



Appointing Authorities

Overview of  
Civil Service Employment

January, 2011  
The Merit System of Jefferson County, AL

## Duties of County and Municipal Officials

“It shall be the duty of all elective officials in authority of either the counties or municipalities affected by this *Act* to aid in all proper ways in carrying into effect the provisions of this Act and the rules and regulations prescribed from time to time thereunder...”

Enabling Act of the State of Alabama § 7

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# Introduction

This document provides Merit System appointing authorities with an *overview* of the information needed to perform human resources functions associated with civil service employment in Jefferson County as governed by the 1945 Enabling Act of the State of Alabama. It is not intended to be an exhaustive discussion of or to otherwise be instructive with regard to all of the rules, regulations, policies or operating procedures that govern or are utilized to execute actions in the Merit System of Jefferson County. Should there be any discrepancy between information presented herein and the Rules and Regulations of the Personnel Board of Jefferson County, the Rules and Regulations shall be the controlling document. More comprehensive information may be found in the following published documents:

- [The Rules and Regulations of the Personnel Board of Jefferson County, January, 2009](#)
- [The Enabling Act, Act 248 of the Alabama Legislature of 1945](#)
- [Quick Glance Procedures Guide](#)
- [Request for Certification Users Manual](#)
- [Lawson Users Manual](#)

To assure that appointing authorities and their employees have the most up-to-date and accurate information available, the Personnel Board provides a wide array of information and documents on its website located at [www.pbjcal.org](http://www.pbjcal.org).

- [Annual Reports](#)
- [Employment Opportunities](#)
- [The Enabling Act](#)
- [Business Forms](#)
- [Job Descriptions](#)
- [Access to Online Information Systems](#)
- [PBJC Budget](#)
- [PBJC Departments](#)
- [Quick Glance Procedures Guide](#)
- [The Rules and Regulations](#)
- [Salary Schedules](#)
- [Public Meeting Notices](#)
- [Training Registration System](#)

## Alabama Merit System (Civil Service)

Act 248 of the 1945 Alabama legislature created a Civil Service System that provides for merit-based employment and governs the employment of public sector personnel whose compensation comes from the public funds of Alabama counties or municipalities. The terms *Merit System* and *Civil Service System* are often used interchangeably.

The Enabling Act applies to:

- Counties in Alabama with four-hundred thousand (400,000) or more inhabitants.
- Municipalities within those counties having five thousand (5,000) or more inhabitants and whose borders lie geographically within the county.

- Police Officers of those municipalities having two-thousand five hundred (2,500) inhabitants.

Employees of five countywide entities and eighteen municipalities throughout Jefferson County make up the twenty-three “jurisdictions” of the Merit System of Jefferson County.

The countywide entities include the:

- Jefferson County Department of Health
- Emergency Management Agency (EMA)
- Jefferson County Commission
- Judges
- Personnel Board of Jefferson County

The municipalities include:

- City of Bessemer
- City of Birmingham
- City of Center Point
- City of Fairfield
- City of Fultondale
- City of Gardendale
- City of Graysville
- City of Homewood
- City of Hueytown
- City of Warrior
- City of Irondale
- City of Leeds
- City of Midfield
- City of Mountain Brook
- City of Pleasant Grove
- City of Tarrant
- City of Trussville
- City of Vestavia Hills

# History and Purpose of Civil Service in Jefferson County

Before the [Enabling Act of 1945](#), the *spoils system* was deeply entrenched in Alabama government at all levels and there was no state-wide civil service law similar to the federal system that was established in 1883 by the [Pendleton Act](#). In Birmingham and Jefferson County, city and county jobs were considered political payoffs and it was generally accepted principle that newly-elected individuals replaced all employees with their own supporters.<sup>1</sup>

As the *Pendleton Act* was to federal employees, so the Enabling Act (new civil service law) was to employees of Birmingham and Jefferson County. It was the intent of the new law to protect employees from the whims of the political environment and to bring stability, not only to the careers of civil servants, but also to assure continuity and efficiency in the delivery of services to the public.

Passed by the Alabama Legislature as Act 248, H. 580, in 1945, the *Enabling Act* of the State of Alabama codified civil service legislation enacted a decade earlier in 1935.

As part of the civil service law, the Personnel Board of Jefferson County (PBJC) was created as an *independent agency* within the County responsible for administering the new civil service law. Specifically, the Personnel Board was mandated by the legislature to:

- Administer valid employment tests and selection procedures to ensure that all appointments and promotions are made on the basis of merit
- Establish and implement fair merit pay policies
- Establish uniform job descriptions and equitable pay ranges
- Hear appeals of discipline, termination, or denial of any right under the *Enabling Act*
- Establish such rules and regulations as may be necessary to administer an “economical and scientific” personnel system

<sup>1</sup> *A History of the Campaign for Civil Service in Birmingham and Jefferson County*, Atkins, Leah Rawls, 1984. This document is an exhaustive discussion of the origin, political climate, personalities, events, and legislative history that gave rise to a civil service system in Jefferson County. The document was prepared for a law firm representing the Personnel Board in 1984 litigation, *Woods v. Florence*. Copies are available upon request from the Personnel Board of Jefferson County.

Perhaps no statement better summarizes both the history and purpose of civil service in Jefferson County than the following excerpt from a research document prepared by Alabama historian Leah Rawls Atkins.

*“... for those older residents who lived in Jefferson County during the 1930’s, the mention of civil service brings back memories of a righteous fight against waste and inefficiency, against city hall and courthouse corruption; a crusade for elevating local government employees above the factionalism and political battles of city halls and county courthouses.”*

At the very heart of civil service are the principles of eliminating political pressure on employees in the performance of their jobs, protecting employees from the vagaries of the political environment, and of representing the public’s interest in the efficient and equitable administration of personnel matters. It is on these principles that the Merit System of Jefferson County was created and it is through the promulgation and execution of fair and uniform [Rules and Regulations](#)<sup>2</sup> that these principles are advanced.

<sup>2</sup> The [Rules and Regulations](#) are published by the Personnel Board of Jefferson County and reflect the operational policies and procedures necessary for executing the statutory mandates of the Enabling Act.

# Governance

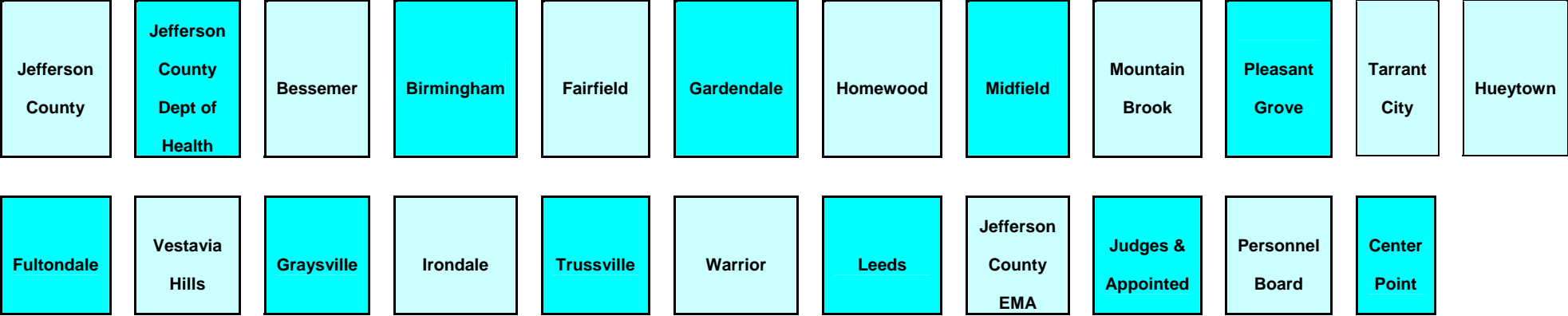
Citizens Supervisory Commission



Three Member Board



Personnel Board



## Citizens' Supervisory Commission (CSC)

[Reference: Rule 3](#)

In order to assure the appointment of an apolitical Board to oversee the Merit System in Jefferson County, the legislature created a seventeen<sup>3</sup> member [Commission](#) comprised of community leaders, including heads of local colleges, universities, and civic groups. The Commission meets twice each year and performs the following responsibilities:

- Fills any existing vacancy on the Three Member Board and elects a successor to any member of the Board whose term expires before the next semi-annual meeting
- Receives the annual and semi-annual reports of the Personnel Board
- Reviews changes to the Rules and Regulations implemented since the last semi-annual meeting
- Makes recommendations to the Personnel Board as it deems in the interest of sound administration of the Act and the Merit System

The Commission membership is as follows. For the names of current members, please refer to the Board's website, [www.pbjcal.org](http://www.pbjcal.org), Citizens Supervisory Commission.

