

Minutes of the Marshall County Personnel Board
Public Hearing for Modifications to the Employee Handbook
Pay of Sick Leave to Employee's Estate upon Death of Merit Status Employee
Thursday, July 25, 2013

A meeting of the Marshall County Personnel Board was held on Thursday, July 25, 2013, at 5:30 p.m. in the Commission Chambers of the Marshall County Courthouse in Guntersville, Alabama. The purpose of the meeting was to hold a public hearing to discuss amending the Personnel policy to add that if an active merit status employee passes away, the employee's estate will be paid ½ of the employee's sick leave balance (up to a maximum of 480 hours).

The following Board members were present:

Jason Windsor, Chairman
Keith Swisher, Board Member
Charles Whisenant, Board Member

Also present were Board Attorney Jeffrey McLaughlin, and Personnel Administrator Christy Kelley.

Chairman Windsor announced that the purpose of the public hearing being held by the Marshall County Personnel Board was to discuss proposed policy changes to the Marshall County Employee Handbook. The changes are to amend section **11.6.3.Separation**.

A copy of the proposed change to policies is attached.

Chairman Windsor called the public hearing to order at 5:30 p.m. There were no comments concerning the proposed policy change.

Chairman Windsor closed the public hearing at 6:00 p.m.



Talmadge Butler, Secretary
Marshall County Personnel Board

CURRENT POLICY

11.6.3. Separation. No employee will be paid for unused sick leave when he/she separates from county service. However, if the individual is rehired by the county within two (2) years of the separation date, in a job that is eligible to accrue sick leave, he/she shall have his/her previous sick leave balance restored upon completion of six (6) months of service. Employees that retire from county service shall be paid for one-half of any accrued, unused sick leave, but in no case will a retiring employee be paid for more than four hundred eighty (480) hours. Employees that retire from county service may also have the option of applying unused sick leave credits toward retirement credit up to a maximum of 960 hours. Employees may choose only one option, if they choose to be paid for one-half of their credits, they may not apply the remainder toward retirement credit.

PROPOSED POLICY

11.6.3. Separation. *No employee who separates from county service for reasons other than retirement or death shall be paid for any unused sick leave. However, if an individual separates and is rehired by the county within two (2) years of the separation date, in a job that is eligible to accrue sick leave, he/she shall have his/her previous sick leave balance restored upon completion of six (6) months of service. In the event of retirement or death, payment for accrued, unused sick leave will be paid as follows:*

- (a) Retirement.* Employees that retire from county service shall be paid for one-half of any accrued, unused sick leave, up to a maximum of four hundred eighty (480) hours. Employees that retire from county service may also have the option of applying unused sick leave credits toward retirement credit up to a maximum of nine hundred sixty (960) hours. Employees may choose only one option—if they choose to be paid for one-half of their credits, they may not apply the remainder toward retirement credit;
- (b) Death.* In the event of the death of an active merit status employee, the deceased employee's estate shall be paid for one-half of the employee's accrued, unused sick leave, up to a maximum of four hundred eighty (480) hours. Alabama Code § 43-8-253 expressly applies to this provision, specifically subsections (c) and (d) of that statute, with the express intent that a killer should be considered to have predeceased the decedent for all purposes under these policies and procedures.