



Baldwin County Commission

Legislation Text

File #: 20-0160, **Version:** 1

Meeting Type: BCC Work Session

Meeting Date: 11/12/2019

Item Status: New

From: Deidra Hanak, Personnel Director

Submitted by: Deidra Hanak, Personnel Director

ITEM TITLE

Baldwin County Personnel Appeals Board - Board Appointment(s)

STAFF RECOMMENDATION

Discuss the Commission Appointee for the Baldwin County Personnel Appeals Board.

BACKGROUND INFORMATION

Previous Commission action/date: N/A

Background: The Baldwin County Personnel Appeals Board (Board) was created by Section 45-2-120 to Section 45-2-120.158 of the Code of Alabama, 1975. The Board dates to a 1995 Act of the Alabama Legislature. The Board is created for the purpose of hearing all appeals from final action as requested by an affected employee. Specifically, the Board hears all appeals from the final action of the County Administrator or Clerk/Treasurer, or such other individual hearing the case as a result of a conflict, with respect to a disciplinary action of a classified (merit) employee of the Baldwin County Commission. All decisions of the Board are recommendations to the Baldwin County Commission, which shall be acted upon by the Baldwin County Commission at its next regular or specially called meeting. From any adverse decision of the County Commission, the employee may appeal the decision to the Circuit Court of Baldwin County for a non-jury trial, provided he or she files the appeal within seven (7) days of the adverse decision.

The Board shall follow administrative procedures adopted by the Baldwin County Commission to implement the appeals process. The Personnel Department shall provide all necessary clerical and administrative support for the Board. The Board shall meet as needed. Each year, Board members shall select from among themselves a chairperson and secretary of the Board. Board members may be compensated as established from time to time by the Baldwin County Commission (currently, the Chairperson is compensated at \$100.00 per meeting attended and the other Board members are compensated at \$75.00 per meeting attended).

MEMBERSHIP OF THE BALDWIN COUNTY PERSONNEL APPEALS BOARD:

- 1) Two (2) members shall be appointed by the Baldwin County Commission;
- 2) Two (2) members shall be selected by the classified employees using an election system set forth in the applicable Alabama law; and
- 3) One (1) member shall be selected by the other four (4) members; this fifth member shall be selected by the other four members of the board within 30 days after the four members of the board are selected and take office. In the event the four members of the board cannot agree on a fifth member within 30 days, then the fifth member shall be selected as follows: The members appointed by the county commission shall nominate one (1) person and the members selected by the classified employees shall nominate one (1) person. From these two nominees, the fifth member of the board shall be selected by lot.

The qualifications for membership are as follows:

- 1) All members must be residents of Baldwin County;
- 2) No person who holds elected office, is a candidate for elected office, or receives a salary from the county, except the classified employee board members, shall serve on the board. An employee board member's term shall immediately terminate upon occurrence of any one of the foregoing conditions. A vacancy shall be filled in the same manner as the original appointment of a board member as soon as possible after a vacancy occurs. A board member shall be eligible for reappointment to successive terms of the board; and
- 3) Each member shall serve a three-year term.

CURRENT BALDWIN COUNTY COMMISSION REPRESENTATIVES ON THE BALDWIN COUNTY PERSONNEL APPEALS BOARD:

Mr. Matthew Simpson. and Mr. Matthew Scott Boone are the Baldwin County Commission's current representatives on the Board.

FINANCIAL IMPACT

Total cost of recommendation: N/A

Budget line item(s) to be used: N/A

If this is not a budgeted expenditure, does the recommendation create a need for funding?
N/A

LEGAL IMPACT

Is legal review necessary for this staff recommendation and related documents?

N/A

Reviewed/approved by: N/A

Additional comments: N/A

ADVERTISING REQUIREMENTS

Is advertising required for this recommendation? N/A

If the proof of publication affidavit is not attached, list the reason: N/A

FOLLOW UP IMPLEMENTATION

For time-sensitive follow up, select deadline date for follow up: N/A

Individual(s) responsible for follow up: N/A

Action required (list contact persons/addresses if documents are to be mailed or emailed):
N/A

Additional instructions/notes: N/A