

SECTION 3 – SERVICE CATEGORIES AND PROBATIONARY PERIOD

Section	Topic and Subsections	Subtopic	Pages
3.1	Service Categories	<ul style="list-style-type: none"><input type="checkbox"/> Regular Employees<input type="checkbox"/> Probationary<input type="checkbox"/> Temporary Employees<input type="checkbox"/> Temporary Transfer Provisions<input type="checkbox"/> Unclassified Service Employees<input type="checkbox"/> Unclassified Officials<input type="checkbox"/> Classified Service Employees	2 – 6 2 2 2 - 3 3 4 5 6
3.2	Probationary Period		6 - 7
3.3	Use of Temporary Agency Personnel		7 - 8

3.1 SERVICE CATEGORIES

The service category of any employee shall be for the purpose of categorizing the employment in accordance with the anticipated length of employment, working hours, or other employment conditions.

**Regular,
Full Time.**

A regular employee is hired on a full-time regular basis subject to the policies concerning probationary period, and termination for cause. The employee is expected to work the full work week as determined by the Department Head.

**Regular,
Part-Time.**

A regular, part-time employee is hired for an indefinite period of time to work no more than 29 hours per week.

Department Heads must ensure that the number of hours a part-time regular employee works does not exceed 29 hours per week. Part-time service employment will not count as continuous years of service with the City if a part-time employee is later employed in a regular full-time position.

Probationary.

Initially, each individual hired, except exclusions stated below, will be placed in a probationary status for at least (1) year. Temporary employees are always considered probationary, due to their short-term employment. Aide to the Mayor and Aide to the Council positions are excluded from this provision since they serve solely at the pleasure of the Mayor or City Council, respectively, and could be terminated at any time, with or without cause.

A probationary status employee may be terminated at any time by the appointing authority, without a hearing and without recourse under these guidelines during the probationary period.

**Temporary
Employees
(Part-time and
Full-time).**

Temporary employees are not eligible for any paid leave, holidays or benefits. Because of their short-term status, temporary employees are always considered probationary. Accordingly, temporary employees may be terminated at any time by the appointing authority, without a hearing and without recourse under these guidelines.

Temporary service employment will not count as continuous years of service if a temporary service individual is later appointed to regular full-

POLICY: SERVICE CATEGORIES AND EMPLOYMENT STATUS Policy Section No. 3

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time position.

**Temporary
Full-Time.**

A temporary, full-time employee is hired for a limited period of time, no more than 120 work days within one (1) calendar year for the performance of specific tasks. The employee is expected to typically work a full workweek.

**Temporary
Part-time.**

A temporary, part-time employee is hired for a limited period of time, less than one (1) year, for the performance of specific tasks and is terminated from the Payroll System for one (1) complete pay period before being eligible for another temporary position.

Department Heads must ensure that the number of hours a part-time employee works does not exceed 29 hours per week.

**Temporary
Transfer
Provisions.**

Temporary service individuals may not be transferred directly to a regular part-time or full-time position. However, they may apply for vacancies for a regular position in the same manner as an external applicant.

POLICY: SERVICE CATEGORIES AND EMPLOYMENT STATUS Policy Section No. 3

Date Issued: April 10, 2002

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Unclassified**Service Employee.**

The unclassified service will include only those individuals who are approved by the City Council to be assigned to such service. Normally, such assignments will include department heads and aides to the City Council or Mayor. It is the intent of this section to create a category of service that is to be distinguished from the classified service. The unclassified service includes, but is not limited to, the following positions:

Chief of Police
City Attorney
City Clerk-Treasurer
City Engineer
Council's Aide
Director, Building
Director, Facilities and Grounds
Director, Finance Department
Director, Human Resources
Director, Information Technology
Director, Planning
Director, Public Works Department
Director, Operations and Communications
Director, Recreation Department
Director, Revenue Department
Fire Chief
Mayor's Aide (Assigned Title and Appointed by the Mayor)
Municipal Court Clerk

Full-time, unclassified service employees are eligible to participate in City employee benefits, including group medical insurance and life insurance, Alabama state retirement, paid annual leave and sick leave, and holiday pay. The city personnel system will apply to unclassified service employees the same as classified service employees, except as hereinafter provided.

**Unclassified
Officials**

The City Clerk-Treasurer, Police Chief, and Fire Chief are considered to be officers of the City pursuant to Ala. Code § 11-43-81 and are appointed by the City Council. The City Council will select the City Attorney; and the Mayor is responsible for the appointment of all other unclassified service personnel. The authority to separate those unclassified employees who are designated as officers shall be as specified in Ala. Code § 11-43-81, as it may be amended. Aide to the Mayor position shall serve completely at the pleasure of the Mayor. Aide to the Council position shall serve completely at the pleasure of the Council. Aide to the Mayor and Aide to Council positions may be terminated at any time, with or without cause, without a hearing and without recourse. All other unclassified employees may be separated as provided in these policies and procedures.