- |  |  |
|--|--|
| • Probate Judge<br>Jefferson County, AL                                | • Chairperson<br>Birmingham Urban League<br>Birmingham, AL               |
| • President<br>Samford University<br>Birmingham, AL                    | • President<br>University of Alabama at<br>Birmingham<br>Birmingham, AL  |
| • President<br>Birmingham Business Alliance,<br>Inc.<br>Birmingham, AL | • President, N. A. A. C. P.<br>Metro Birmingham Branch<br>Birmingham, AL |

<sup>3</sup> The Bessemer Women's Club is no longer in existence; consequently, there are currently sixteen members that comprise the Commission.

- President  
Jefferson County Medical Society  
Birmingham, AL
- President  
Jefferson State Junior College  
Birmingham, AL
- County Employee Representative  
Jefferson County, AL
- President  
Central Alabama Labor  
Federation  
Jefferson County, AL
- President  
Birmingham Southern College  
Birmingham, AL
- President  
Interdenominational Minister's  
Alliance of Greater Birmingham  
Birmingham, AL
- President  
Jefferson County Council of PTA's  
Birmingham, AL 35209
- President  
Miles College  
Birmingham, AL 35208
- President  
Lawson State Community College  
Birmingham, AL
- Municipal Employee  
Representative  
Birmingham, AL

### **Three–Member Board**

[Reference: Rule 4](#)

The [Three-Member Board](#) serves as the primary governing body overseeing the Merit System of Jefferson County and is appointed by the Citizens Supervisory Commission for staggered six-year terms (except when filling unexpired terms of previous place holders). Place Number 1 serves as the Chairperson. The Board members are selected from the geographic divisions represented by the Birmingham Circuit Court and by the Bessemer Cutoff Circuit Court, with no more than two representing either geographic division.

The duties of the Three Member Board are to:

- Appoint a Director
- Approve an annual budget for the Personnel Board staff and operations
- Establish policies, rules, and regulations needed to carry out the provisions of the Act and to administer the Merit System
- Review, approve, disapprove, or modify administrative actions
- Hear and render decisions relative to disciplinary and related matters as set forth in the Act and the Rules

- Conduct hearings investigating the operation and implementation of the Act

The Three-Member Board meets at least once each month in the Hearing Room located on the 2nd Floor of the 2121 Building. Dates and times of Board meetings as well as meeting agendas and minutes may be viewed on the Board's website, [www.pbjcal.org](http://www.pbjcal.org), Public Notices.

## **Personnel Board of Jefferson County**

[Reference: Rule 4.4](#)

The Personnel Board is an independent<sup>4</sup> agency created by the Alabama legislature to administer civil service in Jefferson County and operates under the auspices of the Three-Member Board. The Personnel Board performs many of the functions and activities of typical human resources organizations, including recruitment of candidates for employment, the administration of employment examinations, training and development, employee relations, and records administration. To assure compliance with the mandates of the [Enabling Act](#), the Personnel Board publishes the [Rules and Regulations](#) which serve as the official operating policies of the Merit System applicable to all member jurisdictions. However, it is not the role or intent of the Personnel Board to interject itself into a jurisdiction's business operations, its employee/employer relationships, or to otherwise substitute its business judgment for that of an appointing authority's in any matters not contemplated by the Act.

The Enabling Act provides for funding the operational expenses of the Personnel Board through cost sharing by all member jurisdictions. Member jurisdictions pay a pro-rata share of the Board's expenses based on the number of classified employees on each jurisdiction's payroll as of September 30<sup>th</sup> of each year.

Appendix B reflects Budget Data for the PBJC for the Fiscal Years 2002-2010. This information may also be found on the Board's website, [www.pbjcal.org](http://www.pbjcal.org), PBJC Budget.

<sup>4</sup> The Personnel Board of Jefferson County is not a division or subdivision of the State of Alabama, the Jefferson County Commission or any Jefferson County municipality.

# Conducting Business in the Merit System

## PBJC Web Sites

The Personnel Board maintains four web sites designed to provide information of interest to jurisdictions, Merit System employees, and the general public. Most information necessary for conducting Board-related business in the Merit System can be found on these sites.

[PBJC Website](http://www.pbjcal.org) – www.pbjcal.org – This site provides general information about the Personnel Board of Jefferson County. The site includes business information such as salary schedules and job descriptions, public hearing notices and agendas, business forms and documents, the Rules and Regulations and the Enabling Act, and agency budget information. Also included are links to the Board's online systems and to other sites of interest. This site is used for official communication of information to Merit System employees, Appointing Authorities, and the public.

[JobsQuest](http://www.jobsquest.org) – www.jobsquest.org – The official recruitment site for the Merit System of Jefferson County. The site contains job announcements, instructions for applying for Merit System jobs, and the online employment application. The site's functionality also allows applicants to be electronically notified when jobs are announced in job categories in which they have expressed interest.

[MyMeritMatters](http://www.meritmatters.org) – www.meritmatters.org – MyMeritMatters is designed for Merit System employees only and is accessed using employee numbers and passwords. The site includes an employee discussion forum for expressing opinions and ideas on current events, a calendar that allows employees to post events occurring in their jurisdictions, schools, neighborhoods, and churches, and a newsroom containing the latest news related to or affecting the Merit System. Employees can see where all vacancies are in the Merit System and can post transfer resumes that can be accessed by hiring jurisdictions. Additionally, employees can monitor their rank on any registers on which their name appears and see where their names have been certified throughout the System. Not only does the site provide Merit System employees with important information about their careers, but it also provides a means for professional and social networking not otherwise available because of the disaggregated nature of the Merit System.

[CareerZone](http://www.careerzone.org) – www.careerzone.org – This is the Personnel Board's training and career development site. The Board provides a wide array of training opportunities for employees of member jurisdictions, including computer classes and classes of interest to supervisors and managers, as well as to the general Merit System employee population. Certificate courses are available. All training is free. The CareerZone site

provides class descriptions and schedules and online class registration.

## **Business Center**

The [Business Center](#) is a tool for pushing out jurisdiction-specific data and management reports to appointing authorities, payroll coordinators, and department managers. Some of the information available in the Center includes employee demographic reports, hiring demographic reports for selected periods, personnel action and payroll exception reports, comprehensive department reports, and reports reflecting the status of Requests for Certification and personnel actions in process. The Business Center is accessed from the Board's homepage at [www.pbjcal.org](http://www.pbjcal.org).

