Baldwin County will promote from within and will first consider employees with the necessary qualifications and skills, unless outside recruitment is deemed to be in the best interest of the County. However, to be eligible for a promotion, the employee must be able to meet the requirements of the new position, must have satisfactory performance, must have held the current position for at least six (6) months, with the exception of employees within the same department doing similarly situated position duties, and must have no adverse disciplinary actions during the same time period. All promotions will result in an hourly/salary rate increase of 8% over the previous pay, into a higher pay grade, and no less than the lowest hourly rate/salary applicable for the new position's pay grade.

Employees may view job postings in the Personnel Department, on various locations throughout the County system, and on the Baldwin County external web site (www.baldwincountyal.gov). Selected openings may be advertised through various means.

Baldwin County reserves the right to fill department vacancies, which result in a promotion, within the employee's current department without posting the position.

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

S. Transfers and Reassignments

It is the policy of the Baldwin County Commission that it may, at its discretion, initiate or approve employee job transfers. Employees may request a voluntary lateral job transfer, within the same grade classification, by applying for a posted open position. However, to be eligible for a voluntary transfer, the employee must be able to meet the requirements of the new position, must have satisfactory performance, must have held the current position for at least six (6)

months and must have no adverse disciplinary actions during the same time period. The employee's annual evaluation date will not change to coincide with the transfer or reassignment.

If you want to transfer to another job with the Baldwin County Commission, you should submit an application for the desired position. (It must be currently posted.) You must have held your current position at least six months, had satisfactory performance and discipline records during that time and be qualified for the new position. Transfers are not automatic – you will compete with all other applicants for the vacant position.

T. Voluntary Demotion

A voluntary demotion shall be at the request of the employee. For an employee to request a voluntary demotion, he or she must state the reason for the request in writing and apply for an open, posted position. However, to be eligible for a voluntary demotion, the employee must be able to meet the requirements of the new position, must have satisfactory job performance, must have held the current position for at least six (6) months and must have no adverse disciplinary actions during the previous year. All voluntary demotions will result in an hourly/salary rate decrease of no less than 5% under the previous pay and no less than the lowest hourly rate/salary applicable for the new position and result in a change of the employee's annual evaluation date to coincide with the date of the voluntary demotion.

See section *III.D. In-Voluntary Demotions* for guidelines for an in-voluntary demotion.

U. Resignations

If an employee wants to resign his or her position, he or she should notify his or her immediate supervisor, the Appointing Authority or the Appointed Department Head in writing no less than ten (10) working days before the expected resignation date. Failure to provide such a notice will be recorded in the employee's personnel file and may constitute grounds for "no-rehire." Employees who resign shall schedule an appointment with the Personnel Department in order to complete an exit interview. At the time of the separation and prior to final payment, all records, assets and other items of County property in the employee's custody shall be transferred to the employee's supervisor, Appointing Authority or Appointed Department Head. Any amount due and owing to the County by the employee because of shortage in the above shall be withheld from the employee's final check.

After an employee gives notice and prior to the expiration of the ten (10) working days, his or her Appointing Authority or Appointed Department Head can release the employee from the job, provided that all state and federal legal requirements are met. If the Appointing Authority or Appointed Department Head releases the employee prior to the ten (10) working days, the employee will not be paid for the rest of that period and has no grievance rights.

The Personnel Department reserves the right to make deductions from an employee's paycheck for failure to return County equipment or uniforms (upon leaving employment.) The employee's final check will include all annual leave payout (if applicable) and will be processed by the next pay day following the date of termination.

To resign your job, give a written notice to either your immediate supervisor or department director. You must do this at least ten (10) working days before your last day of work.

V. Exit Interviews

All classified County employees who have successfully completed a probationary period with the County shall not be separated from County employment without a minimum of a hearing with the employee's department head and the Personnel Director if requested by the employee. In addition, exit interviews may be conducted with employees before their last scheduled workday in order to inform the employee of his or her rights pertaining to retirement, COBRA or any other information necessary. The Personnel Department will contact the employee to schedule a time for the exit interview.

W. Rehire

Employees who leave employment with Baldwin County and later wish to return are eligible for consideration for rehire after six (6) months provided an appropriate position is available. Former employees rehired by Baldwin County will be considered a new hire for the purposes of benefits and longevity.

X. Furloughs

The Commission may implement a furlough by temporarily reducing the hours of work of a class of employees within a department due to budgetary constraints when the Commission determines that revenue is not available to meet the obligations of a department. The furlough is limited to a maximum of one (1) unpaid regularly scheduled work day per pay period for a maximum of twenty-six (26) days per fiscal year and may be less than one (1) day per pay period depending on the financial needs of the department. The Commission may implement the furlough in hourly increments, as long as the reduction does not exceed one (1) day per pay period. The furlough may be implemented department-wide, by classification or by classification series.

An employee may volunteer for furlough, but the Appointing Authority or Appointed Department Head may accept or reject the employee's request. An employee may not use leave in lieu of the scheduled furlough. Employees who are placed on furlough shall be considered in full pay status for benefit purposes, including leave accrual and seniority.

If the employee is required to work on a designated furlough day, the employee shall take another day off.

The status of a salary exempt employee will remain the same as long as the employee continues to meet the salary basis requirements of exemption. The Commission may implement the furlough in the salary equivalent of hourly increments as long as the reduction does not exceed the equivalent of one (1) day per pay period.

Y. Reduction in Force

Whenever it becomes necessary, through lack of funds, curtailment of work, reorganization or for other causes, to reduce the number of employees in a given department and/or classification, the Commission shall determine the procedure for layoff or a reduction in the workforce.

If an employee is discharged because of a reduction in force, as determined by the County Commission, he or she is considered separated from employment, unless another position is offered and the employee accepts another position.
The County Commission, Revenue Commissioner, Probate Judge or Appointed Department Head may propose when a reduction in force is warranted and which employee(s) will be released, and the County Commission shall make the decision whether to approve or deny the reduction in force, subject to any modifications deemed necessary by the County Commission, in its discretion. If an employee loses his or her job through a reduction in force, the employee may apply for other posted positions, now or in the future.

A reduction in force is a separation of employment. The progressive discipline process is not followed when there is a reduction in force, and the appeals process is not available since it is not deemed a disciplinary action. All classified County employees who have successfully completed a probationary period with the County shall not be separated from County employment without a minimum of a hearing with the employee's department head and the Personnel Director if requested by the employee.

All layoffs or reduction in workforce must be approved by the Baldwin County Commission.

Z. Tobacco Use/Smoke Free Workplace

To protect and enhance indoor air quality and to contribute to the health and well-being of all employees, Baldwin County facilities and vehicles shall be entirely smoke free, including vapor cigarettes. Smoking is prohibited in all of the enclosed areas within Baldwin County work sites, without exception. This includes common work areas, conference and meeting rooms, private offices, hallways, stairs, restrooms, and employer owned or leased vehicles and all other enclosed facilities.

The only designated smoking areas are outdoors and will be clearly marked as a designated smoking area. No one may smoke along any pathway or walkway leading to or from the designated smoking area.

Additionally, employees may smoke in their personal vehicles, but the smoke and tobacco products, including vapor cigarettes, must be completely contained within the vehicle. It is not acceptable that either smoking or non-smoking employees are subjected to smoke that they must walk through to reach their vehicle or any other destination on Baldwin County property.

While Baldwin County makes these areas available to smokers, it in no way has any legal responsibility to do so. Employees who choose to use these smoking areas do so at their own risk. No additional breaks are allowed to any employee who smokes. Finally, smokers and users of tobacco products must dispose of the remains in the proper containers. This helps to keep a neat and clean environment for all employees and visitors.

Failure to comply with all of the components of this policy will result in disciplinary action that may lead up to and include termination.

AA. Solicitation

Solicitations by Baldwin County employees made to other Baldwin County employees are permitted only in non-work areas and during non-work hours.

Non-work areas include lobbies, hallways, elevators, stairs, sidewalks, parking areas, patios, lunchrooms, or other areas not regularly scheduled for work activities. Non-work hours include before and after scheduled work hours, lunch periods and approved breaks.

The County does not restrict employee's involvement in activities such as United Way or Relay for Life. The County will allow employees to solicit funds for County sanctioned events and activities, such as sending flowers to sick or bereaved co-workers or collecting funds for County-sponsored events.

BB. Employee Parking

In an effort to serve the Baldwin County general public and provide them with easy access to County facilities, County employees are required to park in designated areas in the rear of all County buildings. Appointed Department Heads or Appointing Authorities will be responsible for designating these areas.

CC. Garnishments and Levies

In the event that garnishment or similar proceedings are instituted against an employee, the Baldwin County Commission will deduct the required amount from the employee's paycheck.

If your wages are garnished, be sure that all correspondence to your employer is sent to:
Baldwin County Payroll Department
312 Courthouse Square Suite 11
Bay Minette, Alabama 36507

DD. Immigration Compliance

The Baldwin County Commission is committed to meeting its obligations under U.S. and State immigration laws. Accordingly, the County does not hire individuals nor continue to employ individuals unless they are legally authorized to work in the United States. Moreover, Baldwin County does not discriminate on the basis of citizenship status or national origin in recruitment, hiring or discharge.

EE. Other Policies and Procedures

The following policies are located under Baldwin County Policies and Procedures Library on the Baldwin County Commission Intranet website BCAP. The library can be found by selecting the "County Commission" tab, then select "Administration".

Cellular Phone Policy #8.3
Fuel Management System for Baldwin County Vehicles Policy #3.5
Official and Employee County-Owned Car Policy #2.9
Travel-Training for County Commission Departments and Staff Policy #8.14
Purchasing Policy #3.7
Use, Transmission and Storage of Electronic Information by Employees Policy #5.1

Additionally, the Baldwin County Policies and Procedures hard copy manual can be found in the following locations throughout the county:

Bay Minette Administration Building - Library
Foley Satellite Courthouse – Commission Office
Fairhope Satellite Courthouse – Commission Office
Robertsdale Central Annex - Commission Office
Juvenile Detention Center – Conference Room
Baldwin County Residential Wilderness Facility
Bay Minette Highway – Office Manager's Office
Silverhill Highway – Main Lobby
Foley Highway – Area Supervisor's Office
Magnolia Landfill – Conference Room
Emergency Management Agency – Director's Office
Baldwin Rural Area Transportation Office – Front Desk

III. Progressive Discipline

A. Progressive Discipline Procedures

In cases where an employee displays inappropriate conduct or poor performance, and the activity does not call for automatic termination, Baldwin County follows a progressive discipline process. This is a system that consists of corrective action, documentation and adverse action. Personnel must be notified in advance of any disciplinary action.

The steps of progressive discipline may include:

- Employee Counseling– The first step is usually an employee counseling from the supervisor with the employee to identify the problem and to state the corrective action needed. The supervisor documents this step including dates, times and details of incidents of improper conduct or poor performance and the date the employee counseling was given. The supervisor sends this documentation to the Personnel Director who will review it and place it in the employee's personnel file. The employee may submit a separate written statement for the file, if desired.

- Written Warning – The second step in the process is usually a written warning with specific examples cited. The supervisor prepares the "Notice of Disciplinary Action" form that states a specific time frame in which the employee must improve and gives the consequences of failure to improve. Prior to issuing the form, the supervisor must review it with his or her Appointing Authority or Appointed Department Head. A copy of the original form is forwarded to the Personnel Director for review and placement in the employee's personnel file and a copy is given to the employee. The employee may submit a separate written statement for the file, if desired.

- Adverse Action – If attempts at corrective action fail to produce satisfactory results, some form of adverse action may be taken. The term "adverse action" means action involving suspension, in-voluntary demotion, or termination. Before any adverse action becomes effective, the supervisor must obtain the written approval from the appropriate Appointing Authority or Appointed Department Head.

Any employee who receives two (2) documented warnings for any reason within a twelve (12) month period may be subject to termination, unless automatic termination is justified. Depending on the circumstances surrounding a disciplinary action, any step of progressive discipline may be skipped and disciplinary action up to and including termination may be employed at any time. Furthermore, past performance and disciplinary action may be considered when determining disciplinary action to be taken.

In the event that the Personnel Director or the County Administrator determine that a request for disciplinary action is not appropriate under the circumstances, or in the event that a supervisor or Appointed Department Head fails to take appropriate disciplinary action against an employee, the Personnel Director and/or the County Administrator may, in his or her discretion, initiate new

or additional disciplinary action against an employee which shall be subject to the pre-disciplinary hearing and appeals process set forth below.

In the event that a classified employee is serving as an acting or interim Appointed Department Head in the absence of an Appointed Contract Employee serving as the Appointed Department Head, and in the event disciplinary action is required against the acting or interim Appointed Department Head, the Personnel Director or County Administrator may, in his or her discretion, initiate disciplinary action against the employee which shall be subject to the pre-disciplinary hearing and appeals process set forth below.

B. Administrative Leave with Pay Due to Potential Disciplinary Action

An employee may be placed on administrative leave with pay by the Appointing Authority or Appointed Department Head in consultation with the Personnel Director for up to one pay period during the course of an investigation to determine whether any disciplinary action should be initiated against the employee. The Personnel Director may approve up to an additional pay period to complete the investigation.

C. Suspensions without Pay

The Appointed Department Head, Revenue Commissioner or Probate Judge may suspend an employee without pay as a part of disciplinary action for up to two (2) pay periods.

Employees may not use annual leave or sick leave while on suspension.

The progressive discipline process will be followed prior to suspension, unless the situation warrants automatic suspension.

D. In-Voluntary Demotions

An in-voluntary demotion is an assignment to a job at a lesser basic pay rate. There are two kinds of in-voluntary demotions:

- In-voluntary demotion for cause; and
- In-voluntary demotion due to a reduction in workforce.

1. In-Voluntary Demotion for Cause: An in-voluntary demotion may be made for cause including, but not limited to, violations of rules, failure to perform job duties adequately, misconduct or neglect of duty. The progressive discipline process will be followed prior to demotion. An in-voluntary demotion with cause will result in a reduction of pay no less than 5%.

2. In-Voluntary Demotion Due to Reduction in Force: If an in-voluntary demotion is based on a reduction in force, the employee will be given consideration, based on seniority and work performance record, for future openings in higher job classifications. No progressive discipline process is necessary for an in-voluntary demotion based on reduction in force.

An In-Voluntary Demotion will result in the change of the employee's annual evaluation date to coincide with the date of the in-voluntary demotion.

E. Terminations

1. Immediate termination may be made for cause including, but not limited to, an employee's action or behavior that constitutes:

    a. Insubordination (refusal to follow supervisor's instructions);
    b. Endangering his or her own health or safety or the health or safety of other employees or citizens;
    c. Theft, vandalism or willful destruction of County or employee property;
    d. Making fraudulent statements on employee applications or job records;
    e. Any violation of the County Alcohol and Drug Policy;
    f. Conviction of a felony offense or of a crime involving moral turpitude;
    g. Conviction of an offense that affects the employee's ability to perform his or her job duties or insurability, including, but not limited to, loss or suspension of licenses or other credentials; or
    h. Any other infraction when termination is determined to be in the best interest of the County.

2. Terminations that follow the progressive discipline process are permitted for reasons that include, but are not limited to:

    a. Misconduct;
    b. Willful neglect of duties;
    c. Absence from work without authorization or notification;
    d. Failure to perform job duties;
    e. Repeated tardiness or absence;
    f. Violation of departmental rules;
    g. Email abuse; or
    h. Internet abuse.

Any employee who fails to correct deficiencies after two (2) documented warnings may be subject to termination, unless automatic termination is justified.

F. Appeals Procedures for Adverse Action

1. When an Appointing Authority or Appointed Department Head seeks to discipline an employee either through suspension without pay, involuntary demotion or termination, he or she will make a recommendation to the Personnel Director that such action be taken. The Appointing Authority or Appointed Department Head shall notify the employee in writing that he or she proposes disciplinary action in the form of suspension without pay, involuntary demotion or termination and the grounds for such proposed action. The employee will then have one (1) working day to request, in writing to the Personnel Director, a pre-disciplinary hearing before the County Administrator. In the event the County Administrator initiated the adverse action or otherwise has a conflict, then the pre-disciplinary hearing shall be held before the Clerk/Treasurer. If the employee does not request a hearing, the proposed discipline will become effective at the end of the one (1) working day period.

2. Should the employee request such a pre-disciplinary hearing, the County Administrator or Clerk/Treasurer, in the case of the County Administrator is the Appointed Department Head, will inform the employee of the date and time of such hearing which will be held within two (2) working days of the request, unless the County Administrator or Clerk/Treasurer, allows additional time. The hearing will be informal in nature. The employee may have a representative of his or her choosing present at his or her own expense.

3. Within two (2) working days after the pre-disciplinary hearing, the County Administrator or Clerk/Treasurer will issue a decision on the Appointing Authority or Appointed Department Head's recommendation. An employee may then appeal the hearing officer's decision to the Personnel Appeals Board as set out below.

4. Should the County Administrator be the direct supervisor who is proposing the discipline, the Clerk/Treasurer will make the decision on the proposed discipline using the same procedure as set out in the subsections one (1) through three (3) above. In the event the County Administrator and/or Clerk/Treasurer are conflicted from hearing the case, the Personnel Director shall appoint an alternate hearing officer to hear the case which shall be one of the Appointed Contract Employees, unless all such employees have conflicts which would disqualify such employee from hearing the case.

G. Appeals Process to the Personnel Appeals Board for Adverse Action

EMPLOYEES WHO HAVE NOT COMPLETED THEIR PROBATIONARY PERIOD HAVE NO APPEAL RIGHTS TO THE PERSONNEL APPEALS BOARD, BUT MAY PARTICIPATE IN THE INTERNAL GRIEVANCE PROCEDURES CONTAINED IN GENERAL POLICIES WITH RESPECT TO ANY ACTION THAT DOES NOT CONCERN THEIR TERMINATION, SUSPENSION WITHOUT PAY OR INVOLUNTARY DEMOTION.

1. An employee desiring to appeal any disciplinary action directed against him or her must first exhaust any administrative remedy provided as set out above. No employee shall be

penalized in any way for exercising his or her rights under the appeal procedures. An employee who has served a six (6) month probation period may exercise his or her rights by requesting an Appeals Board Hearing. A hearing may be requested for three (3) reasons which include termination, suspension without pay or involuntary demotion. An appeal may be withdrawn at any step without prejudice.

2. Upon exhausting the above administrative remedies to have a hearing before the County Administrator (or Clerk/Treasurer as is appropriate), an employee may file his or her appeal of discipline to the Personnel Appeals Board in writing with the Personnel Director. To be timely filed and considered by the Board, the appeal **must be delivered to the Personnel Director within seven (7) calendar days of the last final administrative action, and the employee must request a hearing before the Board.** Within seven (7) calendar days after the receipt of the appeal, the Personnel Director shall file with the chair of the Board and mail to the employee by certified mail a statement specifying the charges against the employee on which the disciplinary action (termination, suspension without pay or involuntary demotion) was based.

3. Upon the filing of the charges, the chair shall call a meeting of the Board to be held within thirty (30) days after the filing of charges to hear the appeal, and shall forthwith give notice by certified mail to the employee and the Board of the time and place of the meeting. The board shall have the authority to continue the hearing from time to time as may be necessary. In preparing for and conducting the hearing, the chair and secretary of the Board shall each have the power to administer oaths, to subpoena and require the attendance of witnesses and the production of books, documents and accounts pertaining to the appeal.

H. The Personnel Appeals Board

An employee who requests a hearing before the Appeals Board must have suffered one of the following forms of disciplinary action:

- Termination;
- Suspension without Pay; or
- Involuntary Demotion.

1. Establishment of Board

The Alabama Legislature established the Appeals Board of Baldwin County (hereinafter "the Board") in Ala. Code §§~~1~~45-2-120, et seq., (1975), as the same may be amended from time to time. The Board's duties, powers and method of appointment are specified in Ala. Code §§~~1~~45-2-120, et seq., (1975), as the same may be amended from time to time

a. The Board hears all timely filed appeals by employees from final action of the County Administrator or Clerk/Treasurer, or such other individual hearing the case as a result of a conflict.

b. The Board is composed of five (5) persons who are residents of the county. The members of the Board shall be appointed as follows: two (2) members shall be appointed by the County Commission; two (2) members shall be selected by the County classified employees using the procedure provided in this section. The fifth (5th) member shall be selected by the other four (4) members of the Board within thirty (30) days after the four (4) members of the Board are selected and take office. In the event the four (4) members of the Board cannot agree on the fifth member within thirty (30) days, then the fifth (5th) member shall be selected as follows: the members appointed by the County Commission shall nominate one (1) person and the members selected by the classified employees shall nominate one (1) person. From these two (2) nominees, the fifth (5th) member of the Board shall be selected by lot.

c. The Personnel Department shall notify all classified employees that nominations for membership on the Board will be accepted for a period of ten (10) work days from that date and instructing all interested classified employees to submit nominations to the Personnel Director of Baldwin County within that period. Nominations shall be limited to persons who are classified employees of the County.

d. The Personnel Director shall compile a list of the nominations and cause ballots to be prepared and distributed to all classified employees and shall further instruct all classified employees of their right to vote for one (1) name contained on the list of nominees.

e. The employees shall be instructed to tender their ballots in sealed envelopes to their supervisors within five (5) work days for submission to the Personnel Director who shall make appropriate arrangements for their tabulation. Upon tabulation of the ballots, the Personnel Director shall obtain written certification executed by all the County employees who assisted during the counting of the ballots and shall submit the fully executed written certification to the Baldwin County Legislative Delegation following each election. The certification and ballots shall be retained by the Personnel Director as public records for twelve (12) months from the date of certification of results.

f. In the event that any one (1) employee received a majority of all votes cast, he or she shall be elected to serve on the Board. In the event that no employee receives a majority of all votes cast, the names of the two (2) employees receiving the most votes on the initial ballot shall be placed on a run-off ballot and voted upon by the employees as set forth above. The employee then receiving the most votes in the run-off shall be deemed elected to membership of the Personnel Appeals Board.

g. No person who holds elected office, is a candidate for elected office, or receives a salary from the County, except the elected employee Board members, shall serve on the Board. A Board member's term shall immediately terminate upon occurrence of any one of the foregoing conditions. A vacancy shall be filled in the same manner as the original appointment of a Board member as soon as possible after a vacancy occurs. A Board member shall be eligible for re-appointment to successive terms on the board.

h. Each member shall serve a three (3) year term.

