

Vacancies for service maintenance workers, library pages and recreation aides may be filled without regard to competitive examination, in accordance with Personnel Board Rules and Regulations, as modified pursuant to federal court orders. Forms 8 and 9 (see Appendices G and H) will be completed and forwarded to the County Commission Office for review and funding. This should be accomplished no later than two weeks prior to the effective date of employment to allow ample time for processing and review before the individual is to begin work. The County Commission Office will forward Forms 8 and 9 to City-County Personnel for approval. The City-County Personnel Department will return Forms 8 and 9 to the County Commission Office after they have acted on them. The County Commission Office will inform the requesting department of the action taken/completed and provide the information to Payroll.

Employees may be upgraded or promoted only after attaining permanent status and must complete a total of six (6) consecutive months of employment with the department. Exceptions must be justified in writing by the appointing authority. Employees shall be upgraded according to seniority provided they are capable of qualifying for the job or performing the work. Qualified service maintenance workers in the department in which the vacancy occurs shall be given preference in order of seniority over service maintenance workers in other departments regardless of the fact that service maintenance workers in other departments may have more seniority. For purposes of determining length of seniority, an employee shall be considered not to have broken his seniority unless the absence from the job was for a period greater than six (6) consecutive months. Employees do not receive credit for any period in which the employee was not in pay status.

Recreation Aides hired against Recreation Board approved positions will be processed using Form 40 (see Appendix J). A Form 8 (see Appendix H) or Application Form will be completed and submitted with the Form 40. These completed forms will be forwarded to the County Commission Office for review. The County Commission Office will then forward the documents to City-County Personnel for their approval. City-County Personnel will return the completed Form 40 to the County Commission Office who will notify Recreation and the Payroll Section.

7-37 Fill Action for Unclassified Positions

Departments having an authorized vacancy for an unclassified position will make their selection and submit a Form 10 (see Appendix I) to the County Commission Office. This should be accomplished no later than approximately two weeks prior to the effective employment date to allow ample time for processing. The County Commission Office will review the Form 10 for accuracy, completeness and funding availability, establish preliminary payroll records, and forward it to City-County Personnel for approval. Upon receipt of the approved Form 10, the County Commission Office will assure that payroll records and files are completed and the department is notified.

7-38 Personnel Fill Action Steps

1. DEPARTMENT HEAD

Montgomery County Commission

- a) Vacant Position needs to be filled
- b) Complete Form 102
2. COMMISSION OFFICE
 - a) Reviews Form 102 for completeness
 - b) Establishes a position file
 - c) Approved administratively
3. CITY/COUNTY PERSONNEL DEPARTMENT
 - a) Announces vacancy
 - b) Rates applicants in accordance with established procedures
 - c) Certifies applicants
4. COMMISSION OFFICE
 - a) Annotates appropriate information in position file
5. DEPARTMENT HEAD
 - a) Evaluates applicants through personal interview or records review
 - b) Makes selection
 - c) Completes necessary personnel form
6. COMMISSION OFFICE
 - a) Reviews certificate
 - b) Reviews completed forms and documents
 - c) Final funding approval
 - d) Notifies Payroll
7. CITY/COUNTY PERSONNEL
 - a) Approves selection
8. COUNTY COMMISSION OFFICE
 - a) Notifies the Department and Payroll
9. DEPARTMENT
 - a) Notifies Selectee

7-39 Immigration Reform and Control Act of 1986

The Immigration Reform and Control Act of 1986 established requirements for employers to document information on the citizenship of anyone they employ. An Employment Eligibility Verification, Form I-9, along with support documents, must be completed on all new employees. The I-9 and supporting documents will be provided in two (2) copies by the hiring department as attachments to the personnel document hiring a new employee, i.e., Form 5, 9 or 10). The **Employee Benefits Section** will place one (1) copy of the I-9 and supporting document(s) in the

employee's permanent payroll file and forward the other copy to City-County Personnel. After proper completion of the I-9 form, the Employee Benefits Section will enter the information collected on the I-9 form into the E-Verify system (<https://e-verify.uscis.gov/enroll>).

The Form I-9 shall be completed and signed by the department head or appointing authority in the certification block at the bottom of the form. Individuals will not be hired until the Form I-9 is properly completed. If an individual is unable to provide the necessary information and supporting documents, this is sufficient cause to deny them employment. On merit system positions, a Form 13 should be submitted to remove the individual from the personnel register in this case. A copy of Employment Eligibility Verification (Form I-9) is at Appendix P. I-9 Forms should be kept for three (3) years from the date of hire, or one (1) year after employment is terminated (whichever is later).

DIVISION 5 – LEAVE AND HOLIDAYS

7-40 Leave Entitlements (P)

1. Annual (vacation) Leave. Each permanent, provisional and probationary employee in pay status shall earn annual leave according to the following schedule:

Employee's* Total Service		Annual Leave Per Pay Period (Hours)	Accumulation of Annual Per Pay period (Days)	Maximum Accumulation Payout (Hours)
Fewer than 10 Years				
	40 hours biweekly	2	6.5	124
	80 hours biweekly	4	13	248
10 but less than 15 yrs.				
	40 hours biweekly	2.5	8.2	137
	80 hours biweekly	5	16 1/4	274.4
15 but less than 20 yrs.				
	40 hours biweekly	3	9.75	150
	80 hours biweekly	6	19½	300
20 years or more				
	40 hours biweekly	3.5	11.4	163
	80 hours biweekly	7	22 3/4	326

* Years of service for County employees means full-time classified employment beginning from the current employment date.

** Employees who accrue the maximum annual leave during the calendar year may continue to accrue hours at the appropriate hourly rate. Employees may carry over annual leave to the beginning of the

first full pay period of the new calendar year

The maximum accumulation/pay out is the maximum number of hours an employee can carry over to the beginning of the first full pay period in the new calendar year, and is also the maximum number of hours an employee can be paid for upon separation or retirement. Payment will be made at the rate of pay the employee is entitled to at the time of separation or retirement. The employee's total service will be counted from his/her current date of employment less any leave without pay including workers' compensation time for periods of a full pay period or more. Unclassified and temporary service does not count towards total service for leave accumulation. Temporary employees are not eligible to earn annual leave. Unclassified employees are governed by the specific Legislative Act covering the position occupied by the employee (CC Res., December 6, 1993). Any permanent, provisional or probationary employee leaving service in good standing shall be compensated for earned annual leave up to the maximum designated for the years of service. Employees who are "laid off" and who do not have sufficient notice or time to use excess accrued annual leave will be paid for all accrued annual leave. Employees on leave immediately preceding or pending resignation or retirement do not accrue leave. An employee who accepts a position with another City-County Merit System agency shall have the option of requesting the leave pay out be made directly to the new agency for the purpose of transferring the leave.

2. Sick Leave.

- a) Each permanent, provisional or probationary employee in pay status shall earn sick leave according to the following schedule:

30 hours biweekly	1.5 hours per pay period
40 hours biweekly	2 hours per pay period
80 hours biweekly	4 hours per pay period
112 hours biweekly	5.6 hours per pay period

- b) A maximum number of nine hundred sixty (960) hours of sick leave may be accumulated and employees shall be paid for one-half (½) of any unused sick leave, not to exceed three hundred sixty (360) paid hours, upon separation or retirement, except disability retirement, from Montgomery County employment at the same rate as specified for annual leave in paragraph one (1) above. No leave is accrued after the effective date of resignation, dismissal or retirement. Employees on leave immediately preceding or pending resignation or retirement do not accrue leave. Employees may not transfer sick leave from one (1) merit system agency to another. An employee retiring under disability must use all accrued sick leave before the disability retirement becomes effective.
3. Compensatory Leave. Classified employees may accumulate compensatory time for overtime worked. Compensatory time is earned in accordance with policies set forth in Chapter 3 of this manual. Regular nonexempt employees may not accumulate over two hundred forty (240) hours and law enforcement employees, as defined under the Fair Labor Standards Act, may not accumulate over four hundred eighty (480) hours of compensatory leave. Exempt employees covered by Act No. 167, Third Special Session, 1971, may carry over twenty (20) days at the end of the fiscal year. Upon separation or retirement from

employment with Montgomery County, employees shall be paid for any unused accumulated compensatory time at the rate of pay to which they were entitled at the time of separation or retirement. (Chapter 3 of this manual, Overtime Pay Policy; Act 167, Third Special Session, 1971; Ala. Code § 36-21-4.1; City-County Personnel Rules and Regulations; and Fair Labor Standards Act).

4. Worker's Compensation.

a) Upon certification to the Personnel Director by the elected official/appointing authority or elected official that an employee is absent from duty because of bodily injury or occupational illness incurred in line of duty, benefits are provided in accordance with Alabama Worker's Compensation Law, Title 25, Chapter 5, Ala. Code (1975), as amended 1981.

b) Local governmental employees are entitled to the protections of the Worker's Compensation Act (the "Act"). The Act provides protection to those workers who are injured on the job. If an employee is released by the employee's physician or other medical professional to return to work prior to full recovery, modified duty is permitted if there is temporary, meaningful work for the employee to perform. Employers are not required to create modified duty positions. Modified duty assignments are to be evaluated every six (6) months.

c) Worker's Compensation Leave that is deemed to be a serious health condition, according to the Family and Medical Leave Act ("FMLA"), will run concurrently with FMLA leave. However, modified duty is provided only to those employees on Worker's Compensation Leave. Employees who are on FMLA leave only may not be required to accept a modified duty assignment.

5. Military Leave. Employees who are members of the Alabama National Guard or Naval Militia or of any reserve component of the United States Armed Services are entitled to military leave of absence from their respective County duties on all days that they shall be engaged in field or coast defense or other training or on other service ordered under the provisions of the National Defense Act, or of the federal laws governing the United States reserves. This shall be without loss of pay, time, efficiency rating, annual or sick leave, but no person granted such leave shall be paid for more than one hundred sixty-eight (168) working hours per calendar year. These employees shall be entitled, in addition thereto, to be paid for no more than one hundred sixty-eight (168) working hours at any one time while called by the governor to duty in the active service of the state (Act 95-256). Employees on military leave without pay are responsible for making retirement contributions upon their return for any pay period which they are totally on military leave without pay. Contributions will be at the rate specified in the retirement system law and calculated based on the employee's current salary. Medical insurance for military members on leave without pay is at the member's option. If they desire coverage to remain in force, they must pay the premium cost. Dependents of military members, who are covered under the County's health plan at the time the member's absence begins, may be continued at the existing active dependent rate by paying the premium cost. Only within this military category can members continue their dependents without a requirement to continue their own employee coverage. Upon returning to County employment, military members who elected to drop their medical coverage will be reinstated as though there had been no lapse, i.e., the level of coverage will be as it was when they departed for military duty. Employees who are exempt from the Fair Labor Standards Act, and who are absent on military leave for less than a full work week, and who have exhausted the one hundred sixty-eight (168) hours of pay provided by state

law are entitled to pay for the full work week, even if the pay exceeds pay for one hundred sixty-eight (168) hours in a calendar year.

6. "Other" Leave with Pay

a) Leave with pay may be authorized by appointing authorities and elected officials during official investigation by appointing authorities, pending pre-termination hearings as defined by federal law, or for the attendance by employees at official meetings, or for attendance by subpoena at Federal, State, or Municipal Court, or to serve required jury service, or to attend authorized training or education courses, or for other just cause provided such leave is reported to the Personnel Director. Detailed procedures regarding other leave with pay are set forth in applicable City-County Personnel Board Rules and Regulations.

b) Leave with pay may be granted for hazardous weather conditions or other emergency events only when all local non-essential employees have been advised, for safety reasons, not to report to work. It is the responsibility of employees to contact their supervisor, assistant department head, department head, department, or anyone else designated by the appointing authority or elected official, prior to the time employees are to report to work, to determine whether they are to report for work. If the department is open for business, and employees do not report to work, they will be charged annual leave. If employees have no annual leave, they may be charged compensatory leave or placed on leave without pay.

c) Permanent employees who are required by a court subpoena to attend such court in the capacity of jurors or in the capacity of witnesses in performance of civic duties shall be granted "other" leave with pay to attend such court. A copy of the subpoena for civic duty witness or jury duty with a certificate of jury duty served must be submitted with the Leave Request Form. An employee who receives a summons to report for jury duty shall, on the next working day, show the summons to his/her immediate supervisor. The employee shall be excused from work for the day or days required of him or her in serving as a juror. The employee will inform his/her supervisor of any postponement, excusal or cancellation of jury service as soon as possible. The employee will return to work on his/her next regularly scheduled hour after being dismissed from any jury except that an employee who is scheduled to work a shift other than 8:00 a.m. to 5:00 p.m. may not be required to report to work or complete his/her shift after having served on a jury if he/she is required to report for jury duty the next day. (See Ala. Code §12-16-8 and § 12-16-8.1.) The employee may be required to provide documentation of the hours of attendance in court. If subpoenaed to court to attend to personal affairs, an employee must be charged appropriate annual or compensatory leave for the absence.

d) Permanent employees who become an organ or bone marrow donor will be allowed leave with pay for their donation when said leave is requested to and approved by the appropriate elected official/appointing authority, and is supported by official medical documents as required by the Deputy County Administrator. The Deputy County Administrator is authorized to obtain such information and documentation as needed to ensure the validity of each request and subsequent donation. Examples of such information and documentation are a schedule of the medical events that disclose dates and locations, and the name, address and phone number of the medical facility where the procedure(s) will be performed. The name, address and phone number of a contact person at the facility, who can verify the procedure, is also required.

e) Employees who donate bone marrow and who meet the requirements herein shall be allowed up to seven (7) days of "other" leave with pay, if needed, for their donation.

f) Employees who donate an organ and who meet the requirements herein shall be

allowed up to thirty (30) days of "other" leave with pay, if needed, for their donation.

7. Leave Without Pay.

a) An employee may be granted leave without pay ("LWOP") for a period not to exceed one (1) year, for sickness, disability, education, or other good and sufficient reasons which are considered to be in the best interest of the service upon the approval of the appointing authority or elected official and the Personnel Director. Except for military leave, to be eligible for LWOP, an employee must have exhausted all annual and compensatory leave and, if the employee is sick, all sick leave. An employee may not be absent from work for a period exceeding one (1) year, for any reason, except military leave and worker's compensation leave. The Form 10 returning an employee to work from leave without pay (except for military leave) will reflect an adjusted anniversary date and annual leave accumulation date to cover any pay period for which the employee was totally on leave without pay.

b) An employee may, in addition, be involuntarily and immediately placed on leave without pay by the appointing authority or elected official upon the employee's arrest for, whether by indictment, complaint, or otherwise, or upon admission by an employee of, any felony, or a misdemeanor (other than routine traffic violations) alleged to have occurred on the job or which materially and directly impairs the employee's ability to perform his/her assigned duties, for a reasonable time, not to exceed fifteen (15) working days, pending investigation and the giving of a pre-deprivation hearing in compliance with federal law. If following the pre-deprivation hearing, the appointing authority or elected official imposes no discipline, the employee shall be given full back pay and benefits. If an employee does not follow established procedures to obtain approval to be absent from work for any reason, the elected official/appointing authority may place the employee on unauthorized leave without pay for the period of absence.

c) The Family and Medical Leave Act of 1993 (FMLA) entitles eligible employees to receive a combination of accrued paid and unpaid family and/or medical leave, not to exceed twelve (12) weeks in a twelve (12) month period. Employees called to active duty or required to give care to an injured service member may be eligible for additional leave. Approved paid and unpaid leave policies apply as set forth in City-County Personnel Board rules and regulations.

9. Unauthorized Leave without Pay. Employees who are absent without providing proper notification and approval, or take leave in excess of their earned leave may be placed on Unauthorized Leave Without Pay. Unauthorized or unreported absence from work for a period of three (3) days or more may be considered by the elected official/appointing authority as a resignation. A Form 10 will be submitted to place an individual on Unauthorized Leave without Pay. Unauthorized leave without pay will be indicated in Item 16 as "Unauthorized LWOP", the dates specified in Items Affected By Action for Item 16, and an explanation provided on the reason(s) the individual is being placed on unauthorized leave. If the ending date/time of the unauthorized leave is not known when the Form 10 is submitted placing the individual on unauthorized leave, a second Form 10 must be submitted to return the individual from Unauthorized Leave without Pay. Item 16 will be titled "Return from Unauthorized LWOP" on the second Form 10, returning the individual to County service. The Form 10 returning an employee to work from leave without pay will reflect an adjusted anniversary date and annual leave accumulation date to cover any pay period for which the employee was totally on leave without pay.

10. Leave Payment for Employees going from Classified to Unclassified. A classified merit system employee who accepts an appointment to a County unclassified non-merit position will be paid for accumulated annual, sick, and compensatory leave at his/her rate of pay as a classified employee prior to appointment to the unclassified position. This will be in accordance with standard County

leave policies. An employee may elect to defer receipt of said payment to the beginning of the following calendar year. (CC Res., Nov. 18, 1985). An ERS member moving from a classified position to an unclassified position will have the option to freeze unused sick leave at the classified rate of pay to be used toward meeting the minimum service requirement for sick leave conversion under the retirement plan instead of receiving any payment the member may be entitled to receive.

7-41 Leave Request Procedure

1. Employee Leave Request, Form 101-436, (see Appendix 0) will be used to document leave for all classified County employees. Departments will turn in these documents to the County Payroll Section at the end of each pay period. These documents must match the information and times for leave taken as reflected on the Form 101-437 (See Appendix M.), Montgomery County Payroll Sign In/Out Documents or time clock cards for the pay period. If leave taken transcends more than one pay period, multiple leave forms must be prepared to match the pay period. These documents will become permanent records. The form must be fully completed, except social security number is optional at this time. The entries for hours must be identified in fifteen (15) minute increments, i.e., 8:15. Total leave must be reflected in hours and minutes in 15-minute increments, i.e., 1:15. Leave taken is calculated in fifteen (15) minute increments; and if one-half or more of fifteen (15) minutes is used, it will be counted as fifteen (15) minutes.
2. All requests for permission to be absent from duty on annual, sick or other leave, shall be made in advance of the time desired.
3. When impossible to request leave in advance, in case of sudden illness or emergency, the leave request shall be made on the date the leave is needed by contacting an immediate supervisor, explaining the situation, and completing the Employee Leave Request form immediately upon return to work.
4. Each employee, who is granted leave, shall be responsible for making arrangements to ensure that the necessary functions of their job shall continue during their absence. In the event the employee is not able to make such arrangements, because of sickness or emergency, they shall notify the department head of the work needed to be done during their absence.

7-42 Use of Leave

1. Annual Leave:
 - a) Annual leave is counted as the actual hours taken or the amounts of the employee's normal tour of duty if the employee is off an entire work day. Annual leave may be taken in increments of fifteen (15) minutes. Over half of fifteen (15) minutes will be counted as a full 15 minutes. Annual leave may be used as earned and elected officials/appointing authorities and appointing authorities shall determine the time at which leave may be taken. Regular days off which fall within the annual leave period shall not be counted as leave time. Employees must request permission to use annual leave or schedule vacation times with their immediate supervisor prior to the date of departure. Supervisors shall honor leave requests as long as they do not create an unmanageable work situation.
2. Personal Leave:
 - a) Personal leave is awarded pursuant to (Holiday Law) Act 207-268 of the Alabama Legislature. See County policy regarding Holidays as set forth in Chapter 7 of this

manual.