## **Applying for Employment**

The Personnel Board actively recruits candidates for employment for Merit System jobs through ongoing advertising and targeted marketing campaigns, as well as through other efforts to encourage individuals to consider civil service as a career and Jefferson County jurisdictions as employers. Individuals interested in employment may apply online twenty-four hours a day, seven days a week from any location that has an internet connection by logging onto [www.jobsquest.org](http://www.jobsquest.org), the Board's employment website. Applications may only be submitted for open job announcements and only utilizing the online application. All jobs are required to be announced for no less than ten business days. To stay abreast of the latest job opportunities, job seekers can sign up for Job Alert, a feature that will electronically notify them when a job is announced in which they may be interested.

The online application offers several benefits to applicants in addition to its 24/7 accessibility.

- The application can be edited for future submissions as necessary
- The application system is secure and password protected
- Applicants can view the status of any application they have submitted
- Applicants can view the history of the jobs for which they have applied
- Help Desk assistance by telephone or email is available during all normal office hours

Applicants who do not have access to a computer or need assistance, can be served during normal office hours in the Board's Employment Office located on the 1<sup>st</sup> Floor of the 2121 Building.

Questions regarding employment may be directed to [Workforce Development and Applicant Services](#) by calling 279-3500 (0). Help Desk assistance may be obtained by calling 279-3444 or by email at [systemsupport@pbjcal.org](mailto:systemsupport@pbjcal.org).

## Hiring

[Reference: Rule 9](#)

Civil service hiring is, by nature, competitive. Individuals hired into *classified* positions must first apply for and, through examination, be deemed qualified for those positions. The names of qualified applicants are then placed on hiring registers.

If the examination administered was one that involved competitive scoring, the applicants are added to the register in order of their rank. A rank consists of the names of all candidates with the same score. An applicant can learn his or her rank on a register at any time by calling the Board's Interactive Voice Response (IVR) System at 279-3400 and following the voice prompts. Otherwise, an applicant's rank is not shared with third parties. For more information on the hiring process, visit [www.jobsquest.org](http://www.jobsquest.org) and click on "[What you should know: Getting Hired in the Merit System of Jefferson County.](#)"

## Registers

By statute, registers must remain active for a minimum of twelve (12) months. Registers are routinely created for jobs with high hiring activity, typically on twelve to eighteen month cycles.

There may not always be registers in place for jobs with low turnover or low demand. Creating registers that may not be used is inefficient with regard to the use of staff resources and is costly both in terms of time and dollars, and can be discouraging for applicants who apply with expectations of job opportunities.

Where there is an active register, providing a list of candidates to a hiring jurisdiction is an expedited process, typically occurring within one business day. However, the process may be somewhat delayed in the absence of an established register. The length of time necessary to create a new register may depend on whether a comprehensive Job Analysis<sup>5</sup> has previously been conducted on the class to be recruited or whether a previously conducted Job Analysis is still valid and relevant at the time of recruitment. Jurisdictions can assist in the timely creation of registers by notifying the Personnel Board as soon as a vacancy is *anticipated*. This allows the Personnel Board to begin the process of advertising and recruitment before the vacancy is actually realized.

<sup>5</sup> Job Analysis is a formal process of identifying the tasks associated with a job and the knowledge, skills,

and abilities necessary to perform those tasks satisfactorily with the objective of establishing valid minimum recruiting criteria that satisfy federal requirements under the *Uniform Guidelines on Employee Selection*.

In the event there is no established register, there are temporary hiring options that allow jurisdictions to make limited appointments during the interim. It is important to note that individuals who receive limited appointments have no greater rights in the employment process than any other applicants, regardless of the length of time served. Limited appointments are addressed later in this document.

## Certification Lists

When the Personnel Board is notified by a jurisdiction of a vacancy that needs to be filled (Request for Certification), a list of qualified candidates (Certification List) is electronically forwarded to the requestor. As mandated by the Enabling Act, the list consists of the names and applications of the top ten (10) ranks of qualified candidates. The names on a Certification List, however, are provided in random order<sup>6</sup> unrelated to their rank. [Reference: Enabling Act §18; Rule 10.4](#)

Under some circumstances, an appointing authority may request an additional (supplemental) Certification List when fewer than ten (10) candidates remain on the original list. This can occur when candidates: [Reference: Rule 9.5; Rule 10.2; Rule 10.5](#)

- (1) Decline interviews,
- (2) Do not appear for scheduled interviews
- (3) Cannot, after reasonable attempts, be contacted, or
- (4) For reasons as outlined in [Rule 9.5 of the Rules and Regulations](#)

Importantly, a jurisdiction may not take any action which is intended to or may have the effect of encouraging an eligible candidate to withdraw his or her name from consideration. [Reference: Rule 10.7](#)

## Selection from Certification Lists

A jurisdiction must select from a provided list. Under no circumstances may an individual be hired into a classified position on a regular appointment who has not been certified by the Personnel Board of Jefferson County.

<sup>6</sup> Pursuant to a 1995 Modification Order to the Personnel Board's 1981 Consent Decree.

Interviewing and selection are conducted according to each jurisdiction's internal protocol. When a selection decision is made, the hiring jurisdiction notifies the Personnel Board of the selection as soon as possible so that the hired individual's name can be removed from the register and not referred on another list. The jurisdiction then initiates a hire action through the Personnel Board's electronic Human Resource Information Management System (Lawson).

Timely processing of personnel actions to the Personnel Board is very important. Delay in processing will create discrepancies in the payroll certification process,<sup>7</sup> result in incorrect data being reflected on management reports, and may have negative consequences for employees with regard to certain seniority and eligibility calculations.

## Program for Hiring People with Disabilities

### [Reference Rule 10.4 \(f\)](#)

The Personnel Board supports the hiring of people with disabilities in civil service jobs and is committed to policies and processes that foster equal access to job opportunities throughout its member jurisdictions. To this end, the Board has implemented a hiring program, referred to as the CEAD (Certifying Eligible Applicants with Disabilities) Program, to provide assistance to applicants with "qualifying disabilities" who might not otherwise be able to successfully compete in the general applicant pool or might not otherwise have access to or opportunity for similar employment.

While people with disabilities may certainly be certified to hiring jurisdictions through the normal certification process, the disabilities hiring program is applicable only to those jurisdictions whose appointing authorities have indicated to the Personnel Board of Jefferson County their desire to participate in the program. The program provides applicants with qualifying disabilities two tracks to possible employment:

- Applicants with qualifying disabilities who have passed the required employment examination sufficient to be placed on a hiring register, will, regardless of rank, be certified to participating jurisdictions, along with the names of the top ten ranked individuals, or

<sup>7</sup> Payroll Certification, discussed later in this document, is a process whereby pay distributed to a jurisdiction's employees during a given pay period is reconciled with pay rate records maintained by the Personnel Board.

- Individuals with qualifying disabilities may be hired on temporary appointments. If

an individual so hired performs successfully, the Appointing Authority may ask the Personnel Director to certify the individual's name to the jurisdiction at the time a register is being created for the job in which they were temporarily appointed.

To be eligible for this special hiring program, individuals must have a significant disability and be referred to the Personnel Board by the Alabama Department of Rehabilitation Services or the U.S. Department of Veteran Affairs.

### Limited Appointment Types

[Reference Rule 11.3: Enabling Act § 18](#)

In addition to full-time or part-time appointments with indefinite termination dates, there are several limited appointment types. Limited appointments have defined termination dates, depending on the appointment type. Additionally, the Rules and Regulations define when and how each may be used.

Provisional Appointments - Limited to no more than four months, but may be renewed as needed. Individuals appointed provisionally must meet the minimum requirements for the position and be approved by the Personnel Board prior to appointment. By statute, this type of appointment cannot be made or continued when there is an existing register for the class.