2. Hearings before the Board

   a. The Board shall follow administrative procedures adopted by the County Commission to implement the appeals process. The Personnel Department shall provide all necessary clerical and administrative support for the board. The Board shall meet as needed. Each year, Board members shall select from among themselves a chairperson and secretary of the board. Board members may be compensated as established from time to time by the County Commission.

   b. All testimony before the Board shall be under oath, and the Board has the power to subpoena witnesses and demand production of relevant documents. The Board has the authority to make recommendations to affirm, to revise or to amend any previous personnel decisions after a hearing.

   c. Subpoenas issued as herein provided shall be served and the fees and allowances for the services thereof shall be the same as provided by law for the service of subpoenas issued by the Circuit Court of Baldwin County. The fees and allowances in connection with the service of the subpoena issued at the request of the Commission upon request of the Board shall constitute reasonable and necessary expenses of the Board. Any subpoena issued at the request of the employee shall be served as aforesaid, but only after the employee shall have sufficient security with the Sheriff of Baldwin County or other recognized officer to guarantee payment of the fees and allowances for the service. Any person failing to obey any summons by either of the officers of the Board without good cause, to be determined by the Circuit Court of Baldwin County, may be punished by the Court in the same method and manner as is provided by law for contempt of the Court, and any person failing to obey any order or subpoena of the Court, may be proceeded against by the Court as is by law provided in the case of contempt of the Court. In addition, any employee of the County who fails to obey any of the orders or subpoenas may be disciplined, therefore.

   d. At the hearing before the Board, the employee and his or her Appointed Department Head or supervisor shall each have the right to be represented by counsel, with the County authorized to employ legal counsel to represent the interest of the County. The hearing shall be governed by rules of practice and procedure as shall be adopted by the Board, and in conducting the hearing, the Board shall not be bound by the technical rules of evidence. No informality of procedure in the conduct of the hearing shall invalidate any recommendation made by the Board.

   e. Within five (5) working days from the conclusion of the hearing, the Board shall recommend to the Commission the following: (1) that the disciplinary action taken against the employee be affirmed; (2) that the disciplinary action be reversed and that the employee be reinstated with full back pay at the normal rate of pay that would have been in effect for the employee had he or she not been suspended without pay; or (3) that the disciplinary action be reduced and that the employee be reinstated either with or without pay for any time suspended without pay. The recommendation shall be in writing to the Chair of the Commission, and the Commission shall act upon such recommendation at its next regular or special called meeting. At such meeting, the Commission shall vote its

approval or disapproval of the action of the Board with the action becoming a matter of its official and public record.

3. Administrative Procedure for Hearing

The procedure for hearings conducted by the Board shall be as follows:

a. An employee should try to limit opening comments to fifteen (15) minutes to present his or her written appeal and any oral explanation. Employees may present their own appeal or designate a person of their choice to represent them.

b. The Appointed Department Head or supervisor should try to limit opening comments to fifteen (15) minutes to present his or her written disciplinary action and any oral explanation. Appointed Department Heads may present their own decision or designate a representative of their choice.

c. If applicable, each party may present witnesses. The employee shall have the right to compel attendance of witnesses or production of documents through exercise of subpoena power possessed by the Chairman or secretary of the Board. The Board may then ask questions of any parties present, request additional information or summon any related parties not present. The Board may set the hearing aside for research or consultation with expert witnesses, but must reconvene within seventy-two (72) hours, unless the parties otherwise agree.

d. Upon completion of a hearing, the Board shall return its written decision within five (5) work days to the Personnel Director who shall immediately notify both parties. The Board shall recommend to the Commission one of the following: (i) that the disciplinary action taken against the employee be affirmed; (ii) that the disciplinary action be reversed and that the employee be reinstated with full back pay at the normal rate of pay that would have been in effect for the employee had he or she not be suspended without pay ; or (iii) that the disciplinary action be reduced, and that the employee be reinstated either without or with pay for any time suspended without pay.

e. All decisions of the Board are recommendations to the Baldwin County Commission, which shall be acted upon by the Baldwin County Commission at its next regular or specially called meeting. From any adverse decision of the County Commission, the employee may appeal the decision to the Circuit Court of Baldwin County for a non-jury trial, provided he or she files the appeal within seven (7) days of the adverse decision.

f. The Board may meet with three (3) members present and all decisions will be binding as if the full Board had been present.

IV. Leave Policies

A. Annual Leave

All current full-time classified, appointed and probationary employees hired by the Baldwin County Commission shall earn paid annual leave in accordance with the following schedule:

Years of Consecutive Service	Leave per (24) Pay Period	Leave Earned per Year
0 – 5	4 hours	96 hours
6 – 10	5 hours	120 hours
11 – 15	7 hours	168 hours
15 – over	8 hours	192 hours

A probationary employee will earn, but cannot take, annual leave until the employee has satisfactorily completed the six (6) month probationary period and becomes a classified employee. Employees terminated before the completion of the six (6) month probationary period will not be eligible for payout of annual leave accrued.

Employees will not accumulate annual leave time while on a leave of absence or in a leave without pay status.

Annual leave for Baldwin County employees is based on a calendar year.

Employees accrue leave twenty-four (24) pay periods within the calendar year.

Employees may take annual leave in increments of quarter-hours.

Employees may not take annual leave before it has been earned.

The number of accrued leave hours to be used for one day of leave is equal to the number of scheduled paid hours of work for that day of leave. (For example, if an employee works four (4) ten (10) hour days per workweek, he or she must use ten (10) hours of annual leave to have the entire day off.

When a paid holiday occurs during an employee's annual leave, the day will be deemed a holiday and not as an annual leave day.

Days off for annual leave will not be considered as working time for calculating weekly overtime.

Employees may take annual leave in the year it was earned, or may carry it over for use in later years. However, there is a limit to the amount of annual leave that may accrue.

Years of Service	Maximum Accrued Hours (2 x annual rate)
0 - 5	192 hours (24 days)
6 -10	240 hours (30 days)
11 - 15	336 hours (42 days)
Over 15	384 hours (48 days)

If an employee earns annual leave in excess of the maximum amount listed on the table, the excess amount will be forfeited if not taken by the last full pay period in the calendar year. The amount of leave at the end of the pay period shall be no more than two (2) years of total accrued time. Employees must consider the time accrued for the last full pay period of the calendar to be included in leave that must be taken.

When an employee resigns, or is terminated, he or she is entitled to payment for any unused annual leave that has accrued. Payment is based on the rate of compensation received at the time of resignation or termination. Payroll checks are computed on the regular payroll day and are available at the normal time and place. No checks are issued in advance.

B. Annual Leave Scheduling

An employee may take annual leave at any time of the year as long as he or she has accumulated the leave and the needs of the department are met. The employee must submit his or her annual leave request to the supervisor at least two (2) weeks in advance for approval. Leave not requested two (2) weeks in advance may not be approved. Each department may have a special form or procedure for requesting use of annual leave.

C. Sick Leave

The intent of sick leave is to provide paid time off to an employee who is temporarily ill or caring for an immediate family member who is temporarily ill or for placement of a child for adoption or foster care and is not “earned” leave. For purposes of this sick leave policy, the term "immediate family member" is limited to a spouse, parent or child. Sick leave is not intended to supplement the income of an employee or to be used for additional paid time off. Sick leave is to be considered as a benefit of working for Baldwin County. An employee will be paid sick leave in the amount to bring the employee up to a forty (40) hour work week or his or her regularly scheduled work week.

A probationary employee will earn, but cannot take, sick leave until the employee has satisfactorily completed the six (6) month probationary period and becomes a classified employee.

All full-time classified and appointed employees shall earn credit for paid sick leave at the rate of eight (8) hours of leave per month based on a twenty-four (24) pay period accrual. The accrual

will be credited at four (4) hours on the first and second pay period of the calendar month worked for a total of ninety-six (96) hours per year.

Sick leave may be taken in increments of quarter-hours.

An employee may use accrued sick leave for medical appointments for the employee and the employee's immediate family members.

Sick leave will not be considered as time worked for the purpose of calculating weekly overtime compensation.

An employee will not accrue sick leave while he or she is on a leave of absence or in a leave without pay status.

No employee may borrow sick leave.

Upon separation of employment from Baldwin County, an employee will not be paid his or her accrued sick leave with the exception of retirement as outlined in section *V.Q Benefits due to Retirement.*

D. Sick Leave Notification and Approval

To be eligible for sick leave in case of an illness or injury that would prevent the employee from reporting to work at the scheduled time, notice must be confirmed to his or her supervisor, next level manager, Appointed Department Head or Appointing Authority. If notice is given, the employee will still be considered tardy once he or she arrives at work. The Appointing Authority and/or Appointed Department Head of the department may further define specific departmental requirements.

Notice must be confirmed to the employee's supervisor, next level manager, Appointed Department Head or Appointing Authority. Leaving a message does not meet this requirement.

If an employee is absent for less than three (3) consecutive working days, the supervisor may or may not require that the employee provides a healthcare provider's statement.

To be eligible for sick leave with pay during a continuous period of three (3) working days or more, the employee must provide a healthcare provider's statement showing the cause or nature of the illness or injury and expected return to work date, or a written statement of the facts concerning the illness or injury which is acceptable to the employee's supervisor.

If an employee is out on sick leave for three (3) or more consecutive working days and qualifies for protection under the Family and Medical Leave Act (FMLA), the supervisor is responsible

for notifying Personnel. Personnel is responsible for ensuring that all FMLA guidelines are followed.

You must provide your supervisor with a statement from a health care provider if you are absent for 3 or more consecutive days due to illness or injury. Your supervisor may decide to accept some other form of written statement.

E. Bereavement Leave / Funeral Leave

Full-time employees and Appointed/Appointed Contract employees are entitled to three (3) bereavement days at regular pay (not including overtime) with no deduction from leave accruals due to the death of any of these persons in his or her family:

- Spouse;
- Parent;
- Son or daughter;
- Brother or sister;
- Grandparent;
- Grandchild;
- Step-relatives of the above categories;
- In-laws of the above categories; and
- Any person actually residing in the employee's household.

Additionally, an employee may use up to two (2) additional consecutive days of leave, totaling five (5) days of leave. These two (2) additional days will be deducted from the employee's sick leave balance. If no sick leave remains, he or she must use annual leave. If no annual leave remains, he or she must take leave without pay.

The employee's supervisor will make the final decision on the additional number of approved days for bereavement leave based on factors such as required travel and level of involvement in funeral arrangements. Other factors may also be considered.

Any bereavement period that is expected to go over the five (5) day limit requires approval from the employee's supervisor, and the employee must use his or her annual leave.

At the death of any family member listed above, you may have up to 3 days off work for the funeral or bereavement and will receive your regular pay. Up to 2 additional consecutive days, if used, will be taken from your sick leave. Additional days above the 5 days must be approved by the Appointing Authority or Appointed Department Head.

F. Holidays

Baldwin County observes the holidays listed below. Full-time employees are eligible to be paid for these holidays if he or she is in a paid status. The Commission will announce any additional holidays. Offices may be closed without further notice on the following days:

- New Year's Day;
- Martin Luther King, Jr. Day;
- President's Day;
- Mardi Gras Day;
- Good Friday;
- Memorial Day;
- Independence Day;
- Labor Day;
- Veteran's Day;
- Thanksgiving Day;
- Day after Thanksgiving;
- Christmas Eve; and
- Christmas Day.

If a holiday falls on a Saturday, the holiday will be observed on the preceding Friday. If the holiday falls on a Sunday, the holiday will be observed on Monday.

Employees are required to be present at work on the work day scheduled immediately preceding and following a holiday unless leave has been pre-approved. If an employee is absent due to illness, he or she must present a doctor's excuse to be paid for the holiday. If an employee is on leave without pay the day before or the day after a holiday or has leave without pay for the whole week of the holiday, then the employee will not be eligible for holiday pay.

All eligible full-time and Appointed/Appointed Contract employees shall receive eight (8) hours pay at their regular base pay rate for each paid holiday. Should any hourly employee be required to work on a holiday, he or she shall receive holiday pay plus hours worked.

If an employee wishes to observe a religious holiday, the employee must communicate with his or her supervisor to make arrangements. Annual leave will be used for time off taken for religious holidays. If the employee has no accrued annual leave, he or she shall use leave without pay.

To schedule time off for a religious holiday, put the request in writing and submit it to your supervisor. You will use available annual leave, or if there is no annual leave available, you will be required to use leave without pay.

G. Part-Time Employee Paid Time Off (PTO)

All part-time employees shall be eligible for paid time off (PTO) at a rate of .0319 per hour worked for a maximum of forty-eight (48) hours per calendar year. Part-time employees may use accrued PTO for sick leave, annual leave, holiday or bereavement. A probationary part-time employee will earn, but cannot take, PTO until he or she has satisfactorily completed the six (6) month probationary period and becomes a classified employee. Part-time employees terminated before the completion of the six (6) month probationary period will not be eligible for payout of PTO.

If a part-time employee earns PTO in excess of ninety-six (96) hours, the excess amount will be forfeited if not taken by the last full pay period in the calendar year. Employees must consider the time accrued for the last full pay period of the calendar to be included in leave that must be taken.

A part-time employee may take PTO at any time of the year as long as he or she has accumulated the leave and the needs of the department are met. The employee must submit his or her PTO request to the supervisor in advance for approval if possible. Each department may have a special form or procedure for requesting use of PTO.

When a classified, part-time employee resigns or is terminated, he or she is entitled to payment for any unused PTO that has accrued. Payment is based on the rate of compensation received at the time of resignation or termination. Payroll checks are computed on the regular payroll day and are available at the normal time and place. No checks are issued in advance.

H. Leave without Pay

Leave without pay may be taken only if all accrued annual and sick leave has been exhausted. However, if an employee has exhausted all annual leave, he or she may not use sick leave unless he or she meets the requirements set out in policy *IV.C Sick Leave.* Appointing Authorities and/or Appointed Department Heads may approve up to, but not more than, twenty-four (24) hours of leave without pay, per employee, within a calendar year. The Personnel Director and/or the Appointing Authority or Appointed Department Head must act upon (either deny or approve) requests which will result in the employee taking more than twenty-four (24) hours, but no more than forty (40) hours, of leave without pay within a calendar year. Only the Baldwin County Commission or Appointing Authority may approve requests which will result in the employee taking more than forty (40) hours of leave without pay within a calendar year, or any single request for greater than forty (40) hours of consecutive leave without pay. Employees in a leave without pay status the day before or the day after a holiday or have leave without pay the whole week of the holiday will not be eligible for holiday pay. Leave without pay may be granted to a probationary employee for reasons of sickness and emergencies.

Employees will not accumulate annual leave or sick leave time while on a leave of absence or in a leave without pay status.

Employees who use more than forty (40) hours of leave without pay, and is not on an approved leave of absence, are subject to progressive disciplinary action.

Employees desiring leave without pay under the Family and Medical Leave Act must comply with the Family and Medical Leave Act policy. When an employee is in a leave without pay status, and has used all Family Medical Leave and accumulated leave time, he or she shall no longer be eligible to remain on the county's insurance plan but may be allowed to continue coverage through COBRA (Consolidated Omnibus Budget Reconciliation Act of 1985, Public Law 99-272, Title X). During Baldwin County Commission and Appointing Authority approved periods of leave without pay, the employee shall not accrue leave or benefits and shall not receive Baldwin County Commission contributions to insurance premiums.

I. Leave of Absence

If an employee exhausts all of his or her annual, sick and FMLA leave and still needs additional time off for personal or health reasons, he or she may apply for an unpaid leave of absence for a period of up to three (3) months. The request for leave must be given to the employee's supervisor and Appointed Department Head at least thirty (30) days prior to the start of the requested leave date unless the leave is an emergency. Any request for leave of absences must be approved or denied by the County Commission.

To request a leave of absence, submit a written request to your supervisor and the department director at least 30 days in advance, unless the leave is an emergency. State the reason for the leave, date you want it to begin and date you expect to return to work. It must be approved by the County Commission.

Regardless of the reason for the leave, it is essential that the following departments be notified to ensure that benefits are properly administered:

- Personnel Department; and
- Payroll Department.

The Baldwin County Commission may or may not approve the request for a leave of absence. The decision is at their discretion, unless the leave qualifies under the Family Medical Leave Act. Factors considered in approving the request are the employee's length of service, employment record and the reason for the absence.

Employees will not accumulate annual leave time while on a leave of absence or in a leave without pay status.

The employee must notify his or her supervisor of the anticipated return to work date prior to that date. The supervisor is responsible for immediately notifying the Personnel Department.

If an employee fails to return to work at the conclusion of the leave of absence without pay, he or she shall be terminated from employment.

There may be changes in employee benefits during a leave of absence. Please contact the Personnel Department to determine what changes may be experienced.

Employees desiring a leave of absence under the Family and Medical Leave Act must comply with the Family and Medical Leave Act policy. When an employee is in a leave without pay status, and has used all Family Medical Leave and accumulated leave time, he or she shall no longer be eligible to remain on the county's insurance plan but may be allowed to continue coverage through COBRA (Consolidated Omnibus Budget Reconciliation Act of 1985, Public Law 99-272, Title X). During Baldwin County Commission and Appointing Authority approved periods of leave without pay, the employee shall not accrue leave or benefits and shall not receive Baldwin County Commission contributions to insurance premiums.

J. Administrative Leave with Pay

Any Appointing Authority or Appointed Department Head, in consultation with the Personnel Director, may require any employee to take up to ten (10) days of administrative leave with pay. Administrative leave with pay is typically utilized during internal investigations of an employee or group of employees prior to making a determination whether disciplinary action should be imposed against one or more employees. Administrative leave with pay may also be utilized for the purpose of fit for duty evaluations.

K. Family Medical Leave Act (FMLA)

Baldwin County Commission offers leave under the Family Medical Leave Act (FMLA) for eligible employees**.**
Eligibility: If an employee has worked for at least one (1) year and for 1,250 hours in the preceding twelve (12) months, he or she is eligible to take up to twelve (12) weeks of unpaid leave when the absence is necessitated by any of the following circumstances:

a. The birth or placement of a child for adoption or foster care;
b. The employee’s own serious health condition that prevents him or her from performing the essential functions of the job; or
c. Serious health conditions of a son or daughter, parent, or spouse if the employee is needed to help provide care.

Qualifying exigencies related to a spouse, child, or parent’s active military duty, are included as follows: short-notice deployment, military events and activities, child care and school activities, financial and legal arrangements, counseling, rest and recuperation and post-deployment activities.

Employees are entitled to a total of twenty-six (26) weeks of leave in a particular twelve (12) month period to care for a spouse, child, parent, or next of kin suffering from a serious illness or

injury incurred in the line of military duty. Note that all FMLA leave is cumulative, so that leave taken for other reasons during the year will be deducted from this additional entitlement.

2. Certification: If an employee requests leave for his or her own serious health condition, or to care for the serious condition of a son or daughter, parent or spouse, the employee will be required to provide the Baldwin County Commission Personnel Department with certification by a treating healthcare provider. Healthcare Provider Certification Forms are available from the Personnel Department.

All FMLA leave must be certified by an appropriate health care provider. Certification forms will be provided within five (5) business days of the employee's notification of the need for leave and must be returned within fifteen (15) calendar days of receipt. If additional information is requested by the Personnel Director, it must be provided within seven (7) calendar days of the request. Note that the Commission may directly contact an employee's health care provider in order to verify or clarify the need for leave. It may also require a second opinion at its own expense.

FAILURE TO COMPLY WITH THE CERTIFICATION REQUIREMENTS MAY RESULT IN PARTIAL OR COMPLETE DENIAL OF FMLA LEAVE.

You must provide certification from your treating healthcare provider when you request leave for your own serious health condition and you may need a modified statement if your request is to care for another family member.

3. Measuring: Baldwin County has chosen the "measured forward" method that entitles the employee to twelve (12) weeks of leave during the year beginning on the first date the FMLA leave is taken after the previous twelve (12) month period ends.

Example: The 12-month period begins Sept. 1, 2012, if that is the first day of FMLA leave. If the employee exhausts all of FMLA leave, the next date the employee could again take FMLA leave would be Sept. 1, 2013.

When an employee is on FMLA leave, he or she must periodically report (if possible) to Personnel on his or her status and indicate the return to work date. Appropriate forms must be submitted to Personnel to initiate family leave or to return the employee to active status.

4. Intermittent or Reduced-Time Leave: FMLA leave can be taken on an intermittent or reduced-time basis under certain circumstances. An employee may request intermittent or reduced leave for the following reasons:

    a. When medically necessary to care for a seriously ill family member, or because of the employee's own serious health condition; or
    b. For the birth or placement of a child for adoption or foster care. Intermittent or reduced time leave shall not exceed twelve (12) weeks combined if both spouses are employed by the County.

Only the amount of leave actually taken while on intermittent/reduced schedule leave may be charged as FMLA leave. If an employee needs intermittent/reduced schedule leave for planned medical treatment, he or she must work with the supervisor to schedule the leave so it does not unduly disrupt the department's operations, subject to the approval of the employee's healthcare provider.

If you need to be off occasionally for medical reasons, you must work with your supervisor to arrange a schedule that does not unduly disrupt the department's work, but it has to also have the approval of your healthcare provider.

Employees on workers' compensation, for which injury is eligible for FMLA, are required to take FMLA concurrently. For example, an employee who is absent from work for four (4) months due to a workers' compensation injury will have the first twelve (12) weeks of that absence applied to FMLA leave.