3. Sick Leave:

- a) Sick leave is not a right for which employees may make demand, but a privilege granted in accordance with prescribed rules and regulations. Sick leave may be granted only for absence due to personal illness, maternity, legal quarantine, attendance upon members of the immediate family whose illness requires the care of the employee, or death in the immediate family of the employee. Immediate family is hereby defined to include spouse (including common law), children, parents, grandparents, parents-in-law, and siblings. In order to qualify for the Basic Leave Entitlement of the FMLA, a child must be under the age of eighteen (18), or if eighteen (18) or older, incapable of self-care due to a mental or physical disability. Grandparents, parents-in-law and siblings are typically not covered under FMLA. Unusually strong ties with other relatives may be recognized for leave purposes upon written justification by the employee and approval of the appointing authority or elected official. An employee must provide the elected official/appointing authority with evidence of a common law marriage as set forth under Alabama law. A common law marriage may only be terminated by death or divorce.
- b) An employee claiming sick leave may be required by the elected official/ appointing authority to file a certificate from a physician stating that the employee was unable to work for period of the absence, or that the employee is physically unable to perform the duties of his/her position, or that the employee has no contagious disease that might jeopardize the health of other employees, or that the employee is required to provide care of an ill family member. Accordingly, unless the employee has requested FMLA leave, there are only two medical inquiries that the employer may make in connection with a request for sick leave. A medical inquiry may be made to determine whether or not the employee is still able to perform the essential functions of the employee's job and to determine whether or not the employee will pose a direct threat to health and safety in the workplace due to the employee's medical condition.
- c) Sick leave may be taken in fifteen (15) minute increments. Over one-half of fifteen (15) minutes will be counted as a full fifteen (15) minutes. Sick leave will be counted as the actual time taken or as the normal tour of duty if the employee is off an entire workday. Sick leave due to a death in the immediate family is limited to three (3) days, after which the employee must use annual, personal or compensatory leave.
- d) Employees should notify their supervisor as soon as possible when they are going to be absent on sick leave.

4. Sick Leave Bank:

- a) Where an employee, employee's spouse or dependent minor child suffers extended illness or disability lasting more than six (6) months, upon the recommendation of the elected official/appointing authority, the Personnel Board may approve the transfer of a specified number of unused sick leave days (within the maximum accrued) from one employee to another employee of equal or lower classification:
Provided that all other available leave has been used, and such requests are:
 - (i) made in writing
 - (ii) justified by catastrophic circumstances
 - (iii) recommended by the elected official/appointing authority
 - (iv) acted upon prior to leave being used

Donated leave will be transferred to the sick leave bank as needed. The employee to

whom leave is donated will not be paid for any unused leave upon separation.

5. Compensatory Leave:

a) The same policies and procedures apply as reflected for annual leave in paragraph a above. A maximum of two hundred forty (240) hours may be accumulated by regular employees covered by the Fair Labor Standards Act, and four hundred eighty (480) hours by law enforcement employees as defined by the Fair Labor Standards Act and its regulations. All employees entitled to compensatory leave pursuant to Ala. Act No. 167, Third Special Session, 1971, may carry over twenty (20) days at the end of the fiscal year.

b) Control and Use of Compensatory Time:

(i) An employer must honor an employee's request to use compensatory time within a "reasonable period" of time following the request so long as the use of the compensatory time would not "unduly disrupt" the employer's operations.

(ii) An employer may ask an employee to voluntarily take compensatory time off, and if the employee refuses, the employer may order the employee to use compensatory time at specified times.

(iii) An employer may, at any time, cancel or "cash out" accrued time by paying the employee cash compensation for unused compensatory time.

(iv) At the time of separation, employees shall be paid in cash at their final regular rate of pay for any unused accumulation of compensatory time.

6. Military Leave:

a) Military leave with pay may be taken each calendar year for purposes as reflected in County policy entitled "Leave Entitlements" as set forth in Chapter 7 of this manual. To request military leave, an Employee Leave Request, Form 101-436, with a copy of the military orders calling the employee to active duty must be submitted to the Department Payroll Section prior to departure. The orders must specify the period of active duty or active duty for training. A certificate of service signed by a military personnel officer or similar official must be provided to the department Payroll Section upon return from military duty. The Department must provide the leave request, order and certificate of service to the County Payroll Section with the next payroll certification after the employee's return from military leave.

b) Short term training, i.e., weekend training, which occurs on a normal duty day for an employee working on a shift basis, is authorized to be counted as military leave. If military orders are not issued for short term training, employees will obtain a statement of training from their Commander or Personnel Officer reflecting the type training and specific period of time they were required to be on duty.

c) When the President of the United States declares a national emergency, the following applies: Any employee who is drafted or ordered to active duty in the Armed Forces will be placed on military leave and paid up to one hundred sixty-eight (168) working hour's salary per calendar year. Employees whose draft or reserve status is such that they are likely to be called to duty and who volunteer for active duty will be eligible for military leave in the same manner as those who are drafted. Members of National Guard and Active Reserve who are called to duty are eligible for military leave. This will be processed in accordance with County policy in Chapter 7 of this manual entitled "Use of Leave" with respect to taking military leave.

d) Workers' Compensation. An employee off work under Workers' Compensation will not

be charged leave during that period.

7-43 Leave Accrual While on Leave

1. Employees on authorized annual, sick, compensatory, military and special leave with pay, accrue annual and sick leave at regular rates up to the maximum number of hours specified for each type of leave. Employees on leave without pay do not accrue annual or sick leave for the days they are on leave without pay for a full pay period, and this time (except for military leave and furlough) does not count as service time for annual leave computations.
2. No leave will accrue while an employee is on any type leave immediately after which the employee will separate from County services by resignation or retirement. Leave accrual stops on the date that the County Commission approves disability retirement for those on sick leave awaiting a disability retirement date.
3. Employees on Worker's Compensation do not accrue annual and sick leave for any full pay period for which they are totally on Worker's Compensation, and this time does not count as service time for annual leave computations.

7-44 Holidays

Pursuant to Act 2007-268 of the Alabama Legislature, County employees observe the same holidays as federal employees as determined by federal statute or Executive Order (see list below). Holidays falling on Saturday are generally observed on the preceding Friday. Holidays falling on Sunday are generally observed the following Monday. If there are more state holidays than federal holidays (i.e., Confederate Memorial Day, Jefferson Davis' Birthday and any other days designated by the governor or the legislature as state-wide holidays), classified employees will receive personal leave days in lieu of the excess state holidays. Employees may, with the approval of the elected official/appointing authority, elect to observe the state holiday. Employees who choose to work or who are required to work on the state holiday accrue a personal leave day. Personal leave days accrue on the date of the state holiday for which it is given. The personal leave day may be used as requested by the employee and approved by the elected official/appointing authority. Employees must use personal leave days within the calendar year. Employees must be paid for personal leave time that has not been used by the end of the year or at the time of separation.

New Year's Day	January 1
Martin Luther King's Birthday	3 rd Monday in January
George Washington's Birthday	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 st Monday in September
Columbus Day	2 nd Monday in October
Veterans' Day	November 11
Thanksgiving Day	4 th Thursday in November
Christmas Day	December 25

Holidays are counted as worked days for pay purposes for permanent employees. For temporary employees, holidays are counted as worked time only if the temporary employee works both the

scheduled workday before and after the holiday. Employees must be in pay status immediately before and after a holiday in order to be paid for that holiday except employees who are on furlough before and after the holiday. (City-County Personnel Board Rules and Regulations)

7-45 Family and Medical Leave of Absence

1. Employees may request time off for medical reasons, to provide family care for a qualifying exigency or military caregiver leave in accordance with Public Law 103-3 (Family Medical Leave Act of 1993 as amended by Public Law 111-84 in 2010) and Department of Labor Rules and Regulations, 29 CFR Part 825. City-County Personnel Board Rules and Regulations provide the policies governing the implementation of these employee benefits.

a) Eligible employees desiring to take Family Medical Leave (FML) or eligible employees with qualifying events who are eligible to receive FML will be placed on FML as required by law irrespective of their desire to take FML. Eligible employees and employers must provide proper notification and complete appropriate forms as follows:

1. Form WH-381, Notice of Eligibility and Rights and Responsibilities (Appendix S)
 2. Form 51 PER, Leave Certification Requirements (Appendix T)
 3. Form 382, Designation Notice (Appendix U)
 4. Form 380-E Serious Health Condition – Employee (Appendix U1)
 5. Form 380-F Serious Health Condition – Family (Appendix U2)
 6. Form 384 Certification of Qualifying Exigency (Appendix U3)
 7. Form 385 Illness of Covered Service Member (Appendix U4)
 8. Form 53 PER, Combined Leave Policy (if applicable) (Appendix V)
 9. Form 54 PER, Insurance Premium Recovery Authorization (Appendix W)
 10. Form 56 – Gina Form (Appendix U5) accompanies 380-E Form (Appendix W)
- For current DOL forms above, go to www.dol.gov.whd.fmla.

b) The employee's department will submit a Form 10 with other appropriate FML forms to the Payroll Section to initiate FML for an employee. A Form 10 will be submitted by the Department to return an employee from FML along with a doctor's certificate. Employees on intermittent or reduced schedule FML should include a schedule of their programmed absences with their requests whenever possible.

c) Established policy requires that employees use all appropriate accrued leave (annual, personal, and sick and compensatory leave as part of the twelve (12) week period of FML, except that paid sick leave may not be used for family care leave for the birth or placement of a child. The remainder of the employee's twelve (12) weeks on FML will then be without pay. The Employee Leave Request must reflect a note in Explanation and Remarks, showing the number of leave hours on FML. Once an employee exhausts accrued leave, a Form 10 must be submitted placing the employee on leave without pay.

2. The following statement will be entered on the Form 10 in the Explanation and Remarks block: Employee on FML.

a) The County Payroll Section has information and forms (packet) on FML rules and request applications.

DIVISION 6 - PERSONNEL ACTIONS

7-46 Promotions

Promotions from within are encouraged, insofar as practical, to recognize qualified and dedicated employees. Promotional consideration may be limited to consideration of employees within a department or from within the County. To limit consideration to within a department, Section 1 of the Position Fill Request, Form 102, must be marked "promotional register" and type "(department only)" below that block. To limit consideration to employees within the County, Section 1 of the Position Fill Request, Form 102, must be marked "promotional register" and type "(County wide)" below that block.

1. Promotions shall be based upon merit and competition in accordance with City-County Personnel Rules and **Regulations, and Chapter 7**, Division 4 of this manual. Classified permanent County employees must have served at least **six (6)** satisfactory months in their current position to be eligible to compete for a promotional position where the competition is limited to within department or within County consideration. Temporary and unclassified employees are not eligible to compete for promotions in the classified service.
2. Promotions for employees in **service maintenance worker** classifications are governed by the policies in **this chapter**. Upgrades or transfers from one **service maintenance worker** classification to another **service maintenance worker** classification will be documented using a Form 10. Upgrades from a laborer classification to another classified position will be documented on a Form 10 when Court Order rules apply for upgrades to next lowest classified level positions.

7-47 Transfers

Transfers between departments must be of the same (or similar) class with essentially the same basic qualifications and same maximum salary limit. (Reference City-County Personnel **Board Rules and Regulations**) A classified employee may transfer from a position in one department to a position in the same class in another department provided both appointing authorities and the Personnel Director approve.

1. A position change from a lower classification to a position in a higher classification shall be made in the manner prescribed for promotions **in Chapter 7 of this manual**.

7-48 Progressive Discipline

1. Personnel management should be based on progressive discipline. The basic principle underlying the theory of progressive discipline is that it is a supervisor's job to instruct rather than punish. Discipline is a teaching device rather than a punitive one. Too often a supervisor will put up with an employee's defects for as long as he/she can stand, without taking disciplinary action. Then when the conduct finally becomes intolerable, the supervisor reacts in a drastic manner, i.e., discharging the employee. This is not fair to the employee, employer, or other employees. The employee **has** been lulled into a false sense of security because no action **has** been taken up to this point. Also, this general acceptance of unacceptable behavior will have caused problems among/with the other employees.
2. Progressive discipline helps in many ways. Three **(3)** very good ways are:

- a) It greatly improves chances of making productive employees of those who would otherwise be marginal, disruptive, or nonproductive.
 - b) It provides progressive actions that establish a standard by which conduct and discipline are generally judged by others when conflicts arise.
 - c) It makes individual employees feel more secure in their job. They know where they stand and it creates an environment of fairness.
3. The steps of progressive discipline are not hard and fast lines of progression that must be followed in every case or situation. Some general steps are:
 4. Inform the employee of what is expected of him/her.
 5. If an employee is not measuring up to what is expected, the supervisor should inform him/her of that fact and what is expected to correct the problem. How this is done is very important. Supervisors should not start by talking down to the employee. Everyone has some pride and a need to contribute and provide acceptable results. Supervisors should attempt to communicate a desire of working with the employee in an effort to correct the problem.
 6. If the problem recurs, then stronger action, such as a suspension is taken, and the employee should be informed, not threatened, that further recurrence will likely result in discharge.
 7. Some conduct by an employee is so basically vital to the employment relationship that it would indicate that the employee has no regard whatsoever for that relationship. In this case, the employee has indicated by a single act that he/she is not amenable to progressive discipline, so immediate recourse to discharge may be the correct answer. In general, the most widely recognized example of this type conduct is theft of property belonging to the County or other employees.
 8. Discipline should be carefully documented. The supervisor should document what rule(s) has been violated, the date, the time, and the circumstances surrounding the violation. The supervisor should also document the discussion held with the employee, his/her explanation, and the supervisor's reiteration of what is expected and subsequent action that will be taken if the infraction(s) continues. Specifics are provided in following paragraphs. Use per Form 30 (see Appendix K).

7-49 Disciplinary Measures

In keeping with the progressive discipline approach, several progressive levels of disciplinary measures are available to the supervisor. The following are provided as general guidelines for consideration by supervisors and appointing authorities:

1. Verbal Warning. This is given verbally, in private, out of hearing distance of other employees. Verbal warnings are appropriate for minor and first-time type offenses. To be effective, there must be a professionally-conducted discussion of the situation - what is considered the problem, and what is expected of the employee. The supervisor does not need to raise his/her voice to be heard and understood. Verbal warnings should be documented, i.e., a written note indicating the violation, date and time, employee's name, what action is expected, and what the employee had to say for himself/herself. It can be a handwritten note, or use Per Form 30 (Employee Counseling Record) prepared by the supervisor and retained in the employee's file.
2. Written Warning. This is delivered in the form of a letter or memorandum to the employee (Per Form 30). This is appropriate for repeat offenses/violations and violations of a more serious nature. A written warning should always be discussed with the employee. The

discussion should include the employee's reason for the violation; if no reason, that should be noted. The employee should be asked to sign the warning, acknowledging that he/she has read it. If he/she refuses to sign, that should be noted. The employee should be given a copy of the warning. If a previous verbal warning had been given, this should be referenced in the written warning. A written warning should be very specific, and contain the basic facts of the situation, stating what likely disciplinary measures may follow. A copy of written warnings should be provided to the City-County Personnel Board Office for inclusion in the employee's personnel file. Use per Form 30 (see Appendix K).

3. Suspension. This is when an employee is given time off without pay for cause. The amount of time can vary with the severity of the offense, the number of times similar offenses have occurred, and the time frame in which they have occurred. Suspensions in excess of thirty (30) calendar days cumulatively in any fiscal year may be appealed by a permanent employee to the Personnel Board. Suspensions of thirty (30) calendar days or less cumulatively in any fiscal year may not be appealed to the Personnel Board except as they are provided for in Personnel Board Rules and Regulations. Suspension action must be documented to reflect the discussion with the employee, times and dates of offense and discussion, and description of the offense. The employee should be given every opportunity to explain his/her side, be given reasonable help to bring about desired change and be made aware of what disciplinary action the next violation will entail. The letter to the employee should explain the reason for the suspension, provide specific times and dates on when the suspension starts and ends, and contain a statement regarding expected behavior change. A copy of all documentation must be provided along with a Form 10. An elected official/appointing authority may suspend an employee without pay for cause except that employees who are exempt from the Fair Labor Standards Act may not be suspended for less than a full work week for infractions other than a major safety violation as defined by 29 CFR § 541.118(a)(5). "Safety rules of major significance include only those rules relating to the prevention of danger to the plant, or other employees." Special rules apply to employees who are classified as exempt under the Fair Labor Standards Act. Disciplinary deductions may be made from the wages of those employees, without loss of exempt status, for:
 - a) Partial day deductions or more for a violation of a safety rule of major significance which involves the prevention of danger to the plant or other employees.
 - b) Full day deductions or more for violations of workplace conduct rules provided that the policy:
 - (i) Covers serious workplace misconduct (not performance/attendance).
 - (ii) Is written.
 - (iii) States that violation could result in unpaid disciplinary suspension.
 - (iv) Applies to all employees.
 - (v) Suspensions for other violations must be for a full work week. Suspensions will be in accordance with City-County Personnel Board Rules and Regulations and Chapter 7 of this manual. A permanent employee is entitled to a hearing before the appointing authority prior to suspension, demotion, or dismissal. Use Per Form 32, 33, 34, and 35 (see Appendices K(1), K(2), K(3) and L.)
- 4) Demotion. The demotion measure should be used where an employee has had difficulties in his/her current job position, but the supervisor feels the employee can be effective in a lower level position or as a disciplinary action for employee offenses when the supervisor feels there is a good chance that the employee's behavior will change and he/she will be

an effective employee. Demotion actions must be in accordance with City-County Personnel Board Rules and Regulations, and Chapter 7 of this manual. Demotions during a promotion probationary period will be documented using Per Form 38 (see Appendix L (2)). Per Forms 32, 33, 34, and 36 must be attached to the Form 10.

- 5) Dismissal. This is not actually disciplinary and it takes place when all other means of discipline have failed. It means the employee is beyond redemption and his/her conduct cannot be corrected by ordinary disciplinary measures. Dismissal action must be fully documented (Per Forms 32, 33, 34, and 36 must be attached to the Form 10) and processed in accordance with City-County Personnel Board Rules and Regulations, and Chapter 7 of this manual.

7-50 Termination of Employment

Employees may terminate employment from the County by retirement, resignation, dismissal, layoff, furlough, death, or end of temporary employment period. Specific policies governing terminations are provided in City-County Personnel Board Rules and Regulations, and subsequent paragraphs of this chapter. Each employee termination must be properly processed and documented in accordance with appropriate personnel rules. A Form 10 (see Appendix I) must be completed by the department and submitted to the County Commission Office for processing as early as practical after the termination decision is finalized.