Emergency Appointments – Limited to no more than thirty (30) days but, in unusual circumstances, may be renewed upon approval by the Director of the Personnel Board. Emergency appointments are used where there is an immediate need for an individual and, if such need is not met, the possibility exists for loss of life, loss or damage to property, the stoppage of service or serious inconvenience to the public. Absent any statutory requirement to the contrary, there is no requirement for the individual appointed to meet the minimum qualifications established for the job class. The use of an Emergency Appointment must be pre-approved by the Personnel Director.

Temporary Appointments – Limited to no more than six (6) months. This appointment type is typically used where there is no expectation that the need for the services rendered by an incumbent will extend beyond six months. If there is an existing register for the class, an appointment should be made from that register provided there is an applicant who has indicated their willingness to accept a temporary appointment in the jurisdiction where the vacancy exists.

Interns – Limited to no more than 1040 hours in a calendar year. Incumbents must be enrolled in a college or university academic program related to the appointment.

Seasonal – Appointments tied to time limited activities that occur annually, e.g.,

Lifeguards, School Crossing Guards.

## Appointments to the Unclassified Service

[Reference Rule 1.2; Rule 1.3; Enabling Act § 2; Rule 6; Enabling Act § 30](#)

Appointments to the Unclassified Service are not regulated by the Personnel Board except to the extent that no person may be appointed to the Unclassified Service in any class or capacity that should otherwise exist in the Classified Service. Unclassified employees may be:

- (1) Common Laborers – A person who performs routine, usually repetitive, manual duties requiring physical exertion, for which there is no defined class in the Classified Service.
- (2) Appointed – Statutorily approved appointments as provided for in the Enabling Act or in the Code of Alabama.
- (3) Exempt Executive – High level officials, typically department and deputy department heads, in Class 1 municipalities. Currently the City of Birmingham is the only Class 1 municipality in the Merit System of Jefferson County.

## Use of Independent Contractors

[Reference Rule 11.4; Enabling Act §2](#)

Section 2 of the [Enabling Act](#) mandates that the Personnel Board “exercise constant vigilance” to ensure that the *Act* is not circumvented by the use of independent contractors. To fulfill this mandate, the Personnel Board reviews proposals submitted by appointing authorities for the use of independent contractors, except those for work statutorily exempted by the *Act*. This review is to determine whether existing Merit System employees or employees eligible for appointment in the classified service can perform the contemplated work “as well, practically, expeditiously, and economically” as can the contractor. The Personnel Board may grant an appointing authority’s request to use an independent contractor with or without conditions, restrictions or limitations.

## **Salary Administration and Classification**

[Reference: Rule 7; Rule 8; Enabling Act § 12](#)

There are over 800 job classes in the Merit System of Jefferson County. The [job descriptions or class specifications](#) for each class may be found on the Board’s website, [www.pbjcal.org](http://www.pbjcal.org), Job Descriptions. Every class is assigned to a salary grade. Grade assignments are determined through a combination of comparison with external labor

markets and internal evaluation considering how job duties and responsibilities of each job class relate on common dimensions, such as complexity, decision making, knowledge, problem solving, supervisory responsibility, authority to act, nature of contacts, and physical and sensory demands. Salary grades typically have ten steps, but some may have fewer. Each step represents approximately a 5% differential.

## Merit Raises

A regular classified employee is eligible to receive a one step “merit” increase in pay on his or her anniversary date. Such increases may be denied to an employee based on documented performance problems or a jurisdiction may choose not to grant step increases across the board if such raises are not financially feasible. In the normal course of business, employees may neither be paid below Step 1 nor beyond the top step assigned to their grade. Additionally, there is no provision in the Merit System for off-cycle salary adjustments except those associated with promotions or demotions.

[Reference: Rule 8.2\(c\)](#)

## Salary Schedules

[Salary schedules](#) (schedules of grades and associated pay steps) are specific to jurisdictions in that jurisdictions are allowed by the Enabling Act to raise or lower their salary structures by a fixed percentage. Typically adjustments are based on Cost of Living Allowances (COLAs). Changes in grade to a selected class(s) may also be made upon resolution by a jurisdiction’s governing body. To enact a whole salary schedule adjustment, appointing authorities provide the Personnel Board with their resolution stating the percentage and the effective date of the change. To enact a change to a class(s) less than all, jurisdictions submit their resolution stating the requested grade level(s) and business justification for consideration by the Three-Member Board. Salary schedules of member jurisdictions can be located on the Board’s website at:

[www.pbjcal.org](http://www.pbjcal.org), Salary Schedules. [Reference: Rule 8.4; Enabling Act § 12](#)

## Setting Salaries

Merit System employees may be hired up to Step 4 (except for police and fire personnel), without review and approval by the Personnel Board. Salary offers that exceed Step 4 (advanced step requests) must be based on defensible business rationale, such as the individual’s years of experience, a shortage of candidates in a difficult to recruit field, specialized experience essential to performing the job, or labor market pressures. Advanced step requests may also be made upon promotion of a Merit System employee to a higher graded classification.) [Reference: Rule 8.2\(b\)](#)

Starting salaries for police and fire personnel are outlined in the Board's [Salary Administration and Classification Plan](#) located on the Board's website at [www.pbjcal.org](http://www.pbjcal.org) > Classification and Compensation.

## Premium Pay

Employees may be eligible for up to a 15% increase above their regular rate of pay in the form of [premium pay](#). Premium pay is a means of compensating employees for particular assignments or for possessing certain credentials that are necessary for or bring value to the jobs they perform. Premiums that are established in the Merit System are typically based on industry best practice and are available for use by all jurisdictions. The existence of a premium does not obligate a jurisdiction to utilize it. Appointing authorities should assure that certification, registration, or licensure for which premiums are paid to their respective employees remain up-to-date. Some premiums are class specific; consequently, premiums automatically terminate when an employee changes class.

Available premiums may be viewed on the Board's website at [www.pbjcal.org](http://www.pbjcal.org) > Classification and Compensation.

## Payroll Certification

The Enabling Act requires that the Personnel Board review the payrolls of member jurisdictions to assure that the pay distributed to employees is consistent with the pay approved pursuant to the Board's Salary Administration and Classification Plan. It should be noted that the Act provides for recovery of monies "paid contrary to any provision of this Act or of any rule, regulation or order there under..." Additionally, any person appointed in contravention of the Act or rule, who performs services for which he or she is not then paid may have a course of action against the hiring official(s) of the jurisdiction."

Payroll Certification is accomplished electronically by comparing the pay actually distributed by a jurisdiction in a given pay period to that predicted based on Personnel Board records. To the extent that any differences can be reconciled, a jurisdiction's payroll will be certified. Otherwise, the differences will be noted as irreconcilable exceptions and only the reconciled portion of the payroll will be certified.

While only the pay of classified employees is typically included in payroll certification, the Personnel Board may, from time to time, call for the payroll of a jurisdiction's unclassified employees. [Reference: Enabling Act §24](#)

## Annual Classification Surveys

The Personnel Board is required by statute to review every position in the Merit System at least once every five years to assure that employees are classified properly and consistent with the Board's [Salary Administration and Classification Plan](#). Each year, beginning July 1<sup>st</sup>, the Board reviews approximately 20% of the position population. This is accomplished through the use of an online Position Description Questionnaire (PDQ).

Employees who are scheduled to participate in any particular year will complete PDQ's that will electronically route to designated supervisors and to appointing authorities for review and comment before being reviewed by Personnel Board staff. Board staff may conduct on-site interviews with employees and their supervisors as deemed appropriate before making recommendations regarding the appropriateness of assigned classifications. The Rules and Regulations outline options appointing authorities have with respect to implementing classification recommendations resulting from a Survey.