5. Serious Health Condition: "Serious Health Condition" is defined as an illness, injury, impairment, or physical or mental condition that involves:

    a. Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
    b. A period of incapacity requiring absence of more than three (3) calendar days from work that also involves continuing treatment by (or under the supervision of) a healthcare provider;
    c. Any period of incapacity due to pregnancy, or for prenatal care;
    d. Any period of incapacity (or resulting treatment) due to a chronic serious health condition (e.g. asthma, diabetes, epilepsy, etc.);
    e. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke, terminal diseases, dialysis, etc.);
    f. Any absences to receive multiple treatments (including any period of recovery) by, or on referral by, a heathcare provider for a condition that likely would result in incapacity of more than three (3) consecutive days if left untreated (e.g., chemotherapy, physical therapy, dialysis, etc.).

6. Health Insurance Premiums: During FMLA leave, the County will continue to pay its portion of the health insurance premiums, and the employee must continue to pay his or her portion of the premium. The employee's contribution of health insurance premiums should be paid continually according to the County pay periods (e.g. bi-weekly). Employees may remain on County benefits until all FMLA, sick, and annual leave have been exhausted.

While on FMLA leave, you must continue to pay your own portion of your health insurance premiums.

If an employee does not return to work at the end of FMLA leave, he or she will be required to reimburse the County for payment of health insurance premiums, unless the employee does not return because of the presence of a serious health condition which prevents him or her from performing the job or circumstances beyond the employee's control. The employee may then choose to elect COBRA coverage. Sufficient notice shall be given to the employee at the end of FMLA when and if this event occurs.

The employee will be responsible for any other elected benefit contributions while out on FMLA**.**

7. Accrued Leave: Employees are required to use available sick and annual leave during FMLA leave. Accrued leave and FMLA leave are used at the same time – the employee does not take accrued leave first and then take FMLA.

When your circumstance qualifies for FMLA, you may not first use your accrued leave and then start FMLA leave. These two types of leave run concurrently – you are required to use them at the same time.

The portion of the family leave of absence which is annual leave time and/or sick leave will be with pay according to the County's policies regarding annual leave and sick leave.

During FMLA leave, the employee will not accrue employment benefits (such as annual leave and sick leave), if he or she is in an unpaid status. Employment benefits accrued up to the day on which the family leave of absence begins will not be lost. Any holidays that occur during FMLA will not be paid if the employee is in an unpaid status.

8. Return to Work: If the employee returns to work from FMLA leave before or on the business day following the expiration of the twelve (12) weeks, the employee is entitled to return to his or her job or an equivalent position without loss of benefits or pay.
9. Applications: Applications for FMLA leave must be submitted in writing. Applications should be submitted at least thirty (30) days before the leave is to start, or as soon as possible if leave is not foreseeable. Employees should provide the County with an appropriate medical certification when FMLA is requested.

L. Military Leave

Employees who are active members of the Alabama National Guard, Naval Militia or the Alabama State Guard organized in lieu of the National Guard, or any other reserve component of the armed forces of the United States, shall be entitled to military leave of absence from their respective civil duties and occupations on all days that they are engaged in field or coast defense or other training or on other service ordered under the National Defense Act, or of the federal laws governing the United States Reserves, without loss of pay, time, seniority, annual leave or sick leave. An employee receiving authorization for leave with pay will be paid in accordance with *Ala. Code* §*31-2-13*, or such other applicable law.

As a result, the employee's membership in any of the named military reserve organizations, the employee is allowed to receive up to 168 working hours (21 working days) per calendar year of paid military leave when absent from work because of performance of duty or training in the military reserve. If an eligible employee is on military leave when a scheduled holiday occurs, the holiday pay will prevail, and the day will not be charged against the military leave account.

An employee, who is called to active duty with the Armed Forces of the United States, may request annual or personal leave, if available, or leave without pay. Upon his or her release from military service the employee shall be re-instated by the County in a position that is no lower in grade or pay than that in which he or she is physically and mentally suited to perform, provided the employee makes application for re-employment to the County within thirty (30) days following honorable separation from the Armed Forces of the United States; and his or her absence for military service did not exceed the original service period.

There is no waiting period to be eligible for military leave. This applies to both probationary and non-probationary employees.

An eligible employee who plans to use military leave for training during the year must notify his or her Appointing Authority or Appointed Department Head and the County Personnel Director of his or her projected schedule.

During the War on Terrorism, a salary differential will be implemented for eligible employees retroactive to March 10, 2003, for an indefinite period of time. Pursuant to Act 2002-430, employees shall not suffer any loss in pay, leave time or any other benefits that may be affected by their service.

Employees must provide copies of military orders to the Personnel Director when requesting such leave in accordance with *Ala. Code § 31-2-13* and other applicable laws. If the employee is requesting more than ten (10) days off, he or she must make the request in writing no less than two (2) weeks in advance.

You must give at least 2 weeks written notice when you need leave for military duty that lasts more than 10 working days.

M. Uniformed Services Employment and Reemployment Rights Act (USERRA)

Pursuant to the Uniformed Services Employment and Reemployment Rights Act ("USERRA"), All persons employed by the Baldwin County Commission are entitled to up to five (5) years of military leave without pay for any service in the various Uniformed Services of the United States, including, but not limited to, enlistment, training and active duty. Employees may be entitled to additional leave for periods of initial service lasting more than five (5) years, periodic training duty and involuntary active duty recalls and extensions. Paid leave, including sick leave and vacation leave, may be substituted for all or part of this unpaid military leave. Employees

must provide as much advance notice of their impending service as reasonable. Employees should provide this notice to the Personnel Director.
All employee benefits will be continued without a break in coverage during the service period for employees serving thirty (30) or fewer days. Employees serving thirty-one (31) days or more may elect to continue health care coverage for up to twenty-four (24) months at his or her own cost. Upon returning to work, all benefits will be restored to the employee without a waiting period or break in coverage. While employees do not accrue vacation or sick leave while on USERRA leave, the rate at which such leave will accrue when the employee returns to work will be the same as if the employee had never taken leave.

Employees returning from a period of service are generally entitled to be placed back into the same position that they would have occupied had they not taken military leave. If the period of service is thirty (30) days or less, than the employee should report back to work no later than the beginning of the first work day after the completion of the period of service, allowing for travel time and at least eight (8) hours rest, or, if such a date is impossible or unreasonable, as soon as possible. If the period of service is thirty-one (31) days or more, the employee must submit an application for reemployment. In those cases, where the period of service was for between 31 and one hundred-eighty (180) days, the application must be submitted no later than fourteen (14) days after the completion of service. When the service was longer than one hundred-eighty (180) days, the application must be submitted no later than ninety (90) days after the completion of service. For periods of service lasting longer than thirty (30) days, the employee may be required to submit supporting documentation. Service members who return with disabilities, illnesses, or injuries accrued in the course of their service may be entitled to extensions of these deadlines and/or accommodation for their conditions.

In addition to the unpaid leave available pursuant to USERRA, any employee who is a member of the National Guard of Alabama or Reserve Officer or Enlisted Person in the Army, Navy, Marine Corps or Air Force Reserve shall be granted leave with pay for the purpose of attending an encampment for training when so ordered. The maximum amount of leave with pay shall not exceed one hundred sixty-eight (168) hours in any calendar year.

No employee or prospective employee will be subjected to any form of discrimination or harassment whatsoever on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation because such person has exercised his or her rights under this policy or because they have assisted another person in exercising his or her rights under this policy. If any employee believes that he or she has been subjected to discrimination in violation of this policy, the employee should follow the guidelines for reporting discrimination and harassment contained in Section II-B of this Handbook.

N. Jury Duty or Court Appearance

When an employee must miss work due to jury or witness duty, the employee will be excused from his or her job. Notice must be given to the direct supervisor.

Witness duty must pertain to job-related business for excused absence with regular pay. At any time during jury or witness duty if the employee completes the assignment during regular work hours, he or she is expected to return to work immediately.

Notify your supervisor if you must appear for jury or witness duty. Witness duty must be job-related in order to receive your regular pay.

O. Voting Leave / Elections

Employees will be encouraged to exercise his or her right to vote. Upon approval from the employee's supervisor, an employee may be permitted to vote during working hours. Employees may use annual or sick leave for hours taken to vote.

V. Employee Benefits

A. Benefits Eligibility

Full-time employees are eligible for benefits. These benefits include: medical coverage, dental coverage, vision coverage, life insurance, long-term disability, retirement and flexible benefit options. Part-time employees are eligible for retirement benefits only.

It is the employee's responsibility to list only dependents that are eligible for coverage as defined by the plan rules. If a covered dependent becomes either eligible or ineligible based on the plan rules, it is the employee's responsibility to notify Personnel immediately. Employees must notify Personnel of any changes in status within thirty (30) days of the status change. This includes: dependent status change, address changes, divorce, marriage, birth, adoption, reduction in work hours or any other change that could affect benefit plan eligibility.

To add or delete dependents from your insurance, you must notify Personnel within 30 days of the qualifying event.

B. Benefits Effective and Termination Dates

Baldwin County personnel staff will determine the effective date of coverage, in accordance with plan documents. Typically, it is the first day of the calendar month following thirty (30) days of continuous employment. For example, if an employee was hired on January 18, coverage would go into effect March 1. This means deductions would start the first pay period in February.

Benefits will end the last day of the month in which an employee actively works. If an employee receives a paycheck within the month of termination, he or she will be refunded all premiums deducted that pay period.

C. Medical Coverage

Employees must enroll for coverage within thirty (30) days of employment or an eligible qualifying event. Complete benefit packets are provided at new hire orientation. Additional packets may be obtained by contacting the Personnel Department at (251) 937-0337.

Baldwin County offers medical insurance coverage to all full time employees. The plan is priced for both individual and family. Although the County pays a significant portion of employee's insurance premiums, employees are responsible for the employee portion. Information about the current medical plan and premiums is available in the Personnel Department.

D. Dental and Vision Coverage

Employees must sign up for coverage within thirty (30) days of employment or at the time of an eligible qualifying event. A summary of benefits is available by contacting Baldwin County Personnel Department.

Dental and Vision coverage is only available to full-time employees. Dental and Vision premiums are the responsibility of the full-time employee. Baldwin County does not contribute to the cost of dental or vision.

E. Notice for Individuals Declining Health Coverage

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) requires group health plans and issuers to advise an employee and employee's dependents of enrollment rights when declining health coverage.

If an employee is declining enrollment for health plan benefits for himself or herself, dependents or both because of other health insurance coverage, the employee may, in the future, be able to enroll in this plan, provided that he or she requests enrollment is within thirty (30) days after the other coverage ends.

In addition, if an employee has a new dependent as a result of marriage, birth, adoption or placement for adoption, he or she may be able to enroll himself or herself, dependents or both, provided that he or she request enrollment within thirty (30) days after the marriage, birth, adoption or placement for adoption.

F. Identification Cards

If an employee enrolls in medical, dental benefits, identification cards will be mailed to his or her home address.

G. Annual Enrollment/Transfer Period

Health plans, benefit designs, eligibility rules and premiums are subject to change each plan year based on the previous year's claims experience. Announcements concerning changes for the upcoming plan year are made during annual enrollment period each fall. Employees are required to review notices, home mailings and department memos for information about the benefits for the upcoming year.

The Personnel Department conducts the Annual Health and Benefits Fair to accommodate those needing assistance and information regarding benefit changes. Typically, the enrollment/change

period is from October 15 until November 15. It is the employee's responsibility to stay informed of benefit changes.

You are required to review your notices, home mailings and department memos for information about benefits for the upcoming year. Failure to do so may result in no coverage for the new year.

H. Benefit Premiums/Payroll Deductions

Employees are responsible to review his or her paycheck to ensure the appropriate benefit deductions have been taken. Deductions from the employee's paycheck will begin the first pay period of the month prior to the coverage start date. Medical, dental and vision deductions will be taken out of twenty-four (24) pay periods per year. There will be two (2) pay periods each year in which no insurance deductions will be taken.

You are responsible to review your paycheck to ensure the appropriate benefit deductions have been taken.

If an employee misses a paycheck due to work absence or unpaid time, then the missed deductions will be taken out of the next paycheck immediately upon return or employee may pay personnel the amount due each pay period.

Contact Personnel to discuss payment of deductions prior to going out on leave.

I. Consolidated Omnibus Budget Reconciliation Act (COBRA)

If an employee loses coverage due to a termination of employment, a reduction in work hours or other qualifying event, the employee and employee's covered dependents may be eligible to continue coverage through COBRA.

For a full explanation of COBRA terms and eligibility, contact Personnel or refer to the "General COBRA Notice" received at time of enrollment.

Employees may remain on County benefits until all FMLA, sick, and annual leave have been exhausted.

J. Flexible Spending Accounts

Flexible spending accounts allow a full-time employee's medical out-of-pocket expenses and dependent care expenses to be paid with "before tax" dollars. Baldwin County offers a benefit option that utilizes a debit-type card to access the employee's plan dollars.

If a full-time employee elects this benefit, he or she chooses a dollar level based on the individual or family needs. A portion of the amount is deducted out of twenty-four (24) pay periods per year. There are minimum and maximum deduction limits in this benefit.

Employees do not have to be enrolled in Baldwin County's medical plan in order to participate in a flexible spending account.

Full-time employees may enroll during the annual enrollment period. Re-enrollment is required each year to continue participation.

K. Change in Status

Employees are required to report, in writing, personal changes and/or changes in work status to the Personnel Department within thirty (30) days of any status change. This includes:

- Dependent status change;
- Address changes;
- Divorce;
- Marriage;
- Birth/adoption;
- Reduction in work hours; or
- Any other change that could affect benefit plan eligibility.

You must report personal changes and/ or changes in work status to Personnel within 30 days of the change. Documentation may be required to make benefit changes.

L. Supplemental Benefits

Baldwin County offers supplemental voluntary benefits from providers such as:

- AFLAC
- Liberty National
- United Way
- Nationwide Retirement Solutions
- RSA-1
- Other voluntary products

These additional benefit options can be administered through payroll deduction. Supplemental benefits are subject to change without notice. For more information, contact the Personnel Department at (251) 937-0337.

M. Life Insurance

Baldwin County provides Life Insurance for all full-time employees. Employees may purchase a supplemental policy in $10,000 increments up to $250,000 and have the premium deducted from his or her paycheck. Policies may have reduced benefits depending on the employee's and/or covered family member's age. The plan document is available in the Personnel Department.

N. Disability Insurance

Baldwin County provides Long Term Disability Insurance for all full-time employees. Full-time employees may purchase Short Term Disability Insurance and have the premium deducted from his or her paycheck. The plan document is available in the Personnel Department.

O. Retirement Investments

Retirement participation is mandatory with the Retirement Systems of Alabama. If an employee averages at least twenty (20) hours per week, he or she will automatically be enrolled in the retirement plan.

Employees who were hired into the Retirement Systems of Alabama before January 1, 2013, are defined as "Tier 1" members. Any employee hired into the Retirement Systems of Alabama on or after January 1, 2013, are defined as "Tier 2" members.

As of October 1, 2020, the County provides Tier 1 member benefits for all Tier 2 employees pursuant to Act No. 2019-132. All employees will be required to contribute 7.5% on a pre-tax basis from each paycheck. (This contribution is matched by the County.)

If a Tier 2 member leaves employment with the County and is later employed by another agency that did not make an election pursuant to Act No. 2019-132, the Tier 2 member will receive Tier 2 benefits for his or her service with the new employer. A member whose creditable service includes periods of service to two different Tier plans, the benefit rates of each Tier plan will be applicable to the creditable service earned while in each Tier plan. In all other respects the pension shall be determined on the basis of the member's Tier plan at the time of his or her withdrawal from service.

Employees are vested in the Retirement Systems of Alabama after ten (10) years of service. Employees who were hired before January 1, 2013 (Tier 1), are eligible to retire with twenty-five (25) years of service or ten (10) years of service and age sixty (60). Any employee hired on or after January 1, 2013 (Tier 2), and retires with the County, will be eligible to retire with twenty-

five (25) years of service or ten (10) years of service and age sixty (60). However, if the Tier 2 employee leaves employment with the County and is later employed by another agency that did not make an election pursuant to Act No. 2019-132, he or she will be eligible to retire at age sixty-two (62) with at least ten (10) years of service.

P. Conditions for Retirement

Whenever an employee meets the conditions for retirement set forth in the Retirement Systems of Alabama Regulations, he or she may elect to receive all benefits earned under the Alabama Retirement Plan.

The Notice of Retirement may be forwarded to the Personnel Director no more than three (3) months or no later than thirty (30) days prior to the last scheduled day of work.

Due to the complexity of each individual retirement account, the employee should contact the Personnel Department with any questions or write to:

Retirement Systems Building
135 South Union Street
Montgomery, AL 36130-4101
1-877-517-0020

Q. Benefits Due at Retirement

Unpaid Sick Leave -- Full-time employees hired into the Retirement Systems of Alabama and retiring pursuant to the requirements of the Retirement Systems of Alabama with twenty-five (25) years of service or at least age 60, with at least fifteen (15) years of said service with the Baldwin County Commission, may be paid one-half of his or her accumulated sick leave not to exceed three hundred sixty (360) hours or elect to roll over unused sick leave hours into service credit.

Effective May 1, 2019, in lieu of unpaid sick leave payout, an employee retiring pursuant to the requirements of the Retirement Systems of Alabama may elect to roll over unused sick leave hours into service credit.

The following conditions apply for this option:

- Applies only to employees who, after converting unused sick leave hours to service credit, meet the minimum qualifications for <u>service</u> retirement. The minimum qualifications for service retirement are age 60 with at least 10 years of creditable service or 25 years of creditable service, regardless of age.

- An employee retiring on disability may convert unused sick leave to retirement credit only if he or she meets the minimum qualifications for service retirement after converting unused sick leave days to service credit.

- Conversion of unused sick leave may not be used for deferred retirement.

- There is no maximum number of accrued sick leave days.

The following chart will be used by the Retirement System to convert sick leave to retirement service credit. Please note that the chart lists accrued sick leave days through 370, but there is no maximum limit on sick leave accrual.

Accrued Sick Leave Days		Service Credits (Months)
0-10	0-80 hours	0
11-30	88-240 hours	1
31-50	248-400 hours	2
51-70	408-560 hours	3
71-90	568-720 hours	4
91-110	728-880 hours	5
111-130	888-1040 hours	6
131-150	1048-1200 hours	7
151-170	1208-1360 hours	8
171-190	1368-1520 hours	9
191-210	1528-1680 hours	10
211-230	1688-1840 hours	11
231-250	1848-2000 hours	12
251-270	2008-2160 hours	13
271-290	2168-2320 hours	14
291-310	2328-2480 hours	15
311-330	2488-2640 hours	16
331-350	2648-2800 hours	17
351-370	2808-2960 hours	18

Retiree Health Insurance Coverage – A retiring employee currently enrolled in County sponsored health insurance is eligible to continue single health coverage at a cost of one hundred dollars ($100) per month. The retiree must meet the following requirements: (1) Retiring with twenty-five (25) years of service in the Retirement Systems of Alabama; (2) fifteen (15) years of said service must be with the Baldwin County Commission and; (3) has not met the age requirement to be eligible for Medicare. The County will contribute the remaining portion of the cost of single health coverage.

The County will pay 100% of single health coverage for a retiring, full-time employee currently enrolled in County sponsored health insurance. The retiree must meet the following

requirements: (1) Retiring with thirty (30) years of service in the Retirement Systems of Alabama; (2) fifteen (15) years of said service must be with the Baldwin County Commission; and (3) has not met the age requirement to be eligible for Medicare.

If the employee has family coverage at the time of retirement, that employee may elect at that time to keep this coverage until the age requirement to be eligible for Medicare has been met and must pay 100% of the cost of such premiums. The employee may also elect single coverage at this time. When the employee reaches the age requirement to be eligible for Medicare, all insurance coverage will cease, any dependents covered will become eligible for COBRA.

During open enrollment, each year, retirees will also be eligible to transfer coverage if offered through the County. Should the County's health insurance premium increase, so shall the portion paid by the retiree with the increased amount to be determined by the Commission.

Any employee who retires from Baldwin County is required to make a decision, on his or her last day of employment, to either retain the County's medical coverage or reject it.

R. Retirement Disability

Employees, who participate in the Retirement Systems of Alabama and have completed ten (10) years of service and become disabled as defined by the plan, may be eligible to receive a disability benefit subject to all applicable requirements.

S. Longevity

Longevity pay is a benefit that recognizes a full-time employee's years of continuous service. Full-time employees who have completed five (5) years or more of continuous service will be eligible for longevity pay.

To determine whether an employee is eligible for longevity pay, the Personnel Department will determine as of October 1, of each year whether an employee has completed five (5) or more years of continuous service with Baldwin County. Longevity will be based on a fiscal year running October 1st through September 30th.

The employee must be on the payroll on September 30th of each eligible year to qualify for the previous year. No partial years will be paid.

Employees that sever employment and then return to work may not use retroactive time to qualify. Time must be continuous service.

Pay will be as follows:

5 to 9 years	$ 500
10 to 14 years	$ 1,000

15 years and over	$ 1,500

The check will be issued from regular payroll and federal income tax, state income tax and social security contributions will be deducted at the customary withholding rate for an employee.

VI. Code of Ethics

A. Ethical Conduct

It is the policy of Baldwin County Commission to uphold, promote and demand the highest standards of ethics from all employees and officials, whether elected or appointed. Accordingly, all County employees should maintain the utmost standards of personal integrity, truthfulness, honesty, and fairness in carrying out their public duties; avoid any improprieties in their roles as public servants; and never use their county position or powers for improper personal gain.

Every employee of the Baldwin County Commission is a "public employee". The taxpayers of this County entrust every employee with the responsibility of carrying on business beneficial to the taxpayer.

Employees of the Baldwin County Commission are subject to the provision of the Alabama Ethics Law (codified at §§36-25-1, et.seq., Code of Alabama 1975, as amended from time to time) (sometimes referred to as the "Alabama Ethics Law" or the "Ethics Law") and the decisions and enforcement of the Alabama Ethics Commission. Employees may visit the Ethics Commission's website to acquire further information of interest at www.ethics.alabama.gov.

