



STATE OF ALABAMA
Department of Finance
Office of the State Comptroller

100 North Union Street, Suite 220
Montgomery, Alabama 36130-2620
Telephone (334) 242-7050 Fax (334) 242-7466
www.comptroller.alabama.gov

Robert Bentley
Governor

Marquita F. Davis, Ph.D.
Director of Finance

Thomas L. White, Jr.
State Comptroller

Janice A. Hamm
Deputy State Comptroller

MEMORANDUM

TO: All Agency Heads
All Agency Payroll and Personnel Officers

FROM: Thomas L. White, Jr.
State Comptroller 

DATE: August 30, 2012

RE: Insurance Company Solicitation

It has come to my attention that insurance companies initiating a payroll deduction slot with the State of Alabama and insurance companies with established payroll deduction slots are not following Comptroller's Office guidelines when attempting solicitation of state employees.

Insurance companies receive strict instructions that *soliciting within the workspace of a State agency is permitted only with the specific approval of the Chief Executive Officer of that agency*. Satellite offices, division branches and facilities are being solicited without this approval and possibly without your knowledge.

You may review the guidance letter each company receives when initiating a payroll deduction slot by accessing <http://comptroller.alabama.gov/pages/memos.aspx>. Be advised State law governs solicitation of state employees for any purpose. It is the sole discretion of an agency's Chief Executive Officer whether to allow solicitation in ANY of that agency's offices. Please make your staff aware of your solicitation policy and contact the Comptroller's Office if an insurance company violates conditions set by you.

If you have any questions or need additional information about the legitimacy of an insurance company, please do not hesitate to contact my office at 334-242-7050.

TLWjr/dt

CC: Ms. Janice A. Hamm, Deputy State Comptroller
Ms. Sandra H. Collins, Payroll Administrator
File



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Under the authority of Code of Alabama, §36-1-4.3, the State of Alabama is authorized to establish a payroll deduction for an organization and to establish policies to regulate this practice.

Your request for approval to initiate the effort to qualify for a payroll deduction slot with the State of Alabama is hereby granted on the following conditions.

1. Prior to approval of any payroll deduction slot being established, at least 200 participating State employees must present to the State Comptroller a request for a payroll deduction slot to be paid to the organization.
2. The organization must provide this office with a sworn statement that each person whose name is signed to the initial request for a payroll deduction is a bona fide member or customer of that entity.
3. Subsequent to the payroll deduction being established, the organization will verify that each person with a payroll deduction for that organization is a bona fide member or customer of that entity when directed to do so by the State Comptroller.
4. Prior to a payroll deduction being established, the organization must provide a sworn statement that it is duly organized or qualified to do business in the State of Alabama and is, and will remain, so long as the payroll deduction is in effect, qualified and in good standing with the State of Alabama.

5. The State Comptroller may terminate the payroll deduction if the number of participating State employees drops below 200. The State Comptroller will give participating employees prior notice that the payroll deduction slot is being terminated.
6. The payroll deduction process is subject to the provisions of Code of Alabama §36-1-4.3.
7. State law governs solicitation of state employees for any purpose. Generally, the use of State assets for private business and other purposes is prohibited. Examples include time of State employees during their working hours, buildings or other facilities owned or used by State agencies, State owned equipment, personnel rosters and/or mailing lists.
8. No solicitation will be allowed in individual offices. Solicitation on the grounds of State buildings or common areas within a building is subject to applicable laws and regulations.
9. Soliciting within the workspace of a State agency is permitted only with the specific approval of the Chief Executive Officer of that agency, which is granted prior to any solicitation. Permitted solicitation within that agency's workspace must be conducted in a manner that will not disrupt the workforce in conducting State business and in compliance with any other conditions set by that agency's Chief Executive Officer.

I enclosed a copy of §36-1-4.3, which pertains to this subject matter. If you have any questions or require additional information, please contact me at 334-242-7063.

Sincerely,

Thomas L. White, Jr.
State Comptroller

TLWjr/dt

Enclosure