[Reference: Enabling Act §12; Rule 7.5](#)

## Reclassification

The classification of an employee may be reviewed at any time at the request of an appointing authority by submitting an online Position Description Questionnaire (PDQ). It is not necessary to wait until an Annual Survey. An employee should be assigned to a proper classification at the time his or her job duties warrant such a change. Otherwise, appointing authorities expose themselves to assertions by an employee that he or she is being worked out of class. [Reference: Rule 11.11](#)

It is important to note, that while the duties performed by an employee are typically used to determine whether a classification is appropriate, it is the position that is reclassified, not the employee. In order to hold the reclassified position, an incumbent employee must meet all eligibility requirements and be on the register for the class. The incumbent employee does not need to be within certifiable range (change effective January 14, 2009). If there is no existing register at the time a position is reclassified, the incumbent employee may be temporarily appointed until a register is created. [Reference: Rule 7.7](#)

## Promotion

Promotion is defined as movement from one class to a different class for which the final pay step in the pay grade is higher. In order to be considered for a promotional opportunity, an employee must apply and be deemed qualified by the Personnel Board for the job in which he or she is interested. Such individual must be hired from a

Certification List provided to the hiring jurisdiction. If the promotion is the result of a position reclassification, the incumbent employee must meet all eligibility requirements and be on the register for the class, but does not need to be within certifiable range.

Employees being promoted receive no less than a one step increase or an increase to step one of their new pay grade. Salary offers that are in excess of one step and are beyond Step 4 must be approved by the Personnel Board as all other advanced step requests. [Reference: Rule 8.2\(b\); Rule 8.2\(d\)](#)

## Transfer

A transfer is defined as movement across jurisdictions from one class to the same class. Employees transferring must have twelve (12) months in their current class. Transfers require the approval of both appointing authorities.

The salary an employee receives upon transfer is the salary that most closely approximates his/her salary at the time of transfer. The transfer policy does not contemplate a salary increase, unless an increase is necessary to bring a transferring employee to step one of the receiving jurisdiction's pay grade. [Reference: Rule 8.2\(f\)](#)

## Demotion

A demotion is defined as movement from one class to a different class for which the final pay step in the pay grade is lower. Demotions may be voluntary, involuntary, or associated with reductions in force. In all cases, the pay rate following demotion is at least equivalent to a reduction of one pay step or to the maximum of the new pay grade. There is no advanced step consideration in the case of demotion. [Reference: Rule 8.2\(e\)](#)

## Reduction in Force (RIF)

[Reference: Enabling Act §23; Rule 11.2](#)

Unfortunately, a reduction in force may, at some time, become a business necessity for a jurisdiction. An appointing authority may implement a layoff "because of a lack of work, lack of funds, or whenever it is advisable to do so in the interest of economy"; however, the Enabling Act stipulates very specific requirements for the implementation of reductions in force.

An appointing authority contemplating a reduction in force must first submit a written notice to the Director of the Personnel Board to include:

- (1) Pertinent financial or business documentation and justification supporting the need for a RIF

- (2) The effective date of the RIF
- (3) An organizational chart reflecting the department(s) to be affected
- (4) The classes and number of positions (not incumbents' names) in each class to be affected.

The Personnel Board's purpose in requiring this information is not to second guess the appointing authorities' business judgment concerning the need for the reduction in force. Rather, its purpose is to ensure that the RIF is based on actual financial and business circumstances, and not on considerations inconsistent with Merit System principles. Providing this information also allows the Personnel Board to assist appointing authorities in following the detailed procedures necessary to affect the reduction in force in a manner consistent with the Enabling Act and the Rules and Regulations.

## **Disciplinary Actions & Terminations (Grievances and Appeals)**

It is hoped that Merit System employees, supervisors, and subordinates experience productive and collaborative work relationships throughout their careers. The reality is, of course, that this is not always the case and that under the best of circumstances disputes sometimes arise where employees feel they have not been treated appropriately.

It is not the intent of the Personnel Board to interject itself into the day-to-day employee-employer interactions of its member jurisdictions and their respective employees or to otherwise intervene into the business affairs of jurisdictions, except to the extent statutorily mandated.

It is, however, a fundamental role of the Personnel Board to ensure the fair and consistent application of the governing Rules and Regulations and rights granted civil service employees pursuant to the Enabling Act. To this end, there are procedures in place that allow regular classified employees of the Merit System who feel they have been denied such rights or feel that some term or condition of their employment has been adversely affected by the inappropriate application of a policy, rule, or regulation to formally advance their concerns beyond appointing authorities, if necessary, to neutral third parties for adjudication. It is important to note that the procedures set forth are time sensitive and either party not adhering to the defined time limits may waive some or all of their rights in the process.

Rules 12 and 15 (excerpts following) outline the controlling Merit System policies and procedures.

## Disciplinary Appeals

[Reference: Rule 12](#)

A Regular Employee who for cause is dismissed, demoted, or suspended (other than a suspension governed by Rule 12.14) shall have the right of appeal as set forth in Rule 12. A Regular Employee is defined as a Full-Time Classified Employee who has completed 12 months of uninterrupted Full-Time service following an initial appointment in the Classified Service. (See Rule 1.3) Within ten (10) days after receipt of notice of disciplinary action for a dismissal, demotion or suspension for more than five (5) days, a Regular Employee shall file with the Personnel Director, a copy of the notice of appeal and request a hearing.

The purpose of the hearing is to determine if the Classified Employee, by reason of his or her acts committed within the scope of employment, as charged by the appointing authority, warrants the disciplinary action that was imposed. A Hearing Officer who is appointed by the Personnel Board will conduct the hearing. The Hearing Officer shall take testimony and other evidence offered in support and denial of the charges against the Classified Employee. Any party of interest may be represented during the hearing process by one representative or attorney selected by the Classified Employee. After the conclusion of the hearing, the Hearing Officer will submit a Report and Recommendation which contains findings of fact and conclusions of law to the Personnel Board members.

At the first regular or special meeting of the Board following timely receipt of the Hearing Officer's Report and Recommendation, the Board must consider the Hearing Officer's Report and Recommendation and modify, alter, set aside or affirm said report and certify its findings to an appointing authority and any interested parties. If the Hearing Officer's Report and Recommendation is received by the Board five (5) business days or less from a regular or special meeting, it is deemed to be received at the next regular or special meeting of the Board. If the Board fails to act within forty-five (45) calendar days after receipt of the Hearing Officer's Report and Recommendation, it shall become the order of the Board.

Any decision rendered by the Board pursuant to Rules 12.6, 12.10, or 12.11 is final and subject to appeal by either party to the Circuit Court of Jefferson County to review questions of law and whether the decision or order of the Board is supported by substantial and legal evidence. On appeal, the Circuit Court must review the record and affirm, reverse, remand or render said cause. The decision of the Board controls until reversed on appeal.

## Grievance

[Reference: Rule 15](#)

A Grievance is a complaint by a Regular Employee or representative that alleges an action taken by a co-employee, supervisor or other person who acts on behalf of an appointing authority adversely affected a substantial term or condition of the Regular Employee's employment with an appointing authority. In order for a grievance to be considered proper for adjustment under Rule 15, it must state the details of the incident with specificity to allow the appointing authority to prepare an adequate response. If the grievance is not resolved with the appointing authority, the Regular Employee may submit it to the Personnel Director who makes a determination whether the grievance is adjustable under Rule 15 and notifies the parties in writing of the decision. Either party to the grievance may appeal the Director's determination to the Personnel Board members within ten (10) days from receipt. If the Director decides that the grievance is subject to adjustment under Rule 15, then the Regular Employee proceeds to a hearing if the Director's decision is not appealed to the Personnel Board members.

Forms to use when filing or responding to a grievance can be found on the Board's website at [www.pbjcal.org](http://www.pbjcal.org) > Forms.