B. Statement of Economic Interests

Some employees will have to complete an annual questionnaire for the Alabama Ethics Commission. The Personnel Department will provide these employees the required forms, upon request. These employees are responsible for filing the reports in a timely manner. Section 36-25-4.2 states that "[a]ll public employees required to file the Statement of Economic Interests required by Section 36-25-14, shall participate in an online educational review of the Alabama Ethics Law provided on the official website of the commission. Employees hired after January 1, 2011, shall have 90 days to comply with this subsection."

C. Political Activity

Employees may individually exercise their right to vote and privately express their views as a citizen, including becoming a candidate for public office. However, an employee shall not engage in political activities during his or her work time. Without limitation, Baldwin County expressly prohibits employees from soliciting political financial contributions, distributing political literature, wearing political buttons or similar insignia during their work time. Employees who are issued uniforms by Baldwin County are prohibited from wearing their uniforms while engaging in political activities.

Baldwin County also prohibits employees from distributing political literature or printed or other material of any kind in working areas at any time. Employees may not use any equipment owned

by Baldwin County, including but not limited to, copiers and fax machines, to engage in political activities.

This prohibition against soliciting other employees for political purposes covers Baldwin County's telephonic and computer equipment. Thus, no employee is permitted to use Baldwin County's electronic mail, the internet, voice-mail, telephones, computers or other related equipment for the purpose of soliciting others for political activities or for preparing, duplicating or distributing political literature or other material to other employees or non-employees.

The Personnel Director is available to answer any questions regarding proper employee political activity. This policy does not authorize a county employee to engage in political activity in violation of federal or state law.

D. Secondary Employment

Baldwin County Commission employees shall not engage in any outside employment which adversely affects his or her work performance as an employee of the County or creates a conflict of interest.

If an employee engages in other employment, he or she must notify his or her supervisor in writing stating the name of the employer, the nature of work or business, specific duties, and hours worked per week. The supervisor will send a copy of these statements to the Personnel Director for placement in the employee's personnel file. If the supervisor believes there may be a potential incompatibility between the outside employment and County employment due to either the number of work hours or nature of work or scheduling requirements, he or she shall submit appropriate recommendations to the Personnel Director. The final decision will be made jointly by the Personnel Director and the Appointing Authority or Appointed Department Head.

If you work another job, you must notify your supervisor in writing and state the employer, type of work, job duties, and hours worked per week. This job cannot conflict with your primary job with the Baldwin County Commission.

The employee shall at all times give first priority to the performance of his or her Baldwin County Commission job. County work schedules will not be adjusted to accommodate non-County work schedules.

E. Nepotism

Relatives of employees will be eligible for employment, but they must compete for jobs on the same terms and conditions as other applicants.

Employees are not permitted to directly supervise a relative. Direct or immediate supervision includes, but is not limited to, any participation in the hiring decision, promotional decision, work assignment decision, shift assignment decision, disciplinary decision or the evaluation process of another employee.

For purposes of this section of the Employee Handbook, “relatives” is defined as a spouse, child, parent, brother, sister, parent-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunt, uncle, niece, nephew and first cousin of current employees.

F. Reporting Arrests

Any employee of the County who has been arrested for any reason must report the arrest and surrounding circumstances to his or her immediate supervisor within one (1) day of returning to work. Failure to comply with this policy may result in disciplinary action. Supervisors are required to forward the information to the Appointing Authority, Appointed Department Head and Personnel Director.

VII. Safety and Health

A. Introduction

Management's job is to promote a smooth flow of services, free from any kind of interruption. The County operates in a system consisting of employees, equipment, materials, government structure, planning methods, etc. Losses due to unsafe practices or unsafe conditions are evidence of an existing situation that, if uncorrected, could lead to repeated injuries, illnesses and/or property damage. Any loss is an event which interrupts the smooth flow of profitable services. It constitutes a failure somewhere in the system, either in planning or methods application. The reasons for loss investigation are:

- To discover causes of work stoppage (what part of our system broke down and why); and
- To eliminate these causes in order to ensure uninterrupted services in the future.

Most people think of a loss or injury as strictly a liability. However, when investigated properly, the knowledge obtained and utilized effectively can be turned into an asset. These investigations can:

- Aid in the elimination of service breakdowns;
- Assist in improving methods and conditions;
- Be used to identify training needs;
- Demonstrate management's concern for safety; and
- Add to the supervisor's accumulated knowledge of his or her operation and management responsibilities.

B. Responsibilities

1. Management Responsibilities

The County Commission, Appointing Authority and Appointed Department Heads are responsible for the following:

a. Setting the safety and health policies and procedures;
b. Ensuring that sufficient, trained personnel are assigned to direct the safety and health program;
c. Assigning and communicating safety and health responsibilities to managers and supervisors;
d. Providing adequate authority and resources necessary for implementation of policies and procedures;
e. Assigning accountability to managers, supervisors and employees so that safety and health performance is evaluated as other aspects of job performance are evaluated;

f. Assuring that production processes and safety and health protection are completely integrated so that safety and health are part of the daily production activity within the County;
g. Periodic reviews of the safety and health program and related policies, procedures and practices, to ensure that they remain relevant and effective in participating and meeting the stated goal and objectives; and
h. Participating in safety and health program activities on a regular basis.

2. Risk Management Departmental Responsibilities include the following:

   a. Coordination and directing all activities related to the implementation of the safety and health program;
   b. Developing, documenting and maintaining all safety related programs, policies and procedures as needed;
   c. Conducting comprehensive worksite inspections on a regular basis for purpose of identifying unsafe conditions and unsafe acts. Imminent danger items identified through inspections will be corrected immediately, with other items being submitted to the County Commission office as needed;
   d. Assisting supervisors in the performance of Job Safety and Health Analysis (JSHA) in the respective departments;
   e. Developing and implementing safety and health awareness and communication programs;
   f. Participating in and reviewing accident/incident investigations for correctness of informational and casual factors and for making recommendations relative to corrective actions necessary to prevent a recurrence;
   g. Conducting on-going evaluations of the safety and health program and instituting changes as needed to ensure that the program remains relevant and effective;
   h. Assist with the indoctrination of new employees as needed, relative to general safety and health rules, policies, programs and procedures and advising of the personal protective equipment necessary to do his or her jobs; and
   i. Staying abreast on new developments and certifications in the field of safety and health rules and accident prevention so that he or she can be an effective resource for everyone connected to the program.

3. Supervisor Responsibilities include the following:

   a. Conducting safety training/meetings in his or her departments on a regular basis;
   b. In coordination with Risk Manager, conducting informal, continuous and on-going inspections in his or her departments, as well as more formal comprehensive safety and health inspections on a regular basis, for the purpose of identifying unsafe conditions and unsafe acts;
   c. Performing Job Safety and Health Analysis (JSHA's) for all positions within his or her departments with the assistance of the Risk Manager. JSHA is simply the study of job related task and possible hazards and the implementation of methods to reduce the identified hazards;

d. Training new or transferred employees in safety and health issues relative to his or her department and to the specific job assignment;
e. Consistent enforcement of all safety and health rules, policies, practices and procedures; and
f. Encouraging all employees to use the personal protective equipment needed to be able to safely do his or her job.

4. Employee Responsibilities include the following:

a. Complying with all established safety and health rules, policies, practices and procedures and being active in his or her own safety and health protection;
b. Promptly reporting all work-related injuries and illnesses, regardless of severity and near-miss incidents to the supervisor so that treatment can be rendered and investigations can be conducted;
c. Promptly reporting any unsafe conditions, unsafe equipment or unsafe acts to supervision immediately;
d. Proactively submit suggestions to management to improve safety and health;
e. Wearing and maintaining in good condition all personal protective equipment required for his or her job;
f. Attending safety meeting and educational programs as directed by management; and
g. Submitting to random drug and alcohol testing in accordance with County policies and procedures.

C. Loss and Safety Investigation

All investigations will start with the immediate supervisor. It is his or her system that broke down. Also, he or she is usually the person who management expects will initiate the corrective action needed to solve the existing problem. Others may be involved in the investigation and corrective action due to the nature of the loss. The investigator's attitude should be one of positive fact-finding, not blame fixing. The positive attitude will assist in enlisting meaningful contributions from witnesses, positive corrective action and follow-up to make sure the problem was eliminated.

The investigation should take place immediately after the loss and a copy of the report turned into the Risk Manager by the supervisor within twenty-four (24) hours of the accident or incident (must turn in at a minimum, the completed First Report of Injury). Prompt investigation will help ensure that physical conditions remain unchanged and employees involved are still available. The fact will still be fresh in the participant's mind, and witnesses will still remember what, how and when it occurred. Whenever the cause is an unsafe condition, a copy of a completed work order will be attached. If the cause was an unsafe act, written corrective action will be attached as warranted.

The "First Report of Injury Report" must be filled out by the employee's supervisor and <u>not</u> the injured employee who was involved in the accident.

D. Workers Compensation

All employees are protected under the State of Alabama's Workers Compensation Law for injuries and occupational diseases that result "out of and in the course of employment." This includes injuries that take place when the employee is performing tasks he or she was hired to perform at times and in places where he or she was hired to work.

For all life threatening injuries or illnesses, please notify 911.

<u>If an employee experiences an on-the-job, non-life threatening injury or illness,</u> he or she is required to:

1. Report the incident to his or her supervisor immediately;
2. Provide written notification of how the injury occurred to the supervisor within twenty-four (24) hours;
3. Provide information to the supervisor so that the supervisor can complete the Alabama First Report of Injury within twenty-four (24) hours from the time of the incident. The supervisor will then send it to the Risk Manager;
4. All initial medical visits are made at one of the following clinics:
    a. **Industrial Medical Center** located at 7901 Hwy 90, Suite 101 Daphne, Alabama 36526. Follow up visits will be scheduled by the Industrial Medical Center as needed;
    b. **Coastal Health Institute** located at 915 W. Laurel Ave. Foley, Alabama 36535. Follow up visits will be scheduled by the Industrial Medical Center as needed; or
    c. **Infirmary Urgent Care** located at 108 McMeans Ave. Bay Minette, Alabama 36507. Follow up visits will be scheduled by the Industrial Medical Center as needed; and
5. In the event the Industrial Medical Center is closed, after hours non-life threatening medical treatment may be sought at the following locations as deemed necessary by management:
    a. North Baldwin Medical Center, in Bay Minette, Alabama; or
    b. Thomas Hospital, in Fairhope, Alabama; or
    c. South Baldwin Hospital, in Foley, Alabama.

All related follow up visits for treatment rendered at North Baldwin Medical Center, Thomas Hospital or South Baldwin Hospital must be made at the Industrial Medical Center. **At no time will a referral to the employee's personal physician be made by the emergency room doctor in regards to workers compensation cases.**

6. Every employee injured on the job is required to:

   a. Keep all scheduled appointments with physicians/therapist as scheduled;
   b. Be aware that Baldwin County has a Temporary Transitional Duty program for all employees. For more information on this program, please refer to the Baldwin County Temporary Transitional Duty Policy;
   c. Notify his or her supervisor immediately if the physician advises the employee not to return to work, to work with restrictions and when he or she releases you to full duty; and
   d. Give the supervisor a copy of the Return to Work and/or Work Restriction Form(s) received from the physician. A copy must be given to the Risk Manager so that it may be retained in the employee workers compensation file.

7. If an employee requires emergency medical treatment for "life threatening" injuries, he or she should use the emergency room at any Baldwin County hospital. Only one (1) visit to the emergency room will be covered by workers compensation per each work related incident. Notification to Risk Management should be made immediately.

8. If there is a follow-up appointment required after the initial visit to the emergency room, then the follow-up visit MUST be scheduled at the Industrial Medical Center. The employee's workers compensation case manager will assist the Risk Manager in scheduling this appointment for the employee. The employee is not authorized to return to the emergency room for follow-up treatment (i.e., removal of stitches, change of injury dressings, etc.).

Only one visit to the emergency room will be covered by workers compensation. All follow-up appointments must be seen at the Industrial Medical Center.

9. Baldwin County has contracted with local pharmacies to charge medications for work-related injuries after the following:

   a. The employee has notified his or her supervisor and Risk Management of the injury;
   b. The employee's prescription has been approved for payment by Risk Management; and
   c. The pharmacy has contacted Risk Management for authorization.

At no time should an employee go to their personal pharmacy or put workers compensation prescriptions on their personal insurance.

10. If the employee's authorized treating physician releases the employee to return to work with specific temporary restrictions (i.e., transitional duty) and Baldwin County can provide a job

within the recommended restrictions, he or she must return to work and attempt the transitional duty. Transitional duty is offered at the will of the County and is only offered on a temporary basis.

You must return to work and attempt transitional (light) duty if authorized by your treating physician. Failure to report for light duty may result in termination of disability benefits.

11. The employee's authorized physician determines what transitional duty work is appropriate. If clarification of transitional duty restrictions is needed, Risk Management should be contacted. Failure to report for the assigned transitional duty work as authorized may result in the employee having to use his or her sick or leave time to cover the employee's absence. An employee may qualify for benefits if Baldwin County cannot provide a job within the restrictions given by the authorized physician.

12. Medical bills and temporary benefits will not be paid until Risk Management has received the appropriate forms from the employee and his or her supervisor.

13. After the employee's claim has been received in Risk Management, it will be submitted to a workers compensation case manager, to determine whether it is approved. The employee will be notified if a problem arises in the process of making that decision.

If a Workers Compensation claim is rejected as a Workers Compensation injury, it may be applied to the employee's medical insurance.

The goal is to process Workers Compensation claims as quickly and as fairly as possible while providing the employee with the best medical care possible. The length of time required for approval will vary for each claim.

14. All employees involved in a Workers Compensation Injury or a Liability Property Damage incident will be required to receive a Post-Accident Drug Screen immediately after the reported incident.

15. Official medical records in regards to Workers Compensation and Drug Screen Testing should only be maintained in the Personnel Department. At no time should any medical information (personal protected health information) be retained at any other location other than the Personnel Department, unless written consent has been otherwise given.

E. Workers Compensation Payments

The employee will be paid a full day's pay for the day of the injury. The following three (3) days can be charged to annual leave, sick leave or leave without pay. These "following three

(3)" days will be reimbursed under the workers compensation benefits after the employee remains off work for a period of twenty-one (21) calendar days. If an employee remains off of work for a period of twenty-one (21) days, he or she must reimburse the county for "following three (3)" days that was paid to the employee.

The only check an employee who has filed for workers compensation benefits will receive is a check received from the workers compensation insurance carrier for Baldwin County.

While on workers compensation leave, the employee shall be placed in a leave without pay status. The employee will not accumulate annual or sick leave while on workers compensation leave.

All individual health insurance premiums paid by Baldwin County for an employee will remain in force and continue to be paid by the County. All employees are required to continue to pay his or her portion of health insurance premiums. Employees will be issued an invoice from the Accounting Department.

If, while on workers compensation leave, the employee wishes to continue dependent coverage or other items that are customarily deducted from his or her paycheck, the employee must contact the Personnel Department for payment procedures. If payments are not submitted in a timely manner, coverages are subject to cancellation.

An employee (who has depleted his or her sick, annual leave and FMLA) out on workers compensation leave, who has reached "Maximum Medical Improvement (MMI)," shall be terminated, if he or she does not return to work.

F. Transitional Duty

The Temporary Transitional Duty Policy is intended to support injured and ill employees who have temporary restrictions due to work related injuries and are expected to return to his or her regular assignments following recovery. This policy and procedure does not cover employees with permanent restrictions and is offered at the will of the Baldwin County Commission and may be terminated at any time. Each case presented for possible Temporary Transitional Duty will be evaluated on case by case bases by the Personnel Director, Risk Manager, Appointing Authority and respective Appointed Department Head.

1. Eligible Personnel.

The guidelines for eligible personnel are as follows:

a. Any probationary or permanent employee of Baldwin County;
b. A physician's note detailing the employee's temporary work restrictions is required to be eligible for a Temporary Transitional Duty Assignment;

c. Work restrictions are defined as physician specified work activities that are limited due to an occupational illness or injury, regardless of whether the employee has lost time from work or not (e.g. limited hours, limited functions, need for equipment, etc.);
d. The employee must provide his or her supervisor a physician's note identifying temporary work restrictions or time off, within one (1) business day of the employee's receipt of the note;
e. The supervisor is then responsible to notify his or her relevant Appointing Authority or Appointed Department Head of the request for Temporary Transitional Duty; and
f. The relevant Appointing Authority or Appointed Department Head is responsible for seeking approval from the Risk Manager and Personnel Director in order to authorize Temporary Transitional Duty.

2. Non-Eligible Personnel.

The following are personnel who are ineligible:

a. Contractors, volunteers, inmates, interns or temporary employees;
b. Employees who have a common, contagious illness (e.g. cough, cold or flu) or an injury that has no impact on the ability to perform his or her regular job duties (e.g. an employee who works sitting at a desk and has a sprained ankle);
c. Employees on non-medical leave (e.g. military, bonding, etc.); or
d. Employees who have permanent restrictions that do not fall within the normal scope of his or her job activities.

3. Identify Potential Eligible Employees.

The guidelines used to identify potential eligible employees are as follows:

a. The department supervisor shall identify an employee who has been, or will be, off work due to an occupational injury or illness;
b. The employee shall self-identify by providing temporary work restrictions to his or her department supervisor;
c. Clarification of restrictions may be needed; and
d. The relevant Appointing Authority or Appointed Department Head, Personnel Director and the Risk Manager shall review medical records to identify potentially eligible employees. This determination will be made on a case by case base, while considering the best interest of the employee and Baldwin County during the evaluation.

4. Assess Work Restrictions and Develop Assignment.

The department should make every effort within five (5) working days or as early as possible, to do the following:

a. Provide a Temporary Transitional Duty Assignment, if feasible, for all work related injuries. The department director must email the proposed Temporary Transitional Duty Assignment and its duration to the Personnel Director and the Risk Manager;

b. Request assistance in the development of the Temporary Transitional Duty Assignment. Assistance from the Personnel Director and the Risk Management may include clarification from the medical provider, a need for equipment beyond internal resource availability, assessment of possible alternate job duties or special projects or an assessment of the appropriateness of the modification; and

c. Notify the Personnel Director and the Risk Manager if at any time the department is unable to provide a Temporary Transitional Duty assignment.

5. Communication of Assignment to Employee.

The department will discuss the Temporary Transitional Duty assignment with the employee. Assignments are determined based upon the employee's temporary work restrictions, skills, the duration of time required for the assignment and the needs of the department. The employee will act in accordance with the duties assigned in a Temporary Transitional Duty assignment. The refusal to do so may result in the loss of workers compensation wage replacement benefits, in accordance with state law or long-term disability benefits.

6. Completion of Temporary Transitional Duty Letter.

The relevant Appointed Department Head is responsible for the following:

a. Completing the Letter of Temporary Transitional Duty Assignment (TTD) along with the Personnel Director and Risk Manager;
b. Sending a copy of the TTD Letter to the immediate supervisor, the Personnel Director and to the Risk Manager;
c. Making certain that the employee begins his or her work in that assignment once the TTD letter is completed;
d. Meeting with the Risk Manager for a discussion of the Temporary Transitional Duty Assignment; and
e. Meeting with the employee for a discussion of the Temporary Transitional Duty Assignment.

7. Work Restrictions and Assignment Modification.

The relevant department head is responsible for:

a. Monitoring the assignment and the employee for compliance;
b. Re-assessing the assignment upon any change of temporary work restrictions or as the needs of the department change. This will also require a new TTD Letter.

The employee is responsible for providing within one (1) business day, any medical documentation detailing the revised temporary work restrictions to the department designee, if the temporary work restrictions change at any time during the current assignment.

8. Duration of Assignment.

    a. The duration of the Temporary Transitional Duty Assignment for occupational illnesses or injuries will be up to ninety (90) days, as the needs of the department allow;

    b. For any change in duration or temporary work restrictions, the department must complete a new Letter of Temporary Transitional Duty Assignment; and

    c. The duration shall not exceed ninety (90) days from the original date of the Temporary Transitional Duty Assignment, without approval from the relevant Appointed Department Head, Personnel Director and the Risk Manager.

9. Extension of Assignment.

Consideration for extensions may be considered for occupational illness or injury. An extension beyond ninety (90) days may be granted with approval from the relevant Appointing Authority or Appointed Department Head, Personnel Director and the Risk Manager. In no event shall Temporary Transitional Duty Assignments exceed three hundred and sixty-five (365) days for an occupational illness or injury.

10. Extension Requirements.

In order for an extension to be considered, the following requirements must be made:

    a. The department and the employee both request an extension;

    b. The employee has made progress in transitioning back to the regular assignment during his or her ninety (90) day Temporary Transitional Duty Assignment; and

    c. The extension is for a specific, short period of time due to the employee's medical physician indicating that the employee is progressing as expected toward returning to work in his or her regular assignment.

11. Transitional Duty Assignment Termination.

The Temporary Transitional Duty Assignment will terminate at any time, if the needs of the department change or when a department determines that the employee is not acting in accordance with the stated restrictions or is unable to perform the duties as assigned within the stated restrictions.

The Temporary Transitional Duty Assignment will terminate at any time, if the physician:

    a. Releases the employee to full duty without restrictions;

b. Removes the employee from work; or
c. Indicates the employee has permanent restrictions.

Where restrictions are permanent, Appointing Authority and Appointed Department Heads should refer to the Personnel Director and Risk Manager for additional guidance and directives.

The Temporary Transitional Duty Assignment automatically terminates at the end of the approved assignment, unless an extension has been requested and approved per the policy. If the department is terminating the Temporary Transitional Duty Assignment prior to the agreed upon end date, the Appointing Authority and Appointed Department Head shall give the employee as much notice as possible. Early agreement termination must be approved by the relevant Appointing Authority and Appointed Department Head, Personnel Director and the Risk Manager.