City Council may appoint unclassified officials of the City (including, but not limited to, the Municipal Judge and Associate Judge). Judges are not eligible for any paid leave or holidays or benefits (other than participation in RSA-1). Pay shall be determined by the City Council at the time of appointment. In the event the City Council approves COLA increase(s) for City employees during the term of Judge appointment, the COLA increase shall be applied to the rate of compensation for the Presiding Municipal Judge and Alternate Municipal Judge.

Classified Service.

The classified service includes regular full-time and regular part-time employees, not included in the unclassified service of the city.

Full-time regular classified service employees are eligible to participate in all City provided employee benefits, including group medical insurance and life insurance, Alabama state retirement, annual and sick leave, and holiday pay.

Part-time regular classified service employees are not eligible for any paid leave or benefits, with the exception of the following:

- Regular part-time employees may be granted holiday pay only for City-authorized paid holidays that fall on days and hours they are regularly scheduled to work (up to 8 hours) unless the employee is scheduled to work at least the same number of hours that they normally work during the holiday week at the discretion of the Department Head or Manager. Part-time employees are not eligible for floating holidays.
- Regular part-time employees must participate in the Alabama state employee retirement system (effective January 5, 2004).

3.2 PROBATIONARY PERIOD

The probationary period is an integral part of the selection procedure, allowing for training, observation and evaluation of an employee's skills, conduct and performance in order to determine fitness for regular status in the position, and shall be utilized for the most effective adjustment of a new employee and for the elimination of any probationary employee whose skills, performance, or behaviors do not meet the required standard. Aide to the Mayor and Aide to the Council positions are excluded from this provision since they serve solely at the pleasure of the Mayor and City Council, respectively and may be terminated at any time with or without cause. Unclassified officials are also excluded from this provision.

Duration of Probation Period.

Each new employee hired to fill an authorized regular position (with the exception of Aide to Mayor and Aide to Council) shall be required to complete a probationary period for observing the employee's ability to perform the various duties of the position. The probationary period for new employees shall begin immediately upon hire and continue for up to one (1) year. This probationary period may or may not be extended at the City's discretion due to significant unforeseen and "approved" absences with required documentation. Any concerns requiring an extension of the probationary period shall be documented prior to the employee's one (1) year anniversary. A probationary employee may be reprimanded,

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suspended, reduced in pay or class, or terminated at any time during the probationary period with no right of review for such action.

If a probationary employee is terminated, the Department Head must complete a Probationary Dismissal Form and a Termination Record Form.

3.3 USE OF TEMPORARY AGENCY PERSONNEL

This section establishes uniform standards and controls for the use of temporary staffing agencies by the City. This policy ensures compliance with applicable laws, budget requirements, and principles of transparency, equity, and public accountability. This policy applies to all departments that utilize temporary workers supplied through third-party staffing agencies.

- Acceptable use of temporary agency staffing includes short-term vacancies due to illness, unexpected separation, seasonal or workload-driven needs, special projects with a defined scope and end date, or emergency or time-sensitive operational needs.
- Temporary staffing is NOT to be used for ongoing or permanent operational needs. Hiring managers cannot use temporary agency workers to circumvent job posting, testing, or recruitment requirements, or to replace furloughed or laid-off employees. Hiring managers cannot use temporary agency contracts to hire applicants who are disqualified from City employment.
- Temporary agency staffers may be hired only through an agency that holds a valid contract with the City. The HR Department and Department Heads using temporary staff are responsible for ensuring that temporary agency contracts are observed.
- Temporary agency workers are not considered City employees, and their assignments shall not exceed 12 consecutive months, unless extended by the Mayor. If a department requires a position to be filled with a temporary employee for longer than 12 months, the Department Head should consider hiring a permanent replacement or converting a temporary or seasonal job to a regular staff position. If permanent replacement or conversion is not feasible, the hiring manager must direct the staffing agency to assign a different temporary worker to the role.
- As applicable, and for safety sensitive jobs, workers from the temporary agency must complete the same drug screening and background checks that employees in the permanent job must complete. **All records shall be submitted to HR. The individual departments are responsible for costs of the background checks and drug screening.** Supervisors must ensure that temporary

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workers follow the same policies as City employees, including policies regarding employment violations and policies pertaining to the employment of relatives.