## Maintaining Employee Records

Maintaining accurate and up to date employee records with the Personnel Board is an important jurisdiction responsibility. Failure to process personnel actions in a timely manner can have serious consequences for a jurisdiction's employees. Employee records are used to calculate seniority for promotions, to calculate eligibility to sit for examinations, to calculate seniority for purposes of reduction in force, and to identify a population of employees for purposes of serving as Subject Matter Experts<sup>8</sup> (SME's) in Job Analyses and for inclusion in Annual Surveys<sup>9</sup>. [Reference: Enabling Act §15](#)

Personnel actions (PA's) are generated by a jurisdiction to record changes in an employees' employment status. Personnel actions include:

- New hire actions
- Re-hire actions
- Provisional, temporary, and other types of limited appointments
- Pay raises
- Leaves of absence
- Promotions
- Demotions
- Suspensions
- Transfers
- Terminations
- Reassignments
- Reclassifications

<sup>8</sup> Subject Matter Experts are individuals who have a peculiar knowledge of job content. Often incumbents in Merit System jobs are used to provide information about a job's content to test developers. The use of incumbents across jurisdictions assures that all relevant tasks and required knowledge, skills, and abilities are captured for consideration in determining valid minimum qualifications and in the development of testing instruments.

<sup>9</sup> As mandated in the Enabling Act, all Merit System positions are reviewed for proper classification at least once in every five year period. To accomplish this mandate, approximately 20% are reviewed each year.

All personnel actions are submitted to the Personnel Board electronically. A workflow feature allows personnel actions to be routed through multiple jurisdiction approval levels before being sent to the Personnel Board for final processing. Use of electronic systems to process personnel actions affords many advantages to jurisdictions.

- Electronic systems are paperless
- Move data faster than traditional mail
- Provide a permanent record of all submitted transactions that cannot be lost
- Allow submitted transactions to be tracked as they are processed
- Allow jurisdictions to have desktop access to employee personnel records
- Allow jurisdictions to be accountable for the accuracy of their employees' personnel records
- Reports can be easily created providing appointing authorities with information to assist in managing their jurisdictions

The Personnel Board provides classroom and one-on-one, on-site training to jurisdiction personnel who use the electronic systems to process personnel actions. Board staff is available during all normal office hours to answer questions or assist with problem resolution.

A description of the Board's electronic systems and their use appears later in this document.

## **Personnel Board Departments**

For purposes of assisting appointing authorities with knowing who does what at the Personnel Board, following is a brief overview of each Board department and its function. Up to date contact information for each department can be found on the Board's website at [www.pbjcal.org](http://www.pbjcal.org), PBJC Departments. A PBJC telephone directory may be found at the Contact Us link.

### Administration

[Administration](#) provides oversight for all areas, departments, and functions within the Personnel Board of Jefferson County. Administration is responsible for:

- Ensuring compliance with the Rules and Regulations
- Clarifying personnel policy issues
- Proposing policies and procedures to assist in the operation of the organization

- Managing daily operations of the departments
- Developing and monitoring annual budgets

Administration may be reached at 279-3460.

## Business Systems and Reporting

[Business Systems and Reporting](#) provides functional support for the Board's online processing systems and supports the Board and its member jurisdictions with their data reporting and analysis needs. The department serves as the central operations unit and point of contact for the processing of all Merit System personnel actions, including, but not limited to, hires, transfers, promotions, status changes, salary adjustments, premiums, leaves of absence, and separations and is responsible for maintaining all Merit System employee personnel records. Contact Business Systems and Reporting about:

- Appointments to the Exempt Executive Service
- Employee History
- Employment Status Changes
- Intergovernmental and Inter-Jurisdictional Transfers
- Limited Appointments, i.e., Provisional, Temporary, Emergency, Seasonal and Internships
- Assistance Processing Personnel Actions through the Board's Online Systems
- Data and Reports

**Important:** Keeping personnel actions up-to-date is extremely important. Failure to process personnel actions in a timely manner can affect the proper calculation of seniority points for promotion, eligibility to sit for examinations, seniority for purposes of Reduction-in-Force, and inclusion in job analyses for purposes of class validation and the development of appropriate recruiting criteria.

## Classification and Compensation

[Classification and Compensation](#) establishes detailed descriptions (classes) for all Merit System jobs, assures that employees are properly assigned to classifications, and that classifications are appropriately assigned to salary grades. Activities that this department handles include:

- Analysis of labor market
- Creation of new positions
- Reclassification of positions
- Creation of new job classes
- Approval of advanced pay requests
- Approval of premium pay requests
- Review of contracts

Additionally, per the Enabling Act, this department conducts the Annual Classification Survey in accordance with Section 12, which mandates that all positions in the Merit System be reviewed at least once in a five-year period.

There is a Job Descriptions link on the PBJC website providing information on each of the 800 plus job classes in the Merit System.

Classification and Compensation may be reached at 279-3530.

### Employee Relations

[Employee Relations](#) provides information and assistance related to the Rules and Regulations, Policies and Procedures, and the federal and state laws (especially the Enabling Act) that impact jurisdiction operations and employee matters, including the following:

- Disciplinary appeals (appeals by employees of dismissals, suspensions, or demotions)
- Grievances (complaints filed by employees against other employees or supervisors)
- Paid injury leave appeals
- Citizen's complaints (complaints against employees from non-employees)
- Administrative leave with or without pay
- Reductions in force

Please contact Employee Relations directly regarding these matters at 279-3474.

### Information Technology

[Information Technology](#) provides critical internal support for all of the PBJC's information network needs and provides technical assistance to the jurisdictions using

the Board's online information systems. Activities include:

- Network Administration
- PC Maintenance and Support
- Interface Management
- System Documentation
- System Security
- Disaster Recovery Planning

Information Technology may be reached at 279-3430.

### Performance Measurement (Testing)

[Performance Measurement](#) is responsible for developing, administering, scoring, and validating all selection procedures used to establish eligible registers for job classes within the Merit System. To accomplish this, Performance Measurement uses subject matter experts (incumbents and supervisors) from Merit System jurisdictions to analyze the jobs and develop selection tests and scoring criteria in accordance with all employment laws and professional guidelines. Participation on the part of subject matter experts within each jurisdiction is of great importance to ensure the legal defensibility and validity of the selection processes. Cooperation on the part of the Merit System jurisdictions in supplying subject matter experts to participate in job analysis and test development meetings helps ensure that eligible registers can be established in a timely fashion.

Performance Measurement may be reached at 279-3555.

### Training and Career Development

[Training and Career Development](#) offers jurisdictions the opportunity to enhance employee job skills and career development. Current training opportunities range from management/supervisory courses to Microsoft Office computer courses. Additionally, should a jurisdiction have special training needs, Training Advisors are available to provide consultations, detailed needs analysis, and customized training. For additional information, see the CareerZone link on the Board's website at [www.pbjcal.org](http://www.pbjcal.org).

Training and Career Development may be reached at 279-3655.

## Workforce Development and Applicant Services (Recruiting)

[Workforce Development and Applicant Services](#) (WDAS) develops and implements recruiting strategies and campaigns to attract candidates for a wide variety of classified positions for the jurisdictions and municipalities served by The Personnel Board of Jefferson County.

Individuals interested in working in the Merit System in a classified position should go to [www.jobsquest.org](http://www.jobsquest.org) to view and apply for available openings. Individuals are welcome to contact Workforce Development and Applicant Services for assistance or questions regarding the online job application process. Additionally, computers and assistance are available during normal business hours in the lobby of the Personnel Board located on the 1<sup>st</sup> Floor of the 2121 Building, 2121 8<sup>th</sup> Ave North.