1. Separation by Retirement. Detailed policies and procedures on the County Retirement System are provided in Division 7 of this chapter. Individuals desiring to retire must report to the County Commission Office at least thirty (30) days before the date they want to retire and complete documents for retirement application (see Appendix N). The Finance Department will coordinate retirement entitlements with RSA. The County Commission Office will notify the Payroll Section providing details on effective date and retirement entitlement. The department to which the retiring employee is assigned must submit a Form 10 to the County Commission Office at least two (2) weeks before the effective date of the employee's retirement. The Form 10 will reflect the number of hours of accrued annual leave, sick leave, and compensatory time for which the employee is to be paid at time of retirement. These hours will be in accordance with the criteria in County policy in Chapter 7 of this manual entitled "Leave Entitlements."
2. Separation by Resignation. Resignations must be in accordance with policies and procedures set forth in the City-County Personnel Board Rules and Regulations. Any employee wishing to leave the classified service in good standing shall file with the elected official/appointing authority, at least one (1) week prior to the effective date, a written resignation stating the effective date of the resignation, a request for payment of benefits (retirement and leave), and the reason for resignation. Such notice shall be promptly reported to the Personnel Director. A Form 10 must be forwarded to the County Commission Office as soon as possible after receipt of notice of resignation and before the effective date thereof. The signed and dated copy of the employee's resignation will be attached to the Form 10. The letter of resignation will state the effective date of resignation and reason for leaving. The number of calendar days less than seven (7) given as notice of resignation may be subtracted from accrued vacation leave and failure to comply with the procedures may be the cause for denying the person future employment. Unauthorized or unreported absence from work for a period of three (3) days or more may be

- considered by the elected official/appointing authority as a resignation. Written notice must be sent to the employee on the fourth day, or as soon as possible following the absence. The Form 10 will reflect the number of hours of accrued annual leave, sick leave, and compensatory time for which the employee is to be paid. The employee must report to Payroll as set forth in Chapter 3 of this manual. The employee has ten (10) calendar days from the date of the notice to file a written request with the Personnel Director for a hearing before the Personnel Board to appeal this decision.
3. Separation (temporary) by Suspension. Suspensions must be in accordance with City-County Personnel Board Rules and Regulations. A Form 10 must be forwarded to the County Commission Office as soon as practical after a suspension decision is finalized. A copy of the hearing notification letter, hearing suspension letter and any other pertinent documents will be attached to the Form 10. The suspension letter should include reason(s) for suspension, date and time of offense(s) causing the suspension, and statement of expected behavior change. The specific dates and times of the suspension must be provided in the letter. (See Appendices K (1), K(2), and K(3).)
 4. Separation by Dismissal. The termination of employment through dismissal must be processed in accordance with City-County Board Rules and Regulations. The required notice and hearing process must be afforded under an employee's right of due process prior to his/her dismissal. An example of a hearing notification letter is at Appendix K(2). A notification of dismissal, Per Form 36 (see Appendix L (1)) should be used to notify and document the dismissal. If an employee in probationary status is dismissed, Per Form 38 (Appendix L(2)) is to be used in place of Per Form 36. A record of the dismissal hearing must be kept. A Form 10 must be submitted to the County Commission Office as soon as practical after a dismissal decision is finalized by the elected official/appointing authority. The Form 10 must reflect the number of hours of accrued annual leave, sick leave, and compensatory time the employee is to be paid in accordance with County policy in Chapter 7 of this manual entitled "Leave Entitlements." The notification of dismissal, pre-dismissal hearing documentation, dismissal letter and any other pertinent documents are to be attached to the Form 10.
 5. Separation by Layoff. An elected official/appointing authority may lay off any employee in the classified service when it is necessary by reason of shortage of funds or work, or changes in organization. Termination of employment by layoff will be in accordance with City-County Personnel Board Rules and Regulations. Departments will contact the County Commission Office prior to any layoff action. The County Commission Office will review the potential layoff against total County requirements to determine if a transfer may be accomplished. If the layoff must be accomplished, the department will be notified to forward a Form 10 to the County Commission Office. The Form 10 will include leave and compensatory.
 6. Separation by Furlough. An elected official/appointing authority may implement a furlough by temporarily reducing the hours of work of a class of employees within a department due to budgetary constraints whereby revenue is not available to meet the obligations of a department and other means of reducing costs have been exhausted. The Personnel Director must approve the reduction in pay of any employee. Separation by furlough will be in accordance with City-County Personnel Board Rules and Regulations.
 7. Separation by Death. Upon the death of an employee, the department will immediately notify the County Commission Office and assign someone from the department to assist in

obtaining necessary documents and coordinating with the family. The department will forward a Form 10 to the County Commission Office as soon as possible after notification of an employee's death, preferably within three (3) working days. The Form 10 will reflect the date of death in the effective date blank and accrued leave and compensatory time. A copy of the death certificate should be submitted to the Payroll Section as soon as possible.

8. Separation at End of Temporary Employment Period. The department will forward a Form 10 to the County Commission Office on each employee terminating at the end of his/her temporary employment.

7-51 Demotion

Demotions may be a result of work force requirement changes, inefficient performance of duties, or disciplinary reasons. Demotions must be in accordance with City-County Personnel Board Rules and Regulations. Demotion actions must be well documented. Use Per Form 36. The procedures set forth in Chapter 7 of this manual for dismissal action should be used as a guideline.

1. An employee may request a demotion due to personal reasons. The elected official/appointing authority may approve or disapprove the request and submit a Form 10 along with the employee's letter of request to the County Commission Office for processing. The Form 10 will be completed by the department to reflect the current and new pay grade, step, and biweekly salary, and job classification. The elected official/appointing authority will place the salary position at the new pay grade and at the step which is the next higher, or next lower amount if the new pay grade does not have a salary rate equal to the employee's old salary rate. Such things as the employee's past contributions, expected future contributions, and anniversary date should be considered in making the decision. In the case of demotions, time served toward an anniversary increase may be considered in establishing a new anniversary date.
2. Demotions of a disciplinary nature should normally result in a reduction in pay. The elected official/appointing authority designates the new salary at the appropriate step of the new pay grade. A Form 10 reflecting old and new pay grades, step and biweekly salary, along with support documents must be submitted to the County Commission Office for processing. The Form 10 should also reflect the old and new job classification.

7-52 Duty Assignments for Non-Job Related Illnesses or Injuries

1. These policies and procedures are applicable to employees incurring non-job related illnesses or injuries that result in conditions limiting their ability to perform their normal work.
 - a) Employees shall perform the duties normally assigned to employees of their job classification until advised in writing by a physician that they can no longer perform their duties due to physical or mental illnesses or injuries caused by a non-job related occurrence, including pregnancy-related reasons.
 - b) Employees who suffer or incur non-job related injuries or illnesses shall be eligible for consideration for light duty assignments; take sick leave, annual leave, or leave without pay in accordance with established policies and procedures as specified in City-County Personnel Board Rules and Regulations, and Chapter 7 of this manual; resign; or be

considered for disability retirement in accordance with County policy set forth in Chapter 7 of this manual.

- c) Light duty may be provided up to sixty (60) calendar days if the condition is temporary, a physician states the condition is expected to last no more than sixty (60) days and there is no danger to the employee in performing specific types of light duty work. The light duty assignment must be meaningful work normally performed by the department. If meaningful light duty work is not available, the employee will take one of the other options open to him/her under standard policies and procedures. Requests for light duty shall be made in writing by the employee to the department head. The request will include a short statement of the nature of the employee's illness or injury and the expected length of time of the illness or injury. All requests shall have a physician's report attached stating (1) that the employee is unable to perform his/her regular duties; (2) the length of time the condition is expected to exist; (3) the type of light duties the employee can safely perform; and (4) the cause of the illness or injury. The department head will inform the employee in writing of the action taken on the request for light duty. A copy of the request and the reply of the elected official/appointing authority or department head will be forwarded to Payroll for inclusion in the employee's payroll file. Employees on light duty are responsible for keeping their supervisor/department head informed of any change in their status or condition that may affect their light duty assignment. An employee on light duty status shall be required to cease light duty status when advised in writing by a physician or when the employee's health condition interferes with the employee's attendance or work. When the impairment is corrected, a physician's statement must be obtained by the employee and provided to the elected official/appointing authority or department head before the employee returns to regular duty. This statement must clearly indicate that the employee is able to return to his/her normal working activity. The elected official/appointing authority or department head shall forward a copy of this statement to Payroll for inclusion in the employee's payroll file.
 - d) Pregnant employees, as well as other employees, are required to perform the duties normally assigned to employees of their job classification until a supervisor is advised in writing by a physician that the employee can no longer perform normal job duties because of the pregnancy. An employee who suffers or incurs a temporary non-job related injury or illness that materially impairs the employee's ability to carry out the employee's duties has the following options: (1) the employee may be considered for light duty assignments; (2) take sick leave, annual leave or leave without pay in accordance with established City-County Personnel, County Commission and departmental policies and procedures; (3) resign; or (4) be considered for disability retirement.
2. An employee's request for light duty assignment is subject to the following restrictions: (1) the non-job related injury, illness or condition must be temporary; (2) the request must be supported by a physician's written statement that the impairment from that injury, illness or condition is expected to last less than sixty (60) days and that there is no danger to the individual in performing specific types of light duty work; (3) the light duty assignment itself may not last longer than 60 days (and may not be renewed for that injury, illness or condition); (4) the light duty assignment must be meaningful work normally performed by the department, i.e., no "make-work" assignments; (5) other employees may not be

- "bumped" to create light duty assignments, and employees may not be asked or agree to "swap" assignments so as to place the employee with a non-job related condition in a light duty assignment; and (6) if meaningful light duty work is not available, the employee must take one of the other options listed in the preceding paragraph. In addition, consistent with the application of this policy with County departments, generally, the sixty (60) day limit for light duty assignments is to be construed as sixty (60) calendar days, not sixty (60) working days.
3. The procedure for obtaining a light duty assignment is as follows: The employee is required to make his or her request for light duty in writing. The request shall be made to the employee's supervisor, who will then forward the light duty request through the chain of command to the department head, elected official/appointing authority, or Deputy County Administrator as appropriate.
 4. Any request not properly documented will be denied, and any employee who makes a light duty request should be advised accordingly. Indeed, to prevent any confusion concerning these requirements, each employee who makes a light duty request should be advised of all the procedural requirements and each of the restrictions on light duty assignments.
 5. Where an employee is pregnant but does not ask for light duty, all supervisors should assume that an employee can perform all duties of her regular job assignment unless and until such supervisor observes otherwise. Each employee is expected to perform all regular job duties unless the employee submits written documentation from a physician in the form prescribed above that the employee is unable to perform specific duties. Only when the employee (and her physician) comply with all the requirements of the light duty policy may the employee be considered for a light duty assignment, assuming a meaningful light duty assignment is available.
 - a) An employee who resigns due to a non-job related illness or injury may be considered for reemployment in accordance with County policy regarding reemployment in Chapter 7 of this manual.

7-53 Rights of Review and Appeal

1. The policies and procedures for the submission of a grievance are provided by City-County Personnel Rules and Regulations, Rule VIII, Section 12. Supervisors and elected officials/appointing authorities should make every effort to resolve conflicts, disagreements, work problems, etc. at their level. Most can be best resolved at this level if managers make an honest and professional effort at resolution. The County Commission Administrator and/or Personnel Director will assist management and employees upon request by either or both in the resolution of employee complaints. No one will in any way use threats, coercion, or intimidation to deter an employee from filing a request for consideration in accordance with City-County Personnel Rules and Regulations.
2. The County of Montgomery does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs and activities. Employees having a complaint concerning personnel matters of the disabled should address them to the City-County Personnel Director, in accordance with City-County Personnel Rules and Regulations, Rule VIII, Section 12. Employees and County citizens having a complaint concerning accessibility to County programs and activities should address it to the Deputy County Administrator.

7-54 Carrying and Use of Weapons by County Employees

The carrying and use of any weapon by a County employee while performing County duties, except sworn law enforcement officers, is not authorized. The carrying of a weapon during the performance of County duties by other than sworn law enforcement officers is considered to be an act outside of the terms of employment with the County; and an employee who does so will not be indemnified by the County insurance program.

7-55 Workplace Violence Policy (P)

I. Statement of Policy

- A. Montgomery County recognizes that workplace violence is a growing concern among employers and employees across the country. The County is committed to providing a safe, violence-free workplace and strictly prohibits employees, consultants, customers, visitors, vendors, or anyone else on county premises or engaging in a county-related activity from behaving in a violent or threatening manner. All Montgomery County employees shall acknowledge in writing that they have received and read Montgomery County's Workplace Violence Policy, and that they understand it. (See Appendix BB.) As part of this policy, the County seeks to prevent workplace violence before it begins and reserves the right to deal with behavior that suggests a propensity toward violence even prior to any violent behavior occurring. The County believes that prevention of workplace violence begins with recognition and awareness of potential early warning signs and has established procedures for responding to any situation that presents the possibility of violence.

II. Workplace Violence Defined.

- A. Workplace violence includes:
1. Threats of any kind;
 2. Threatening, physically aggressive, or violent behavior, such as intimidation of or attempts to instill fear in others, bullying and aggressive horseplay.
 3. Other behavior that suggests a propensity toward violence, which can include belligerent speech, excessive arguing or swearing, sabotage, or threats of sabotage of county or other public or private property, or a demonstrated pattern of refusal to follow county policies and procedures, whether such acts are oral, written, through electronic, facsimile or other form of communication;
 4. Defacing county or other public or private property or causing physical damage in the workplace;
 5. With the exception of sworn law enforcement officers, bringing weapons or firearms of any kind into any County building serving as a workplace for county employees.

III. Reporting

- A. If any employee observes or becomes aware of any of the above-listed actions or behavior by an employee, customer, consultant, visitor, vendor or anyone else, he or she should notify the supervisor or department head and the Montgomery County Sheriff immediately. If the supervisor or the department head is the offending party, the employee may go up the chain of command to the elected official/appointing authority, assistant to

elected official/appointing authority or the Personnel Director.

B. Further, employees should notify the appropriate elected official/appointing authority and the Sheriff if any restraining order is in effect, or if a potentially violent non-work related situation exists that could result in violence in the workplace.

IV. Investigation

A. All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. In appropriate circumstances, the County will inform the reporting individual of the results of the investigation. To the extent possible, the County will maintain the confidentiality of the reporting employee and of the investigation but may need to disclose results in appropriate circumstances, for example, in order to protect individual safety. The County will not tolerate retaliation against any employee who reports workplace violence. Employees should be aware that incidents of workplace violence may result in the filing of criminal charges. Law enforcement authorities should be notified to determine what laws, if any, have been violated.

V. Corrective Action and Discipline

- A. If the County determines that workplace violence has occurred, the County will take appropriate corrective action and will impose discipline on offending employees. The appropriate discipline will depend on the particular facts but may include written or oral warnings, probation, and reassignment of responsibilities, suspension, or termination. If the violent behavior is that of a non-employee, the County will take appropriate corrective action in an attempt to ensure that such behavior is not repeated.
- B. Under certain circumstances, the County may forego disciplinary action on the condition that the employee takes a medical leave of absence. In addition, the County may request that the employee participate in counseling, either voluntarily or as a condition of continued employment.

(See Workplace Violence Policy and Procedure Acknowledgment –Appendix BB)

DIVISION 7 - RETIREMENT SYSTEM

7-56 General

A. The Retirement System was established by Act 833 in 1969 and amended by Acts 356 in 1973, 81-724, and 89-469. Beginning October 1, 2008, the Retirement System became a part of the Employees' Retirement System (ERS) of Alabama through Act 2008-418 passed by the Alabama Legislature on May 16, 2008. Effective October 1, 2008 all eligible Montgomery County employees became members of the Employees Retirement System of Alabama and their previous service was credited.

B. Definitions:

1. Membership Service

Membership service is service credit earned as an employee while a member of the ERS and making contributions to the ERS. Members can only earn a year's worth of service credit in a year's time. Service credit is calculated by the Payroll

Department and reported to the ERS. Service credit is subject to review, audit and correction by the ERS.

2. *Prior Service*

Service credit earned prior to October 1, 2008.

3. *Purchased Service*

Alabama state law allows active members to purchase service credit for certain types of past employment. Purchasing service credit may increase the amount of your retirement income or allow you to retire sooner.

4. *Transferred Service*

If a member previously worked for an agency covered under the Teachers Retirement System, the member must authorize a transfer of service credit to the ERS.

5. *Leave of Absence*

A member of the ERS who is on leave of absence without pay is not entitled to any service credit while on such leave. A member receiving workmen's compensation pay is also not entitled to any service credit for such pay.

6. *Earnable Compensation*

Earnable Compensation is the full rate of compensation that would be payable to a member if he/she worked the full working time including pay for overtime. Beginning May 21, 2012, overtime payments are included as "earnable compensation," but not to exceed one hundred twenty percent (120%) of an employee's annual base compensation.

7. *Average Yearly Compensation*

Average yearly compensation is the average yearly earnable compensation of a member during the three (3) consecutive years (12 full calendar months) of his/her creditable service affording the average. For employees hired after January 1, 2013, the average yearly compensation will be calculated based on the average of five (5) years in his or her last ten (10) years of creditable service.

8. *Maximum Monthly Benefit*

The Maximum Monthly Benefit pays the highest monthly benefit to a retiring member of the ERS. This benefit is a lifetime benefit paid to the retiree on a monthly basis. At the death of the retiree, all monthly benefits cease. The designated beneficiary(s) will only receive a one-time prorated monthly benefit covering the days of the month that the retiree was still living.

9. *Vesting*

Vesting means the member has earned enough service credit to be eligible for a lifetime retirement benefit. Members have a vested status in the ERS after accumulating ten (10) years of creditable service. Members cannot convert unused sick leave to retirement credit in order to meet the minimum ten (10) years of service required for vesting.

7-57 Membership

All Montgomery County employees, except certain elected officials and temporary employees,

who become an employee after the passage of Act 833 on September 12, 1969 are members of the retirement system. Employees, as a condition of employment, become a member of the ERS on the first day of the month following employment.

The ERS is a defined benefit plan qualified under Section 401(a) of the Internal Revenue Code. The Code of Alabama 1975, Section 36-27 contains the actual language governing the plan. Participation in the ERS is mandatory if a person is employed in a position eligible for coverage in a non-temporary capacity on at least a one-half time basis earning at least the federal minimum wage. Once enrolled, the member must continue participation until employment is terminated.

All members' (excluding law enforcement) contribution rate is **five (5%)** percent of earnable compensation by payroll deduction. Law enforcement officers must contribute **six (6%)** percent of earnable compensation. The member contribution rate is determined by statute and subject to change by the Alabama Legislature. The employer's contribution rate is established after each annual actuarial valuation.

7-58 Retirement Benefits

Service Retirement

Service retirement benefits are available to members who cease ERS-covered employment and meet minimum service and/or age requirements. The monthly retirement benefit is made for life without interruption unless there is a return to full-time employment with an ERS or TRS agency, or to temporary employment in excess of the limits to be described in **Postretirement Employment** (below). A member is eligible to receive retirement benefits under the following conditions:

♦♦ he or she has at least **ten (10)** years of service credit and has attained the age of **sixty (60)**. For employees hired after January 1, 2013, he or she has at least **ten (10)** years of service credit and has attained the age of **sixty-two (62)**.

