

STATE OF ALABAMA)

COUNTY OF BALDWIN)

**RESOLUTION # 2014-053
OF THE
BALDWIN COUNTY COMMISSION**

APPROVING A REDUCTION IN FORCE, DETERMINING THE PROCEDURE FOR SAID REDUCTION IN FORCE AND, FURTHER, PROVIDING CERTAIN INSTRUCTIONS RELATED TO THE BALDWIN COUNTY FISCAL YEAR 2014 BUDGET

WHEREAS, Section II (General Personnel Policies), Subsection Y (Reduction in Force) of the *Baldwin County Commission Employee Handbook* provides as follows:

“Y. Reduction in Force

“Whenever it becomes necessary, through lack of funds, curtailment of work, reorganization or for other causes, to reduce the number of employees in a given department and/or classification, the Commission shall determine the procedure for layoff or a reduction in the workforce.

“If an employee is discharged because of a reduction in force, as determined by the County Commission, he or she is considered separated from employment, unless another position is offered and the employee accepts another position.

“The County Commission, Revenue Commissioner, Probate Judge or Appointed Department Head may propose when a reduction in force is warranted and which employee(s) will be released, and the County Commission shall make the decision whether to approve or deny the reduction in force, subject to any modifications deemed necessary by the County Commission, in its discretion. If an employee loses his or her job through a reduction in force, the employee may apply for other posted positions, now or in the future.

“A reduction in force is a separation of employment. The progressive discipline process is not followed when there is a reduction in force, and the appeals process is not available since it is not deemed a disciplinary action. However, the employee may request a meeting with the Revenue Commissioner, Probate Judge, or Appointed Department Head and Personnel Director.

“All layoffs or reduction in workforce must be approved by the Baldwin County Commission.”

WHEREAS, the provisions contained in the *Baldwin County Commission Employee Handbook* are subject to the authority provided at Section 45-2-120 through Section 45-2-120.15 of the Code of Alabama (1975), and without limitation; and

WHEREAS, at this time, the Appointed Department Head of the Solid Waste Department, the Development and Environmental Director, proposes the Baldwin County Commission implement and approve a reduction in force applicable to the Solid Waste Department in order to increase efficiency, more appropriately align solid waste funds and reorganize said Department; now therefore

BE IT RESOLVED, BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, that, pursuant to Section II (General Personnel Policies), Subsection Y (Reduction in Force) of the *Baldwin County Commission Employee Handbook* and associated authority found at Section 45-2-120 through Section 45-2-120.15 of the Code of Alabama (1975), and without limitation, the Baldwin County Commission has determined it necessary to implement and approve a reduction in force and, therefore, the following is authorized:

Solid Waste Department

Position #4071 Project Manager/Training Coordinator (54100) is abolished \$80,950

FURTHER, BE IT RESOLVED, that, pursuant to Section II (General Personnel Policies), Subsection Y (Reduction in Force) of the *Baldwin County Commission Employee Handbook*, the Baldwin County Commission has determined the procedure for the aforementioned reduction in force as follows:

1. The reduction in force shall be effective April 6, 2014.
2. The classified employee affected by the reduction in force shall be entitled to the benefits to which any other classified employee of the Baldwin County Commission would be entitled upon separation, and any payments due for accumulated leave time, as determined and calculated by the Baldwin County Commission, shall be paid in a lump sum to the affected classified employee no later than April 11, 2014, if all requirements have been fulfilled to the satisfaction of the Personnel Department.
3. The classified employee affected by the reduction in force shall be entitled to any applicable procedures set forth in the *Baldwin County Commission Employee Handbook* and/or state law.

FURTHER, BE IT RESOLVED, that the Budget Director is instructed to prepare a resolution, for consideration by the Baldwin County Commission, to amend the Baldwin County Fiscal Year 2014 Budget in order to provide for the reallocation of financial resources affected by this instrument which total approximately \$80,950 annually, said instrument to be considered by the Baldwin County Commission during its FY2014 Midyear Budget amendments.

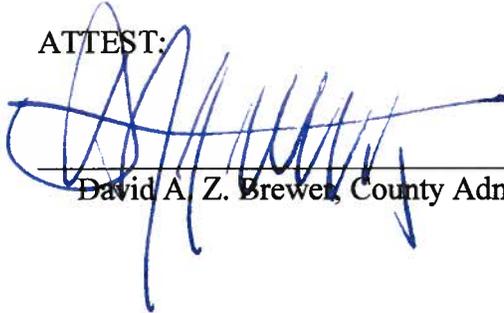
FURTHER, BE IT RESOLVED, that if any one or more of the provisions contained within this resolution shall for any reason be held to be invalid, illegal or unenforceable in any respect, then such provision or provisions shall be deemed severable from the remaining provisions hereof, and such invalidity, illegality or unenforceability shall not affect any other remaining provisions hereof.

DONE, under the Seal of the County of Baldwin, at the County Seat in Bay Minette, Alabama, on this the 6th day of March, 2014.



Commissioner Charles F. Gruber, Chairman

ATTEST:



David A. Z. Brewer, County Administrator