In addition to recruitment activities, WDAS is responsible for creating and issuing Certification Lists to hiring jurisdictions.

Workforce Development and Applicant Services may be reached by calling 279-3500 (0) or toll free at (866) 241-9001.

## **Use of PBJC Systems**

The Personnel Board of Jefferson County operates in a virtually paperless environment through the use of its Human Resource Information Management System (HRIMS). The Personnel Board's HRIMS is comprised of five highly-integrated but independent systems.

PeopleAdmin: Applicant management and position requisitioning system

Sigma: Applicant tracking and register management system

Lawson: Employee records system

ImageNow: Document management system

CareerZone: Training registration system

Additionally, the Personnel Board makes extensive use of the internet through its [pbjcal.org](http://pbjcal.org) and [jobsquest.org](http://jobsquest.org) websites.

### Use of PBJC Electronic Systems

Function	Users	PBJC Website Link	Name
<ul style="list-style-type: none"> <li>Apply for a job(s)</li> </ul>	<ul style="list-style-type: none"> <li>All Job applicants</li> <li>Current Employees</li> </ul>	Employment Opportunities	Jobsquest.org  (PeopleAdmin)
<ul style="list-style-type: none"> <li>Determine rank on register.</li> <li>Determine test score on test.</li> <li>Obtain user id/password information for online systems.</li> <li>Obtain Merit System employee information, e.g. job title, pay grade, step, hire date, etc.</li> <li>Change personal employee data on file with PBJC.</li> </ul>	<ul style="list-style-type: none"> <li>Applicants</li> <li>Current Employees</li> </ul>	279-3400	Interactive Voice Response
<ul style="list-style-type: none"> <li>Request List of Qualified Applicants to Fill Vacancy</li> </ul>	<ul style="list-style-type: none"> <li>Jurisdiction Payroll Coordinators</li> <li>Hiring Managers</li> <li>Appointing authorities</li> </ul>	Online Information Systems > Request for Certification> Enter Request for Certification System	PeopleAdmin
<ul style="list-style-type: none"> <li>Review current classification responsibilities and duties via Position Description Questionnaire</li> </ul>	<ul style="list-style-type: none"> <li>Employee</li> <li>Supervisor</li> </ul>	Online Information Systems > Position Description Questionnaire	PeopleAdmin
<ul style="list-style-type: none"> <li>Request new classification</li> </ul>	<ul style="list-style-type: none"> <li>Jurisdiction Payroll Coordinators</li> <li>Appointing authorities</li> </ul>	Online Information Systems > Position Description Questionnaire	PeopleAdmin
<ul style="list-style-type: none"> <li>Reclassify a position</li> </ul>	<ul style="list-style-type: none"> <li>Jurisdiction Payroll Coordinators</li> <li>Appointing authorities</li> </ul>	Online Information Systems > Position Description Questionnaire	PeopleAdmin
<ul style="list-style-type: none"> <li>Process Personnel Action</li> </ul>	<ul style="list-style-type: none"> <li>Jurisdiction Payroll Coordinators</li> <li>Hiring Managers</li> <li>Appointing authorities</li> </ul>	Online Information Systems > Lawson	Lawson
<ul style="list-style-type: none"> <li>Register for Training</li> </ul>	<ul style="list-style-type: none"> <li>Employees</li> </ul>	Training Registration	CareerZone

## Links to Major Documents/Functions

<b>Subject</b>	<b>Link</b>
Annual Reports	<a href="http://www.pbjcal.org/about.aspx">http://www.pbjcal.org/about.aspx</a>
Budgets	<a href="http://www.pbjcal.org/about.aspx">http://www.pbjcal.org/about.aspx</a>
Enabling Act of 1945	<a href="http://www.pbjcal.org/documents/pdf/enablingact.pdf">http://www.pbjcal.org/documents/pdf/enablingact.pdf</a>
Job Descriptions	<a href="http://www.pbjcal.org/employment/default.aspx">http://www.pbjcal.org/employment/default.aspx</a>
Premium Pay Options	<a href="http://www.pbjcal.org/documents/pdf/PremiumCodes.pdf">http://www.pbjcal.org/documents/pdf/PremiumCodes.pdf</a>
Quick Glance Procedure Guide	<a href="http://www.pbjcal.org/procedures/">http://www.pbjcal.org/procedures/</a>
Reduction in Force Procedures	
Rules and Regulations	<a href="http://www.pbjcal.org/documents/R_Reg_2009.pdf">http://www.pbjcal.org/documents/R_Reg_2009.pdf</a>
Salary Administration and Classification Plan	<a href="http://www.pbjcal.org/documents/pdf/Pay_Plan_2011.pdf">http://www.pbjcal.org/documents/pdf/Pay_Plan_2011.pdf</a>
Salary Schedules	<a href="http://www.pbjcal.org/employment/default.aspx">http://www.pbjcal.org/employment/default.aspx</a>
Training Opportunities	<a href="http://www.pbjcal.org/training.aspx">http://www.pbjcal.org/training.aspx</a>
Website Subject Index	<a href="http://www.pbjcal.org/siteindex.aspx">http://www.pbjcal.org/siteindex.aspx</a>

# Snapshot History of PBJC Litigation

## The Consent Decree

The PBJC entered into a Consent Decree in 1981 aimed at alleviating alleged discrimination regarding employment selection practices. A Consent Decree is an enforceable judge's order based upon an out-of-court agreement between opposing parties to a lawsuit. The modified Consent Decree holds that it is the responsibility of the PBJC to establish and maintain selection procedures, to include minimum qualifications, assessment techniques, the ranking of candidates and candidate certification procedures, that either have (a) no adverse impact on the basis of race or sex as defined by the 1978 Uniform Guidelines on Employee Selection Procedures (Equal Employment Opportunity Commission, The Civil Service Commission, The Department of Labor, and The Department of Justice, 1978) or (b) are job-related for the classes (i.e., positions) in question and consistent with business necessity.

## The Receivership

With 37 non-public-safety classifications still under court scrutiny after twenty years of litigation, a Receiver, Dr. Ronald Sims, was appointed in 2002 to control and supervise all aspects of the PBJC's daily operations. Under the Receivership, the following key initiatives were initiated:

- A methodology for creating and administering employment tests that fully complies with the federal Uniform Guidelines on Employee Selection.
- A new information technology infrastructure eliminating the need for paper applications, leave slips, and personnel action forms. All of these transactions and recordkeeping functions have been automated.
- An automated Interactive Voice Response system providing merit system employees and job-seekers with access to merit system information over the telephone at any time, day or night, seven days per week.
- Several key reforms in the Five Year Survey to improve the efficiency of the process. Employees now complete a computer-based Job Analysis Questionnaire. This replaced the former paper-based method of collecting job-related data, and allows the Board to efficiently collect and analyze data from merit system employees. Using the computer-based Job Analysis Questionnaire, the survey of classifications is now conducted on a "rolling" basis, rather than all at once every five years and it combines the processes of job classification with the collection of information necessary for assuring the accuracy of test data and minimum qualifications used in recruiting. The Board's classification staff will review approximately 20% of Merit System positions annually.
- Three extensive revisions of the Rules and Regulations were completed during the Receivership to eliminate substantial confusion created by the use of "unofficial" versions of the Rules and Regulations by staff and the appointing authorities. The most recent revision was completed on January 14, 2009. The official Rules and Regulations of the Personnel Board are now freely available for

download from the Board's web site, in the form of a secure compatible PDF (Portable Document Format) document.

- Jefferson County renovated portions of the 2121 Building to create functional spaces to accommodate Personnel Board service activities. This included the creation of a reception area where members of the public can search and apply for merit system jobs online, and receive career counseling; workable space for the on-site administration of standardized interviews, video-based simulations, and other modern methods of personnel assessment.

