

ADMINISTRATIVE ORDER NO 92- 8

OF THE

JEFFERSON COUNTY COMMISSION

Pursuant to the authority vested in the Jefferson County Commission by law the following Administrative Order is hereby issued:

PURPOSE

TO ESTABLISH A JEFFERSON COUNTY SICK  
LEAVE - RETIREMENT CONVERSION BENEFIT.

(1) POLICY

It is the policy of the Jefferson County Commission to encourage County employees to conserve their sick leave benefits so that the benefit will be available for periods of actual need as defined by applicable rules and regulations. Further, as incentive for conserving said sick leave benefits, to provide an additional benefit to employees upon retirement by allowing a conversion of such unused sick leave to retirement credit.

(2) ELIGIBILITY BENEFIT

a) Definition: As used herein the term "Retirement Service Credit" shall mean that service expressed in days for

which an employee would remain on the payroll for pay purposes but would not be required to report to work.

b) A retiring employee in good standing with a minimum of fifteen (15) years of paid county service and who meets all other requirements for retirement and requirements to obtain payment for accrued sick leave, shall have an option to convert unused sick leave to retirement service credit in lieu of any other payment the employee may otherwise be entitled to for unused sick leave.

c) The employee shall elect the retirement service credit from one of the three alternative plans outlined below:

Plan A To be eligible for this Program an employee must have accumulated at least fifty percent (50%) of the total number of sick days possible for the period of time he/she has been employed with the Jefferson County Civil Service System. If the employee chooses to be paid for unused sick leave in accordance with Rule 7.32 of the Jefferson County Personnel Board then all sick days over 60 will be credited as retirement service credit. If the employee does not choose to be paid for his unused sick days as allowed under Rule 7.32, then all accumulated sick days will be credited as retirement service credit at a rate of one hundred percent (100%).

Plan B To be eligible for this program an employee must have accumulated at least thirty percent (30%) of the total number of sick days possible for the period of time he/she has been employed with the Jefferson County Civil Service System. If the employee chooses to be paid for unused sick leave in accordance with Rule 7.32 of the Jefferson County Personnel Board then all sick days over 60 will be credited as retirement service credit at the rate of twenty five percent (25%) for all days

accumulated. If the employee does not choose to be paid for unused sick days as allowed by Rule 7.32 then all accumulated sick days will be credited as retirement service credit at the rate of twenty five percent (25%).

Plan C This program would apply to all employees who have twenty-nine percent (29%) or less than the total number of sick days possible for the period of time he/she has been employed with the Jefferson County Personnel Civil Service System. If the employee chooses to be paid for unused sick leave in accordance with Rule 7.32 of the Jefferson County Civil Service System then all sick days over 60 will be credited as retirement service credit at the rate of ten percent (10%) for all days accumulated. If the employee does not choose to be paid for unused sick days as allowed by Rule 7.32 then all accumulated sick days will be credited as retirement service credit at the rate of ten percent (10%).

(3) APPLICATION PROCEDURE

(a) Applications to participate and exercise an election under this Administrative Order shall be made upon an application form provided by the County. The application form shall call for the employee's election of either Plan A or Plan B or Plan C.

(b) The application shall be submitted at least ninety (90) days but no more than one hundred twenty (120) days in advance of the anticipated retirement date. (This provision became effective on January 1, 1993.)

(c) The election of the retirement service credit under this Administrative Order and the selected Plan therefore shall

be irrevocable.

(d) The application shall be submitted to the applicant's department head who shall complete an endorsement thereon. The endorsement shall set out or otherwise confirm the eligibility of the applicant and the availability of the claimed unused sick leave for conversion to the retirement service credit.

(e) The department head shall forward the Personnel Action form along with the completed application to all required places including payroll and the Personnel Board which departments shall make the appropriate entries.

(f) After the employee has been moved to the retirement credit position, the department head is authorized to fill the applicant's position if needed. The position may be filled immediately following the effective date of the applicant's conversion to retirement service credit hereunder.

(4) OTHER PROVISIONS

(a) Any existing "compensatory time" (a/k/a "comp time") shall be resolved prior to the beginning of the period of retirement service credit. Said resolution shall be

accomplished by use of the comp time (or payment, if authorized by some other policy, rule, or regulation). No such "comp time" shall be carried forward past the beginning date of the period of retirement service credit.