12. Dispute Resolution.

In the case of disputes regarding the denial of a temporary transitional duty assignment or the denial of an extension of a transitional duty assignment, the employee or department may follow the grievance procedure as shown in section *II.B Equal Employment Opportunity/Employment Grievance Procedures.*

G. General Safety and Health Rules

The Baldwin County Commission makes every effort to provide a work place free of recognized hazards. The Baldwin County Commission, therefore, reserves the right to amend, modify or rescind any provisions contained herein. These general rules are for guidance. Employees must be familiarized with every rule set forth herein.

Because of the variation in the work in the departments, it is impossible to include in this handbook all the rules governing safety of operations. Rules that apply to specific operations or departments will be brought to the employee's attention by his or her supervisor. The following are examples of such rules but are not all inclusive.

H. Safety Rules

1. Only approved safety equipment will be used in the performance of an employee's official duties. Safety glasses/goggles, steel-toed safety boots, ear plugs and hard hats are required to be worn in certain areas as a condition of employment. All steel-toed boots shall be sturdy work boots only. The adequacy or type of protection required must be commensurate with the potential hazard of each job assignment. This will be determined by the Job Safety and Health Analysis (JSHA) that will be conducted for the specific job title.
2. A face shield or safety glasses are required when employees are using a grinder, weed eater, lawnmower, trimmer, chainsaw, mulcher, chipper, etc., or when performing other operations where sparks or small pieces of debris can become airborne.

3. Any employee welding must use a welding shield. Any employee using a torch must wear the appropriate shaded lens or shield.
4. Never operate any piece of equipment, machine, crane, tractor, forklift, etc., unless trained and instructed to do so.
5. Never operate a machine unless all guards are in place. If a guard is missing or in need of repair, it is the employee's responsibility to notify his or her supervisor immediately.
6. Report unsafe acts and unsafe conditions to the department supervisor immediately.
7. Be sure the machine has stopped running before it is cleaned or adjusted. Follow the guidelines set forth by OSHA for de-energizing equipment.
8. Always wear leather chaps when operating a chainsaw.
9. Long pants/trousers are required to be worn while operating weed-eaters, trimmers, saws, lawnmowers, etc., in order to help reduce the number of injuries associated with the operation of such equipment.
10. At no time should any part of the body be placed in a potential area that may result in contact with moving machinery.
11. At no time is an employee permitted to climb on, walk on, stand on or jump over machinery or other equipment in contravention or violation of the safety and/or operations manual for the machinery or equipment.
12. At no time should an employee use defective tools or equipment. Always inspect any tool or piece of equipment about to be used. If a tool or piece of equipment is defective, it is the employee's responsibility to notify his or her supervisor immediately. Always use the proper tool for the job. Do not use tools with mushroomed heads. All files must have handles.
13. Only authorized employees are permitted to service or maintain electrical equipment.
14. All aisles, walkways, gates, etc., must be kept clear of debris at all times.
15. Never turn compressed air on yourself or anyone else. Do not clean your person or clothing with compressed air. As little as four pounds of air pressure can rupture an eyeball or an eardrum. Employees must always properly wear a face shield when using compressed air.
16. Lift the right way to avoid strain. Bend at the knees, keep the body erect and then push upward with the legs. Never lift any item that is too heavy. Get help.
17. Employees are prohibited from riding on the forklifts, cables, slings or any other part of any machine or crane. Only authorized personnel are permitted to operate forklifts and other powered industrial trucks. The operator is the only person authorized to ride on a forklift or powered industrial truck.
18. Any employee who is in a man lift or basket of any kind must properly wear a safety harness and lanyard while in the basket or man lift.
19. Never walk or stand under a suspended load.
20. Do not use lifting slings, hooks or chains without inspecting them first. If faulty, do not use them. Employees must contact their supervisor for proper inspection procedures or to report faulty equipment. Do not use "homemade" slings, hooks, or other lifting devices for any load bearing purpose. Slings and chains should have a manufacturer tag or label on them, which tells the date the item was made and its rated load capacity. Homemade lifting devices such as hooks and slings are not to be used.

21. Never use a makeshift or defective scaffold.
22. Gloves must be worn when working on jobs that present hand hazards.
23. All employees who are working from an elevated platform of any kind over six (6) feet high without the proper guard rails installed are required to properly wear fall protection equipment.
24. Only authorized employees are allowed to enter a confined space at any time.
25. Each employee working in or on a piece of equipment that is required to be locked out must attach his or her own individual lock out device to the machinery or equipment.

I. Health Rules

1. In case of injury, no matter how slight, immediately report it to the department supervisor.
2. Keep the work place clean. Put all rags, trash, cups and waste in containers provided for that purpose.
3. All personnel who are required to wear a respirator must successfully pass a PFT (Pulmonary Function Test).
4. All personnel who wear a respirator or dust mask are required to be clean-shaven at the time that the respirator or dust mask is used.
5. Use extreme care in handling all chemicals.
6. If you work in oil or toxic combustibles, be particular about washing and scrubbing your hands.

J. Fire and Environmental Rules

1. Report any fire or emergency immediately to the department supervisor.
2. All employees are to be familiar with emergency exits, emergency evacuation meeting areas and firefighting equipment such as fire extinguishers. Fire extinguishers are located throughout County buildings. These extinguishers have instructions on how to operate the extinguisher and for what type of fire they are designed to be used.
3. Never block an exit or firefighting equipment.
4. All flammable liquids must be maintained in approved containers. All bulk flammable material must be stored in a flammable storage locker or equivalent.
5. All containers must be labeled as to its contents.
6. Rags saturated with flammables must be kept in approved safety containers.
7. Never pour oil, flammable liquids or other unauthorized chemicals into any sewer or drain.
8. Smoking is prohibited in restricted areas.
9. Employees should strive to protect the environment, minimize waste, meet all established environmental goals and objectives and strive for continuous improvement.
10. In the event of a chemical or oil spill, please notify the department supervisor immediately.

Violation of any safety, health, fire or environmental rule may result in appropriate corrective action that may vary from a verbal warning to termination of employment, depending on the seriousness of the violation.

K. Alcohol and Drugs – Drug Free Workplace Policy

The Baldwin County Commission is committed to providing a safe working environment for all employees while serving the citizens of Baldwin County. The Baldwin County Commission recognizes that any employee who improperly uses intoxicating substances, including drugs and alcohol, poses a serious threat to his or her self, his or her coworkers and to the public in general. Even small quantities of narcotics, abused prescription or over-the-counter drugs or alcohol can impair judgment and reflexes. This impairment can have dire results, particularly for employees operating vehicles or potentially dangerous equipment.

It is therefore the policy of the Baldwin County Commission that all employees or any person performing any kind of work for Baldwin County Commission must report to work completely free from alcohol, illegal or unauthorized drugs or any other substances that may have a mind-altering or intoxicating effect or otherwise impair the employee's judgment, reaction times or functioning.

The County also prohibits all employees from using, possessing, manufacturing, distributing or making arrangements to distribute alcohol, illegal or unauthorized drugs or any other intoxicating substances while at work or on or about any county property.

In order to avoid creating safety problems and violating this policy, employees must inform his or her supervisor when he or she is legitimately taking any medication, including prescription drugs or over-the-counter medications, which affects his or her ability to work. Employees whose job performance may be affected by such medications may be required to provide a fitness-for-duty certification before being allowed to resume their job duties.

Any employee who violates this policy in any way shall be immediately removed from his or her job duties and shall be subject to discipline, up to and including immediate termination.

No part of this policy shall be construed to create a contract of continued employment or to confer upon any employee or applicant a property interest in his or her employment. The County maintains the right to change this policy at any time without notice. To the extent that any portion or provision of this policy and procedure conflicts with any applicable federal or state laws or regulation, such federal or state laws or regulations will be controlling.

The Baldwin County Commission has designated the Risk Manager as the Drug Program Coordinator. If you have any questions or concerns regarding this policy or its application, please contact him or her at: (251) 937-0265.

Employees of the Baldwin Rural Area Transportation System (BRATS) are subject to ALDOT Substance Abuse Regulations, unless the County's policies are more stringent, in which case the

County's policy would apply.

1. Definitions.

   a. "Accident" means any on the job accident. "Accident" includes vehicular accidents as well as any acts or omission causing an accident or injury to any person or damage to any equipment or property belonging to the County.
   b. "Administrator" means the person or entity that implements drug testing on employees and applicants.
   c. "Alcohol" means distilled or fermented beverage containing ethyl alcohol, including, but not limited to, beer and wine.
   d. "Chain of Custody" means procedures implemented by the Baldwin County Commission for the identification and integrity of each urine specimen. The Baldwin County Commission requires the person responsible for policy implementation to track the handling and storage of each urine specimen from the point of specimen collection to final disposition of the specimen. These procedures include an appropriate drug testing chain of custody form to be used from time of collection to receipt by the testing laboratory. Chain of custody forms shall document the date and purpose of each time a specimen is handled or transferred and shall identify every individual in the chain of custody.
   e. "Collector" means a person who instructs and assists tested employees and applicants for eligible positions at a collection site and who receives and makes an initial examination of the urine specimens. The collector shall have successfully completed training to carry out this function or shall be a licensed medical professional or technician who shall be provided instructions for collection under this procedure and certifies completion as required herein. In any case, where a collection is observed or monitored by non-medical personnel, the collector shall be a person of the same gender as the employee or applicant.
   f. "Collection Site" means a place designated by the Baldwin County Commission where employees present themselves for the purpose of providing a specimen of their urine to be analyzed for the presence of specified controlled substance and alcohol. The site will possess necessary personnel, materials, equipment facilities and supervision to provide for the collection, security, temporary storage and transportation or shipment of the samples to a laboratory.
   g. "Controlled Substance" means any substance defined or classified as a controlled substance according to federal or state law. Title II of the Comprehensive Drug Abuse Prevention Act of 1970 (Controlled Substance Act), as it is amended from time to time, provides the basic standard. Controlled substances include, but are not limited to, any and all forms of marijuana, stimulants or hallucinogens the sale purchase, transfer, use or possession of which are prohibited or restricted by law.
   h. "County" means Baldwin County.
   i. "DOT Employee" is an employee who is subject to the rules and regulations of the United States Department of Transportation regarding drug and alcohol testing because of the job duties that he or she performs.

j. "Drug Program Coordinator" is the person designated by the Baldwin County Commission to ensure compliance with this Policy, including, but not limited to, ensuring that proper testing procedures are followed, ensuring that the lab(s) used by the Baldwin County Commission are properly certified and ensuring that the Medical Review Officer is properly credentialed. The name and contact information of the Drug Program Coordinator will be distributed to all employees.

k. "Employer Premises" includes all property owned, leased, used or under the control of Baldwin County Commission, including, but not limited to, the job site of any employee, structures, building offices, facilities, vehicles and equipment or transportation to and from those locations while in the course and scope of County employment.

l. "Employee" means any and all employees of the Baldwin County Commission.

m. "Illegal/Unauthorized Drug" means any drug (1) which is legally obtainable but has not been legally obtained or, even if legally obtained, is not being used in accordance with instructions given either by a physician or, if over-the counter, on the drug's label; or (2) all illegal drugs, including, but not limited to, methamphetamine, marijuana, cocaine, etc.

n. "Intoxicating Substance" means any substance, whether legal or illegal, that may have an intoxicating or mind-altering effect when ingested, snorted, smoked or otherwise introduced into the body. Intoxicating substances include, but are not limited to, "bath salts," nitrous oxide, glues, solvents or herbs or other plants such as salvia.

o. "Legal Drug" means prescribed drugs and over-the-counter drugs which have been legally obtained and are being used appropriately for their intended purpose in accordance with directions given either on the label or by employee's treating physician.

p. "Possession" means actual or constructive care, custody, control or immediate access.

q. "Under the Influence" means being unable to perform work in a safe and productive manner; being in a physical or mental condition which creates a risk to the safety and well-being of the individual, other employees or the public; and/or having any laboratory evidence of the presence of drugs, alcohol, prohibited or controlled substance in the employee's body.

r. "Medical Review Officer" (MRO) means a licensed physician (medical doctor) responsible for receiving laboratory results generated by the county's drug testing program. The MRO shall have knowledge of substance abuse disorders and have appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his or her medical history and any other relevant biomedical information.

s. "Random Selection Process" is the process used to ensure that each employee holding a safety-sensitive position has an equal chance of being drug-tested every time that random drug tests are conducted. This process means that some employees may be tested multiple times in any given year.

t. "Reasonable Cause" means that the County believes the actions or appearance or conduct of an employee on duty are indicative of the use of a controlled substance or alcohol.

u. "Safety-Sensitive Employees" are those persons who are subject to random drug and alcohol testing. These employees include, but are not limited to, persons who inspect, service, repair or maintain a vehicle or other heavy equipment, operate or load a vehicle or heavy equipment, use tools, including both power and hand tools, that have the

capacity to injure any person and those who are authorized to carry weapons of any kind. An employee is engaged in a safety-sensitive function at all times from the time that an employee begins to work or is required to be in readiness to work until the time he or she is relieved from work and all responsibility for performing work.

2. Persons Subject to Testing.

The following employees have been designated by the Baldwin County Commission to submit at any time to be tested for illegal drug abuse and alcohol abuse:

a. All employees who hold positions or regularly perform duties that have been designated to be "safety sensitive" by the Baldwin County Commission;
b. Any employee who, during the course of said employee's employment, is involved in an accident causing physical injury to any person or damage to any property; and
c. Any employee, regardless of whether he or she holds a safety sensitive position, whose conduct, behavior or physical symptoms establishes reasonable cause to believe that said employee is under the influence of any drug and/or alcohol while performing his or her job duties or while being physically present on the premises of the Baldwin County Commission's property during any activity sponsored, supervised or in which the Baldwin County Commission participates.

3. Types of Testing.

Pursuant to Baldwin County Commission's policy and procedures, employees will undergo testing as follows:

a. PRE-EMPLOYMENT TESTING: All employees applying for a position that has been designated as safety-sensitive will be required to submit to a pre-employment drug and alcohol test before a final offer of employment is extended. All pre-testing offers of employment to such persons are explicitly conditioned on the employee successfully taking and passing the drug and alcohol test. Pre-employment testing will also be done when an employee transfers from a non safety-sensitive position to a safety sensitive position;
b. RANDOM TESTING: All employees holding safety-sensitive positions will be subject to testing on a random basis without advance notice to them;
c. REASONABLE CAUSE TESTING: Baldwin County Commission may schedule a drug/alcohol test when behavioral observations indicate to the employee's supervisor that any employee may be involved in illegal use of a controlled substance, use of alcohol or abuse of legal drugs. Before testing, the employee's supervisor shall either (1) contact another supervisor to observe the employee's behavior and to concur with the decision to test the employee or (2) review the employee's behavior with another supervisor to obtain concurrence with the decision to test the employee. The employee shall be promptly escorted to the collection site for testing by the employee's supervisor or designee;
d. Employees arrested or convicted for the off-the-job use or possession of illegal or

controlled substances shall undergo testing to assist Baldwin County Commission in determining fitness for duty. If the employee tests positive, the Baldwin County Commission shall discharge the employee;

e. POST ACCIDENT TESTING: All employees are required to report all injury or damage related accidents and submit to a post-accident drug/alcohol test as set out in this policy. Each employee whose performance either contributed to the accident or cannot be completely discounted as a contributing factor to the accident shall be subject to testing. The employee's supervisor or his designee shall schedule the drug screening test immediately following a reportable incident or a reportable accident; and

f. RETURN-TO-DUTY TESTING: If an employee has violated the prohibited drug and alcohol rules, he or she must take and pass a drug and alcohol test before returning to work. Further, any employee who has violated the prohibited drug and alcohol rules is required to take a drug and/or alcohol test before returning to safety-sensitive functions for *any* DOT regulated employer and is also subject to unannounced follow-up testing at least six (6) times in the first twelve (12) months following a return to active safety-sensitive service.

Any and all drug testing conducted by the Baldwin County Commission will not be used to identify the existence of any disability.

In the event there is reasonable suspicion of a violation of this policy, the Baldwin County Commission also reserves the right to search all property, cabinets, tool boxes, vehicles, including personal vehicles brought onto Baldwin County Commission's property or any other property on the Baldwin County Commission's property, under control of any employee or in the personal vehicle of any employee and located on the Baldwin County Commission's property and used by said employee in commuting to work or in that employee's duty as an employee.

4. Safety Sensitive Employees.

Employees are considered to be "safety-sensitive" when his or her job duties regularly require them to engage in activities that have the potential to cause physical injury to themselves or others or to cause serious property damage. Such activities include, but are not limited to:

a. Maintaining or repairing motor vehicles or heavy equipment, including, but not limited to, bulldozers, tractors and riding mowers;
b. Maintaining or repairing tools that have the capacity to seriously injure the user or another person, including, but not limiting to, chainsaws or weed-eaters;
c. Regularly operate motor vehicles or heavy equipment as part of his or her job duties, including equipment such as tractors or riding mowers for which licensure is not required by the State of Alabama;
d. Regularly operate tools that have the capacity to seriously injure the user or another person;
e. Loading and unloading vehicles or heavy equipment;
f. Any activity related to the safe operation of a mass transit system, including dispatching

vehicles;

g. Carrying any weapon or object for the purpose of performing job duties that could reasonably be used as a weapon, including, but not limited to, firearms, knives, machetes, blades, tasers or batons;
h. Answering emergency calls and/or directing the provision of emergency services; or
i. Providing emergency medical services.

A list of positions that have been designated as safety sensitive by Baldwin County is available for view in the Personnel Department. Some safety-sensitive positions are specifically subject to regulation by the Department of Transportation (DOT). These positions are indicated by an asterisk. An accredited testing laboratory will maintain two (2) different random testing pools, including one pool for persons specifically subject to regulation by DOT and one (1) pool for all other safety-sensitive employees.

All employees are subject to drug and alcohol testing when there is reasonable cause to believe that they have violated this policy and after any accident involving physical injury or serious property damage. However, employees who have been designated as safety-sensitive are also subject to pre-employment testing and random testing. Random drug tests can be performed any time a safety-sensitive employee is on duty. An alcohol test can be performed when the safety-sensitive employee is performing a safety sensitive duty, just before or just after the performance of a safety sensitive duty.

In addition, employees occupying positions deemed to be "safety-sensitive" must promptly report any arrests, charges or convictions for drug or alcohol related criminal offenses, including both misdemeanors and felonies, to his or her supervisor. FAILURE TO REPORT SUCH ARRESTS, CHARGES or CONVICTIONS MAY BE GROUNDS FOR DISCIPLINE, UP TO AND INCLUDING IMMEDIATE DISMISSAL.

5. Necessity of Compliance with Testing Requirements.

All employees are subject to reasonable suspicion and post-accident testing as a condition of his or her employment. In addition, all safety-sensitive employees will be subject to pre-employment and random urine drug test and breath alcohol testing as a condition of employment.

Any employee who refuses to take a drug and/or alcohol test to which he or she is properly subject shall be considered to have a verified positive test result. An employee who has a verified positive test result, including by refusal, shall be immediately removed from his or her duties and may be subject to immediate termination. In addition, any employee subject to DOT regulations will receive educational and rehabilitative information and a referral to a Substance Abuse Professional.

Refusals can include a variety of behaviors, including the following:

a. Failure to appear for any test (except for pre-employment) within a reasonable time, as determined by the Baldwin County Commission;

b. Failure to remain at the testing site until the testing process is complete;
c. Failure to provide a urine specimen for any required drug test;
d. Failure to permit the observation or monitoring of the specimen collection when required to do so;
e. Failure to provide a sufficient amount of urine when directed without an adequate medical explanation for this failure;
f. Failure to take a second test when directed to do so by the Baldwin County Commission or collector;
g. Failure to undergo a medical examination when directed to do so by the MRO or the Baldwin County Commission;
h. Failure to cooperate with any part of the testing process (e.g., refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process or fail to wash hands after being directed to do so by the collector);
i. Failure to follow the observer's instructions during an observed collection, including instructions to raise clothing above the waist, lower clothing and underpants and to turn around to permit the observer to determine if there is any type of prosthetic or other device that could be used to interfere with the collection process;
j. Possess or wear a prosthetic or other device that could be used to interfere with the collection process;
k. Admit to the collector or MRO that the specimen has been adulterated or substituted;
l. Failure to sign step two (2) of the alcohol test form; or
m. Leaving the scene of an accident without a valid reason before post-accident tests has been completed. Failure to remain "readily available."

6. Off Duty Conduct.

Off-the-job use of drugs, alcohol or any other prohibited substance which results in impaired work performance, including, but not limited to, absenteeism, tardiness, poor work product or harm to the County's image, tasks or government is prohibited. Employees should realize that these regulations prohibit all illicit drug use, on and off duty.

7. Prescription Drugs.

The proper use of medication prescribed by a physician is <u>not</u> prohibited; however, the Baldwin County Commission prohibits the misuse of prescribed and/or over-the-counter medications or other intoxicating substances and requires all employees using drugs at the direction of a physician to notify the Baldwin County Commission's Medical Review Officer (MRO) or their Drug Program Coordinator, when these drugs may affect his or her job performance, such as by causing drowsiness. Employees may not perform safety-sensitive functions while using any controlled substances, unless the employee's physician certifies that the substances will not adversely affect the employee's ability to perform his or her job.

8. Pre-Employment.

All safety-sensitive applicants shall undergo urine drug testing prior to performing safety sensitive duties. This requirement also affects employees not in safety-sensitive positions who seek reclassification into a safety-sensitive position. Receipt by the Baldwin County Commission of a negative test result is required prior to performing safety sensitive duties in a covered position. A cancelled test result is not acceptable and must be retaken. If the applicant has a positive pre-employment drug test, he or she cannot be hired for a safety sensitive position.

A negative result on a pre-employment test by a job applicant is valid for thirty days. If a current covered employee has not performed a safety sensitive duty for ninety (90) days or longer and has been removed from the random pool, the employee must submit to a new pre-employment test and receive a negative result before resuming safety-sensitive duties.

A MRO may report negative pre-employment rest results for individuals who are unable to provide sufficient volume due to permanent disability, but has a medical evaluation that indicates no chemical evidence of illegal drug use.

