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## II. General Personnel Policies

### A. Equal Employment / Workplace Discrimination and Harassment Policy

Approved 04/02/13, 09/07/21

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 (EEO) 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/discrimination of employees by other employees and officials, or the unlawful harassment/discrimination of its officials and employees by its vendors or visitors. Likewise, Baldwin County will not accept the unlawful harassment/discrimination of a vendor or visitors by any employee of Baldwin County. This policy includes harassment/discrimination 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/discrimination directly when it occurs. Any incident of harassment/discrimination 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/discrimination will be investigated, and the results of the investigation will be reported to the complaining party. Investigation of a harassment/discrimination 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 confidentiality. Retaliation against an employee who complains of harassment/discrimination 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.
  - e. The display of sexually suggestive objects or pictures, including nude photographs.

As with any form of harassment/discrimination, 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**

Approved 04/02/13, 09/07/21

If an employee or applicant feels he or she has been a victim of harassment/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.
4. The names of anyone with whom incident/incidences have been discussed.

All complaints of harassment/discrimination will be investigated, and the results of the investigation will be reported to the complaining party. Investigation of a harassment/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 harassment/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** Approved 04/02/13

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.
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.

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**D. Anti-Retaliation** Approved 04/02/13

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** Approved 04/02/13

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.
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.
27. Multiple or repeated violations of workplace rules or conduct.

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

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**F. Workplace Violence Prevention** Approved 04/02/13

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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
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) Approved 04/02/13**

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 Approved 04/02/13**

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](http://www.baldwincountyal.gov).

### **I. Dress Code** Approved 04/02/13, 09/07/21

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 appropriate for job duties.
7. "Thong" style sandals and flip flops may not be worn under any circumstances.
8. Skirt length must be no more than two (2) inches above the knee. Shorts may not be worn unless they are distributed as part of the uniform and/or authorized by the Appointed Department Head.

### **J. Attendance** Approved 04/02/13

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** Approved 04/02/13, 10/21/14, 09/07/21

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. Salaried (exempt) employees' time cannot be reduced with Leave without Pay (LWOP) unless it is for one or more full workdays.

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.

### **L. Safe Harbor Policy** Approved 04/02/13

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 correctly record 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 paycheck, 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.
  - 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.
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 employee 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** Approved 04/02/13, 10/21/14, 12/20/16, 04/07/26

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.

**Official Closings Due to Inclement Weather/Declared Emergency:** The Commission will decide if Baldwin County offices will be closed on normal workdays during inclement weather/declared emergency. If the Commission decides to close one or all of Baldwin County offices, full-time and part-time classified employees will be paid administrative leave in the number 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 of leave or have requested leave for the day of closing will be given administrative leave in lieu of leave scheduled. 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, in concurrence with department heads, will also determine whether certain “critical emergency service personnel” must report to work during inclement weather/declared emergency.

If other employees are needed to assist with services, they will be contacted by a supervisor. If an employee is scheduled but 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 an 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 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.

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.

Personnel deploying as mutual assistance to emergency disasters outside of the State of Alabama, under the Emergency Management Assistance Compact (EMAC) Law, will be required to send the Resource Support Agreement (RSA) and Mission Order Authorization to Personnel. If a salaried (exempt) employee is among the personnel deployed out of state, the employee will receive his or her regular wages, plus time and a half for the hours actually worked over forty (40) within the work week, beginning the day he or she leaves for the disaster area. The employee shall return to being salaried (exempt) when he or she returns to Baldwin County. If a salaried (exempt) employee is deploying as mutual assistance to emergency disasters within the State of Alabama, he or she will not receive time and a half for the hours actually worked over forty (40) within the work week.

## **N. Central Personnel Files** Approved 04/02/13

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.
- 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.
- 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** Approved 04/02/13, 12/20/16, 09/22/20

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:

<b>Performance Appraisal Score</b>		<b>Merit Increase</b>
<i>From</i>	<i>To</i>	
3	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	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.
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** Approved 04/02/13, 04/07/26

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.