## **Transition of Authority from Receiver to Three-Member Board**

In July 2005, undisputed compliance was achieved on all the 37 Consent Decree job classifications and the duties and functions vested in the Receiver were returned to the Three Member Board.

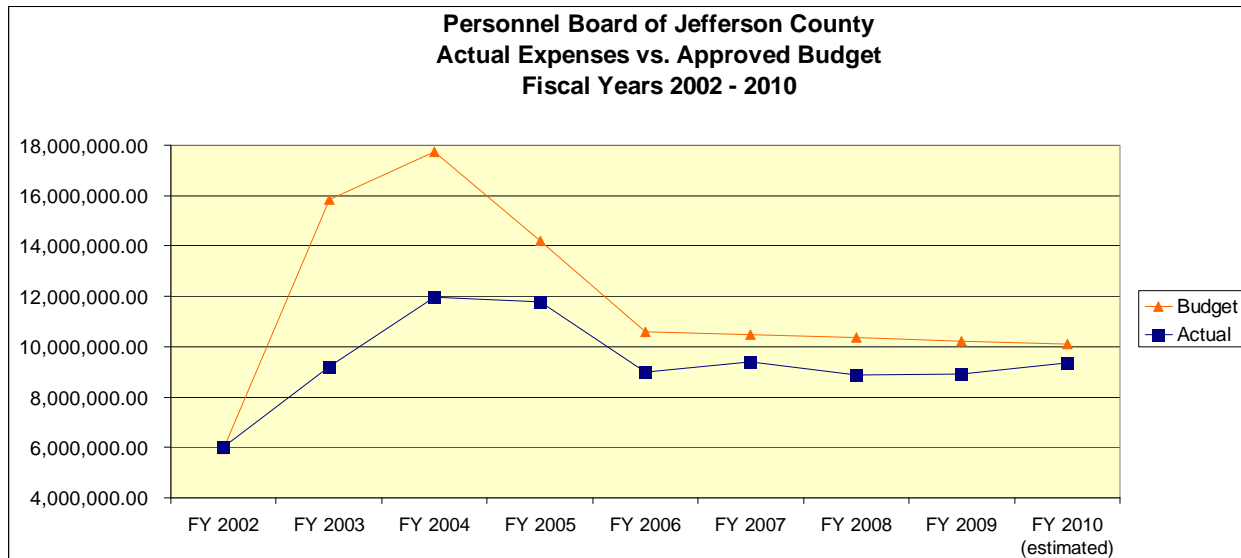
## **Appointment of Monitor**

On November 15, 2005, the Court appointed Dr. William Sauser of Auburn University as the Court's Monitor "to oversee the efforts of the Personnel Board to comply with its obligations under its 1981 consent decree... and to assist this court and the parties in determining the Board's ability and commitment to function in compliance with Federal law absent judicial supervision." The Monitor is an officer of the Court and serves as an observer of the PBJC's activities and progress. As part of his role, he continuously communicated his findings to the Court and to the parties.

On November 20, 2008, the PBJC was released from its long-standing Consent Decree. In making his ruling, Judge Lynwood Smith noted that the Board has complied in full with its obligations to the court, has demonstrated its good faith commitment to continued compliance with federal law, has implemented policies, practices, and procedures to avoid repeating former violations, and has put in place the infrastructure and the resources necessary to sustain the Board's compliance commitment.

# APPENDICES

## Appendix A: Budget Data for the PBJC for the Fiscal Years 2002-2010



## Appendix B: Glossary of Terms

**Act** Act No. 248 of the 1945 Legislature of the State of Alabama, as amended commonly referred to as the “Enabling Act”).

**Applicant** An individual who has submitted a completed online employment application including all requested supplemental information and documentation in response to an advertised opening.

**Appointing authority** Any person, officer, board, council, commission or other governmental body whose lawful jurisdiction or powers are confined wholly or primarily within the territorial limits of Jefferson County and who or which possesses final power to appoint persons to services, jobs, offices or positions, the compensation of which is paid in whole or in part from the public funds of Jefferson County or from the public funds of a municipality in Jefferson County subject to this Act. Except as otherwise provided by law, the Board will consider the mayor to have final decision making authority on behalf of a municipality.

**Board** See Personnel Board.

**Business Day** Any weekday on which the Board is open to the public.

**Certificate of Eligibles** A certificate issued by the Director to an appointing authority, containing the names of those individuals, in random order, eligible to be appointed or promoted to a particular position in the Classified Service. Also called a Certification List.

**Certification** The process of submitting a Certificate of Eligibles to an appointing authority for the purpose of filling a particular position in the Classified Service.

**Certification List** See Certificate of Eligibles.

**Class or Class of Positions** A position or group of positions sufficiently similar in respect to duties, responsibilities and authority such that: the same descriptive title may be used to identify all positions allocated to the Class; the same requirements as to education, experience, capacity, knowledge, proficiency, ability and other qualifications should be required of the incumbents; the same tests of fitness may be used to choose qualified applicants; and the same schedule of compensation can be made to apply with equity.

**Classification** The process of assigning a position to the appropriate Class.

**Classified Employee** A person appointed (i.e., hired) by an appointing authority for employment in the Classified Service.

**Classified Service** See the Enabling Act §2 and Rule 1.2 for an exhaustive definition of Classified Service.

**Class Specification** A job description. A formal statement generically descriptive of a group of positions sufficiently similar to exist in the same Class.

**Common/Unskilled Laborer** A person who performs routine, usually repetitive, manual duties requiring physical exertion, for which there is no defined Class in the Classified Service.

**Compensatory Time** Leave provided to an employee in lieu of monetary compensation.

**Demotion** A change from one class to another class for which the final pay step in the pay grade is lower.

**Director** The Director of Personnel created by Sections 11 and 12 of the Enabling Act.

**Eligible Candidate** An individual whose name appears on an Eligibility List.

**Eligibility List** A register. A record containing the names of all persons who have successfully completed the examination process, listed and ranked in order of their final scores from the highest to the lowest, and who are considered qualified for appointment or promotion to positions in the Class for which the list exists.

**Good Standing** Not subject to any ongoing discipline, or suspension, or investigation into alleged misconduct.

**Pay Grade** The range of Pay Steps for the Class as set forth in the Pay Plan.

**Pay Step** The specific pay rate within a Pay Grade as set forth in the Pay Plan.

**Personnel Board** The Board is a human resources organization established by the legislature of the State of Alabama in 1935 to administer the County's Civil Service System. It is responsible for classifying positions throughout the County, testing potential candidates for employment, establishing hiring registers, developing and administering pay schedules, coordinating the adjudication of grievances, and maintaining employee history records. In a broader sense, it is responsible for executing mandates of the Enabling Act of Alabama. May also refer to the Three-Member Board.

**Probationary Period** The uninterrupted twelve (12)-month period of paid service following an initial general appointment, following a non-promotional appointment from one class to a different class at the same Grade, or following promotion in the Classified Service.

**Promotion** A change from one class to another class for which the final pay step in the pay grade is higher.

**Public Hearing** A meeting of the Board, open to the public, during which any citizen, taxpayer or party at interest may appear and be heard subject to such rules and regulations as may be fixed by the Board.

**Public Notice** A notice of public interest posted on the Board's website or otherwise in a place or manner accessible to the public for purposes of providing information.

**Register** See Eligibility List

**Regular Employee** A Full-Time Classified Employee who has completed 12 months of uninterrupted full-time service following an initial appointment in the Classified Service.

**Request for Certification** An electronic form that serves as a request for a Certification List.

**Transfer** Lateral movement across jurisdictions in the same class.