All applicants for safety-sensitive positions will be notified in writing that they will be required to undergo pre-employment/reclassification drug testing prior to his or her employment and that they will be subject to drug and alcohol testing throughout the period of his or her employment. Applicants will acknowledge in writing his or her understanding of these provisions for his or her application and employment. The Baldwin County Commission will retain on file the negative drug test results of all new hires.

In addition to undergoing pre-employment testing, applicants for a safety-sensitive position will be asked to sign forms for release of information from any previous employer for whom the applicant performed safety sensitive functions. Failure to sign this form will result in not being hired. When a covered applicant has previously failed a pre-employment drug test with a prior employer, the employee must present proof of having successfully completed a referral, evaluation and treatment plan.

9. Reasonable Cause.

All employees (whether or not safety-sensitive) will be required to submit to screening whenever a supervisor observes circumstances which provide reasonable cause to believe an employee has used a controlled substance or has otherwise violated the substance abuse rules. Examples of circumstances that may establish reasonable cause to warrant testing include supervisor observation, co-worker complaints, performance decline, attendance or behavior changes, involvement in workplace or vehicular accident or other actions which indicate a possible error in judgment or negligence or other violations of the drug or other Commission policy. Before testing the employee, another supervisor shall be contacted to observe the employee's behavior and to concur with the decision to test the employee or the observing supervisor will review the employee's behavior with another supervisor either face to face or via telephone to obtain concurrence with the decision to test the employee. The documentation of the employee's conduct shall be prepared and signed by the witnesses within twenty-four (24) hours of the

observed behavior or before the results of the test are released, whichever is earlier.

Upon the reasonable suspicion determination being made, the Baldwin County Commission shall ensure that the employee is transported immediately to a collection site for the collection of a urine sample. The employee shall be counseled not to drive a vehicle and a supervisor shall provide transportation for the employee to the collection site.

All persons designated to make a determination that reasonable suspicion exists to require an employee to undergo testing under this provision shall receive at least sixty (60) minutes of training on both alcohol and controlled substance use. The training shall cover the physical, behavioral, speech and performance indicators of probable alcohol misuse and use of controlled substances.

Any employee refusing to submit to reasonable suspicion testing or any employee having a positive drug and/or alcohol test will be terminated.

10. Random Testing.

The Baldwin County Commission will conduct random unannounced screening of all designated employees at unannounced times throughout the year. An accredited laboratory will maintain two (2) computerized random testing pools including one DOT pool and one non-DOT pool. There will be no maximum number of samples that any one individual will be required to provide during the testing schedule in either pool.

Employees will be required to report to the designated collection site for testing as soon as possible, but in no case later than two (2) hours following notification. Failure to report for drug/alcohol screening within two (2) hours of notification will be treated as a positive test result.

11. Post Accident Testing.

Employees are required to immediately notify the Drug Program Coordinator or designee of any accident resulting in injury or damage to any County property or personnel.

Each employee whose performance either contributed to the accident or cannot be completely discounted as a contributing factor to an accident shall provide a urine specimen to be tested for the use of controlled substances and/or alcohol as soon as possible after the accident, but in no case later than eight (8) hours for alcohol testing and thirty-two (32) hours for drug testing.

Employees will be required to undergo urine drug and breath alcohol testing if they are involved in an accident that results in a fatality. A post-accident test will also be conducted in situations where there is no fatality but the following occurs: (1) an individual requires immediate transport to a medical treatment facility as a result of collision or non-collision; (2) any time one or more vehicles incur disabling damage that prevents any of the vehicles involved from leaving the scene of the occurrence in his or her usual manner in daylight after simple repairs; or (3) with respect to any occurrence in which a vehicle including a mass transit vehicle (rail car, trolley car,

trolley bus or vessel) is removed from operation. In a non-fatal accident as previously described, post-accident testing will be conducted, unless the operator's performance (and any other covered employees whose performance could have contributed to the accident) can be completely discounted as a contributing factor to the accident as determined by the Baldwin County Commission using the best information at the time of the decision. In addition, drug screening and alcohol screening will be required for any driver receiving a citation for any moving violation resulting from an accident.

After notification of any accident, the County will arrange for the employee to be taken as soon as practicable to collection site designated by County. The supervisor or designee will schedule the employee and assure that he or she is tested the same day as the reportable accident, if possible.

If an employee is injured, unconscious or otherwise unable to evidence consent to the drug test, all reasonable steps must be taken to obtain a urine sample. A supervisor may elect not to test under these circumstances, but such a decision must be made based upon information received as a result of an investigation of the accident. *Nothing in this document should be construed to require the delay of necessary medical attention for injured people following an accident or prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.*

Any employee subject to post-accident testing must refrain from consuming alcohol or taking any controlled substance for eight (8) hours following an accident or until he or she submits to an alcohol test, whichever comes first. As stated above, the employee will be tested not to exceed eight (8) hours following an accident for alcohol and not to exceed thirty-two (32) hours post-accident for drug testing. If there is a delay of greater than two (2) hours for an alcohol test, a reason must be given in writing, retained in a file for possible later referral and the employer must still attempt to administer an alcohol test for up to eight (8) hours following the accident or until the employee undergoes a post-accident alcohol test.

An employee who is subject to post-accident testing must remain available and follow these guidelines or the County may consider the employee to have refused to submit to testing.

The Commission will discipline or terminate any employee who fails to report an accident or submit to substance screening where required by law or this policy. The Drug Program Coordinator shall ensure that an accident report is filed in compliance with Commission policy and applicable laws and regulations.

12. General Testing Procedures.

The Baldwin County Commission will contract with a properly certified testing laboratory that will ensure that all proper testing procedures are followed in accordance with this Policy and all applicable laws. The following is a list of the general procedures that will be followed for all drug and alcohol testing, regardless of the reason why the test is being performed:

a. All testing procedures, including collections, will be performed by certified technicians

and/or laboratories;

b. Upon arrival at the collection site, the employee must provide proof of identification. The employee will be required to read and sign the controlled substance testing consent form provided by the County. The signature shall be witnessed by the collector. Acceptable proof of identification shall be a current driver's license, with photo, other form of picture identification or identification by a County representative;

c. The employee shall complete a drug testing custody and control form;

d. The Drug Program Coordinator shall notify the employee directly of the results of any positive drug test in order to give the employee an opportunity to challenge the findings. The County may, but shall not be required to, reanalyze the employee's original sample to clarify the findings;

e. Controlled substance testing must follow split sample procedures. Under this provision, an employee whose urine sample has tested positive for a controlled substance has the option of having the other portion of the split sample tested at another laboratory. The employee must notify the County within seventy-two (72) hours after notification of a positive sample that he or she desires a retest under this provision;

f. If a split sample test produces a negative result or if they second portion is not available, the test is considered negative, and no sanctions will be imposed; and

g. All persons who receive information by County regarding drug tests shall maintain this information on a confidential basis.

Both the Baldwin County Commission and the laboratory shall rely, when practical, on the guidance of the Federal Department of Transportation's procedures for transportation workplace drug testing programs.

13. Substances Tested For.

DOT employees will regularly be tested for:

- Marijuana (THC Metabolite);
- Cocaine;
- Amphetamines;
- Opiates (including heroin);
- Pheneyefidine (PCP); and
- Alcohol

Non DOT-employees may be tested for other substances without advance notice. DOT employees may also be separately tested for other substances without advance notice by the County for safety purposes. Such tests will be coordinated with the Drug Program Coordinator.

14. Collection Sites.

The Baldwin County Commission will designate a collection site in a reasonably accessible location.

15. Collection Procedures.

Drug testing is conducted by analyzing an employee's urine specimen. The analysis is performed at laboratories certified and monitored by the Department of Health and Human Services (DHHS). The employee provides a urine specimen in a location that affords privacy. The collector seals and labels the specimen, completes a chain of custody document and prepares the specimen and accompanying paper work for shipment to a drug-testing laboratory. The specimen collection procedures and chain of custody ensures the specimen's security, proper identification and integrity is not compromised.

Split specimen procedures:

a. Each urine specimen is subdivided into two bottles labeled as a "primary" and a "split" specimen;
b. Both bottles are sent to a laboratory;
c. Only "primary" specimen is opened and used for analysis;
d. "Split" specimen remains sealed and stored at the laboratory;
e. If the "primary" specimen confirms the presence of illegal, controlled substances, the employee has seventy-two (72) hours to request in writing the "split" specimen be sent to another DHHS certified laboratory for analysis;
f. If it is positive for one (1) or more of the drugs, then a continuation test is performed for each drug using state-of-the-art gas chromatography/mass spectrometry ("GC/MS") analysis; and
g. GC/MS confirmation insures that over-the-counter medications or prescriptions are not reported as positive results.

16. Direct Observation.

Observed collections are required in a number of situations for DOT employees. Any employee subject to a drug test may also be required to undergo observed collection. The purpose of direct observation is to guard against employee attempts to mask the testing process. Observed collections are required in the following circumstances:

a. All return-to-duty tests;
b. All follow-up tests;
c. Anytime the employee is directed to provide another specimen, because the temperature on the original specimen was out of the accepted temperature range of 90 – 100 degrees Farenheit;
d. Anytime the employee is directed to provide another specimen because the original specimen appears to have been tampered with;
e. Anytime a collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;
f. Anytime the employee is directed to provide another specimen, because the laboratory

reported to the MRO that the original specimen was invalid and the MRO determines that there is not an adequate medical explanation for the result; or

g. Anytime the employee is directed to provide another specimen, because the MRO determined that the original specimen was positive, adulterated or substituted, but had to be cancelled because the test of the split specimen could not be performed.

The employee who is being observed will be required to raise his or her shirt, blouse or dress/skirt as appropriate, above the waist, lower clothing and underpants and turn around completely at the direction of the observer in order to show that he or she is not wearing any prosthetic device.

When necessary, a Baldwin County Commission representative or medical personnel may obtain a specimen outside of a designated collection site (such as the emergency room following an accident investigation, etc.).

17. Alcohol Testing Procedures.

All employees are prohibited from possessing, drinking or being impaired or intoxicated by alcohol while at work or on duty. ***In addition, safety-sensitive employees are prohibited from consuming any alcohol four (4) hours prior to going on duty.*** A Blood Alcohol Content (BAC) of 0.04 will be accepted as presumptive evidence of intoxication.

Any employee may be subject to alcohol testing either for reasonable suspicion or post-accident. Safety sensitive employees are also subject to random alcohol testing. Random testing will be conducted just before, during or after the employee has performed a safety-sensitive function. Safety sensitive employees with a BAC of 0.02 will be immediately removed from the safety sensitive duties for a period of at least twenty-four (24) hours.

All alcohol tests will be conducted using evidentiary breath testing devices approved by the National Highway Traffic Safety Administration by a properly trained person. Any result showing greater than a 0.02 BAC will be repeated.

18. Evaluations and Return of Results.

The MRO will be responsible for reviewing the quantified test results of employees and confirming that the individuals testing positive have used drugs in violation of policy. Prior to making a final decision, the MRO shall give the individuals testing positive an opportunity to discuss the result either face to face or over the telephone. If the test result is negative dilute, the MRO may decide that the employee must take another test. If this second test results in a negative dilute result, the test will ordinarily be considered to be a negative and no additional testing will be required unless the MRO so directs.

The MRO shall then promptly tell the Drug Program Coordinator which employees or applicants test positive.

19. Request for Re-Test.

An employee may submit a written request for a retest of the original specimen within seventy-two (72) hours of receipt of the final test results. Requests must be submitted in writing to the Drug Program Coordinator. The employee may be required to pay the associated costs of retest in advance but will be reimbursed if the result of the retest is negative.

20. Release of Test Results.

Except where otherwise specifically required by law, employee drug testing results and records are maintained under strict confidentiality by the Baldwin County Commission, the drug testing laboratory and the Medical Review Officer. They cannot be released to others without the written consent of the employee. Exceptions to this confidentiality are limited to DOT agencies when license or certification actions are required or to the decision-maker in arbitration, litigation or administrative proceedings arising from a positive drug test.

However, all employees will be required to execute a consent/release form permitting the Baldwin County Commission to release test results and related information to the Department of Industrial Relations or other relevant government agency. Applicants for safety-sensitive positions will also be required to execute a consent/release form permitting the Baldwin County Commission to review records of previous drug and alcohol testing information.

21. Retention of Records.

All records will be maintained so as to preserve confidentiality and prevent unauthorized persons from accessing, releasing or tampering with records. The following records will be maintained:

a. Records related to the collection process, including:

   i. Collection logbooks, if used;
   ii. Documents relating to the random selection process;
   iii. Documents generated in connection with decisions to administer reasonable suspicion drug or alcohol tests;
   iv. Documents generated in connection with decisions on post-accident drug and alcohol testing; and
   v. MRO documents verifying existence of a medical explanation of the inability of an employee to provide adequate urine or breath sample.

b. Records related to test results:

   i. The employer's copy of the custody and control form;
   ii. Documents related to the refusal of any employee to submit to a test; and
   iii. Documents presented by an employee to dispute the result of a test.

c. Records related to referral and return to duty and follow-up testing, including records of any DOT employee’s entry into and completion of the treatment program recommended

by the substance abuse professional.

d. Records related to employee training:

   i. Training materials on drug use awareness and alcohol misuse, including a copy of the employer's policy on prohibited drug use and alcohol misuse;
   ii. Names of employees attending training on prohibited drug use and alcohol misuse and the dates and times of such training;
   iii. Documentation of training provided to supervisors for the purpose of qualifying the supervisors to make a determination concerning the need for drug and alcohol testing based on reasonable suspicion; and
   iv. Certification that any training conducted under this part complies with the requirements for such training.

e. Copies of any annual MIS reports submitted to FTA.

The following records will be maintained for no less than five (5) years: records of verified positive drug or alcohol test results, documentation of refusals to take required drug or alcohol tests, referrals to the substance abuse professional and copies of annual MIS reports submitted to FTA.

The following records will be maintained for no less than two (2) years: records related to the collection process and employee training.

The following records will be maintained for no less than one (1) year: records of negative drug or alcohol test results, with the exception that all post-accident testing records will be maintained for at least three (3) years after an accident.

22. Employee Education and Training.

The Baldwin County Commission will provide written information in drug/alcohol use and treatment resources to safety-sensitive employees. The Baldwin County Commission will provide one (1) hour of training for employees on the dangers of controlled substance use annually. All supervisors of safety-sensitive employees must also attend one (1) hour of training on the signs and symptoms of drug abuse. The training is necessary to assist supervisors in making appropriate determinations for reasonable suspicion testing.

23. Employment Assessment.

Any safety-sensitive employee or applicant who tests positive for the presence of illegal drugs and/or alcohol above the minimum thresholds set forth in 49 CFR Part 40, as amended or has refused to submit to a drug or alcohol test (except in the case of an applicant) will be referred to a Substance Abuse Professional (SAP). A SAP can be a licensed physician (Medical Doctor or Doctor of Osteopathy) or a licensed or certified psychologist, social worker or employee assistance professional with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders or an addiction counselor certified by the National

Association of Alcoholism and Drug Abuse Counselors Certification Commission. The SAP will follow the protocols and meet the requirements defined in 49 CFR part 40. All employees and applicants will be given contact information for a USDOT qualified SAP if they test positive.

24. Employee Assistance Programs (EAP).

The County's EAP shall include:

a. Education and training for employees regarding drugs and alcohol; and
b. Education and training for supervisors regarding drugs and alcohol, including:
    i. Effects and consequences of substance use on personal health, safety and work;
    ii. Manifestations and behavioral causes that may indicate substance use;
    iii. Documentation of training provided; and
    iv. A written statement on file and available at the Commission office outlining the EAP.

The Drug Program Coordinator or his designee should be contacted for further guidance.

25. Investigation/Searches.

Where a supervisor has reasonable cause to suspect that an employee has violated the substance abuse policy, he or she may inspect vehicles which an employee brings on the Commission's property, lockers, work areas, desks, purses, briefcases, tool boxes or other belongings and at locations where County related activities are being conducted without prior notice in order to ensure a work environment free of prohibited substances. An employee may be asked to be present and remove a personal lock. Where the employee is not present or refuses to remove a personal lock, the Drug Program Coordinator will do so for him or her. The Commission may release any illegal or controlled drugs or paraphernalia to appropriate law enforcement authorities.

All searches should be coordinated with the Drug Program Coordinator or his designee.

26. System Contacts.

Any questions regarding this policy or any other aspect of the drug free and alcohol-free transit program should contact the following transit system representative:

<u>Designated Baldwin County Commission Representative/Program Manager:</u>

Title: Risk Manager
Address: 322 Courthouse Square,
Bay Minette, AL 36507
Telephone Number: (251) 937-0265

L. Fleet Policy

The use of a County vehicle is a privilege that is granted by the Baldwin County Commission and is not a right of County employees. The County reserves the right to revoke the use of a County vehicle at any time and from any County employee. This procedure is not all inclusive by itself, but is put forth on a good faith effort by the County to ensure the safety and well-being of all County employees and provide the minimum standards for the Baldwin County Commission Vehicle Fleet Policy. The goal of this policy is to ensure the safety of the public, person operating a County vehicle and all other County employees as well as provide consistent guidelines for the assignment and or use of all vehicles owned by Baldwin County.

1. Permitted Uses of County Owned Vehicles.

    a. Only Baldwin County employees, contracted temporary placement service provider employees or other drivers as authorized by the Baldwin County Commission may be authorized to drive or operate County vehicles and/or equipment; and

    b. Baldwin County vehicles shall only be used for official County business with reasonable consideration of use for meals or other items in accordance with Alabama Ethics Laws, while in the course of performing business on behalf of Baldwin County.

2. Driver Requirements/Qualifications.

    a. Each driver of any Baldwin County owned vehicle must have and maintain a valid driver's license.

    b. It is the Baldwin County policy for employment that every employee should submit and successfully pass a motor vehicle record (MVR) check and meet the grading requirements listed below. This MVR policy applies both to drivers of County owned vehicles as well as employees using personal vehicles in the course of County business. All employees are subject to an annual review (at a minimum) of his or her motor vehicle driving record (MVR) with the Alabama Department of Public Safety. Those employees found to be high risk or who have failed to report violations and or accidents to the County, will have his or her vehicle driving privileges revoked, resulting in possible dismissal for employees in positions where vehicular transportation is deemed an essential job function. The Baldwin County Personnel Department will be responsible for administering these MVR checks with the exception of those employees (example BRATS Drivers) which are regulated by law to be conducted by their own department personnel.

    c. MVRs will be examined prior to the start of employment and are subject to be examined at a minimum of annually thereafter. Any job offer made to an employee or potential employee candidate for a position with driving duties shall be contingent upon an MVR meeting the required standards outlined below:

        i. All operators must have a valid driver's license for at least three (3) years;

        ii. No new driver will be hired with a "poor" MVR;

iii. MVRs will be graded on the table below, as a minimum requirement for new employees;

iv. Driving records must remain "acceptable" or "clear" as graded on the table below for continued employment in the position that may require driving duties. A "borderline" record will be evaluated for appropriate action as deemed necessary by the Relevant Appointing Authority and Appointed Department Head, Personnel Director and County Administrator;

v. Any exceptions to these guidelines must meet the approval of the Personnel Director and the County Administrator for written approval. The County's auto insurance provider will be consulted on any MVR not meeting the minimum requirement; and

vi. The motor vehicle grading system may be based on the last five (5) years of the employee's MVR.

Number of Type "B" and/or Type "C" Violations	Number of At-fault Accidents			
	0	1	2	3 or more
0	Clear	Acceptable	Borderline	Poor
1	Acceptable	Acceptable	Borderline	Poor
2	Acceptable	Borderline	Poor	Poor
3	Borderline	Poor	Poor	Poor
4 or more	Poor	Poor	Poor	Poor
Any Type "A" Violations.	Poor	Poor	Poor	Poor

d. If at any time the employee of the Baldwin County Commission is required to drive as part of his or her job duties, then the employee must notify his or her supervisor of any, citation, arrest, conviction, suspension or revocation (whether temporary or permanently) in regards to any DUI, Substance Abuse or Motor Vehicle (Traffic) Violations or Accidents whether on or off duty, before 9 a.m. on the next business day. Failure to notify the supervisor may result in disciplinary action, up to, but not limited to, termination. It is the supervisor's responsibility to immediately notify his or her relevant Appointed Department Head. The Appointed Department Head is responsible for immediately notifying the Personnel Department of any such related event.

e. Driver qualifications are as follows:

i. Must be an authorized employee of the County.

ii. Must be at least twenty (20) years of age.

iii. Preferred one (1) year of experience in the class of vehicle that is to be operated.

iv. Must meet all applicable licensing requirements.

v. Will not qualify for a County vehicle if, during the last sixty (60) months, the driver had any of the following experiences:

1. Been convicted of a felony;

2. Been convicted for the sale, handling, distributing or illegal use of drugs or any controlled substance;
3. Had automobile insurance canceled, declined or not renewed by his or her insurance company due to fault of the employee;
4. Had drivers license suspended or revoked; or
5. Been involved in two (2) or more "chargeable" accidents which resulted in a citation being issued.

vi. If required, an employee must meet special operator licensing requirements as necessary:

1. Class "A" Operators License: allows the employee to operate vehicles which tow trailers or other vehicles with a gross vehicle weight rating (GVWR) over 10,000 pounds. A Class "A" license also allows the employee to operate Class B and C vehicles;
2. Class "B" Operators License: allows the employee to operate single vehicles with a GVWR of 26,001 lbs. or more or a gross combination weight rating (GCWR) of 26,001 lbs. or more, towing trailers/vehicles rated at 10,000 pounds GVWR or less. A Class "B" license also allows the operation of Class C vehicles; and
3. Class "C" Operators License: allows the employee to operate vehicles under 26,001 lbs. GVWR, that would normally not require a commercial driver's license (CDL); except when they are designed to transport sixteen (16) or more persons including the driver; or that carry fifteen (15) or less people (including the driver) transporting children to or from school and home regularly for compensation or carry hazardous materials in amounts requiring it to be placard. Applicable endorsements are required.

f. Variation of Fleet Policy Safety Rules (Type A, B, & C)

i. Any driver (employee or applicant) receiving type "A" violations may result in disciplinary action(s) including, but not limited, to termination of employment with Baldwin County. All type "A" violations will be considered on case by case basis, while also reviewing the employee's driving history for the last five (5) years, in making corrective action decisions. Type "A" Violations consist of the following:

1. Driving while intoxicated;
2. Driving while under the influence of drugs or receiving any other drug related charges;
3. Negligent homicide, manslaughter or assault arising out of the use of a motor vehicle (gross negligence);
4. Aggravated assault with a motor vehicle;

5. Hit and run (bodily injury or property damage);
6. Failure to report an accident to supervision as required;
7. Failure to report an accident to law enforcement as required by law;
8. Filing a false accident report;
9. Driving while license is suspended or revoked;
10. Attempting to elude law enforcement;
11. Racing; or
12. Speeding (More than 25 mph above speed limit).

ii. Any driver (employee or applicant) showing a type "B" violation may be restricted from driving County vehicles and/or subject to disciplinary action(s) as warranted. All class B violations will be considered on a case by case basis, while also reviewing the employee's driving history for the last five (5) years, in making corrective action decisions. A total of two type "B" violations in a three (3) year period may result in disciplinary action, including, but not limited to, termination of employment. Type "B" Violations consist of:

1. Wreckless endangerment; or
2. At fault vehicular accidents.

iii. Any driver (employee or applicant) showing a type "C" violation may be restricted from driving County vehicles and/or subject to disciplinary action(s) as warranted. All type "C" violations will be considered on case by case basis, while also reviewing the employee's driving history for the last five (5) years, in making corrective action decisions. A total of four type "C" violations in a three (3) year period may result in disciplinary action, including, but not limited to, termination of employment. Type "C" Violations consist of all other items not listed as a Type "A" or Type "B", but not limited to:

1. Speeding (Less than 25 mph above speed limit);
2. Failure to yield;
3. Violating a traffic signal;
4. Failure to stop;
5. Improper turn;
6. Improper lane change;
7. Careless driving;
8. Following too closely;
9. Improper or failure to display license plate; and
10. Other such violations not covered under Type "A" or Type "B" violations; or

iv. Any combination of type "B" and type "C" violations which equal four (4) or more in the last three (3) years may result in disciplinary action, including but not limited, to termination of employment.