Or

♦♦ after accumulating **twenty-five (25)** years of service credit at any age. A member is eligible to retire the first day of the month following attainment of age **sixty (60)** with **ten (10)** years of creditable service or the first day of the month following attainment of **twenty-five (25)** years of service credit. Members can only retire on the first day of any month they are eligible. Eligible members may convert unused sick leave days to service credit to meet the minimum requirement for service retirement. Members cannot convert unused sick leave to retirement credit in order to meet the **ten (10)** years vesting requirement. Retirement application packets may be obtained from the Payroll Department or downloaded from the rsa-al.gov website. This packet includes the Application for Retirement and Direct Deposit Authorization. **The completed application identifying your full name and social security number must be received by ERS no less than thirty (30) days nor more than ninety (90) days prior to the effective date of retirement.** (See Appendix N, Application for Retirement.) It is the responsibility of the member to notify the ERS in writing regarding intent to retire.

Disability Retirement

If the career of an ERS member is cut short because of permanent disability, the member may qualify for monthly disability benefits. To qualify for a disability benefit, the member must meet all the following conditions:

1. The member must have at least **ten (10)** years of creditable service.
2. The member must be in-service. A member is considered in-service if currently working or on official leave of absence for one **(1)** year, which may be extended for no more than one additional year. A member will not receive service credit for periods of leave without pay. **A member who terminates employment is not eligible to apply for disability retirement.**
3. The ERS Medical Board must determine the member to be permanently incapacitated for the further performance of duty. The Medical Board bases its determination upon information provided by the member's physician. Maximum monthly disability retirement benefits are calculated identically to those for service retirement, except that additional credit for sick leave cannot be converted to retirement credit.

An application for disability retirement may be obtained from the Payroll Department or downloaded from the rsa-al.gov website. The Statement by Examining Physician (included in the Report of Disability Packet) and the retirement application must be received by the ERS office no less than **thirty (30)** days nor more than **ninety (90)** days prior to the effective date of retirement, which is the first day of a month. A disability retiree will be reviewed once each year for the first five **(5)** years and once every three year period thereafter until age **sixty (60)** to determine whether the retired member remains disabled.

7-59 Sick Leave Conversion

The County Commission adopted the Sick Leave Conversion Resolution at their August 26, 2008 Commission meeting to be effective on or after October 1, 2008. An ERS member may convert unused sick leave toward meeting the minimum service requirement for retirement eligibility instead of receiving any payment the member may be entitled to receive. The converted sick leave will be used in calculating the retirement benefit. The following chart is used by the ERS to convert accumulated sick leave days to months of service credit upon service retirement. A maximum of **one hundred twenty (120)** days may be converted. Members **cannot** convert unused sick leave to retirement credit in order to meet the **ten (10)** year vesting requirement.

<u>Accumulated Sick Leave Days</u>	<u>Months of Service</u>
0 – 10	0
11-30	1
31-50	2
<u>Accumulated Sick Leave Days</u>	<u>Months of Service</u>
51-70	3
71-90	4
91-110	5
111-120	6

7-60 Retirement Benefit Calculation

A member's retirement benefit is calculated based on a retirement formula. The factors used in calculating this benefit include:

1. Average Final Salary: The average of the highest three (3) fiscal years (October - September) out of the last ten (10) fiscal years the member made contributions. Partial years are included when calculating the average final salary.
2. Years and Months of Creditable Service: The total amount of creditable service to include membership service, prior service, purchased service and transfer service.
3. Benefit Factor: The current benefit factor, as established by the State Legislature, is 2.0125%. For employees hired after January 1, 2013, the benefit factor is 1.65%.

Average Final Salary x Years and Months of Service x Benefit Factor ÷ 12 = Maximum Monthly Benefit

The member may choose to receive the maximum monthly benefit or one of the following options:

Option 1

The monthly benefit under Option 1 is slightly less than the maximum. This benefit is a lifetime benefit paid to the retiree on a monthly basis; however, if the retiree dies prior to receiving annuity payments exceeding his or her account balance, the remaining annuity balance will be paid to the designated beneficiary(s). The annuity balance, if any, is the amount of unused contributions and interest remaining in the retiree's account.

Option 2 (100% Survivor Benefit)

Option 2 allows the retiree to receive a reduced benefit over the life of the retiree in return for allowing the designated beneficiary (only one beneficiary may be designated) to receive the same lifetime benefit after the retiree's death. The benefits are based on the variance in age between the retiree and the beneficiary. Once the member retires, he or she cannot change their beneficiary unless the beneficiary predeceases the retiree or if the retiree and the beneficiary become divorced. See Replacement Beneficiary (below).

Option 3 (50% Survivor Benefit)

Option 3 allows the retiree to receive a reduced benefit over the life of the retiree in return for allowing the designated beneficiary (only one beneficiary may be designated) to receive one-half the retiree benefit over the beneficiary's lifetime after the retiree's death. The benefits are based on the variance in age between the retiree and the beneficiary. Once the member retires, he or she cannot change their beneficiary unless the beneficiary predeceases the retiree or if the retiree and the beneficiary become divorced. See Replacement Beneficiary (below).

Option 4

Members may elect to receive a monthly benefit actuarially equivalent to the regular retirement benefit and must meet the ERS' actuarial assumptions. The monthly benefit paid to the beneficiary cannot exceed the limits determined by federal taxation laws. The ERS Board of Control must approve this option. (See Replacement Beneficiary below).

Replacement Beneficiary

Retirees who elected joint survivor options (Option 2, 3 or 4) at the time of retirement may name a new beneficiary under either of the **two (2)** following conditions:

♦♦ If the named beneficiary dies before the retired member

Or

♦♦ There is a divorce between the retired member and the beneficiary

There will be a recalculation of the benefit amount for the retired member and replacement beneficiary. The replacement beneficiary must be in place for at least **two (2)** years for the monthly survivor benefits to become effective. If the retired member dies within this **two (2)** year period, only a pro-rata payment for the portion of the month the retiree was alive will be paid to the beneficiary.

7-61 Early Service Retirement Allowance

- A. A member who has not reached his/her normal retirement date and has met the below listed criteria may be retired from service on an early retirement allowance. The member must submit a written application to the County Commission. The following criteria apply:
1. Prior Member Class I - age 55 and 15 years service;
 2. Prior Member Class II - age 50 and 15 years service;
 3. New Member - age 55 and 15 years service.
- B. The early retirement allowance shall be equal to a service retirement allowance computed on the basis of the member's average monthly compensation and creditable service at the time of early retirement, reduced by one-half (**½**) of one per centum ($\frac{1}{2}\%$) for each month by which the early retirement date precedes the normal retirement date. This is based on the greater of the difference between the age requirement and service time requirement for regular service retirement versus the early retirement date. (Act 81-724, May 21, 1981).

7-62 Disability Retirement Allowance

- A. A member who has completed **ten (10)** years creditable service may be retired on a disability retirement allowance provided the Medical Board certifies that the employee is mentally or physically incapacitated for further performance of duty, that such incapacity did not result from an accident in the actual performance of duty entitling him/her to **Worker's** Compensation or a similar benefit under the laws of the State of Alabama, that such incapacity is likely to be permanent, and that the member should be retired. Disability

- retirement allowance shall not commence until the expiration of accrued sick leave with pay.
- B. The disability retirement allowance shall be equal to a service retirement allowance computed on the basis of the member's average monthly compensation and creditable service at the time of disability retirement.
 - C. If a member becomes mentally or physically incapacitated for the further performance of duty as a result of an accident occurring in the performance of duties as a County employee entitling him/her to Worker's Compensation, or similar benefits, payable under the laws of the State of Alabama, the employee shall be paid accumulated contributions in a lump sum. (Act 81-724, May 21, 1981, Section 6, Subsection (3)).
 - D. The ERS may require re-examination of beneficiaries retired on account of disability once each year during the first five (5) years and once every three (3) years thereafter for beneficiaries who have not attained the normal retirement date. (Act 81-724, May 21, 1981, Section 6, Subsection (7)).
 - E. Disability beneficiary may be restored to membership in accordance with the provisions of Act 81-724, May 21, 1981, Section 6; Subsection (8).

7-63 Vested Retirement Allowance

Vesting means the member has earned enough service credit to be eligible for a lifetime retirement benefit. Members have a vested status in the ERS after accumulating ten (10) years of creditable service. Members cannot convert unused sick leave to retirement credit in order to meet the minimum ten (10) years of service required for vesting.

7-64 Law Enforcement Retirement Credit

Any certified law enforcement officer may receive one (1) additional year of retirement credit for every five (5) years of employment for which the member has remitted the appropriate hazardous duty payment. The member must be certified by the Alabama Peace Officers Standards and Training Commission as a certified law enforcement officer.

Each certified law enforcement officer must contribute six percent (6%) of salary to the ERS. The member must contribute at the six percent (6%) rate on all compensation paid by the Montgomery County Commission.

Act 2004-637 permits eligible members participating in the ERS as employees of a city, county, public or quasipublic agency to purchase hazardous duty service credit, provided the member has not had a prior period of eligibility to purchase hazardous duty service credit.

To obtain the additional credit, the member must pay to the ERS one percent of the higher of his or her current salary or the previous year's salary for each year of claimed service. The service must be purchased in five (5) year increments unless the total service is less than five (5) years,

in which case the service must be purchased in its entirety. An eligible member must purchase service credit within one (1) year of his or her enrollment in the ERS.

The additional retirement credit purchased cannot be used to meet the service requirements for retirement eligibility. The credit will be granted upon attainment of the requisite years of creditable service or when the member qualifies for service or disability retirement. Prior service earned before certification as a full-time law enforcement officer cannot be purchased.

7-65 Survivor Allowance

- A. A survivor allowance shall be paid to the surviving spouse, if any, upon the death of an active member who has attained the normal retirement date or has completed ten (10) years creditable service, or of a former member entitled to a vested retirement allowance. Satisfactory proof of death of the member must be provided to the Commission. If there is no surviving spouse or if such spouse dies or remarries before the youngest child of the deceased member has attained age eighteen (18), the survivor allowance shall be paid to or for the use of the child or children under age **eighteen (18)**. If the member or former member dies prior to his normal retirement date, the survivor allowance shall be deferred to commence on said date. The survivor allowance is not payable if the member's death is the result of an accident in the actual performance of duty entitling the surviving spouse or children to Worker's Compensation or a similar benefit under the laws of the State of **Alabama**.
- B. The survivor allowance shall be equal to seventy-five per centum (75%) of the service retirement allowance or vested retirement allowance which would have been payable at normal retirement date had the member or former member survived to normal retirement date.
- C. A member who has met the requirements which entitles survivor allowance, may elect, in writing to the Commission, that a lump sum payment of accumulated contributions plus three per centum (3%) of the accumulated contributions be paid to a designated person, if such person survives the employee; otherwise, to the member's estate, in lieu of the regular survivor benefit. This election should be accomplished by each employee before they attain **ten (10)** years of creditable service. **The Application for Retirement form** (see Appendix **N**) is available from Payroll. This designation may be changed by the member at any time prior to the death of the member (Act 89-469, May 4, 1989).
- D. The surviving spouse of any employee who is killed or dies as a result of injuries received in the performance of official duties shall receive each month a benefit payment equal to one-half ($\frac{1}{2}$) of the amount of the employee's base monthly compensation at the time of his injury or death. Such payments shall terminate upon remarriage of the widow. If there is no widow, or the widow dies or remarries, the minor child or children shall receive the benefits during their minority. Persons receiving these benefits shall not be entitled to or receive any other benefits from the County or any agency thereof on account of disability or death of any person. The County, at its discretion, may grant cost of living increases (Act 655, October 2, 1975, Section 2).

7-66 Return of Contributions

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A member's contributions are only refundable at the request of the member upon termination of employment and application for refund. (See Appendix R.) There are no partial refunds; all contributions are refunded in full. Interest on the account is only refunded if the member has at least three years of membership service. The employee is not entitled to the total interest credited to the account. Upon withdrawal, all service credit established with the ERS is canceled. For vested members, the right to lifetime monthly retirement benefits at age sixty (60) is forfeited. No employer contributions are included in refunds paid to the member.

Table of Refunds

<u>Years of Membership Service</u>	<u>Amount of Int. Refunded</u>	<u>Contrib. Refunded</u>
Less than 3 yrs	None	All
3 yrs, but less than 16 yrs	50%	All
16 yrs, but less than 21 yrs	60%	All
21 yrs, but less than 26 yrs	70%	All
26 yrs or more	80%	All

By law, interest is credited on the previous year's average balance at the rate of four percent (4%) per annum. Refunds may be subject to a federal tax penalty.

7-67 Preretirement Death Benefit

If a member dies prior to retirement, death benefits are calculated and paid to the beneficiary(s) based on the member's age, service credit, employment status and eligibility for retirement. The preretirement death benefits the beneficiary(s) or estate will receive are outlined in the chart below.

<i>Member Age</i>	<i>Years of Service Credit</i>	<i>Preretirement Death Benefit</i>
	<u>Ineligible to Retire</u>	
Under 60* Or Over 60*	Between 1 and 25 Between 1 and 10	Member contributions, total interest earned, plus an amount equal to the member's salary for the prior fiscal year
Any Age*	Less than 1 year, death was job-related	Member contributions, total interest earned, plus an amount equal to the member's salary
Any Age	Less than 1 year, death was not job-related	Member contributions, total interest earned, plus an amount matching the contributions

	<u>Eligible to Retire or 25 Years of Service</u>	
Any Age*	25 or more	Choice of:

		(1) Option 3 monthly benefit (50% of member's retirement benefit) to the spouse
Over 60*	10 or more	Or beneficiary Or (2) Member contributions, total interest earned, plus an amount equal to the member's salary for the prior fiscal year

** If death occurs more than 180 calendar days after the member's last day in pay status or if the deceased had applied for a refund of contributions or terminated employment, the lump-sum payment will be the same as for status of less than 1 year and not job-related.*

The designated beneficiary(s) will receive the death benefit after the RSA -SB, Application for Survivor Benefit, and a certified death certificate have been submitted to the RSA. If there is no designated beneficiary, the death benefit will be paid to the member's estate.

7-68 Retiree Life, Health and Hospitalization Insurance (P)

- A. The Commission is authorized to pay on behalf of retired employees the premiums for such life, health and hospitalization insurance as is paid by the Commission for other County employees. This applies to retired employees receiving service retirement allowance, early retirement allowance, disability retirement allowance, and vested retirement allowance. This is not applicable to State employees who receive a County retirement based on partial or supplemental salaries from the County (Act 630, October 2, 1975 and CC Res., Oct. 19, 1992).
- B. The Montgomery County Commission has established a Retired Employee's Death Benefit Fund. The County Commission is authorized to pay, from the Fund, to an eligible retired employee's beneficiary and/or beneficiaries, those amounts approved by the County Commission on October 1, 1995. Affected individuals should contact Payroll for information.

7-69 Active Employee and Retiree Family Health and Hospitalization Insurance

- A. Active County employees have the option to enroll their spouses and dependents in the County's group health plan. Dependents can participate as long as they remain in dependent status as outlined in the County's group health insurance handbook. Upon the retirement or death of the member, family coverage can continue only if such coverage was already in effect on the date of the member's retirement or death. Family members can only be enrolled during initial employment sign-up or during established enrollment periods. There will be no exceptions to allow family members to enroll out of cycle, nor can family coverage be added after the employee has retired.
- B. To continue family health coverage after the death of a retired member, the member had to have elected a survivor allowance option, had to have completed a "Retiree Family Health and Hospitalization Insurance Options" form and all survivor allowance requirements had to have been met upon the member's death. (See Appendix Z.) If the survivor elects to remain

in the program, premium rates may change as the survivor becomes Medicare eligible. Participation in both Medicare Parts A and B are mandatory when eligible, and Medicare will become primary, with the county's health plan becoming secondary at that time.

- C. If a survivor's allowance option was not selected, the surviving family members cannot participate in the County's group health program. As with the survivor allowance, if the surviving spouse remarries, both the survivor's retirement allowance and eligibility to participate in County health and hospitalization benefits will cease on that date.
- D. Upon the death of a member (active or retired), surviving family members who are already being carried in the health program must notify the County within **sixty (60)** calendar days of such death that they want to remain a part of the County's group plan and verify method and amounts of premium payment. Failure to do so will cause those members to automatically be dropped from the program and the only remaining health insurance options are as outlined in the next paragraph. Surviving family member premium rates will be calculated on a full-month basis (not pro-rated) from the date of the member's death (i.e., if the retiree died on the last day of the month, the full amount of the new premium will be due for that entire month).
- E. Surviving family members can alternatively elect to take "transition" coverage in accordance with Federal COBRA rules for **thirty-six (36)** months, or until reaching age **sixty-five (65)**, whichever occurs first. At the end of the **thirty-six (36)** month COBRA period, or upon reaching age **sixty-five (65)**, other options include purchasing commercial insurance or purchasing Medicare C+. It will be the surviving member's responsibility to seek advice directly with outside agencies as to what coverage(s) are available. Montgomery County will only advise on issues regarding the County's health plan. The County will not give counsel as to which commercial (or other) program(s) to consider, nor make any recommendations regarding such coverage or companies offering such coverage.

7-70 Cost of Living Increases

Cost-of-Living Adjustments for retirees are made on an ad hoc basis by the State Legislature. The amount of the increase is based upon the provisions of the legislation.

Cost-of-Living Adjustments for retirees require the approval of the Montgomery County Commission which must fund the cost of living increase for persons retired from Montgomery County.

7-71 Deferred Retirement Option Plan (DROP)

DROP is an optional program which offers qualified active members a way to continue to work while accumulating funds in a DROP account to be distributed at retirement. Effective June 1, 2011, employees will not be eligible to enter DROP as the State Legislature eliminated this benefit. However, those who were participating prior to this time will be eligible.

To be eligible to participate in DROP, the member must meet all of the following requirements:

1. Have at least **twenty-five (25)** years of creditable service exclusive of sick leave (you cannot convert sick leave into creditable service to become DROP eligible)
2. Be at least **fifty-five (55)** years of age
3. Be eligible for service retirement

A member may participate in DROP only one time.

The participation period for DROP is for a minimum of three years, but not more than five (5) years. Once the member has completed the three-year minimum requirement and terminated employment, he or she is eligible to receive either a lump-sum payment or make a direct rollover of the entire account to a qualified plan. A DROP participant may terminate DROP anytime between three (3) years and five (5) years (for example, three (3) years and eight (8) months or four years and three (3) months). The termination date must be the last day of a month. No payment can be made unless the member ceases employment. A penalty will result for members who voluntarily terminate employment or withdraw from DROP in the first three (3) years of DROP participation. There is no penalty for involuntary termination, disability, involuntary transfer of his or her spouse, or death of the participant in the first three (3) years.

A member is eligible to apply to enter DROP whenever he or she meets the requirements for participation. However, the member must have the DROP Contract and Application to the ERS at least thirty (30) days, but not more than ninety (90) days, before the effective date of participation in DROP. The effective date of participation must be the first day of a month. Prior to the beginning of the participation period, the member must select between the Maximum Monthly Benefit or one of the Options the same as he or she would do if retiring. After the ERS receives your DROP Application, the ERS will calculate the monthly benefit under the Maximum or Options. The ERS will mail this and the Retirement Benefit Option Selection - DROP form to you to make your monthly benefit selection. This option selection is an irrevocable, one-time election. If the member does not make this selection, by law he or she will automatically receive the Maximum. This monthly retirement allowance will be paid into the member's DROP account.