The operational needs of a department may necessitate an employee be assigned on a consistent, but temporary, basis to perform work that is characteristic of a higher-level position or work of significantly greater quantity than the employee's regular duties. In that event, a temporary pay adjustment may be made under the following conditions and shall be approved by the County Commission before becoming effective:

1. The employee will be expected to perform an increase in duties on a temporary basis for at least two pay periods or more.
2. The additional compensation will end when the employee is no longer performing the change in duties.
3. An employee's eligibility for regular merit increases will not be affected during periods of the temporary change in duties.
  - a. The employee's merit increase will be based on the wage rate assigned to the employee's non-temporary position and will be effective the first pay period after the conclusion of the temporary assignment. A merit increase will not be added on top of a temporary increase.
4. Temporary changes in duties are expected to be in effect for less than six (6) months. Requests to extend this period may be reviewed by the Personnel Department and then authorized by the County Commission.
5. A temporary change in duties should be an exception and should include a projected end date based on the anticipated duration of the assignment.
6. There will be no retroactive pay if duties were performed before Commission approval.

#### **Q. Cross-Training** Approved 04/02/13

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** Approved 04/02/13, 10/21/14, 12/20/16, 09/22/20

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](http://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** Approved 04/02/13, 12/20/16

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** Approved 04/02/13, 10/21/14, 12/20/16

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 Approved 04/02/13

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 Approved 04/02/13, 10/21/14

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, all classified County employees are entitled to an exit interview. In-person exit interviews may be conducted at the request of the employee. If an in-person interview is not requested, classified employees will receive an email that allows them to complete their exit

interview online. Furthermore, the purpose of all exit interviews is to inform the employee of his or her rights pertaining to retirement, COBRA, or any other necessary information.

### **W. Rehire** Approved 04/02/13

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** Approved 04/02/13

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 workday 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** Approved 04/02/13, 10/21/14

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** Approved 04/02/13, 12/20/16

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** Approved 04/02/13, 08/15/2023

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 as well as soliciting time for leave donation in accordance with policy *IV.P Leave Donation*.

**BB. Employee Parking** Approved 04/02/13

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** Approved 04/02/13

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** Approved 04/02/13

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. Pregnant Workers Fairness Act** Approved 08/15/2023

The Baldwin County Commission will provide reasonable accommodation to pregnant employees for known limitations related to pregnancy, childbirth, or other related medical conditions in accordance with the federal Pregnant Workers Fairness Act (PWFA).

The employee must notify the supervisor if an accommodation is required. If the need for a particular accommodation is not obvious, the employee may be asked to include relevant information such as:

- The reason an accommodation is needed.
- A description of the proposed accommodation.
- How the accommodation will address limitations caused by pregnancy, childbirth, or related medical conditions.

Baldwin County Commission will not require the employee to accept any accommodation without engaging in the interactive process to accurately understand the limitations and explore potential accommodations. Baldwin County Commission is not required to make the specific requested accommodation and is not required to provide any accommodation that would constitute an undue hardship on the Baldwin County Commission

If leave is provided as a reasonable accommodation, it may run concurrently with leave under the federal Family and Medical Leave Act and/or any other leave where permitted by law.

Baldwin County Commission will comply with state or local laws that provide additional protections beyond the PWFA.

Baldwin County Commission will not retaliate against an employee who requests or receives an accommodation under this policy.

**FF. Non-Fraternization** Approved 04/07/26

The County does not allow a dating or other romantic relationship between a supervisory employee and a non-supervisory employee if: (i) the supervisor has direct or indirect supervisory authority over the employee; or (ii) the supervisor has the authority to make or recommend an employment decision affecting the employee. A violation of this policy is grounds for termination. If a supervisory and a non-supervisory employee begin to date or become involved in a romantic relationship, one of the two employees will be required to resign, be dismissed, or request a transfer to an open position in a different department. Any such transfer shall follow policy *II.S. Transfers and Reassignments* or related policy and approved by the Commission. If such a transfer is not available or approved, one of the two employees involved will be allowed to decide which employee will resign. If neither employee voluntarily resigns, the County will dismiss one of the two employees based on the County's business needs. Factors to be considered include the particular skills and experience of the employees involved, and the comparative difficulty of replacing the employees. If these factors are relatively equal, the least senior employee will be dismissed.

**GG. Other Policies and Procedures** Approved 04/02/13

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