STATE PERSONNEL BOARD

Special Meeting

March 30, 2020

10:00A.M.

I. Call to Order

II. Special Pay Issues

A. STATE PERSONNEL DEPARTMENT

Establish authorization for agency appointing authorities, after consultation with the State Personnel Department, to pay overtime at a straight time rate to FLSA exempt employees. These employees must be designated as essential and required to perform mission critical work in connection with the Public Health Emergency Proclamation issued by Governor Ivey on March 13, 2020. Payment is for hours physically worked over 40 in a workweek. This authorization is being implemented in connection with the current emergency response and will end when the emergency is terminated by proclamation or expires. Agencies should report to the State Personnel Board the amount of straight time paid by classification.

ACTION BY THE STATE PERSONNEL BOARD: APPROVED

B. TRANSPORTATION DEPARTMENT

Request to pay a $2.00 per hour increase as "premium pay" to employees in the classes of Transportation Worker (90241), Transportation Worker, Senior (90240), Highway Maintenance Technician II/III (90245), Transportation Maintenance Technician I (90244) and Transportation Maintenance Technician II (90247) who are permanently assigned to work at the state rest areas and who are designated as essential employees during the COVID-19 Pandemic. Governor Ivey's Supplemental Proclamation of March 20, 2020 directs agencies to expedite the movement of vehicles and loads that are transporting emergency equipment, services and supplies related to COVID-19 and it is critical that Alabama's rest areas
remain operational. Authorization will end when the emergency is terminated by proclamation or expires.

ACTION BY THE STATE PERSONNEL BOARD: APPROVED

III. Proposed Amendments to State Personnel Board Rules

To consider emergency amendments to the following Rules in response to the COVID-19 Pandemic. These amendments will expire 120 days from filing.

A. ALA. ADMIN CODE r.670-X-14-.01 regarding the carry-over of excess sick leave. (PROPOSED RULE ATTACHED)

ACTION BY THE STATE PERSONNEL BOARD: APPROVED

B. ALA. ADMIN CODE r. 670-X-13-.06 regarding the time in which a retired state employee may return to service. (PROPOSED RULE ATTACHED)

ACTION BY THE STATE PERSONNEL BOARD: APPROVED

IV. Adjourn
Sick Leave

(1) An allowance of four hours and twenty minutes for each semi-monthly period of service shall be made for sick leave. Unused portions of such allowance may accumulate but not to exceed a maximum of more than 1200 hours may be carried over beyond the end of the calendar year; provided that, where an employee suffers extended illness or disability lasting more than 1200 hours and requiring the employee to have exhausted all accumulated leave, the State Personnel Board may, on the recommendation of the appointing authority, approve the restoration and use of any sick leave which he might have earned in excess of this maximum. An employee who retires shall be entitled to be paid for fifty percent of his accumulated sick leave at the time of his retirement up to a maximum of 600 hours in his career. Such payment constitutes liquidation of the sick leave balance of the employee.

(a) Neither annual nor sick leave shall accrue except when an employee is actually working or on authorized leave with pay, and in no case shall leave accrue subsequent to actual separation from the service.

(b) Sick leave is hereby defined to mean the absence from duty of an employee because of: (1) illness; (2) bodily injury not incurred in line of duty, or bodily injury or occupational illness incurred in line of duty; (3) attendance upon members of the immediate family whose illness requires the care of such employee; (4) death in the immediate family of the employee. Immediate family is hereby defined to include spouse children as defined by the Family and Medical Leave Act, grandchildren, parents or grandparents, sister or brother,
Upon all separations from service except for a layoff, an employee shall be paid for the actual number of hours of annual leave he has accumulated, up to a maximum of 480 hours in an employee's career, with the amount being computed using the base hourly pay rate at the time of separation multiplied by the number of hours of leave due.

Should an employee return to service, his absence must be for a longer period of time than the amount of annual leave paid.

**Author:** Halcyon Vance Ballard  
**Statutory Authority:** Code of Ala. 1975, §36-26-35.  