Accrued sick leave may not be converted to service credit for the purpose of establishing DROP eligibility, nor used in calculating the monthly retirement allowance upon entering DROP. At the time the member leaves service, the monthly retirement allowance may be recalculated to include service credit for accrued sick leave or the member may receive payment for the accrued sick leave subject to agency policies regarding payment for sick leave. In no event can the number of sick leave days converted to service credit exceed the total number of sick leave days the member had accrued upon entering DROP.

The member's service credit will remain the same during DROP participation as when he or she entered DROP. No time spent participating in DROP will be counted as creditable service. Once a member enters DROP, service credit purchases are prohibited. Both the employer and the member will continue making contributions as required by law to the ERS during the DROP participation period.

The Montgomery County Commission, whose employees are covered under the ERS, cannot offer any incentives such as monetary payments, prepayment of health insurance, or extraordinary payments for accrued leave, solely for the purpose of enticing employees to elect to participate in DROP. This does not apply to regular payments for leave or contributions toward health insurance.

The DROP account funds are generated from three sources:

1. Monthly Retirement Allowance

The monthly retirement allowance that normally would have been paid to the member if he or she had retired will be placed in the member's DROP account. There will be no deductions for taxes, health insurance, or Social Security.

2. Member Contributions

The **five percent (5%)** (regular members), **six percent (6%)** (full-time law enforcement officers) member contribution will be placed in the member's DROP account.

3. Interest

The DROP account will earn interest at the same rate as active member accounts (currently four percent).

Retiree Cost-of-Living Adjustments (COLAs)

A member participating in DROP is not eligible to receive retiree COLAs. A member is not eligible to receive a retiree COLA until he or she has withdrawn from service and has been receiving a retirement allowance for one year.

Active Employee COLAs and Salary Increases

Participants in DROP may receive active COLAs and salary increases.

Health Insurance

A member's health insurance benefits will continue to be provided through the member's employing agency.

Annual and Sick Leave

Participants in DROP will continue to accrue sick and annual leave.

No Fees

DROP is not subject to fees, charges or other similar expenses of any kind.

Employee Rights

Participation in DROP does not affect the rights of any state employee under the state personnel system, including, but not limited to, his or her rights to longevity pay. The election to enter DROP is between the ERS and the member. In no way should it be construed as a guarantee of continued employment for the DROP participation period.

Service Credit

The member's service credit will remain the same during DROP participation as when he or she entered DROP. No time spent participating in DROP will be counted as creditable service.

Purchasing Service Credit

Once a member enters DROP, service credit purchases are prohibited.

Contributions

Both the employer and the member will continue making contributions as required by law to the ERS during the DROP participation period.

Prevention of Extraordinary Benefits or Incentives

No employer whose employees are covered under the ERS can offer any incentives such as monetary payments, prepayment of health insurance, or extraordinary payments for accrued leave, solely for the purpose of enticing employees to elect to participate in DROP. This does not apply to regular payments for leave or contributions toward health care.

The DROP account funds are generated from three (3) sources:

1. Monthly Retirement Allowance

The monthly retirement allowance that normally would have been paid to the member if he or she had retired will be placed in the member's DROP account. There will be no deductions for taxes, health insurance, or Social Security.

Military Leave While Participating in DROP

A DROP participant may go on military leave without penalty provided he or she does not terminate employment. The period of military leave is included in the DROP participation period.

Withdrawal from DROP

Completion of Contractual Obligation

A member who completes his or her contractual obligation in DROP, i.e., participates in DROP between three (3) to five (5) years, may elect to receive the following in either a lump-sum payment or make a direct rollover to a qualified plan:

1. The monthly retirement allowance contributions plus interest (currently four Percent (4%)). These contributions are based on the retirement option elected upon entering the DROP participation period.

2. Member contributions made to the ERS during the DROP participation period plus applicable interest. The monthly retirement allowance the retiree will receive after withdrawal from service may be recalculated to include accrued sick leave. However, the number of days converted cannot exceed the number of days the participant had on the date he or she entered DROP. The member is not allowed to change the option for the monthly retirement allowance chosen at the beginning of the DROP participation period.

Payments will not be made until the member withdraws from service. If the member continues employment with an agency participating in the RSA, he or she will not be able to receive distribution until he or she terminates employment.

Involuntary Termination, Disability, or Involuntary Transfer of Spouse in First Three Years of DROP Participation

A member who did not fulfill his or her contractual obligation due to involuntary termination, disability, or involuntary transfer of spouse in the first three years of the DROP participation period may elect to receive the following contributions in either a lump sum payment or make a direct rollover to a qualified plan:

1. The monthly retirement allowance contributions plus interest (currently four

percent). These contributions are based on the retirement option elected upon entering the DROP participation period.

2. Member contributions made to the ERS during the DROP participation period plus applicable interest. The monthly retirement allowance the retiree will receive after withdrawal from service may be recalculated to include accrued sick leave. However, the number of days converted cannot exceed the number of days the participant had on the date he or she entered DROP. The member is not allowed to change the option for the monthly retirement allowance chosen at the beginning of the DROP participation period. Payments will not be made until the member withdraws from service.

Voluntary Termination within the First Three Years of DROP Participation

A member who withdraws from service voluntarily within the first three (3) years of DROP will forfeit the DROP contributions based on the monthly retirement allowance paid into his or her account. He or she may elect to receive the following in either a lump-sum payment or make a direct rollover to a qualified plan:

1. Member contributions made to the ERS during the DROP participation period plus applicable interest.
2. Interest attributable to the monthly retirement allowance contributions made to the DROP account during the DROP participation period. The monthly retirement allowance the retiree will receive after withdrawal from service may be recalculated to include accrued sick leave. However, the number of days converted cannot exceed the number of days the participant had on the date he or she entered DROP. The member is not allowed to change the option for the monthly retirement allowance chosen at the beginning of the DROP participation period. Payments will not be made until the member withdraws from service.

Death During DROP Participation

If the member dies anytime during the DROP participation period and the beneficiary is the spouse, the spouse may elect to receive the following contributions in either a lump-sum payment or make a direct rollover to a qualified plan. Non-spouse beneficiary(s) may receive the following contributions in a lump-sum payment or make a direct rollover to an IRA:

1. The monthly retirement allowance contributions plus interest (currently four percent). These contributions are based on the retirement option elected upon entering the DROP participation period.
2. Member contributions made to the ERS during the DROP participation period plus applicable interest. Any retirement benefit based on the retirement option selected by the member at the beginning of the DROP participation period will be paid to the beneficiary(s). The monthly retirement allowance may be recalculated to include accrued sick leave. However, the number of days converted cannot exceed the number of days the participant had on the date he or she entered DROP. The beneficiary is not allowed to change the option for the monthly retirement allowance chosen at the beginning of the DROP participation period.

No death before retirement benefit will be paid to the estate or beneficiary.

Continued Service after the DROP Participation Period

If the member does not withdraw from service after completing his or her DROP participation, the member will resume active contributing membership in the ERS for the purpose of earning creditable service. No time spent participating in DROP will be counted as creditable service.

Distribution of DROP Account

No distributions from a member's DROP account will be made until the member terminates employment. Upon termination, a member should notify the ERS how the member wants to receive the DROP distribution. DROP accounts cease to accrue interest after **ninety (90)** days from the termination of employment. Interest on member contributions ceases at termination of the DROP period. A member generally receives DROP distributions within **thirty (30)** days of receipt of the final contribution to the DROP account provided the distribution form has been submitted. DROP participants have one of two ways to distribute the funds in their DROP account:

1. Receive a lump-sum payment of the total DROP account balance less the required 20% federal income tax withholding. No portion of the distribution is subject to state of Alabama income tax.
2. Rollover the account balance to a traditional IRA, another employer retirement plan, a 403(b) Tax Sheltered Annuity, or a governmental 457(b) plan that accepts rollovers. The RSA-1 Deferred Compensation Plan accepts rollovers from your RSA DROP account.

To either receive a lump-sum payment or make a direct rollover of the DROP account, complete the Request for DROP and Rollover Election (RSA 10 D-D) form and the Request for DROP Termination (ERS 10 D-C) form and return both to the ERS.

Reemployment with the RSA after Withdrawal from Service

Any member who participated in DROP and withdrew from service may become reemployed with either the TRS or ERS. This additional service will be calculated based on information in continued service after the DROP Participation.

County - (Local Unit)

The Montgomery County Commission elected to participate in the ERS on or after February 1, 2002, and is required to participate under the DROP provisions.

Calculating Your DROP Benefit

The following is a step-by-step method of calculating your DROP benefit. This is only an estimate. When you are ready to make a decision about entering DROP, contact the ERS for an official estimate. The retirement benefit calculator on our Web site will also calculate the DROP benefit for eligible members.

1. Determine your monthly retirement benefit at the DROP participation date.
$$\text{Average Final Salary} \times \text{Years and Months of Service} \times .020125^* \div 12 = \text{Monthly Retirement Benefit}$$

The Average Final Salary is the average of the highest three annual salaries in the member's last **ten (10)** years of creditable service for which the member made contributions. This formula will only compute the Maximum monthly retirement benefit. For Options 1, 2, or 3, use the benefit calculator on our Web site to determine the monthly retirement benefit.

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2. Multiply the monthly retirement benefit times the factor associated with the number of years you elect to participate in DROP to give you the DROP contributions value including interest.

- 1 year - 12.24
- 2 years - 24.97
- 3 years - 38.21
- 4 years - 51.98
- 5 years - 66.30

3. Determine the value of your contributions, plus interest, made during the DROP participation period. Multiply the average salary (estimated) during the DROP participation period times the factor for the number of years you elect to participate in DROP.

- 1 year - .0510
- 2 years - .1040
- 3 years - .1592
- 4 years - .2166
- 5 years - .2762

4. Add the two (2) amounts together to give you an estimated value of your DROP benefit at the end of the DROP participation period.

7-72 Reemployed, Restoration of Previous Creditable Service

- A. A County employee who terminates his/her employment with the County and withdraws any accumulated contributions to the retirement system and is re-employed by the County within twelve (12) months shall be authorized to repay any such accumulated contributions with eight percent (8%) interest per annum, provided the employee repays the accumulated contributions with interest within twelve months of the time the employee withdrew the funds from the retirement system. (Act 316, August 18, 1976).
- B. A previous County employee re-employed over twelve (12) months after termination, who has previously withdrawn their accumulated funds from the retirement system or whose account has been terminated, may have all creditable service restored provided that said employee completes five (5) years of contributing membership service after he/she again becomes a member of the retirement system and repays the amount previously returned to him/her plus 8% interest per annum to the Montgomery County Retirement System. This repayment must be made within eight (8) months after the employee has completed five (5) years of contributing membership service (Act 89-469, May 4, 1989).

7-73 Purchase of Additional Service Credit

Prior to October 1, 2008, an active County employee could have purchased up to five (5) years of retirement credit for employment time with the State of Alabama, or subdivision thereof, or active U. S. Armed Forces provided they were covered under their retirement system and are not eligible or receiving retirement benefits for this time. This purchase could have been accomplished upon an employee attaining ten (10) years creditable service (vested) with Montgomery County and the payment must have been made within one year. The payment

would have been the contribution plus interest. The contribution is 5.75% of the employee's annual base at the **ten (10)** year point times the number of years or fraction thereof that they are purchasing. The interest is **eight percent (8%)** of the contribution times the number of years or fraction thereof being purchased. Proper documentation and certification must have been provided by the employee to Payroll for the years being purchased. (Act 93-392).

Subsequent to October 1, 2008, to purchase service credit, the member must submit proper certification of the service to ERS. Request the appropriate certification form by downloading the form from the website (www.rsa-al.gov/ERS/). The form then needs to be completed by an official record keeper where the service was performed and returned to ERS. During an active member's **first year** of participation in the ERS, he or she may purchase up to four years of eligible military service provided the member has had no previous period of eligibility. To purchase this service, a Statement of Military Service form must be completed and submitted to ERS.

The next opportunity to purchase military service will be after accumulating **ten (10) years of creditable service** and will cost substantially more. Once an active member of the ERS has accrued **ten (10)** years of service, he or she may purchase up to **four (4)** years of active military service if not purchased during the first year of participation. The cost of purchasing credit for military service after **ten (10)** years of service will be the full actuarial cost.

After completing two **(2)** years of contributing service, any member who previously participated in the ERS and withdrew his or her contributions may restore the previously canceled creditable service. The withdrawn service cannot be service credit established with any other public retirement system. The cost to purchase the withdrawn service is the amount previously withdrawn plus eight percent interest compounded from the date of withdrawal to the date of payment.

An active member (male or female) of the ERS may purchase up to one **(1)** year of credit for each period of maternity leave without pay. The member cannot purchase credit for any period of maternity leave that he or she already has credit for in the ERS. The cost to purchase this service is the full actuarially determined cost. Payment must be made no later than June 30 of the calendar year following the expiration of maternity leave without pay.

Any active member with at least five **(5)** years of contributing service, exclusive of military service, may purchase up to eight **(8)** years of eligible previous service with a city, county, town, public or quasi-public organization, or political subdivision of a city or county of the state of Alabama (Local Units). To be able to purchase this service the following condition must be met - the service must have occurred before October 1, 2000. The cost of the service is the full actuarial cost.

7-74 Administration of Retirement System

Prior to October 1, 2008, the Montgomery County Commission was responsible for the proper operation of the Retirement System in accordance with Act 356, August 10, 1973. Subsequent to October 1, 2008, the Retirement Systems of Alabama is responsible for the administration and

operation of the Montgomery County Retirement System.

7-75 Post Retirement Employment

Limitation on Earnings

An ERS service retiree employed with an ERS member agency may continue to receive retirement benefits provided the retired member meets **both** of the following conditions:

1. The retiree must not be employed or under contract for permanent, full-time employment.
2. The retiree's compensation cannot exceed the limitation on earnings. The limits are subject to change each year based upon the Consumer Price Index (CPI).

If a retiree's compensation exceeds the annual limitation on earnings, the retirement benefit will be suspended for the remainder of the calendar year or for the remainder of the month if the retiree is subject to a monthly earnings limitation.

♦♦ Retirees who return to work with an ERS or TRS member agency in the same calendar year as their retirement are subject to a prorated earnings limitation based upon the number of months remaining in the year. Retirees who retire effective January 1 of a given year are only subject to the **annual** earnings limitation amount.

♦♦ Retirees who return to work with an ERS or TRS member agency in a subsequent year from their retirement are subject to a yearly earnings limitation.

♦♦ If an ERS retiree exceeds the annual or monthly limitation on earnings, the employing agency must notify the RSA immediately. Any questions concerning postretirement law should be directed to the ERS.

Disability Retiree

A disability retiree employed with an ERS participating agency is subject to the following limitation: The lesser of the same limitations as a service retiree or the difference between the average final salary and the annual retirement benefit.

If the retiree is employed with a non-ERS agency, in private industry or private education, earnings cannot exceed the difference between the average final salary and the annual retirement benefit. The earnings restriction is waived upon attaining age **sixty (60)**.

Contract Employment

Retirees providing services to ERS agencies on a contractual basis may be subject to the limitations on compensation. If an ERS agency has entered into a contract with an ERS retiree, please provide a copy of the contract to the ERS to confirm whether or not this contract would violate the postretirement employment law.

Private Employment

There are no limitations on earnings for a **service** retiree employed in private industry, private education, or a non-participating RSA agency.

Full-Time Employment with the ERS

An ERS retiree who is employed full-time with an ERS member agency must have his or her retirement benefit suspended until he or she withdraws from service again. If the retiree is employed in a position eligible for retirement coverage for a period of two **(2)** years and the

retiree did not participate in DROP, he or she may petition the ERS Board of Control to permit the resumption of participation in the ERS. Upon approval, the member would pay the contributions of the two (2) year period of non-contributing service and begin contributing on future compensation. Upon subsequent termination of employment, the member's retirement benefit will be recalculated to include service accrued since reemployment. The member would also be allowed to re-select a retirement option and beneficiary.

Elected Officials

An ERS retiree who is elected or appointed to an office that is covered under the ERS must have their benefit suspended once compensation from the office exceeds the annual limitation on earnings. An ERS retiree who becomes an elected official and participates in a supernumerary plan may continue to receive his or her retirement benefit while he or she serves in the elected position. However, if the ERS retiree is ultimately eligible to become an "appointment supernumerary official," he or she would not be able to receive both the ERS retirement benefit and the supernumerary benefit.

7-76 Appendix

CHAPTER 8 - TRAVEL

8-1 Use of County Vehicles (P)

- I. The use and operation of County vehicles will be in accordance with County Commission policies and procedures specified in County Commission, Operation of County-owned Vehicles dated December, 1984.
 - A. **Employees** assigned County vehicles in the performance of their official duties may use the vehicle for transportation between house and work when the nature of their job so warrants. These vehicles are not to be used for personal business. **Drivers and passengers are required to wear seatbelts while operating or riding in County vehicles.**
 - B. Individuals driving County vehicles are responsible for proper care of the vehicle, driving at a safe speed within published speed limits, planning work and trips in a manner to conserve vehicle use and gasoline, and refraining from the use of a County vehicle for personal business.
 - C. Individuals must be included on the County Insurer's List before they drive a County vehicle; otherwise, they are not covered by County insurance. Before any employee drives a County vehicle, a memorandum should be provided to the County Commission Deputy Administrator to review the authorization to drive a County vehicle. This authorization should include the employee's full name, driver's license number, and birth date, as well as, a driving record from the Department of Public Safety. **The signed Driver's License Abstract should be included with a copy of the driving record. (See Appendix E.)**
 - D. Public Law 99-44 requires that employees be taxed on the value of their personal use of employer-provided vehicles, effective January 1, 1985, unless they fall into an exempted category. Montgomery County-furnished vehicles are restricted to employees' personal use for home-to-work commuting. Under the special rules in Public Law 99-44, the value to be applied is \$3.00 per day of use. Employees using a County-provided vehicle for home-to-work commuting (driver and passengers), except those specifically excluded as defined below, will be required to document the days of use. Form 101-438 (see Appendix D) will be completed by each applicable employee and turned into the County Commission Payroll Section during the first full week of November each calendar year. The information will reflect use for the **twelve (12) month** period of November 1 through October 31.
- II. Those **employees** who do not provide this documentation will be charged for 261 days use per year.
 - A. The County will not withhold income tax on the value of personal use of employer-provided vehicles.
 - B. Social Security withholding will be made annually during November.
 - C. Each applicable employee's pay record will include the value of the employee's personal use (\$3.00 x number of days use) in their gross pay total and be included on their W-2 Form.
 - D. Department heads must **ensure** that those employees, who use County-provided vehicles are aware of this law, comply with its provisions, document use, and turn in their

- certification as required.
- E. Employees covered under these rules who leave County employment must turn in Form 101-438 for the portion of the year up to their departure. This must be provided to Payroll before their final paycheck is processed. This includes summer employees.
 - F. Departments will provide a list of all covered employees to Payroll during the first full week in November each year and will ensure that these covered employees maintain a valid driver's license. For summer employees, the department will provide the names to Payroll before their temporary employment expires.
 - G. Certain vehicles have been exempted from the provisions of this law. They are: a) clearly marked police and fire vehicles; b) unmarked law enforcement vehicles where they are used to report directly to a stakeout or surveillance site, or to an emergency situation and the user qualifies as a law enforcement officer (authorized to carry firearms, execute search warrants, and to make arrests); c) delivery trucks with seating only for the driver; d) flatbed trucks; e) cargo carrier with over 14,000 pound capacity; f) school and passenger buses with over twenty (20) person capacity; g) ambulances; h) hearses; i) bucket trucks; j) cranes; k) fork lifts; l) cement mixers; m) dump trucks; n) garbage trucks; o) specialized utility repair trucks (except vans and pickup trucks); and p) tractors. Revision rule 86-97 also excepts pickup trucks and vans if they are clearly marked with permanently affixed decals or with special painting or other advertising associated with the employer's trade, business or function and they are equipped with permanently installed equipment such as welders, tanks, racks, shelves, generators, etc.