3. General Operator Safety Rules.

a. The use of a County vehicle or personal vehicle while performing work duties while under the influence of intoxicants and other drugs (which could impair driving ability) is forbidden and is sufficient cause for discipline, up to and including termination of employment;

b. Employees driving County vehicles are required to obey all motor vehicle laws and regulations. Employees must operate the vehicle in a safe and courteous manner and follow all safety related policies and procedures while operating County owned vehicles;

c. Possession, transportation or consumption of alcohol or illegal drugs by anyone in a County vehicle is strictly prohibited;

d. Cell phone use in commercial vehicles will be restricted. Drivers are prohibited from using even one (1) hand to hold a mobile phone to conduct a voice communication. Drivers are not allowed to dial or answer a mobile phone by pressing more than a single button. Reaching for a mobile phone in a manner that requires the driver to maneuver so that he or she is no longer in a seated, belted or driving position is also prohibited. (Reference: Federal Motor Carrier Safety Administration ruling as of 01/03/2012.) Effective August 1, 2012, Alabama law prohibits ALL drivers of all types of vehicles from writing, sending or reading a text or email while operating a motor vehicle. The law allows a driver to contact emergency services. The law does not prohibit making or receiving cellular telephone calls or typing in a name or number to make such a call. Law enforcement officers enforcing this section may treat a violation of this section as the "primary or sole reason" for issuing a citation to a driver and may pull over a driver suspected of violating the law. Drivers may use a wireless communication device as a global positioning or navigation system to receive driving directions which has been pre-programmed with the desired coordinates. The programming of coordinates while operating a vehicle remains a violation of this section. Drivers may receive or send texts if parked on the shoulder of the highway, road or street;

e. No driver shall operate a County vehicle or personal vehicle while performing work duties when his or her ability to do so safely has been impaired by illness, fatigue, injury or medication;

f. All drivers and passengers operating or riding in a County vehicle ***are required*** to wear seat belts or other available personal restraints required by law, even if air bags are available;

g. No unauthorized personnel are allowed to ride in County vehicles;

h. Drivers are responsible for the security of County vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed and vehicle doors locked whenever the vehicle is left unattended; and

i. Head lights shall be used two (2) hours before sunset and until two (2) hours after sunrise or during inclement weather or at any time when an estimated distance of five hundred (500) feet ahead of the vehicle cannot be clearly seen.

4. Vehicle Assignment.

a. County vehicles are normally assigned to an individual at the start of his or her work period and are the employee's responsibility until the completion of the assigned work period when the vehicle is returned;

b. Employees should inspect the County owned vehicle on a daily basis (i.e. oil, tires, transmission fluid, etc.). It is the responsibility of the County employee to keep his or her assigned vehicle clean (inside and outside);

c. It is the responsibility of the driver to make sure that the County owned vehicle is equipped with proof of insurance, current registration and gas card. These items are issued to the vehicle, not the driver and must not be removed under any circumstances;

d. Consistent with applicable Baldwin County Commission policy, a County vehicle may be assigned to an employee who regularly requires vehicular transportation in the performance of his or her work duties and requires the use of the vehicle during off duty time for frequent on-call or call-in for emergency purposes. The assignment may be regular and on-going or for a specific period of time such as weekly on-call duty;

e. If the employee is going on vacation or will be off work for any length of time, the employee's supervisor may require the employee to park the County owned vehicle at the workplace;

f. County employees authorized to use his or her personal vehicles for periodic County business may be reimbursed for mileage at the rate established by the Baldwin County Accounting Department in accordance with Internal Revenue Service, as approved by the County Commission;

g. Baldwin County will not pay for any traffic tickets or parking fines of an employee operating a County owned vehicle, nor will the County pay if the employee is authorized to use his or her personal vehicle on County business. An employee found guilty of moving violations while in County vehicles may be subject to disciplinary action by the County. All such related fines received by the employee are his or her personal responsibility; and

h. An employee receiving a travel allowance and using a personal car for County business assumes liability for bodily injuries or property damage arising out of an accident occurring in connection with operation of his or her personal vehicle. Such employees are required to have a minimum liability limit of $25,000 for bodily injury/death liability for one person in an accident, $50,000 for all injuries/deaths in an accident and $25,000 for property damage in an accident in accordance with Section 32-7-6, Code of Alabama 1975. The policy must be issued by an insurance company qualified to issue motor vehicle liability insurance in Alabama.

5. Gasoline Purchases.

   Gasoline is to be used for County vehicles and equipment only. Any employee violating this policy may receive disciplinary action, including but not limited to, termination of employment and/or be subject to prosecution under Alabama Ethics Law.

6. Smoking.

   The Baldwin County Commission has declared all County vehicles smoke-free. Smoking in a County vehicle may result in disciplinary action.

7. Vehicle Accident Procedures.

Regardless of the situation, the following procedures must be followed in the event of an accident or incident with any County owned vehicle or property;

a. Immediate notification of proper law enforcement agency for accident investigation and report as applicable;

b. Immediate notification of the employee's supervisor, relevant Appointed Authority and/or Appointed Department Head;

c. Notification of the Personnel Department within twenty-four (24) hours of the accident/incident;

d. Prepare a Baldwin County Vehicle Accident Report. This, along with a copy of the law enforcement report as applicable, should be turned in to the Personnel Department within twenty-four (24) hours of the accident/incident;

e. If necessary, a first report of injury must be submitted to the Personnel Department within twenty-four (24) hours of the accident/incident;

f. Securing accident repair estimates and approval of actual repairs is the responsibility of the , relevant Appointed Authority and/or Appointed Department Head; and

g. In the event of an accident in a County vehicle or while on official County business:

   i. Do not admit negligence or liability;

   ii. Do not discuss the accident with anyone except appropriate law enforcement personnel and/or official County representative;

   iii. Do not attempt settlement regardless of how minor;

   iv. Get name, address and phone number of any injured person and any witness if possible;

   v. Exchange vehicle identification, County insurance name and policy numbers with other drivers or law enforcement personnel, if applicable;

   vi. Take a photograph of the scene of the accident, if possible;

vii. If needed, notify 911 for requested ambulance, fire department and law enforcement personnel;

viii. Law enforcement should be notified if the accident involves another vehicle or a pedestrian;

ix. Complete the Baldwin County Accident Report in regards to this accident/incident; and

x. Turn all information over to the supervisor within twenty-four (24) hours of the accident/incident.

8. Post Accident Substance Abuse Testing.

   a. See *Section VII.D. Workers Compensation* for further guidance involving an accident, incident or injury.
   b. If it is suspected that an employee is impaired by alcohol and/or drugs at any time while on duty or while operating a County owned vehicle or equipment, then efforts will be made to safely remove that employee from the workplace and/or County vehicle or any personal vehicle being used for County business; and
   c. Any disciplinary action that is decided, will be based on the totality of the circumstances surrounding the event, the Baldwin County Substance Abuse Policy and the past work history of the employee. Actions may or may not include a Last Chance Assistance Agreement, referral and evaluation by a substance abuse counselor or termination. For additional substance abuse guidelines, you must refer to the Baldwin County Substance Abuse Policy or contact the Personnel Department.

9. Preventable Accidents.

   a. A preventable accident is defined as any accident involving a County vehicle/equipment or any vehicle used on County business, which results in property damage and/or personal injury and in which the driver failed to exercise every reasonable precaution to prevent the accident. Preventable accidents shall result in corrective action of the employee as determined by the Baldwin County Personnel Department. Examples of preventable accident contributors are, but not limited to, the following:

      i. Following too closely;

      ii. Driving too fast for conditions;

      iii. Failure to observe clearances;

      iv. Failure to obey traffic signs;

      v. Improper turns;

      vi. Failure to observe signals from other drivers;

      vii. Failure to reduce speed;

      viii. Improper parking;

ix. Improper passing;

x. Failure to yield;

xi. Improper backing;

xii. Failure to obey traffic signals or directions;

xiii. Exceeding the posted speed limit; and

xiv. Driving under the influence of drugs or alcohol;

The Baldwin County Vehicle Accident Report, Section 1, is to be completed by the employee. Only complete the sections that apply to the employee. The report should be submitted to the Personnel Department by the supervisor within twenty-four (24) hours of the accident/incident.

Section 2 of the Baldwin County Vehicle Sample Accident Report is to be completed by the employee's supervisor. Only complete the sections that apply to the employee. Report should be submitted to the Personnel Department by the supervisor within twenty-four (24) hours of the accident/incident.

VIII. Forms

The following forms have been approved for use by the Baldwin County Commission:

A. Application for Employment — VIII-1

B. Pre-Employment Physical and Drug Screen Waiver — VIII-3

C. Authorization For Background Investigation and Release of Information — VIII-4

D. Personnel Appraisal Form — VIII-5

E. ADA Reasonable Accommodation Request Form — VIII-8

F. Employee Counseling Form — VIII-9

G. Notice of Disciplinary Action Form — VIII-10

H. Grievance Appeal Form — VIII-11

I. Leave Request Form — VIII-12

J. Temporary Transitional Duty Agreement — VIII-13

K. Medical Treatment Waiver — VIII-14

L. Property Damage/Collision/Injury/Illness Investigation Report — VIII-15

M. Accident Injury Witness Report — VIII-20

N. Last Chance Assistance Agreement — VIII-21

BALDWIN COUNTY COMMISSION
APPLICATION FOR EMPLOYMENT

Baldwin County Commission is an equal opportunity employer. It is our policy to abide by all federal and state laws prohibiting employment discrimination solely on the basis of a person's race, color, creed, national origin, religion, age (over 40), sex, marital status, or physical or mental disability, except where a reasonable, bona fide occupational qualification exists.

GENERAL INFORMATION

Name (Last)	(First)	(Middle Initial)		Home Telephone ( ) -
Address (Mailing Address)	(City)	(State)	(Zip)	Other Telephone ( ) -
E-Mail Address	Are you legally entitled to work in the U.S.? ☐ Yes ☐ No			

POSITION

Position Desired	
Are you able to perform the essential functions of the job you are applying for, with or without reasonable accommodation? ☐ Yes ☐ No	
Salary/Hourly Rate Desired	Date Available

EDUCATION

High School Graduate or General Education (GED) Test Passed? ☐ Yes ☐ No If no, list the highest grade completed.

College, Business School, Military (Most recent first)

Name and Location	Dates Attended Month/Year	Credits Earned		Graduate	Degree & Year	Major or Subject
		Quarterly/ Semester Hours	Other (Specify)			
	From: To:			☐ Yes ☐ No		
	From: To:			☐ Yes ☐ No		
	From: To:			☐ Yes ☐ No		
	From: To:			☐ Yes ☐ No		

Occupational License, Certificate or Registration	Number	Where Issued	Expiration Date
Occupational License, Certificate or Registration	Number	Where Issued	Expiration Date
Occupational License, Certificate or Registration	Number	Where Issued	Expiration Date

Valid Driver's License	Commercial Driver's License	Commercial Driver's License Class	Endorsements:
☐ Yes ☐ No	☐ Yes ☐ No	☐ Class A ☐ Class B ☐ Class C	

Languages Read, Written or Spoken Fluently Other Than English

VETERAN INFORMATION (Most recent)

Branch of Service	Date of Entry	Date of Discharge

SPECIAL SKILLS (List all pertinent skills and equipment that you can operate)

WORK EXPERIENCE (Most recent first)

Employer	**Telephone Number**			**From (Month/Year)**
Address (Mailing)	**(City)**	**(State)**	**(Zip)**	**To (Month/Year)**
Job Title	**Reason for Leaving**			**Hours Worked Per Week**
Specific Job Duties				**Last Salary**
				Supervisor
				May We Contact This Employer? ☐ Yes ☐ No
Employer	**Telephone Number**			**From (Month/Year)**
Address (Mailing)	**(City)**	**(State)**	**(Zip)**	**To (Month/Year)**
Job Title	**Reason for Leaving**			**Hours Worked Per Week**
Specific Job Duties				**Last Salary**
				Supervisor
				May We Contact This Employer? ☐ Yes ☐ No
Employer	**Telephone Number**			**From (Month/Year)**
Address (Mailing)	**(City)**	**(State)**	**(Zip)**	**To (Month/Year)**
Job Title	**Reason for Leaving**			**Hours Worked Per Week**
Specific Job Duties				**Last Salary**
				Supervisor
				May We Contact This Employer? ☐ Yes ☒ No
Employer	**Telephone Number**			**From (Month/Year)**
Address (Mailing)	**(City)**	**(State)**	**(Zip)**	**To (Month/Year)**
Job Title	**Reason for Leaving**			**Hours Worked Per Week**
Specific Job Duties				**Last Salary**
				Supervisor
				May We Contact This Employer? ☐ Yes ☐ No

I hereby affirm that the information provided on this application (and accompanying resume, if any) is true and complete to the best of my knowledge. I also agree that falsified information or significant omissions may disqualify me from further consideration for employment and may be considered justification for dismissal if discovered at a later date.

If employed by the Baldwin County Commission, I agree to and review and abide by the Alabama Code of Ethics, Section 36-23-1 thru 20, Ala. Code 1975 , as the same may be amended, and policies and procedures of the Baldwin County Commission, which includes the Baldwin County Commission's Anti-Harassment policy. I further understand that while in a probationary statues, my employment can be terminated, with or without cause or notice, at any time, at the discretion of the Baldwin County Commission or myself. I further understand that no representative of the Baldwin County Commission other than the Personnel Director, Appointing Authority or Appointed Department Head has any authority to enter into any agreement, oral or written, on behalf of the Baldwin County Commission for a term of employment or to make any assurance or promise of continued employment, subject to approval by the Baldwin County Commission.

If employed by the Baldwin County Commission, I understand and agree that I may be required to take a pre-employment drug and alcohol screening test. I also consent to the release of the test results to the Baldwin County Commission for its use, and I understand that any positive drug or alcohol result may preclude my employment. The Baldwin County Commission may conduct a pre-employment background check, including, but not limited to, criminal, drivers' license, and reference checks.

By typing or signing my name in the following space, I certify the above statements to be true and correct, to the best of my knowledge, and I agree that this information can be used for the purpose of processing my employment application and information.

Signature of Applicant_____ **Date**_____

NEW HIRE CONSENT FORM FOR SUBSTANCE ABUSE SCREENING TEST PRE-EMPLOYMENT PHYSICAL EXAM

It is the policy of Baldwin County that all applicants, who either are likely to be offered employment or who have been extended an offer of employment, undergo a routine pre-employment physical exam.

****Hiring decisions may be based upon the results of medical tests conducted as part of this examination process.***

STATEMENT OF COUNTY POLICY

It is the policy of the County to maintain a safe work environment conducive to effective business operations. The County requires that personnel and operating practices be consistent with the highest standards of health and safety.

Selling, purchasing, using, possessing, or being under the influence of any illegal substance, without medical authorization, during the work day, on the County premises or while conducting county business is inconsistent with the County's business interests and will be grounds for disciplinary action, up to and including termination.

APPLICANT CONSENT

Re: Authorization to Perform the Urine and/or Breath Testing:

I, _____, understand that by accepting employment with Baldwin County Commission, I agree willingly to participate in the urine and/or breath testing program under the provisions set forth on the alcohol and controlled substance abuse policy.

I understand that if I decline to sign this consent and thereby decline to take the test, the medical examination will not be completed, and my employment offer will be rescinded.

If the test is confirmed as positive, the results will be reported to the Personnel Department. An exception will be made for the use of legally prescribed medications taken under the direction of a physician.

Re: Authorization to Perform the Medical Examinations:

I also hereby authorize and give my consent to a qualified medical representative and/or physician to conduct the above-mentioned physical examination to also include, without limitation, a drug screening urine analysis all as part of the pre-employment requirements of Baldwin County.

I understand that, submitting to such examinations does not guarantee employment with Baldwin County.

I understand that if I decline to sign this consent form and further decline to take the physical exam as has been requested, then the medical examination will not be completed, and an offer of employment will either not be extended or will be withdrawn, if previously made.

Re: Authorization to Release Sensitive Medical Information:

I further authorize Baldwin County's designated physician, medical personnel or testing facility to release to Baldwin County any and all results of such physical examination and testing along with any relevant medical information.

Signature:_____ **Print Name:**_____

Witness:_____ **Date:**_____

Following a conditional offer of employment, and as part of the hiring and employment process and pursuant to its policies, the Baldwin County Commission (the "County") will perform a public record information search and/or an investigative consumer report search on individuals seeking employment with the County. Such individuals will be required to maintain satisfactory criminal history records, pertinent to his or her position, as a condition of employment.

I,_____, hereby authorize and give consent for the Baldwin County Commission to obtain information pertaining to myself. This includes the following:

- Criminal Background Records/Information
- Sex Offender Registry Information
- Social Security Number Verification
- Drivers License Currency and Check
- Driving Record
- Credit History – if applicable to position
- Other Background Information Deemed Necessary by the County.

I understand that this information will be used, in part to determine my eligibility for employment. The records being checked are covered by the Fair Credit Reporting Act (FCRA). The FCRA gives me specific rights in dealing with agencies that provide these reports to the County. Before making any adverse employment action which is based on the information received from a criminal background check, the County will notify me in writing and will provide me with a copy of the report and "A Summary of Your Rights Under The Fair Credit Reporting Act". If I am denied employment, either wholly or partly because of information contained in resulting reports, a disclosure will be made to me of the name and address of the consumer reporting agency making such report.

By signing this form, I authorize the Baldwin County Commission to periodically access and review state and federal criminal history records and make reasonable efforts to determine where I have been convicted of, or are pending indictment for, a crime that bears upon my fitness to be employed.

_____
Date

_____
Name of Applicant (Print)

_____
Signature of Applicant

_____
Date of Birth

_____
Social Security Number

_____
Driver's Licenses # / Expiration

_____
Position Applied for

BALDWIN COUNTY COMMISSION
PERSONNEL APPRAISAL FORM

Name_____ **Evaluation Month**_____

Employee Number _____ **Title**_____ **Grade/ Step**_____ **Department**_____

Employee performance based on the following scale:

1=UNACCEPTABLE

Employees performance on a specific job duty or in an overall rating does not meet the required standards of performance for the position.

2=NEEDS IMPROVEMENT

Employee that scores a two (2) in any single category or in an overall rating is not fulfilling the responsibilities of the job and needs to be counseled [with a written improvement plan] as to what actions he/she must take to bring their performance up to acceptable standards.

3=MEETS STANDARDS

Rating indicates that an employee has performed at a level that meets the requirements of the specific duties set forth in their job description in addition to the specific criteria listed on the performance review form as it relates to attendance, work habits and personal traits.

4=EXCEEDS STANDARDS

Rating indicates that an individual is performing at a level that is above the expected standards of their position which includes, but is not limited to, taking extra initiative, demonstrating an exemplary attitude, demonstrating an ability to think and perform beyond what the job duties and responsibilities call for, willing to take on additional tasks and assignments as requested.

5=EXCEPTIONAL

Rating includes all of the performance achievements specified in the exceeds standard category, with the inclusion of consistency in performance day in and day out at the elevated level.

