

STATE OF ALABAMA )

COUNTY OF BALDWIN )

**RESOLUTION #2016-102  
OF THE  
BALDWIN COUNTY COMMISSION**

**APPROVING A REDUCTION IN FORCE AND DETERMINING THE PROCEDURE  
FOR SAID REDUCTION IN FORCE**

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 Personnel Director and the County Administrator/Budget Director of the Baldwin County Commission, propose the Baldwin County Commission implement and approve a reduction in force applicable to the Baldwin County Residential Wilderness Program in order to transfer the operation of Baldwin County Residential Wilderness Program in Lottie, Alabama to Pathway Inc. an independent contractor; 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:

**Baldwin County Residential Wilderness Program**

Position # 119 Residential Advisor I is abolished  
Position # 676 Residential Advisor I is abolished  
Position # 709 Residential Advisor I is abolished  
Position # 1045 Residential Advisor I is abolished  
Position # 2012 Program Director is abolished  
Position # 2019 Residential Advisor II is abolished  
Position # 2020 Residential Advisor II is abolished  
Position # 2022 Residential Advisor I is abolished  
Position # 2025 Residential Advisor I is abolished  
Position # 2026 Residential Advisor I is abolished  
Position # 2030 Residential Advisor I is abolished  
Position # 2037 Registered Nurse – GW is abolished  
Position # 3088 Therapist is abolished  
Position # 3089 Therapist is abolished  
Position # 3090 Recreation and Volunteer Coord.is abolished  
Position # 4021 Residential Advisor I is abolished  
Position # 4022 Residential Advisor I is abolished  
Position # 4023 Residential Advisor I is abolished  
Position # 4027 Residential Advisor I is abolished  
Position # 4028 Therapist is abolished  
Position # 4029 Therapist is abolished  
Position # 4030 Food Service Manager is abolished  
Position # 4044 Residential Advisor I is abolished  
Position # 4064 Residential Advisor I is abolished  
Position # 5126 Cook is abolished

Position # 5146 Recreation and Volunteer Coord.is abolished  
 Position # 5164 Residential Advisor Technician is abolished  
 Position # 5165 Residential Advisor Technician is abolished  
 Position # 5255 Clinical Director is abolished  
 Position # 5256 Compliance Officer is abolished  
 Position # 5258 Therapist is abolished  
 Position # 5260 Residential Advisor II is abolished  
 Position # 5263 Residential Advisor I is abolished  
 Position # 5264 Residential Advisor I is abolished  
 Position # 5268 Residential Advisor I is abolished  
 Position # 5271 Residential Advisor Technician is abolished  
 Position # 5291 Residential Advisor Technician is abolished  
 Position # 5293 Therapist is abolished  
 Position # 5296 Residential Advisor Technician is abolished  
 Position # 5313 Residential Advisor I is abolished  
 Position # PT28 PT Residential Advisor Tech is abolished  
 Position # PT29 PT Residential Advisor Tech is abolished

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 August 31, 2016.
2. The classified employees affected by the reduction in force shall be entitled to the benefits to which any other classified employees 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 employees no later than August 31, 2016, if all requirements have been fulfilled to the satisfaction of the Personnel Department.
3. The classified employees 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 a transition team be established of the following positions and that the purpose of said transition team coordinate the transfer of operations to Pathway Inc. Said transition team shall operate from September 1, 2016 thru October 31, 2016.

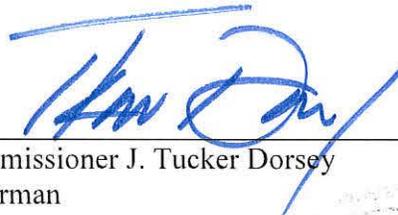
Position # 2099 Aftercare Community Coord.is to be part of the transition team  
 Position # 5006 Residential Billing Coord.is to be part of the transition team  
 Position # 5127 Cook is to be part of the transition team

1. The transition team positions shall be abolished effective October 31, 2016.

2. The transition team classified employees affected by the reduction in force shall be entitled to the benefits to which any other classified employees 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 employees no later than October 31, 2016, if all requirements have been fulfilled to the satisfaction of the Personnel Department.
3. The transition team classified employees 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 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 16<sup>th</sup> day of August, 2016.



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Commissioner J. Tucker Dorsey  
Chairman

ATTEST:



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Ronald J. Cink  
County Administrator/Budget Director