8-2 Vehicle Accidents and Reports (P)

- 1. The reporting of and actions taken will be in accordance with County Commission, Operation of County-owned Vehicles dated December, 1984.
 - A. An accident report must be provided to the County Commission Deputy Administrator each time a County vehicle is involved in an accident. County employees driving a County vehicle that is involved in an accident are responsible for having the accident investigated by the appropriate police authority and obtaining/preparing necessary accident reports. A copy of the accident report prepared by the police authority and the report by the driver of the County vehicle (or representative of the driver) will be given to the County Commission Deputy Administrator within forty-eight (48) hours after the accident occurs. If the report from the police authority is not available by this time, the driver's report will be turned in. The police authority's report will be obtained as soon as possible, thereafter, and provided to the County Commission Deputy Administrator.
 - B. No action will be taken to repair any damaged vehicle or property until such time as both accident reports are received by the County Commission Deputy Administrator.

8-3 Travel/Training Approval (P)

Employee official travel to meetings, schools, seminars, conventions, etc. and charges for training must be approved by the County Commission prior to departure in order for the expense to be reimbursed. Reimbursement will not be made for travel expenses on travel made prior to receipt of County Commission approval. A request for travel/training, Form 101-429 (see

Appendix C), must be completed, signed by the appointing authority, and received by the County Administrator no later than 11:00 a.m. on Thursday for the request to be considered during the next County Commission meeting. The County Administrator will present the request at the next Commission meeting for approval/disapproval. The County Commission Administrator is authorized to approve valid requests when there is no weekly Commission meeting and travel will commence before the next regularly scheduled meeting. This approval is subject to the availability of funds to cover estimated costs of the travel/training (CC Res., Mar. 21, 1988). The County Administrator will notify the requesting department of the Commission's decision and provide letter of travel/training authority for approved requests.

If special circumstances or requirements warrant expenditures for items not covered in **this chapter, these expenses** will be included on the travel/training request in the additional comments section and be fully justified. Requests for rental cars will specify size/type vehicle, reason it is required and estimated cost. Approval for auto rental must be made prior to the travel being commenced; otherwise reimbursement for auto rental expense will be disapproved.

8-4 Allowable Travel Expenses (P)

- I. The County will reimburse travelers for actual expenses incurred in the conduct of approved official County business, within the below listed parameters:
 - A. Lodging: Actual hotel/motel cost for single room or one-half double occupancy when travelers share accommodations. Costs for suite accommodations will be borne by the traveler and will not be reimbursed in whole or in part.
 - B. Meals: Reimbursement for meal costs will be provided on a per diem basis. The maximum reimbursement for meals with receipts is \$75 per day. A copy of the agenda or other documents which reflect the meals furnished must be turned in with the Request for Reimbursement. If meals are included in direct billing, these charges must be subtracted from the Request for Reimbursement and a copy of the direct billing submitted with the Request for Reimbursement. The Request for Reimbursement will not be processed until a copy of the bill is received in those cases where direct billing was authorized.
 - C. Taxi: Actual costs for taxi **fares**.
 - D. Common Carrier: Actual common carrier cost is reimbursable for rail or bus. Air fare maximum reimbursement will be based on advance purchase, non-refundable day tourist class rates. Exceptions to purchasing advance, non-refundable airline tickets must be (1) justified in writing on the travel request or in person to the County Commission when the travel request is presented for approval, and (2) approved before the travel occurs. If an emergency results in the need to change a non-refundable ticket after it has been purchased, thus causing the need to pay a penalty, Montgomery County will reimburse the employee for the amount of the penalty if proper justification for the change is submitted along with the reimbursement request.
 - E. Private Auto: If travel is authorized by private auto, reimbursement will be made at the rate as that authorized by the State of Alabama or day tourist class air fare, whichever is less. The Rand McNally Road Atlas will be the official document for the determination of road mileage between points. The current edition of the Scheduled Airline Tariffs will be the authorized source for determination of day tourist class fares between airports. This fare to the airport nearest destination plus limousine fare to the

destination will determine the maximum allowable reimbursement for use of a private auto.

- F. County Auto: County autos will not be used for travel out-of- state unless authorized by resolution of the County Commission. When authorized, or when used in routine intrastate travel, actual costs of fuel, oil and emergency repairs will be reimbursed.
- G. Communications Service: Actual charges for necessary telephone, or fax costs are reimbursable.
- H. Other Expenses: Actual costs for bridge and/or ferry tolls, parking fees are reimbursable.
- I. Advance Payments: Upon receipt of a requisition, the County Finance Department will prepay known and fixed charges only as they relate to registration. Prepayment of all other personal expenses (paragraphs A through I above) will not be made.
- J. Local Area Travel: When the County Commission authorizes the use of a private auto for local area travel within the County in support of official County business, reimbursement will be made at the same rate as that authorized by the State of Alabama. In this case, State Form DFC 6 (see Appendix A) will be used to record actual mileage driven and to certify a claim for reimbursement.
- K. Prisoner Transfers and Extraditions: Fixed actual costs and reasonable estimated personal expenses may be advanced to Sheriff's Department personnel assigned to transfer prisoners or execute extradition orders. This is the only allowable exception to the prohibition on prepayment of personal expenses. In no case will prepayments exceed the maximum allowable expenditures for personal expenses listed above. Should actual expenses be less than the prepayment, the differences will be returned to the County.
- L. Travel under Special Grant Program: From time to time, the County participates in, or sponsors, federal and/or state grant programs. Often these programs are administered under different federal or state rules and regulations which require special travel documentation. Prior to travel under these programs, County employees must contact the Director of Finance for special instructions or reimbursement for travel may be denied.
- M. There may be occasions where travel will be made to very high cost areas and the maximum allowances above will not support necessary expenses. When this situation arises, a statement addressing the situation and requesting additional consideration should be included with the request for travel approval. (CC Res., June 11, 1990).

8-5 Travel Reimbursement (P)

- I. County Form 101-378, Request for Reimbursement (see Appendix B), must be submitted to claim reimbursement for travel expenses. This form must be submitted to the County Finance Department within two working days after the travel is completed. The documentation listed below must be submitted to support the claim or the item claimed will be denied:
 - A. Lodging: The hotel/motel bill upon which the name of the hotel/motel is imprinted.
 - B. Meals: Reimbursement for meals will be based on a per diem rate as specified in this chapter.
 - C. Taxi: A chronological list of each fare with the point of departure and destination shown, i.e., "hotel to airport - \$4.00".
 - D. Private Auto: The Rand McNally Road Atlas will be the official document for

- determining the number of miles to be claimed. The rate per mile will be the same as that authorized by the State of Alabama.
- E. County Auto: Receipts for gas, oil and emergency repairs must be included.
 - F. Communications Service: List expenses for these services in chronological order and include the name of the person or organization called, etc. and the purpose of the call, or telegram, etc.
 - G. Other Expenses: Receipts for tolls and parking charges are required.
 - H. Local Area Travel: State Form DFC 6 (see Appendix A) will be submitted showing mileage by date, trip and purpose.
 - I. Prisoner Transfers and Extraditions: Report all expenses as above for reimbursement of expenses over advanced payment. If the advanced payment exceeds allowable expenses, remit the difference to the County Commission.
 - J. Travel under Special Grant Programs: The Director of Finance should be consulted for documentation required for reimbursement under these programs.
 - K. Voucher Review: The County Director of Finance will review each Request for Reimbursement and approve payment. If the claim is insufficiently documented, it will be denied.
 - L. "Group" Bills: Group bills, i.e., "Hotel rooms for four employees", will not be honored. Each employee must submit an individual, itemized voucher for his/her travel expenses.
 - M. Gratuities: Tips or gratuities for baggage handling, not to exceed \$1.00 per bag per point of departure/destination.
 - N. Alcoholic Beverages: No reimbursement will be made for alcoholic beverages.
 - O. Rebuttal of Denied Claim: If a claim or portion thereof is denied, the claimant may rebut the denial within ten (10) days of the date of denial. Additional documentation, statements, etc. should be submitted to support the claim. If the rebuttal is denied, the claimant may further rebut the denial before the County Commission at any regular or regularly adjourned meeting within thirty (30) days of the date the rebuttal was denied.

8-6 Appendix

CHAPTER 9 - WORKER'S COMPENSATION

9-1 Introduction

A. Montgomery County is self-insured for Worker's Compensation purposes and pays the benefits stipulated in Title 25 of the Alabama Code. In general, benefits are paid to an injured employee when that employee suffers an injury and/or occupational disease that arises out of and in the course of his/her employment, subject to the provisions detailed in Ala. Code § 25-5-1, et seq. (1975).

B. Normally, all reasonable medical bills (hospital, doctor(s), medicine, etc.) that accrue due to an on-the-job injury or disease, and that are approved by the treating physician(s), covered under Worker's Compensation are paid by the County, provided services are obtained in accordance with Worker's Compensation rules. Montgomery County is a self-funded program and processes Worker's Compensation medical services and costs through "24-Hour Coverage for Work-Related Injuries." The program is managed by Blue Cross-Blue Shield of Alabama. Upon notification of the need for medical service associated with a work-related injury or illness, the Risk Management Department will authorize the service. In the case of an emergency or life-threatening situation the nearest medical services should be obtained as soon as possible and the employee's department head and Risk Management should be notified immediately thereafter. The County will not be held liable for any medical expense that is a result of unauthorized treatment by an unauthorized physician. The Risk Manager shall be notified anytime a department head believes a treatment is unauthorized; and the Risk Manager will make a decision as to County liability.

C. Employees going to a medical provider to receive treatment under the Worker's Compensation program will be placed on "special" leave (no charge to annual, compensatory, or sick leave) if it occurs during their regular scheduled work period. Employees receiving care outside of their regular work period will not be given credit for this time to create overtime.

D. All employees injured on the job must submit to a drug and alcohol test upon arrival at the doctor's office. Failure to submit to such a test, or a positive test result, will be considered cause to preclude treatment under Worker's Compensation rules.

9-2 Notification of Injury or Illness

The employee or a representative of the injured employee is responsible for obtaining the Physician's or Hospital Report (see appendix A) form letter from the County approved Worker's Compensation physicians. This form must be completed by the attending physician and returned to Risk Management. No action can be initiated without this completed form.

Department heads are responsible for notifying the Risk Management Department when an employee is injured or contracts an occupational disease that is compensable under the Alabama Worker's Compensation Act. It is most important that the Employer's First Report of Injury, WCC Form 2, (see appendix B) be completed as soon as possible, and in no case more than two (2) days, after the alleged accident/disease occurs. Proper codes should be used when completing the Employer's First Report in describing the nature of the injury, part of the body affected, and the cause of the injury (see appendix C). Complete details and circumstances of each occurrence are to be reported to Risk Management.

9-3 Records

The following reports/forms are required by Alabama law or are hereby established for County use and are to be utilized as indicated:

- A. "Physician's or Hospital Report" to Risk Management
- B. "Employer's First Report of Injury", WCC Form 2, (see appendix B) is given to Risk Management who in turn will open a file for the affected employee, send a copy to Blue Cross – Blue Shield to open a payment file, and if the employee is off the job for more than three (3) days, on advice of the treating physician, Risk Management will electronically file the First Report of Injury with the Department of Industrial Relations within fifteen (15) days of the injury date. These files are monitored by the State for compliance. Risk Management will distribute an information hand-out to employees who experience lost time incidents (see appendix G). This hand-out will explain their eligible benefits. All Employee Worker's Compensation files are maintained in the Risk Management Department.
- C. "Combination Supplementary & Claim Summary Form" (see appendix D) is filed by the Risk Management Department with the Alabama Department of Industrial Relations for any work-related injury/illness for which the employee receives compensation. This form is filed when the first payment of compensation has been made to the employee, or if compensation has not been paid within thirty (30) days from the date disability began. The Claim Summary Form portion of this form is filed, by Risk Management, with the State when compensation payments have been terminated and/or when all benefits are paid or settled.
- D. "Worker's Compensation Salary Benefits Worksheet " (see Appendix E) is used by Risk Management to calculate biweekly salary benefits for employees receiving compensation benefits. The form is retained in the employee's Worker's Compensation file. After the form is completed at the end of each biweekly pay period, Risk Management completes a requisition, reflecting the actual number of days during a pay period the employee should be paid Worker's Compensation and the applicable rate. This requisition is submitted to the Payroll Department for payment to the affected employee.
- E. "Form 10". A City-County Personnel Form 10 should be completed and signed by the Department Head, and approved by the County Administrator, and submitted to the Payroll Department when an employee is out of work on Worker's Compensation. Another Form 10 is completed when it is time to return the employee to work. The Form 10 is retained in the employee's payroll records file, and the employee's personnel file.

9-4 Payment of Benefits

Employees drawing Worker's Compensation are paid biweekly. Employees are paid their regular pay the first three (3) days after injury. The County then pays compensation based on the average weekly wage of the employee at the time of the accident as determined by Ala. Code § 25-5-57 and § 25-5-1(6). Other employee benefits are provided as follows:

- A. Employees do not accrue annual or sick leave while receiving Worker's Compensation pay.
- B. County health benefits and life insurance coverage will continue to be provided on the same basis as they were provided prior to the employee being placed on Worker's Compensation as long as the employee's contribution payments are made to the Payroll Department
- C. Employees do not accrue retirement time during any pay period for which they are totally on Worker's Compensation and no deduction will be made from the employee's Worker's Compensation payments for retirement unless the employee requests and is approved for leave

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pursuant to the Family and Medical Leave Act (FML) Public Law 103-3. If FML is requested and approved, the employee will receive retirement credit.

- D. Employees do not accrue time toward their eligibility for an anniversary increase or vacation leave for pay periods for which they are totally on Worker's Compensation. The Form 10 returning an employee to work from Worker's Compensation will reflect an adjusted anniversary date and annual leave accumulation date to cover any pay period for which the employee was totally off the payroll on Worker's Compensation for one (1) or more pay periods.

9-5 Returning to Work

A written statement by the treating physician specifying the date, and any restrictions that might apply, and that an employee may return to work should be given to the employee's supervisor. This statement is required before an employee may return to the job after a period on Worker's Compensation. A copy of this statement shall be given immediately to Risk Management and will be retained in the employee's Worker's Compensation file.

9-6 Minimum Requirements for Claiming Worker's Compensation Benefits

1. The employee reports the accident to his/her Supervisor and the Department Head or Supervisor notifies the County Commission Risk Management office, as soon as possible.
2. A written notice of the accident must be submitted to the Risk Management Department on State-specified report forms and include the nature of the accident, date time, hospital, doctor, etc., within two (2) working days after occurrence. Exceeding two (2) days or using a letter or any other report form not approved by the County Commission will not meet the minimum reporting requirements because of higher level reports the County Commission is required by law to make to the Department of Industrial Relations.
3. If medical attention is necessary, the employee is required to go to the County-approved physicians or facilities:

Dr. Michael Turner
1600 Forest Avenue
Montgomery, AL 36106
Phone: (334) 261-4445
or

Dr. Norman Garrison
4725 Mobile Highway
Montgomery, AL 36108
Phone: (334) 281-3665
or

The Jackson Hospital Emergency Room
1235 Forest Avenue
Montgomery, AL 36106
Phone: (334) 293-8851

An employee must state that he/she is a Montgomery County employee, has been injured on the job, requires assistance, and will be under the care of Dr. Turner/Garrison. If Dr. Turner/Garrison or one of their specified associates is not available, all medical services and/or the use of other physicians must be approved and specified in writing by the Risk Management Department prior to utilization.

4. If the employee's injuries are life-threatening, he/she should go to the nearest medical facility for treatment. A later evaluation will determine if the employee should be re-directed to Dr. Turner's/Garrison's care.

5. If medical attention is not needed on the day of the accident, but becomes necessary in the future, services other than Dr. Turner/Garrison or through the Jackson Hospital Emergency must be approved by the Risk Management Department prior to utilization.

6. Other than immediate, life threatening injuries where time is of the essence, an employee using a physician or medical service not approved by Risk Management will be responsible for all costs incurred.

7. The purchase of medicine other than from the treating physician's pharmacy or Adams Drugs must be approved by the Risk Management Department prior to purchase. Over the counter medication that may be used by any family member is non-reimbursable.

8. Certain expenses associated with an employee's claim are reimbursable. Employees may be reimbursed for mileage to and from authorized medical and rehab providers at the same rate as provided by law for official state travel. All mileage will be verified before reimbursement. Employees will not be reimbursed for mileage to a Medical Provider or Rehab Facility located between their residence and work location. Only one (1) round trip to drop off and pick up prescriptions is reimbursable. Mileage to an unauthorized medical provider is not eligible for payment. Employees have one year (12 months) from the date of incurred expense, as stated above, to file the claim for reimbursement (not retro-active). (see appendix F)

9. Before any Worker's Compensation payments will be made, a physician's or hospital report must be on file in the Risk Management Office on the appropriate forms specified by the Department Relations. (Reports can be obtained in the Risk Management Office or Dr. Turner's/Garrison's offices).

10. All on-the-job accidents, injuries, and occupational diseases, no matter how big or small, must be reported. Failure to do so could preclude compensation under worker's compensation law.

11. All injured employees **must** submit to a drug and alcohol test as part of their initial evaluation and treatment. No compensation shall be allowed for an injury or death caused by willful misconduct, refusal to use prescribed safety equipment or appliances, willful violation of the law, breach of a rule or regulation of which the employee has knowledge, or injury or death due to alcohol or drug intoxication.

12. Employees who are injured on the job and leave work to obtain medical attention will be given time credit for a complete regular workday as special leave or Worker's Compensation time. Employees will not be given credit for time spent at the doctor's office or a medical facility in excess of the employee's normal work period. If the department deems it essential to send another employee to assist an injured employee and that employee must remain in excess of his/her regular work period, the employee will be given credit under regular overtime policies and procedures.

