

Cullman County Employee Handbook, Approved February 23, 2016

Changes Effective September 25, 2021:

- Change section **I-Q. Performance Appraisals**. Replace paragraph 4 with the following; “Supervisors/department heads are encouraged to regularly communicate with their employees regarding performance. This communication may be in the form of a verbal exchange or a written performance appraisal”. Remove paragraph 5.
- Change section **I-T. Promotions**. Add the following to paragraph 1; “Employee will receive this promotion increase either immediately upon being granted the promotion or after serving a 6-month probationary period in the new position, based on the Appointing Authority or Appointed Department Head’s departmental guidelines.” Add the following to paragraph 5; “Employee will not receive a pay increase at the end of this promotion probationary period if they already received an increase at the time of the promotion.”
- Change section **II-T. Longevity Pay**. Replace paragraph 5 with the following; “Longevity pay shall be paid to the employee once per fiscal year, normally in October as soon as practical after the end of the fiscal year.”
- Change section **II-U. Reimbursement of Travel Expenses**. Replace wording in item 6 with the following: “Should the host hotel have no availability, and the cost of overnight lodging for the employee exceeds the rate published be the host hotel including taxes and fees, then the employee may spend up to 25% more than the host hotel rate including taxes and fees. The lack of availability should be documented and included with the expense documentation. If the cost of lodging will exceed the 25% overage, the employee shall submit a TRAVEL REQUEST FORM to his or her Department Head at least fourteen (14) days prior to the employee’s anticipated departure date. The Department Head shall immediately review the Employee’s TRAVEL REQUEST FORM and consider the anticipated travel expense. Should the Department Head, and at least two (2) Commissioners approve the amount detailed in the TRAVEL REQUEST FORM, then the same shall be paid by the County Commission upon completion of an approved expense report.”
- Change section **II-W. Incentive Pay**. In paragraph 2, replace 2.5% with 5%. In paragraph 3, replace 2.5% with 5%. In paragraph 4, replace 5% with 10%.
- Change section **IV-G. Holidays**. Add “Juneteenth” as a county holiday.
- Change section **V-O. Benefits Due at Retirement**. Remove paragraph 5.
- Change section **V-Q. Short-Term Disability**. Remove paragraph 2.
- Change section **V-R. Long-Term Disability**. Remove paragraph 2.
- Change section **VI-C. Political Activity**. Replace entire section with the following; “*Ala. Code 17.1.4* authorizes county employees to participate in political activities. Under *Ala. Code 17-1-4(a)*, no county employee shall be denied the right to participate in political activities to the same extent as any other Alabama citizen, including the following:
 - Endorsing candidates and contributing to campaigns.
 - Joining local political clubs and organizations and state or national political parties.
 - Publicly supporting issues and petitions in support of referendums.

Pursuant to *Ala. Code 17.17.5(a)*, however, an employee “shall be on approved leave to engage in political action or the person shall be on personal time before or after work and on the holidays.”

Ala. Code 17-17-5(c) provides that it is a crime to use public time or property for any political activities. This section also prohibits soliciting contributions from or coercing subordinate employees. Any person violating *Ala. Code 17-17-5* is guilty of the crime of trading in public office, which is punishable by imprisonment of not more than one year and a fine of \$6,000.

While employees can freely participate in political activities, *Ala. Code 17-1-4(b)* places severe restrictions on county employees seeking public office by requiring that a county employee who qualifies to run for a county office take an unpaid leave of absence from his or her employment. The employee may use accrued annual leave, but once that leave is exhausted, he or she must be on unpaid leave while a candidate for the office. Any employee who violates this provision forfeits his or her employment. *Ala. Code 17-1-4(b)* does not apply to elected officials or when a county employee is running for a state or municipal office.

Pursuant to *Ala. Code 17-1-4(b)*, the employee must be on leave from the date he or she qualifies to run for office until one of the following occurs:

- The election results are certified; or
- The employee is no longer a candidate; or
- There are no other candidates on the ballot.

Since a deputy is considered an arm of the sheriff who is a constitutional officer, this *requirement does not apply to a deputy running for local office*. See e.g. AG's Opinion ## 2006-072 and 2002-016. However, the sheriff may require the deputy to take leave.

Ala. Code 17-1-5 allows all government employees one hour off work for voting purposes unless the employee's work hours commence at least two hours after the polls open or end at least one hour before the polls close.

The County Attorney is available to answer any questions regarding proper employee political activity. This policy does not authorize a county employee to engage in political activity in violation of Federal or State law."

- Change section **VI-E. Hiring of Relatives-Nepotism Policy**. Remove "aunt, uncle, first cousin" from paragraph 1.
- Change section **VII-E. Workers Compensation Payments**. Replace the last sentence in paragraph 2 with the following; "The current limits (effective 7/1/2021) are a minimum of \$270/week and a maximum of \$983/week."
- Change section **VII-N. Alcohol and Drugs – Drug Free Workplace Policy**. Replace wording in paragraph 14, Collection Sites, with the following; "Cullman County has designated Dr. James Thomas' office located at 1908 Cherokee Ave SW, Cullman AL 35055 as the collection site for all Cullman County drug and alcohol testing."