

ALABAMA STATE PERSONNEL BOARD
ALABAMA STATE PERSONNEL DEPARTMENT
ADMINISTRATIVE CODE

CHAPTER 670-X-3
DEFINITIONS

TABLE OF CONTENTS

670-X-3-.01 **Definitions**

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The words and phrases have the following meanings when used in these rules unless otherwise indicated in the context. The masculine noun or pronoun as used in these rules includes the feminine also.

(a) General.

1. "Merit System Act" or "The Act" means Act No. 58 of the Acts of 1939, approved by the Governor, March 2, 1939, also codified at §§36-26-1 through 36-26-83..
2. The term "Department" unless specifically stated otherwise means the State Personnel Department, including the Board and the Director.
3. The "Board" means the State Personnel Board.
4. The "Director" means State Personnel Director.
5. The term "Appointing Authority" means the officer, board, commission, person, or group of persons having the power to make appointments to offices of positions of trust or employment in the state service.

(b) Kinds of Appointments.

1. "Regular Appointments" means selection by the appointing authority from the names certified by the Department of a person to occupy a permanent position - subject to a working-test (probationary) period of at least six months.
2. "Temporary Appointment" means appointment of a person from an appropriate eligible list, regardless of standing on the list, to a job for not more than 104 work days.

3. "Provisional Appointment" is the appointment of a qualified person by an appointing authority (with approval of the Director) to occupy a position without status for a period of no more than 156 work days pending establishment of an appropriate eligible register.

(c) Registers.

1. An "Eligible Register" is a list of names of persons who have successfully competed by examination arranged in order of their final rating.

2. A "Promotional Register" is a list of names of persons in a class who have met the requirements (competitively) for promotion to a higher class ranked in order of their final ratings.

3. A "Reemployment List" is a list of names of classified persons with current permanent status in a class who have been laid off, retired, or who have resigned in good standing and requested within the time prescribed in these rules that they be so listed.

(d) Position Classification System.

1. "Class" or "Class of Positions" means a definitely recognized kind of employment in the classified service designed to include all positions that are sufficiently alike, with respect to the character of duties, responsibilities, and qualification requirements, as to be treated alike under like conditions for all personnel purposes.

2. "Classification Plan" means an orderly arrangement of positions into separate and distinct classes so that each will contain those positions which involve similar duties and responsibilities as applied to positions designated in the Act as being in the "Classified Service."

(e) Pay Plan and Salary Increases.

1. "Compensation Plan" or "Pay Plan" means a schedule of salaries officially adopted by the Board with the approval of the Governor consisting of minimum, intermediate and maximum salary rates for each class of positions, so that all positions within a class will be paid according to the same salary range.

2. "Performance Salary Advance" means the advance or increase of an employee's present salary rate to a higher rate within the range for the class of positions involved to recognize growth and manner of performance in the job, including the successful completion of probation.

3. "Promotional Salary Advance" means the increase granted to an employee who is promoted from a position to another position of a class assigned to a higher salary range in recognition of the assumption of greater responsibility and more difficult and complex work.

4. "Salary Adjustment" means any change in an employee's salary rate other than a performance or promotional salary advance; included may be (a) an adjustment to a different rate in a higher salary range resulting from the reassignment of the class to the higher range, only if the person is below the minimum salary range, (b) an adjustment to a different rate in a higher salary range resulting from the reallocation of the position to a class in the higher range (when deemed not to involve a promotion), only if the person is below the minimum salary range, (c) an adjustment to a lower rate as a result of voluntary demotion or disciplinary action, and (d) an increase resulting from an across-the-board increase in the rates of the salary schedule in recognition of increases in prevailing rates in the labor market and the cost of living.

5. "Assignment," when used in salary administration, means the designation of a class to be paid according to a particular salary range by specifying the range number.

6. "Reassignment," when used in salary administration, means an officially adopted change in the range number designation for a class.

(f) Employees.

1. The "Classified Service" consists of all positions in the state service not specifically exempt or placed in the unclassified service by the Act.

2. The "Unclassified Service" includes: one confidential assistant or secretary for each elected officer, and one for each department head appointed by the Governor, and one such confidential employee for each board and each commission, and employees in the Governor's office who are not exempt.

3. The "Exempt Service" includes: (1) officers elected by vote of the people; (2) officers and employees of the Legislature; (3) all employees of a district attorney's office; (4) members of boards and commissions, whether appointed or self-perpetuating, and heads of departments required by law to be appointed by the Governor or by boards or commissions with the Governor's approval; (5) all officers and employees of the state's institutions of higher learning, teacher training institutions and normal

schools, educational, eleemosynary and correctional* institutions which are governed and controlled by boards of trustees or similar governing bodies and secondary agricultural schools and vocational schools; (6) all inmate help in all charitable, penal and correctional institutions; (7) all commissioned and warrant officers and enlisted men of the National Guard and Naval Militia of the state, in their respective military and naval grades; (8) the Governor's private secretary, legal advisor, recording secretary, and those employees of the Governor's office paid exclusively out of the Governor's emergency or contingent funds; and (9) the employees of the Alabama State Port Authority engaged in railroad service and subject to the provisions of an Act of Congress known as the Railway Labor Act, as amended or as it may hereafter be amended. The services listed as exempt shall in no respect be subject to the provisions of the Act or Rules, anything to the contrary notwithstanding.

4. "Employee" means a person legally occupying a position.

5. "Permanent Employee" means an employee who has satisfactorily completed a working test period of at least six months, and whose permanent appointment has been recommended by the appointing authority.

6. "Permanent Position" means any position in the classified service which has required or is likely to require the services of an employee without interruption for a period of more than 104 work days.

(g) Kinds of Examinations.

1. "Assembled Examination" is a test where applicants are required to assemble in one or more specified places at a scheduled time for the purpose of taking the test (usually a written test).

2. "Unassembled Examination" is an examination and rating of the applicant's training and experience on the basis of the application he submits and any other required supplementary documents.

3. "Performance Test" is a test where an applicant is required to demonstrate skills used on the job.

*Exemption does not apply to employees placed in the classified service in accordance with laws governing the Department of Mental Health and the Department of Youth Services and Board of Corrections.

4. "Oral Examination" is an appearance by the applicant before a rating panel consisting of two or more members who evaluate personal characteristics related to the job.

(h) Separations from Service.

1. "Layoff" is an involuntary separation due to lack of work or funds or the abolition of a position.

2. "Dismissal" is the permanent removal of an employee for cause.

3. "Suspension" is the temporary removal of an employee, up to a maximum of thirty calendar days in any one calendar year.

4. "Resignation" is the voluntary separation of an employee.

5. "Separation during probation" is the removal of a probationary employee prior to receiving permanent status.

6. "Job abandonment" consists of three days of unexcused, unreported absences.

7. "Retirement" is the withdrawal from active State service with a retirement allowance or optional benefit.

Author:

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36-27-1(19).

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