Category	Rating	Comments
Technical Skills-Effectiveness with which the employee applies job knowledge and skill to job assignments. Job Knowledge Analyzes Problems Provides Suggestions for Work Improvement Employs Tools of the Job Competently Follows Proper Safety Procedures	**[ ] 1** **[ ] 2** **[ ] 3** **[ ] 4** **[ ] 5**	
Quality of Work-Manner in which the employee completes job assignments. Accuracy or Precision Thoroughness/Neatness/Reliability Responsiveness to Requests Follow-Through/Follow-Up Judgment/Decision Making	**[ ] 1** **[ ] 2** **[ ] 3** **[ ] 4** **[ ] 5**	

Interpersonal Skills-Effectiveness of the employee's interactions with others and as a team participant. With Co-workers With Supervisors With Other Staff/Community Team Contributions Commitment to Team Success	**[ ] 1** **[ ] 2** **[ ] 3** **[ ] 4** **[ ] 5**	
Approach to Work-Characteristics the employee demonstrates while performing job assignments Actively Seeks Ways to Streamline Processes, Open to New Ideas and Approaches, Shows Initiative Planning and Organization-Flexible/Adaptable Follows Instructions Seeks Additional Training and Development Attendance	**[ ] 1** **[ ] 2** **[ ] 3** **[ ] 4** **[ ] 5**	
Quantity of Work-Employee's success in producing the required amount of work. Priority Setting Amount of Work Completed Work Completed on Schedule	**[ ] 1** **[ ] 2** **[ ] 3** **[ ] 4** **[ ] 5**	
Supervisory Skills-Applies only to employee who is a Manager or Supervisor Trains and Develops Staff Properly Aligns Responsibility, Accountability, Authority Handles Performance Problems with Staff Instills Pride in Performance, Service, Innovation, and Quality Welcomes Constructive Criticism Sets Specific Goals for Staff	**[ ] 1** **[ ] 2** **[ ] 3** **[ ] 4** **[ ] 5**	

Personnel Use Only:

Scoring:

Section 1 - _____
Section 2 - _____
Section 3 - _____
Section 4 - _____
Section 5 - _____
Section 6 - _____

Merit Score - _____

Comments:

Goals:

Employee Comments:

By signing below you agree that you have completely read and discussed your appraisal with your supervisor and have been given a copy of this evaluation. You have been given an opportunity to provide written comments to anything in this appraisal to be included in your personnel records. By signing this appraisal, it does not mean that you agree with this evaluation.

Employee Signature:_____ Date:_____

Rater Signature:_____ Date:_____

Dept Head Signature:_____ Date:_____

Co. Administrator Signature:_____ Date_____

Public Official Signature: _____ Date_____

REASONABLE ACCOMMODATION REQUEST FORM

A. Questions to clarify accommodation requested.

What specific accommodation are you requesting?

If you are not sure what accommodation is needed, do you have any suggestions about what options we can explore? If yes, please explain. Yes ☐ No ☐

Is your accommodation request time sensitive? If yes, please explain. Yes ☐ No ☐

B. Questions to document the reason for accommodation request.

What, if any, job function are you having difficulty performing?

What limitation is interfering with your ability to perform your job or access an employment benefit?

Have you had any accommodations in the past for this same limitation? Yes ☐ No ☐

If *yes*, how effective were they?

If you are requesting a specific accommodation, how will that accommodation assist you?

C. Other.

Please provide any additional information that might be useful in processing your accommodation request:

_____ _____

Signature Date

Return this form to the Personnel Director

BALDWIN COUNTY COMMISSION
EMPLOYEE COUNSELING

Employee Name:_____ Date of Notice:_____

Employee Number:_____ Department:_____

Details Regarding the Issue:

_____

_____

_____

How the Issue Affects the Work Group:

_____

_____

_____

Causes of the Issue:

_____

_____

_____

Solutions to the Issue:

_____

_____

_____

Actions to be Taken to Correct the Issue: Employee Suggestions

_____

_____

_____

Follow-Up Date to Discuss Improvement:

_____

SIGNING BELOW INDICATES ACKNOWLEDGEMEENT OF THE ABOVE CONVERSATION.

Employee Signature_____ Date_____

Supervisor Signature_____ Date_____

Department Head Signature_____ Date_____

Elected Official Signature_____ Date_____

Original: Personnel Copy: Department and Employee

BALDWIN COUNTY COMMISSION
NOTICE OF DISCIPLINARY ACTION

Employee Name:_____ Date of Notice:_____

Employee Number:_____ Department:_____

Type of Disciplinary: (Employees have the right to appeal a suspension without pay, termination or involuntary demotion. The employee has one (1) working day to request, in writing, a hearing. **The employee is placed on administrative leave with pay for the one (1) working day in order to decide on the pre-disciplinary hearing.** If the employee does not request a hearing, the proposed discipline will become effective at the end of the one (1) working day period.)

☐ Written ☐ Suspension: From_____ To_____

Type of Problem or Violation:

☐ Absenteeism ☐ Poor Work Performance Violation Date:_____

☐ Tardiness ☐ Safety/Carelessness Violation Time:_____

☐ Insubordination ☐ Violation of Company Policy Place violation Occurred:_____

☐ Other:_____

_____

Details of Occurrence: (Use additional paper if necessary.)

_____

_____

_____

Expected Improvement: (Use additional paper if necessary. Include a clear statement as to the consequences of failing to improve.)

_____

_____

_____

Employee's Statement: (Use additional paper if necessary.)

_____

_____

_____

List All Previous Warnings or Suspensions (when and by whom):

Previous Warning:	1st Warning	2nd Warning	3rd Warning
Date:	_____	_____	_____
Written:	_____	_____	_____
Suspension:	_____	_____	_____

I ACKNOWLEDGE RECEIPT OF THIS DISCIPLINARY ACTION AND THAT ITS CONTENTS HAVE BEEN DISCUSSED WITH ME. I UNDERSTAND THAT MY SIGNATURE DOES NOT NECESSARILY INDICATE AGREEMENT.

Employee Signature_____ Date_____

Supervisor Signature_____ Date_____

Department Head Signature_____ Date_____

Elected Official Signature_____ Date_____

Personnel Representative_____ Date_____

Original: Personnel Copy: Department and Employee

Ms. Andrea Rider
Personnel Director

Baldwin County Personnel Board
Bay Minette, Alabama 36507

On this date, _____, I hereby appeal to the Personnel Board my:

_____ Dismissal

_____ Suspension

_____ Demotion

I, ____ admit the charge/charges brought against me.

____ deny the charge/charges brought against me.

____ Other _____

The disciplinary action taken against me should not become effective because of the following reasons:

_____ The action is too severe

_____ I am not guilty of the charges brought against me

_____ Other_____

The relief I seek is: _____

_____

_____
Signature

_____
Department/Classification

_____
Mailing Address (Home)

_____
City, State, Zip Telephone

Please attach any previous discussions by supervisor or department head that relates to this request.

BALDWIN COUNTY COMMISSION
LEAVE REQUEST

Name_____ **Date**_____

Department_____ **Employee Number**_____

Date(s) Requested_____

Type of Leave Requested:

Annual Leave _____

Sick Leave _____

Personal Leave _____

Other - Specify _____

It is requested that you provide an explanation for the use of all sick leave.

_____

_____

_____

Employee's Signature _____

Supervisor's Signature _____

Department Head's Signature _____

Baldwin County Personnel Department
Acknowledgement of Temporary Transitional Duty Assignment

I have been advised of the physical limitations outlined by the attending physician/medical provider and understand my work restrictions. I further understand that it is my responsibility not to violate these restrictions without specific medical authorization. I further agree that if management asks that I perform duties, which would violate these work restrictions, I will immediately advise my assigned supervisor and/or other management, if necessary, of my physical limitations concerning the requested duties. I understand that these accommodations are temporary and that they may be canceled at any time by the Baldwin County Commission or their designated representative.

I HAVE RECEIVED A COPY OF THE TRANSITIONAL DUTY POLICY, AND AS A PARTICIPANT IN THIS PROGRAM, I WILL ADHERE TO ALL POLICIES AND PROCEDURES.

Restrictions:

_____

_____

_____

_____

_____

_____

This is in effect until the next doctor's appointment on: _____

_____ _____

Injured Employee Signature / Date Print Injured Employee Name

_____

Direct Supervisor Signature / Date

_____

Safety Coordinator Signature/ Date

_____

Risk Manager Signature / Date

_____

Personnel Director Signature / Date

_____

Appointed Dept. Director Signature / Date

Baldwin County Personnel Department
Medical Treatment Waiver

Baldwin County Commission is concerned with every employee's well-being. In the event you elect not to seek medical attention for this alleged Worker's Compensation Injury, we need to document that the Baldwin County Commission has not influenced, in any way, your decision to not seek treatment.

Employee Name:_____

Date of Injury:_____

Description of Accident: _____

_____

_____

_____

_____

Description of Injury: _____

_____

_____

_____

My signature confirms that I have voluntarily waived medical care due to the injury indicated above. Should it later be determined that I require medical care, I will consult with my Supervisor prior to seeking treatment for this injury, unless emergency treatment is required.

_____
Direct Supervisor Signature / Date

_____
Employee Signature / Date

_____
Safety Coordinator Signature/ Date

_____
Risk Manager Signature / Date

_____
Appointed Dept. Director Signature / Date

_____
Personnel Director Signature / Date

Baldwin County Personnel Department

Property Damage / Collision / Injury / Illness Investigation Report

THIS FORM IS TO BE FILLED OUT IN A TEAM EFFORT BY A SAFETY REPRESENTATIVE, SUPERVISOR, AND RELEVANT PERSONNEL AS NEEDED.

****Please complete only the sections that are applicable to the type of report that you are investigating****

*****Please X the type of report being completed. (If more than one please X accordingly.)*****

___Property Damage ___Collision ___Injury ___Illness

1.) Employee's Full Name: _____

2.) Today's Date: _____

3.) Direct Supervisor's Name: _____

4.) Location of Incident:_____

5.) Date Incident Occurred: _____

6.) Date First Reported to Supervisor by Employee: _____

7.) Days Lost at Time of Investigation:_____

8.) Employee Job Title:_____

9.) Department: _____

10.) Full or Part Time Employee: _____

11.) Supv. Phone Number: (___)_____

12.) Time of Incident_____

13.) Time First Reported: _____

14.) Employee Phone Number: (___)_____

15.) Was medical treatment provided?	YES □	NO □
16.) Was the incident a violation of the Personnel Handbook?	YES □	NO □
17.) Was proper procedure being followed by the employee?	YES □	NO □
18.) Was employee instructed in safe operating procedures?	YES □	NO □
19.) Prior discipline for safety procedures?	YES □	NO □
20.) Was employee performing his/her regular duty at the time of injury? If the answer is no, what were the employee's duties at the time of the injury?	YES □	NO □

21.) Describe the Equipment, Object or Substance causing incident:

22.) Was the employee provided with the proper safety equipment to safely perform his/her job?

23.) Is this related to manual material handling? (Is so, please describe.)

24.) Describe the incident in detail:

25.) Please describe employee injury if applicable:

26.) When did you (the supervisor) first learn of the employee's incident?

27.) Names of Witness(es):

Place Employee First & Last Initial Here____

28.) Doctor Visit Required: YES NO 29.) Drug Screen Required: YES NO 30.) Drug Screen Performed: YES NO

31.) Contributing Causes (Unsafe acts/conditions contributing to the **injury/illness** (X all that apply).)

Caught Between		Pushing		Lockout / Tagout		Faulty Equipment	
Caught In		Pulling		Confined Space Entry		Electrical	
Caught Under		Lifting		Manual Material Handling		Motor Vehicle	
Falls Against		Struck By		Overexertion		Chemical	
Falls From Elevation		Stepped In		Temperature Extremes		Housekeeping	
Falls Into		Stepped On		Occupational Health Hazards		Shortcuts / Carelessness	
Falls On The Same Level		Stepped To		Noise		Improper Equipment Use	
Jumped On		Stepped From		Video Display Terminal		Miscellaneous	
Jumped To		Repetitive Motion		Lighting		Uncontrolled Force	
Jumped From		Vibration		Guarding		Prior Injury	

32.) Could the incident recur: Often ☐ Occasionally ☐ Rarely ☐
If so, would it possibly be: Very Serious ☐ Serious ☐ Minor ☐

33.) Please list a valid mailing address for the employee:

34.) Was the proper internal reporting procedure followed by the Injured Employee? YES NO

35.) Was the proper internal reporting procedure followed by the Employee's Supervisor? YES NO UNDETERMINED

36.) Photos taken at scene: YES NO If photos taken, who took them:

37.) Did incident involve an Authorized Motor Vehicle, Off Road Equipment, or Both? (Please explain).

38.) Was Authorized Motor Vehicle or Off Road Equipment in motion or stopped at the time of the incident?

39.) Was Authorized Motor Vehicle or Off Road Equipment at an intersection: Yes No

40.) The Authorized Motor Vehicle or Off Road Equipment was: On Roadway or Off Roadway

41.) Environmental Conditions: (Please X all that apply)

Weather	Surface	Traffic Control	Light	# of Roadway Lanes
___Clear	___Dry	___Stop Sign	___Daylight	___2
___Cloudy	___Wet _	___Yield Sign	___Dawn	___3
___Raining	___Icy	___Traffic Signal	___Dusk	___4
___Snowing	___Snow	___Flagman	___Unlighted Road	___5
___Foggy		___Uncontrolled	___Lighted Road	___6
___Other		___Other	___Other	___Other ____

Roadway	Roadway Characteristics	Unusual Road Conditions
___Divided	___Straight & Level	___Holes/Deep Ruts
___Undivided	___Straight & Grade	___Obstruction in Road
___Asphalt	___Straight & Hillcrest	___Flooded
___Concrete	___Curve & Level	___Construction/Repair Zone
___Gravel	___Curve & Grade	___Reduced Road Width
___Dirt	___Curve & Hillcrest	___Other
___Other	___Other	

42.) County Authorized Motor Vehicle or Off Road Equipment Information if applicable:
Vehicle Number: _____ VIN Number: _____
Year: _____ Make/Model: _____
Tag Number: _____
Of Occupants: _____ # Seated: _____ # Standing: _____ # Injured:_____
Was Vehicle Towed: Yes No By Whom: _____

Place Employee First & Last Initial Here____

43.) Type of Collision:

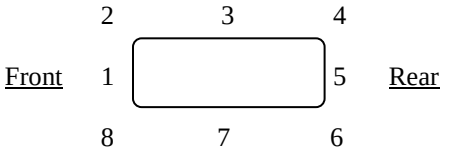
Other Vehicle Fixed Object Bicyclist Pedestrian Animal Train Off Road Equipment

44.) If a Non County Owned Vehicle was involved, please complete the following information:(If more than two vehicle, please use an additional sheet for their information)

Name of Driver_____ Phone #_____
Address_____
Date of Birth: _____ Sex: M F Drivers Lic. #:_____ Lic. State: _____
Of Occupants: _____Year:_____ Color: _____ Make/Model: _____
VIN Number: _____ Tag Number:_____ Tag State:_____
Was Vehicle Towed: Yes No By Whom: _____
Insurance Company: _____
Owner of Vehicle (if Different from Driver):_____
Phone #:_____ Address: _____

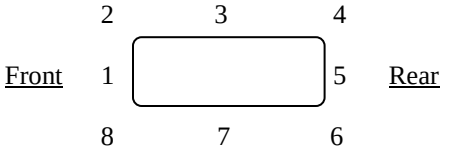
45.) Damage Information: (County Equipment is V1 and other equipment is V2)

Indicate damage on County Vehicle (V1):



0 = None
9 = Top
10 = Under carriage
11 = Totaled
12 = Other

Indicate damage on Other Vehicle (V2):



0 = None
9 = Top
10 = Under carriage
11 = Totaled
12 = Other

46.) Pre-Incident Movement: (Please X all that apply)

V1	V2/OV			V1	V2/OV	
		Going Straight Ahead				Exiting Vehicle
		Making Right Turn				Entering Vehicle
		Making Right on Red				Slowing or Stopping
		Making Left Turn				Stopped at Traffic
		Making U Turn				Parked
		Changing Lanes				Avoided Object in Road
		Passing				Vehicle Lights On
		Merging				Vehicle Lights Off
		Backing				Emergency Flashers / Strobes Lights Activated
		Other				Left Turn Signal On
		Vehicle was parked				Right Turn Signal Off

Posted Speed Limit	Estimated Speed	Direction of Travel
V1 = _____MPH	V1 = _____MPH	V1 = N S E W
V2 = _____MPH	V2 = _____MPH	V2 = N S E W

Place Employee First & Last Initial Here____

Pedestrian / Bicyclist Action

	Crossing with signal
	Crossing no signal or crosswalk
	Crossing against signal
	Crossing no signal or marked crosswalk
	Going to/from stopped bus
	Other

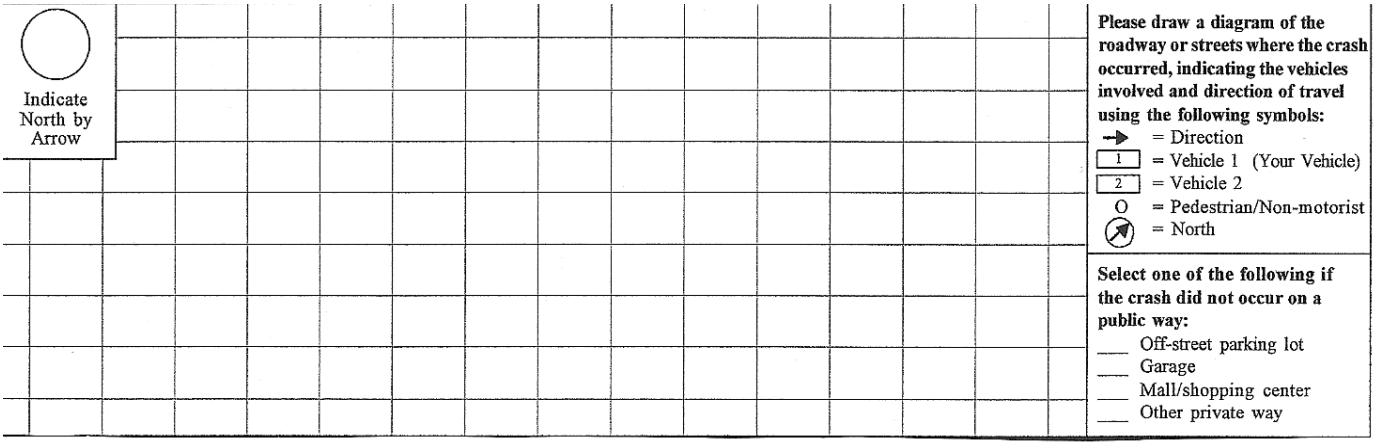
	Riding/walking along highway with traffic
	Riding/walking along highway against traffic
	Emerging from in front/behind parked vehicle
	Getting in/out of vehicle (Not Bus)
	Pushing/working on vehicle
	Working on roadway

Collision Type

___Backing
___Head-On
___Rear-ends Vehicle
___Right Mirror
___Wheelchair Lift Operations
___Merging
___Right Angle
___Vehicle Rear-ends Bus
___Left Mirror
___Door Operation
___Sideswipe
___Passing
___Sudden Stop
___Ran off Road
___Other_____

Police Investigated: Yes No Police Department: _____
Officer Name (Badge #):_____Report Number: _____
Citation/ Arrest: ___None issued ___Operator 1 ___ Operator 2 ___Bicyclist ___Pedestrian

47.) Collision Diagram



(A) Use solid line to show path of each vehicle before collision
(B) Use dotted line to show path of vehicle after collision.

48.) Please explain any **other** unsafe act(s) or hazardous condition(s) that could have contributed to this incident (give details):

49.) List any corrective action suggested, or any action to be taken: ****NOTE** It is the overall responsibility, of the Appointed Department Director to complete or deny Corrective Actions as suggested.**

Place Employee First & Last Initial Here____

50.) Person and Position Title to whom corrective action was assigned:
51.) Date corrective action to be completed:
52.) Comments:

Direct Supervisor Signature / Date

Injured Employee Signature / Date

Safety Coordinator Signature/ Date

Risk Manager Signature / Date

Personnel Director Signature / Date

Appointed Dept. Director Signature / Date

County Commission Chairman Signature / Date

Place Employee First & Last Initial Here____

Baldwin County Personnel Department
Witness Incident/Injury Report

1. Witness Name	
2. Employee Identification	
3. Today's Date	
4. Injured Employee Name	
5. Date of Injury	
6. When did you first observe the incident/injury?	
7. Where were you at the time?	
8. In what part of the body did the injured employee say there was pain?	
9. Did the injured employee continue to work despite the pain?	
10. Has the injured employee ever mentioned this pain before?	
11. Did you see anything strike the injured employee?	
12. Did you see anyone slip or trip?	
13. Was there a sudden stress or strain?	
14. Describe anything unusual that happened or any other comments.	
15. If lifting was involved, please describe the lifting procedure used.	
16. List names of other witnesses.	
17. Was the incident/injury immediately reported to a supervisor? (If so, who?)	
18. In your own words, describe the incident/injury that you saw. Please give as many details as possible and include where the incident occurred. You may provide a sketch as part of your explanation. Please use the back or another sheet of paper if needed for your explanation.	

Please complete this report before you leave the workplace and sign below.

Safety Representative Signature / Date **Witness Signature/ Date**

The witness to the incident should fill out this form. If more than one witness, please have each fill out a separate form.

Last Chance Assistance Agreement

I, _____, hereby voluntarily execute this Last Chance Assistance Agreement (Agreement) with Baldwin County in compliance with the Baldwin County Personnel Handbook (the Handbook).

I understand that, pursuant to the applicable provisions of the Handbook, my continuation as a County employee is conditioned upon my signing this Agreement, upon a drug test conducted before returning to work, upon the recommendation of the MRO and Personnel Director, and upon certification by a physician or licensed counselor that I am able to perform the essential functions of my job.

By this Agreement, I represent that I have voluntarily submitted to the Counseling and/or Rehabilitation for which I requested leave.

I acknowledge and reaffirm that I am now subject to drug testing, which may be required before I return to work from leave and at any time(s) thereafter for a period of two years. This period of drug testing shall not in any manner prevent or otherwise limit the County from the application of other drug testing policies that may be applicable now and following the subject two-year period.

I acknowledge and agree that my violation of the Agreement shall be sufficient grounds for termination.

_____/_____
Employee Signature /Date

State of Alabama)
County of Baldwin)

I,_____, a Notary Public in and for said County, in said State, hereby certify that _____, is the individual whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Agreement, he/she executed the same voluntarily and personally.

Given under my hand and official seal, this the _____ day of _____, 20 _____.

_____ SEAL
Notary Public

My Commission Expires: _____