9-7 Appendix

CHAPTER 10 - FLEET SAFETY POLICY AND PROCEDURES

10-1 Introduction and Purpose

The purpose of this Policy is to set forth and implement policies and procedures that will promote the efficient, effective, and safe operation of Montgomery County Commission motor vehicles, machinery and equipment. The scope of the Policy includes any vehicle, equipment/machinery of all categories that is owned, leased, or rented by the Commission, or loaned to the Commission. The Policy also includes equipment/machinery that may not require a driver's license but will be operated on a public roadway.

10-2 Objectives

The Montgomery County Commission is committed to ensuring its fleet operations are conducted in a safe and efficient manner in order to reduce risks and losses associated with the operation of Montgomery County Commission vehicles, machinery and equipment. The objectives of this policy are to establish a written policy outlining guidelines for a fleet safety program, driver selection and training requirements, vehicle maintenance and safety inspections, and post-accident procedures. This written policy will address the following elements:

- A Responsibilities of the Driver, Supervisor, Department Head and Risk Management
- B Drivers License Requirements
- C Motor Vehicle Record (MVR) Requirements
- D Annual Review of Employee's Driving Records
- E Fleet Safety Rules
- F Vehicle Maintenance and Safety Inspections
- G Vehicle/Equipment Accidents

10-3 Responsibilities of Driver, Supervisor, Department Head and Risk Management

1-2 Driver Responsibility

Every operator of a Montgomery County Commission vehicle is a representative of the County and is expected to conduct himself/herself accordingly. Every time a County vehicle is moved, the driver has a duty to drive in a safe and courteous manner that will reflect favorably on the Montgomery County Commission. Drivers have the responsibility to:

1. Adhere to the Fleet Safety Rules **in this chapter.**
2. Ensure a Liability Insurance Card is maintained in the County Vehicle

In the event a County employee rents a vehicle to drive on County business all directives of this policy will apply. The employee should not purchase additional insurance for the rental vehicle.

Drivers are responsible for any personal citations issued to them while driving a County vehicle, or personal vehicle, on County business. The driver is responsible for reporting the incident to his/her supervisor.

1-2 Supervisor Responsibility

1. Supervisors have the responsibility to train and observe new and existing fleet operators in the safe and correct operation of their assigned vehicle and/or equipment.
2. Supervisors should ensure that all vehicles can be operated safely or are taken out of service until necessary repairs are completed.
3. Supervisors shall require and enforce compliance with this policy.

C. Elected Official / Department Heads

Elected Officials and Department Heads have the responsibility to implement this Fleet Safety Policy by:

1. Directing all supervisors and employees to endorse and comply with this policy.
2. Ensuring their employees meet all driver's license requirements and MVR (Motor Vehicle Record) requirements for their positions per the requirements of this policy. Risk Management will file Requests for Motor Vehicle Records (Appendix E) to the Department of Public Safety for affected employees on an annual basis. Elected Officials/Department Heads will be notified if one/any of their employees do not meet the safety requirements stated in this policy. Developing a procedure for certifying employees to operate County Vehicles and/or equipment in their respective department and ensure the proper procedures are followed.
3. Ensuring employees are aware of, understand, and comply with the requirements of this policy.
4. Enforcing employee compliance with this policy through appropriate disciplinary action when necessary.
5. Ensuring that all motor vehicle accident reports, police reports, photographs, statements, injury reports, insurance information, and/or any other pertinent paperwork or information is forwarded to the Risk Management Department as soon as possible, so they may be handled appropriately.
6. Maintaining a current list of all employees authorized to drive County Vehicles or equipment/machinery. This list will include each employee's current driver's license number and the expiration date of the license. This list will be subject to periodic review as to status and violations.

D. Risk Management Responsibility

1. Train appropriate employees in the Montgomery County Commission's Fleet Safety Policy.

Montgomery County Commission

2. Audit each department's compliance with this policy and its effectiveness annually.
3. Track and document all motor vehicle accidents
4. Review all motor vehicle accident reports and determine compensability for claims of property damages or bodily injuries to the other involved party.
5. Interact with employees, other involved parties, insurance representatives, and repair shops to satisfactorily implement and settle claims.
6. Communicate with the Accident Review Committee on any claims exceeding \$10,000.00 in property damage or serious bodily injury to another party or member of public.
7. Assist County Attorneys with any claims involving litigation.
8. Provide loss trend analysis data to determine causes, severity and costs of motor vehicle accidents.
9. Assist in providing drivers' safety training to employees as needed.

10-4 Driver License Requirements

- A. Prospective and current employees, whose job duties include the operation of a Montgomery County Commission vehicle, or who may use their personal vehicle for Montgomery County Commission business, must be in possession of a valid and current Alabama driver's license to include the appropriate class of commercial license for the vehicle being operated. Under no circumstances shall a Montgomery County Commission employee, whose license has been cancelled, revoked, suspended, or expired, operate a vehicle around or about a roadway.
- B. During the hiring, promotion, or transfer of a current or prospective Montgomery County Commission employee, whose duties include the operation of a Montgomery County Commission vehicle, said employee shall produce a valid and current Alabama driver's license, which shall be in his/her possession at all times while driving, operating, or in readiness to operate a motor vehicle. The Montgomery County may request police reports to determine fault in accidents appearing on an employee's MVR.
- C. An employee, whose job duties include the operation of a Montgomery County Commission vehicle, shall immediately, within 24 hours, notify his/her department head (or delegated official) of any change in the status of his/her driver's license or the receipt of any citation for a moving violation in the operation of a motor vehicle whether the citation is on or off the job. Failure to immediately report a driver's license revocation, suspension, cancellation, or citation, as required by this paragraph, shall result in disciplinary action in adherence with Rule IX, Montgomery County Commission Personnel Rules and Regulations and this chapter.
- D. An employee who fails to report a change in the status of his/her driver's license or the receipt of any citation for a moving violation will be subject to one or more of the following:

Montgomery County Commission

1. letter of reprimand, or
 2. suspension without pay, or
 3. revocation of driving privileges and transfer/demotion to a job not requiring the ability to drive, or
 4. termination of employment
- E. The Elected Official or Department Head shall obtain the employee's drivers license abstract from the Alabama Department of Public Safety Drivers License Division (P. O. Box 1471, Montgomery, AL 36102) annually and forward it to Risk Management. Any employee who does not hold a valid driver's license shall not be allowed to operate a Montgomery County Commission vehicle or equipment/machinery until such time as he/she obtains a valid license.
- F. Each Department shall maintain a current list of all employees who are authorized to drive **County Vehicles** or equipment/machinery. This list must include each employee's current driver's license number and the expiration date on the license. This list shall be subject to periodic review as to status by Risk Management.

10-5 Motor Vehicle Record Requirements

- A. An applicant for a position with the Montgomery County Commission of Montgomery, whose job duties include driving a Montgomery County Commission vehicle, will have his/her current MVR reviewed, prior to being employed, by the hiring authority or so delegated official. The Montgomery County Commission may request police reports to determine fault in accidents appearing on an employee's MVR. An at-fault accident will add three points to the employee's driving record. If the MVR has greater than eight (8) points in a 24 month period listed for traffic violations or a conviction or pending charge for driving under the influence during that period, that applicant will be disqualified from consideration for the position in question.
- B. If a current employee, whose job description includes the duty to operate a Montgomery County Commission vehicle, acquires at any time an MVR found to be greater than eight (8) points according to the points scale under Ala. Code § 32-5A-195 (see attachment A), that employee shall be required to attend a defensive driving course at his/her own expense. The accumulation of points is for a twenty-four (24) month period. The date of reference for points accumulation shall be the date of the conviction. The Risk Management Division shall be responsible for reviewing on an annual basis the MVR of employees subject to this policy.
- C. The employee who is identified as having an MVR greater than eight (8) points will be given two weeks from the date of notification to schedule a defensive driving course and must complete the course at its next offering. Risk Management,

Montgomery County Commission

Department Head/Elected Official & Accident Review Committee will determine what disciplinary action is taken.

- D. Any current employee arrested for driving a County vehicle while under the influence of alcohol or drugs will be immediately prohibited from operating Montgomery County Commission vehicles. Any current employee, driving a County vehicle, who is stopped by law enforcement officials for suspicion of driving under the influence of drugs or alcohol may not refuse a breathalyzer or blood alcohol test. If the person is ultimately found not guilty of driving under the influence of alcohol or drugs, driving privileges will be returned immediately. If the person is found guilty, driving privileges will be taken away for a period not to exceed one (1) year starting with the initial date driving privileges were revoked. It is the responsibility of the employee to report such an arrest to his/her supervisor and the Risk Management Department. Failure to report the arrest may result in disciplinary action up to and including termination of employment.

10-6 Annual Review of Employee Driving Records

Annual checks of employees' drivers' license abstract from the Alabama Department of Public Safety Drivers License Division (P. O. Box 1471, Montgomery, AL 36102) shall be requested and reviewed by Risk Management annually. An employee who does not hold a valid driver's license will not be allowed to operate a Montgomery County Commission vehicle or equipment/machinery until such time as he/she obtains a valid license. In addition, any employee who has convictions which exceed eight (8) points in a twenty-four (24) month period shall not be allowed to operate a Montgomery County Commission vehicle or equipment/machinery until such time as he/she meets the requirements as stated in the Motor Vehicle Record Requirements mentioned above.

10-7 Fleet Safety Rules

A. *General Rules*

All employees shall:

1. Understand their assigned tasks related to operation of a fleet vehicle.
2. Never leave the scene of accident without notifying the proper personnel.
3. Apply the proper training and equipment to safely operate a motor vehicle.
4. Take extra precautions and drive defensively.
5. Comply with and be subject to disciplinary actions in accordance with the Driver License Requirements set forth in this chapter.
6. Be alert to all activities on or near the roadway and always be prepared to slow or stop suddenly
7. Be on guard to expect the unexpected and have a plan for alternatives.

Montgomery County Commission

8. Shall obey all traffic laws and wear seat belts – No Exceptions.
9. Perform a daily inspection of their vehicle and equipment to ensure it/they (i.e. lights, horn, wipers, brakes, warning devices, tires, etc.) are clean and working properly. Drivers should never knowingly drive an unsafe or defective vehicle or equipment/machinery and should report the operational problem to the appropriate maintenance personnel.
10. Never drive a vehicle, equipment/machinery until defects have been corrected and the vehicle has been released for safe operation.
11. Upon direction from their department head, participate in any and all safety and defensive driving training scheduled for them.
12. Never resort to road rage under any circumstances.
13. Turn the engine off and remove the ignition key from vehicles when parked.
14. Never allow passengers to ride on running boards, trailers, truck beds, hoods or any area other than seats.
15. Not transport Non-County employees in County vehicles unless authorized as a part of job duties.
16. Turn off ignition and do not smoke, use cell phones, blackberries, or other technical devices while fueling vehicle.
17. Shall not drive a County vehicle for personal use.

B. *Seat Belt Use*

Seat Belt use is mandatory in all County vehicles. This applies to both the driver and all passengers in seating locations equipped with seat belts.

C. *Backing a Truck*

1. If the truck operator is alone and does not have any other County employees in the area to act as a spotter, he is **required** to exit the truck and perform a walk-around inspection prior to attempting to back. **Backing should not be attempted if any object, person, etc. is in the backing path.** By walking around the truck the driver is able to assure himself that he has sufficient rear clearances to safely back the vehicle. It is important to re-enter the truck and begin backing as soon as the walk-around is accomplished. By backing immediately after the inspection, the driver can safely back the truck before the situation changes and his rear clearance is compromised by other vehicles and/or pedestrians.
2. If there are two employees available, either riding in the truck, or at the worksite, they will both act as spotters for the driver while backing up. Both spotters will exit the truck and take a position at the rear of the vehicle, on the ground, where they can be seen by the driver. Their responsibilities include checking the rearward path for proper clearance, looking for

pedestrians, and other vehicles. They will then use hand signals to guide the driver safely through the backing operation. **Backing should not be attempted if any object, person, etc., is in the backing path.** The driver will not back his truck until such time as the spotter has positioned himself to the rear of the vehicle and gives the driver the signal to begin backing. The driver will stop immediately if the spotter so signals. The driver must also stop immediately, if for any reason one of the spotters disappears from sight. The driver will not resume movement of the truck until the spotter has reappeared and resumes movement signaling.

3. The driver is responsible for the safe operation of the truck and as such shall direct an employee(s), if available, to act as a spotter.

D. Inattentive Driving - Cell phones, Blackberries, and Other Devices

1. The Montgomery County Commission has provided employees with certain equipment, including cellular phones, personal digital assistant (PDA) devices (i.e. "Blackberries, Palm Pilots, etc.), laptop/portable computers and other equipment to assist employees in accomplishing their job duties.
2. When using Montgomery County Commission equipment or when using the employee's own equipment for work purposes, employees are expected to exercise care and follow all operating instructions, safety standards, and guidelines.
3. Employees using cellular phones, PDA devices, and like devices for work or personal purposes while operating a motor vehicle provided by the Montgomery County Commission or while operating their own or another vehicle for work purposes, including traveling to or from business meetings are expected to exercise extreme caution and defensive safety practices in all situations.
4. Employees shall refrain from engaging in any other activities while driving that might lead to inattention toward their primary responsibility: **operating the motor vehicle safely with full attention given to driving.**
5. Refrain from driving while fatigued or under the influence of prescription or over the counter drugs that may cause drowsiness and slow reactions while operating a vehicle.
6. Any employee who is involved in an accident while using the Montgomery County Commission equipment or vehicles, or while conducting Montgomery County Commission business, must promptly report the

incident to his or her immediate supervisor, regardless of the perceived cause of the accident.

10-8 Vehicle Maintenance and Safety Inspections

An ongoing vehicle maintenance and inspection program will ensure that Montgomery County Commission fleet vehicles, machinery and equipment are properly serviced and maintained. Operators of vehicles shall be responsible for performing a daily walk-around of their vehicle prior to it being placed in service. The daily walk-around inspection should include but not be limited to:

1. obvious physical damage
2. engine inspection
3. exterior lights
4. brakes
5. steering
6. tire pressure and conditions

If problems are noted, the employee will be responsible for notifying the respective Department person responsible for repair. Vehicles found to have potential operational safety hazards are to be immediately taken out of service until such hazards are corrected.

Operators of vehicles should ensure that preventative maintenance services are performed and records maintained on a regular basis.

10-9 Vehicle / Equipment Accidents

Any employee involved in a motor vehicle accident, shall follow the procedures listed below:

1. Take immediate action to prevent further damage or injury at the scene of the accident. If possible, pull onto the shoulder or side of the road and activate flashers.
2. Tend to any medical needs. Call (911) emergency personnel or have bystander contact emergency personnel. Notify police or local law enforcement by calling 911.
3. Notify supervisor immediately if possible.
4. Do not admit fault or discuss accident with other party.
5. The responding law enforcement officials will record the names, addresses, drivers' license number, and insurance information of the other party. You should have a County insurance card in your vehicle at all times to present to the authorities. This card contains the County contact information.
6. Record the names and addresses of any witnesses if possible.
7. If camera is available, take pictures from different angles of the scene. Record the police report number, time, date, place and weather conditions of the accident.

8. If County vehicle is not safely drivable, it should be towed to a pre-designated body shop. Other vehicles/equipment involved in the accident, if not safely drivable, may be towed to body shop of owner's choice.
9. Supervisor/department head of County driver involved will ensure he/she receives needed medical attention up to and/or including going to hospital, transporting employee to doctor's office or medical facility, or arranging appointment for employee to see designated County physician. All County employees involved in a motor vehicle accident will be drug tested immediately following the incident regardless of fault
10. Supervisor/Department Head should obtain statement from County driver, accident report, number and severity of injuries, and any/all pertinent information regarding the accident as well as two estimates on cost of repairing County vehicle damage. The driver of the vehicle involved in the accident shall be responsible for filing the SR-13 form (see appendix C) within thirty (30) days of the date of the accident. The Supervisor/Department Head will retain a copy of the SR-13, ensure it is filed timely, and forward a copy to the Risk Management Department. The "Your Insurance Information" section should be simply marked with a "G" designating a government entity. The SR-13 Form may be filed on-line but the Department of Public Safety will not accept a faxed copy. Do not send attachments with the filed copy. A copy of the completed SR-13 and all other information will be delivered to Risk Management within 24 hours after occurrence. Department Heads/Elected Officials will communicate with Risk Management if vehicle should be repaired.
11. Contact information for any other parties involved in the accident is to be given to the Risk Management Department. They will contact and communicate with any other party or their insurance company regarding a claim for property or personal injury damages. Risk Management will validate that a completed County Claim Form is received from the claimant within thirty (30) days of accident date. (see attachment B). Only Risk Management and designated County officials/agents shall discuss or authorize any repairs, compensation, or settlements resulting from a motor vehicle accident in which a County vehicle/equipment is involved.
12. Risk Management and, if warranted, legal counsel, will analyze data and determine acceptance/denial of County liability for the accident.
13. When County liability is projected to be no more than \$10,000.00, Risk Management will negotiate, and expedite claim to closure including a signed release from claimant.
14. Accidents projected to cost more than \$10,000.00 will be communicated to the Accident Review Committee.
15. Completed files will be forwarded to the Deputy Administrator's office for file maintenance and record-keeping purposes.
16. The Sheriff's Office, due to the unique nature of their duties and responsibilities, will maintain their own Department Accident Review Board policies and procedures.

ELTON N. DEAN, SR.
CHAIRMAN

REED INGRAM
VICE CHAIRMAN

DIMITRI POLIZOS
JILES WILLIAMS, JR.
HAM WILSON, JR.

A COUNTY OLDER THAN THE STATE

MONTGOMERY COUNTY COMMISSION

P.O. BOX 1667
MONTGOMERY, ALABAMA 36102-1667

ESTABLISHED 1816

DONALD L. MIMS, CPA, MPA
ADMINISTRATOR
JOHN A. MITCHELL, SR.
DEPUTY ADMINISTRATOR
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July 18, 2012

MEMORANDUM

TO: Donald L. Mims
County Administrator

FROM: Scott Kramer 
Risk Manager

SUBJECT: Revisions to Management Procedures Manual

On July 9, 2012, Barbara Montoya, Connie Walker and I met with the Commission to discuss the recommended changes and updates for the certain chapters of the Management Procedures Manual.

On July 12, 2012, I forwarded a memo to you recommending this item be placed on the next agenda for the Commission's consideration of approval. A revision needs to be made to two sections of the Management Procedures Manual related to retirement benefits for an employee in a non-temporary capacity on at least a one-half time basis. This change is in accordance with the membership guidelines of the Employees Retirement System. I have attached and highlighted the revised sections to reflect these changes.

CC: John Mitchell, Deputy Administrator
Barbara Montoya, Personnel Director
Connie Walker, Haskell & Slaughter

7-19 Benefits and Status by Class of Employee (P)

Classified employees receive all rights and benefits established by the Merit System and those additional benefits provided by the County Commission beginning with the first day of employment.

Unclassified employees receive only those rights and benefits for the individual position(s) as specified by Legislative Act(s).

Temporary employees are paid on the basis of actual hours worked and are not eligible for any leave benefits, life or health insurance, or retirement benefits. They are paid for holidays if they work the regular work day before and after the holiday.