(b) Upon the effective date of such retirement service credit, vacation benefits and sick benefits terminate without any further accumulation.

(c) Upon the effective date of such retirement service credit, the applicant's pay classification shall be fixed and determined for the balance of the benefit period. There shall be no increase for any reason, including step increase, resurvey or "COLA". There shall be no decrease for any reason. All premium codes including but not limited to hazardous duty pay, leadworker and shift differentials will be removed from the employee rate of pay. Exception codes, however, will remain a part of the record. Pay rates will be adjusted to the classification base rate for the employee's grade, step and exception code.

(d) Applicants who are otherwise eligible and qualified to receive a LONGEVITY PAYMENT benefit will continue to be so eligible and qualified through the period of the retirement service credit.

(e) Applicants who are determined to be eligible upon making the proper application, shall remain eligible throughout the 90-day waiting period. That is, applicants shall not lose their eligibility if the authorized use of sick leave drops their accumulated sick leave total below the required threshold for the selected plan.

(f) If the applicant dies during the 90 day waiting period, the plan selected shall be null and void and the lump sum payment will be carried out in accordance with Personnel Board Rule 7.32. If the applicant dies during the period of retirement service credit and has not received 30 days of payment, the County will pay the balance up to 30 days of retirement service credit in a lump sum payment.

(g) Applicants shall be in an "off-duty" status during the period of retirement service credit and shall be ineligible for workman's compensation coverage for any accident or illness occurring during said period.

(h) Applicants who are members of the Jefferson County Pension Plan shall continue to participate in the Pension Plan during the period of retirement service credit. The required deduction for pension and the required County matching amount shall be paid to the Pension Plan.

(i) Applicants who are members of the Jefferson County Credit Union will continue to have payroll deductions for loans or debts that have been properly initiated. Applicants shall continue to be eligible for coverage under Jefferson County group plans for health and life insurance that are properly initiated. Provided, if an applicant becomes employed outside of County employment, the outside employer's health insurance shall be primary and the county's health insurance shall be secondary.

(j) Applicants shall be personally responsible for providing any required notification of elections for pension benefits to the Jefferson County Pension Board within the times required by the Pension Board.

(k) All accumulated vacation (not to exceed 40 days) and the elected payment for accumulated sick days under Plan A, Plan B or Plan C, hereof, shall be paid at the end of the period of retirement service credit, upon termination of employment. All lump sum payments will be made at the employee's pay rate that was in effect prior to beginning the retirement service credit.

(l) In order to avoid conflicts of interest, applicants shall be required to file a written request with the

Department Head for approval of outside employment during the retirement service credit period. If an applicant becomes employed, the outside employer's health insurance shall be the primary health insurance and the County's insurance shall be secondary. No applicant will be allowed to return to work for Jefferson County.

ORDERED at the Jefferson County Courthouse, Jefferson County, Alabama, to be effective on April 15, 1993.



Mary M. Buckelew  
President  
Jefferson County Commission

APPROVED BY THE  
JEFFERSON COUNTY COMMISSION

DATE: 3-10-93

MINUTE BOOK: 101

PAGE(S): 401



*Mar. 31, 1993. 282*  
RETIREMENT CREDIT AMENDMENT

1) Application Procedure

- Application must be submitted no more than 120 days and at least 90 days before the retirement service credit period begins.

2) Pay Rate

- Rate of pay during the retirement service credit period shall not include shift differentials and premium codes. Educational incentives will be included.

3) If the applicant dies before the retirement service credit period begins, the contract will be null and void and the County will pay for half of sick leave up to 60 days.

4) If the applicant dies during retirement credit and has not received 30 days of payment, County will pay the balance up to 30 days.

5) All lump sum payments will be made at the base rate of pay including all shift differentials and premium codes except baylor premiums will be excluded.

6) Retirement Credit Participants must obtain approval for outside employment. The outside employer's health insurance shall be the primary health insurance and the County's health insurance will be secondary.

Adopted this the March 31, 1993

*Mary M. Buckelew*  
President

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