Part-time employees who competed for the position in accordance with the merit system law are entitled to earn annual and sick leave on the same basis as regular classified employees. These employees are not eligible for life ~~or retirement benefits~~ or for health insurance unless they work over thirty (30) hours per week. They are paid for holidays equivalent to the number of hours they work in a regular tour of duty if they work the workday before and after the holiday.

7-57 Membership

All Montgomery County employees, except certain elected officials and temporary employees, who become an employee after the passage of Act 833 on September 12, 1969 are members of the retirement system. Employees, as a condition of employment, become a member of the ERS on the first day of the month following employment.

The ERS is a defined benefit plan qualified under Section 401(a) of the Internal Revenue Code. The Code of Alabama 1975, Section 36-27 contains the actual language governing the plan. Participation in the ERS is mandatory if a person is employed in a position eligible for coverage in a non-temporary capacity on at least a one-half time basis earning at least the federal minimum wage. Once enrolled, the member must continue participation until employment is terminated.

All members' (excluding law enforcement) contribution rate is **five (5%)** percent of earnable compensation by payroll deduction. Law enforcement officers must contribute **six (6%)** percent of earnable compensation. The member contribution rate is determined by statute and subject to change by the Alabama Legislature. The employer's contribution rate is established after each annual actuarial valuation.

ELTON N. DEAN, SR.
CHAIRMAN

REED INGRAM
VICE CHAIRMAN

DIMITRI POLIZOS
JILES WILLIAMS, JR.
HAM WILSON, JR.

A COUNTY OLDER THAN THE STATE

MONTGOMERY COUNTY COMMISSION

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Agenda

JUL 23 2012

July 23, 2012

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims, County Administrator *DLM*

SUBJECT: Miscellaneous Appropriations Reprogramming Requests

I am requesting authority to reprogram the following from fund code 001-59320-498 (Agency, Miscellaneous Appropriations) to:

- **C-2012-65:** Rescind Appropriation to Garrett Coliseum Redevelopment Corporation, to Provide Funding for Maintaining Garrett Coliseum for Event and Tourism Development in Montgomery County - \$750; (Ingram)
- NOTE:** Funding will be appropriated through Montgomery Area Chamber of Commerce.
- C-2012-75:** Montgomery Area Chamber of Commerce, to Provide Funding for Maintaining Garrett Coliseum for Event and Tourism Development in Montgomery County -\$750; (Ingram)
- C-2012-76:** Cancer Wellness Foundation of Central Alabama, for Social Services Program to Provide Transportation - \$500; (Wilson)
- C-2012-77:** Alabama Jazz and Blue Federation, for the Jazz on the Grass Event - \$500; (Wilson)
- C-2012-78:** Montgomery Habitat for Humanity, to Address Training and Development Needs of Staff in Order to Provide Decent, Affordable Houses for Qualifying, Economically Disadvantaged Residents in Montgomery County - \$500; (Wilson)
- C-2012-79:** Child Protect, Inc., for Support of their Mission of Service to Children of Abuse - \$500; (Wilson)
- NC-2012-95:** City of Montgomery, to be used by BONDS to Support the Brighton Area Homeowner's Association, for the "National Night Out" Event - \$500;

(Wilson)

MEMORANDUM

Montgomery County Commission

July 23, 2012

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- NC-2012-96: City of Montgomery, to be used by BONDS to Support Vaughn Meadows, for the "National Night Out" Event - \$500; (Wilson)
- NC-2012-97: City of Montgomery, to be used by BONDS to Support Brentwood, for the "National Night Out" Event - \$500; (Wilson)
- NC-2012-98: City of Montgomery, to be used by BONDS to Support McGehee Estates, for the "National Night Out" Event - \$500; (Wilson)
- NC-2012-99: City of Montgomery, to be used by BONDS to Support Carriage Hills, for the "National Night Out" Event - \$500; (Wilson)

DLM/tll

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

JUL 23 2012

Request # 16

Date: July 16, 2012
To: Donald L. Mims, Administrator
From: Donald L. Mims, Administrator
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Orange Beach, Alabama
Departure Date: August 21, 2012 Return Date: August 24, 2012
Conference Leave (Days / Hours): 4 Days
Purpose of Travel: To attend 2012 ACCA Annual Convention

Traveler (s) Name: 1. Donald L. Mims 4. Reed Ingram
2. John A. Mitchell, Sr. 5. Jiles Williams, Jr.
3. Elton N. Dean, Sr. 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☐
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$5,871.00 Advance Registration Required: \$925.00

Department Name: County Commission Fund Name: General

Additional Comments: Registration -\$925.00; Meals - \$1125.00; Mileage - \$1095.00; Hotel - \$2726.00

To: Donald L. Mims, Administrator

From: Donald L. Mims, Administrator

The above request is 7/23/2012 reimbursement of actual and necessary expenses in the
approximate amount of \$5,871.00 and advance registration of \$925.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>001-51100.265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$22,500.00</u>	
Approved Requests:	<u>\$13,314.51</u>	
Budget Available:	<u>\$9,185.49</u>	
Current Requests:	<u>\$5,871.00</u>	
Budget Balance:	<u>\$3,314.49</u>	

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/16/2012

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

JUL 23 2012

Request # 7

Date: July 20, 2012
To: Donald L. Mims, Administrator
From: Sherrill R. Thomas, Finance Director
Re: Travel / Training Request



Request approval to be granted for the following:

Destination: Montgomery, AL
Departure Date: August 21, 2012 Return Date: August 21, 2012
Conference Leave (Days / Hours): 1 Day
Purpose of Travel: Attend Wilson Price Annual Accounting & Auditing Update
Qualifies toward 40 hours of CPE required annually for CPA license.

Traveler (s) Name: 1. Sherrill Thomas 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☐
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$0.00 Advance Registration Required: \$0.00

Department Name: Finance Department Fund Name: General Fund

Additional Comments: _____

To: Sherrill R. Thomas, Finance Director

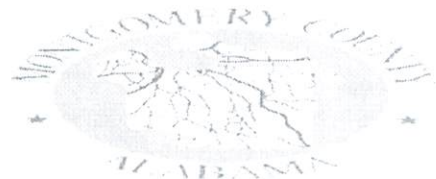
From: Donald L. Mims, Administrator

The above request is app. 07/23/12 reimbursement of actual and necessary expenses in the
approximate amount of \$0.00 and advance registration of \$0.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>001-51110.265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$3,000.00</u>	
Approved Requests:	<u>\$2,041.00</u>	
Budget Available:	<u>\$959.00</u>	
Current Requests:	<u>\$0.00</u>	
Budget Balance:	<u>\$959.00</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 7/20/2012

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

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Agenda

JUL 23 2012

Request # 9

Date: July 11, 2012
To: Donald L. Mims, Administrator
From: Lou Ialacci
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Montgomery, Alabama
Departure Date: August 20, 2012 Return Date: August 24, 2012
Conference Leave (Days / Hours): 5 days
Purpose of Travel: CompTIA A+ Essentials Certification Program at AUM Advanced Training Group

Traveler (s) Name: 1. Robert D Phaturos Jr 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☐
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$1,485.00 Advance Registration Required: \$1,485.00

Department Name: Information System Fund Name: General

Additional Comments: _____

To: Lou Ialacci

From: Donald L. Mims, Administrator

The above request is app. 07/23/12 reimbursement of actual and necessary expenses in the
approximate amount of \$1,485.00 and advance registration of \$1,485.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>001-51965.265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$20,000.00</u>	
Approved Requests:	<u>\$13,786.80</u>	
Budget Available:	<u>\$6,213.20</u>	
Current Requests:	<u>\$1,485.00</u>	
Budget Balance:	<u>\$4,728.20</u>	

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/12/2012

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

JUL 23 2012

Request # 10

Date: July 13, 2012
To: Donald L. Mims, Administrator
From: Lou Ialacci
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Alpharetta, GA
Departure Date: August 3, 2012 Return Date: August 4, 2012
Conference Leave (Days / Hours): 2 Days
Purpose of Travel: Attend Conference for Microsoft's new product demonstration for Windows 8

Traveler (s) Name: 1. Chad Nunn 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☐
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$533.00 Advance Registration Required: \$0.00

Department Name: Information Systems Fund Name: General

Additional Comments: Hotel - \$175.00; Food Allowance - \$150.00; Mileage - \$208.00

To: Lou Ialacci
From: Donald L. Mims, Administrator

The above request is app. 07/23/12 reimbursement of actual and necessary expenses in the
approximate amount of \$533.00 and advance registration of \$0.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>001-51965.265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$20,000.00</u>	
Approved Requests:	<u>\$13,786.80</u>	
Budget Available:	<u>\$6,213.20</u>	
Current Requests:	<u>\$2,018.00</u>	
Budget Balance:	<u>\$4,195.20</u>	

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/15/2012

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

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Request # 17

Agenda

JUL 23 2012

Date: July 12, 2012
To: Donald L. Mims, Administrator
From: Wanda J. Robinson, Director
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Orange Beach, AL
Departure Date: October 17, 2012 Return Date: October 19, 2012
Conference Leave (Days / Hours): 3 Days
Purpose of Travel: Alabama Jail Association Conference

Traveler (s) Name: 1. Colonel Wanda Robinson 4. _____
2. Captain Etta Matthews 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☒ Commercial Air ☐
Private Vehicle ☐ Other (Specify) ☐

Total (est.) Cost: \$350.00 Advance Registration Required: \$30.00
Department Name: Sheriff (MCDF) Fund Name: General

Additional Comments: _____
ALL COST WILL BE PAID FROM THE 2013 BUDGET

To: Wanda J. Robinson, Director
From: Donald L. Mims, Administrator

The above request is app. 07/23/12 reimbursement of actual and necessary expenses in the
approximate amount of \$350.00 and advance registration of \$30.00 is authorized.

<i>To be completed by the Finance Department</i>		
Fund Code:	<u>001-52200-265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$15,000.00</u>	
Approved Requests:	<u>\$14,812.91</u>	
Budget Available:	<u>\$187.09</u>	
Current Requests:	<u>\$0.00</u>	
Budget Balance:	<u>\$187.09</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas
Date: 7/12/2012
cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 8

Agenda

JUL 23 2012

Date: July 17, 2012

To: Donald L. Mims, Administrator

From: George C. Speake, County Engineer

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Auburn, AL

Departure Date: July 31, 2012

Return Date: July 31, 2012

Conference Leave (Days / Hours): 1 day

Purpose of Travel: Attend Qualified Credentialed Inspector(QCI) Storm Water Training Class
required by ADEM

Traveler (s) Name: 1. James H. May 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation:

County Vehicle

☒

Commercial Air

☐

Private Vehicle

☐

Other (Specify)

☐

Total (est.) Cost: \$400.00

Advance Registration Required: \$400.00

Department Name: Engineering Department

Fund Name: Gasoline Tax 111-53600-265

Additional Comments: _____

To: George C. Speake, County Engineer

From: Donald L. Mims, Administrator

The above request is app. 07/23/12 reimbursement of actual and necessary expenses in the
approximate amount of \$400.00 and advance registration of \$400.00 is authorized.

To be completed by the Finance Department

Fund Code: 111-53600.265 (ex: 000-00000-000)

Description: Registration & Training

Current Budget: \$5,000.00

Approved Requests: \$3,075.00

Budget Available: \$1,925.00

Current Requests: \$400.00

Budget Balance: \$1,525.00

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/18/2012

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

JUL 23 2012

Request # 8

Date: July 5, 2012
To: Donald L. Mims, Administrator
From: Barbara M. Montoya, Personnel Dir.
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Chicago, IL

Departure Date: August 10, 2012 Return Date: August 12, 2012

Conference Leave (Days / Hours): 3 Days

Purpose of Travel: to attend the 2012 IPMA-HR Leadership Training

Traveler (s) Name: 1. Barbara Montoya 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☒
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$0.00 Advance Registration Required: \$0.00

Department Name: Personnel Fund Name: Merit System

Additional Comments: All Expenses Paid

To: Barbara M. Montoya, Personnel Dir.

From: Donald L. Mims, Administrator

The above request is app. 07/23/12 reimbursement of actual and necessary expenses in the
approximate amount of \$0.00 and advance registration of \$0.00 is authorized.

To be completed by the Finance Department

Fund Code: 123-51961.265 (ex: 000-00000-000)

Description: Registration & Training

Current Budget: \$15,000.00

Approved Requests: \$11,556.00

Budget Available: \$3,444.00

Current Requests: \$0.00

Budget Balance: \$3,444.00

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/5/2012

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

JUL 23 2012

Request # 14

Date: July 10, 2012
To: Donald L. Mims, Administrator
From: Paul Brown, Executive Director
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Orange Beach, AL
Departure Date: October 23, 2012 Return Date: October 26, 2012
Conference Leave (Days / Hours): 4 days
Purpose of Travel: To attend the Annual In-Service Conference

Traveler (s) Name: 1. ReBecca Johnson 4. Edgar Wilson
2. Shonda Grissett 5. Paul Brown
3. Eric Williams 6. _____

Check Mode of Transportation: County Vehicle ☒ Commercial Air ☐
Private Vehicle ☐ Other (Specify) ☐

Total (est.) Cost: \$3,325.00 Advance Registration Required: \$875.00

Department Name: Community Corrections Fund Name: Community Corrections

Additional Comments: _____
ALL COST FROM THE 2013 BUDGET

To: Paul Brown, Executive Director

From: Donald L. Mims, Administrator

The above request is app. 07/23/12 reimbursement of actual and necessary expenses in the
approximate amount of \$3,325.00 and advance registration of \$875.00 is authorized.

<i>To be completed by the Finance Department</i>		
Fund Code:	<u>124-52960.265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$12,400.00</u>	
Approved Requests:	<u>\$6,964.67</u>	
Budget Available:	<u>\$5,435.33</u>	
Current Requests:	<u>\$0.00</u>	
Budget Balance:	<u>\$5,435.33</u>	

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/10/2012

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 15

Agenda

JUL 23 2012

Date: July 10, 2012
To: Donald L. Mims, Administrator
From: Paul Brown, Executive Director
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: 4100 US Hwy 231 South, Troy, AL

Departure Date: July 26, 2012

Return Date: July 26, 2012

Conference Leave (Days / Hours): 1 day

Purpose of Travel: To attend CRISIS & RECOVERY Seminar

Traveler (s) Name: 1. Derrin H. McNear 4. _____
2. Shonda Grissett 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☒ Commercial Air ☐
Private Vehicle ☐ Other (Specify) ☐

Total (est.) Cost: \$0.00 Advance Registration Required: \$0.00

Department Name: Community Corrections Fund Name: Community Corrections

Additional Comments: _____

To: Paul Brown, Executive Director

From: Donald L. Mims, Administrator

The above request is app. 07/23/12 reimbursement of actual and necessary expenses in the
approximate amount of \$0.00 and advance registration of \$0.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>124-52960.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$12,400.00</u>
Approved Requests:	<u>\$6,964.67</u>
Budget Available:	<u>\$5,435.33</u>
Current Requests:	<u>\$0.00</u>
Budget Balance:	<u>\$5,435.33</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/12/2012

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

JUL 23 2012

Request # 44

Date: July 9, 2012
To: Donald L. Mims, Administrator
From: Sheriff D. T. Marshall
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Quantico, VA
Departure Date: September 28, 2012 Return Date: December 20, 2012
Conference Leave (Days / Hours): approx. 12 weeks
Purpose of Travel: FBI National Academy

Traveler (s) Name: 1. Lieutenant Leigh Persky 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☒ Commercial Air ☐
Private Vehicle ☐ Other (Specify) ☐

Total (est.) Cost: \$2,500.00 Advance Registration Required: \$2,500.00

Department Name: Sheriff's Office Fund Name: Sheriff's Fund

Additional Comments: The Sheriff's Fund will advance \$2,500 to Lt. Persky due to the length of time
he will be away from home. Actual receipts will be submitted upon return.
Expense will be booked in the 2013 001-52110.265 budget when settled.

To: Sheriff D. T. Marshall

From: Donald L. Mims, Administrator

The above request is app. 07/23/12 reimbursement of actual and necessary expenses in the
approximate amount of \$2,500.00 and advance registration of \$2,500.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>749.14900</u> (ex: 000-00000-000)
Description:	<u>Other Receivables</u>
Current Budget:	<u>\$0.00</u>
Approved Requests:	<u>\$0.00</u>
Budget Available:	<u>\$0.00</u>
Current Requests:	<u>\$0.00</u>
Budget Balance:	<u>\$0.00</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/10/2012

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 45

Agenda

JUL 23 2012

Date: July 9, 2012
To: Donald L. Mims, Administrator
From: Sheriff D. T. Marshall
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Florence, AL
Departure Date: October 14, 2012 Return Date: October 19, 2012
Conference Leave (Days / Hours): 6 days
Purpose of Travel: Southeastern Law Enforcement Executive Development Seminar (SLEDS)

Traveler (s) Name: 1. Lieutenant Rodney Barrett 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☒ Commercial Air ☐
Private Vehicle ☐ Other (Specify) ☐

Total (est.) Cost: \$1,500.00 Advance Registration Required: \$350.00

Department Name: Sheriff's Office Fund Name: 001-52110.265

Additional Comments: Registration fee should be booked to 001.15350 Prepaid Travel Expense
ALL COST FROM THE 2013 BUDGET

To: Sheriff D. T. Marshall
From: Donald L. Mims, Administrator

The above request is app. 07/23/12 reimbursement of actual and necessary expenses in the
approximate amount of \$1,500.00 and advance registration of \$350.00 is authorized.

<i>To be completed by the Finance Department</i>		
Fund Code:	<u>001-52110.265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$25,000.00</u>	
Approved Requests:	<u>\$16,028.47</u>	
Budget Available:	<u>\$8,971.53</u>	
Current Requests:	<u>\$0.00</u>	
Budget Balance:	<u>\$8,971.53</u>	

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/10/2012

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

JUL 23 2012

Request # 3

Date: July 19, 2012
To: Donald L. Mims, Administrator
From: Jane Brown Reed
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Orange Beach, Alabama
Departure Date: August 21, 2012 Return Date: August 23, 2012

Conference Leave (Days / Hours): 3 Days

Purpose of Travel: to attend the ACCA ANNUAL CONVENTION, for breakout meetings and educational sessions for AAND (Alabama Association of 9-1-1 Directors) members.

Traveler (s) Name: 1. Jane Brown Reed 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☐
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$629.00 Advance Registration Required: \$185.00

Department Name: Emergency Management Board Fund Name: General

Additional Comments: Registration - \$185.00; Meals - \$225.00; Mileage - \$219.00

To: Jane Brown Reed

From: Donald L. Mims, Administrator

The above request is app. 07/23/12 reimbursement of actual and necessary expenses in the approximate amount of \$629.00 and advance registration of \$185.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>784-51986.265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$5,000.00</u>	
Approved Requests:	<u>\$377.22</u>	
Budget Available:	<u>\$4,622.78</u>	
Current Requests:	<u>\$629.00</u>	
Budget Balance:	<u>\$3,993.78</u>	

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/19/2012

cc: Finance Director / Buyer

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