

1 HB124
2 156312-1
3 By Representative Hubbard (J)
4 RFD: State Government
5 First Read: 14-JAN-14
6 PFD: 01/10/2014

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8 SYNOPSIS: Under existing law, state employees are paid
9 semi-monthly and accrue leave semi-monthly.

10 This bill would provide that effective
11 October 1, 2014, state employees would be paid and
12 would accrue leave biweekly.

13
14 A BILL
15 TO BE ENTITLED
16 AN ACT

17
18 To amend Sections 36-6-1 and 36-26-35, Code of
19 Alabama 1975, relating to state employee compensation and
20 accrual of leave, to provide that effective October 1, 2014,
21 state employees would be paid and would accrue leave biweekly.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Sections 36-6-1 and 36-26-35, Code of
24 Alabama 1975, are amended to read as follows:

25 "§36-6-1.

26 "(a) For the purpose of this section the word
27 "employee" shall be defined as:

1 "(1) Everyone in the classified, exempt, or
2 unclassified service of the state as defined in Section
3 36-26-10,

4 "(2) Legislative personnel, officers and employees,
5 Legislative Reference Service personnel, and Legislative
6 Fiscal Office personnel,

7 "(3) All court officials and employees of the
8 Unified Judicial System serving the trial courts,

9 "(4) Employees of the Administrative Office of
10 Courts paid on a biweekly basis, and

11 "(5) All hourly personnel who are considered to be
12 permanent employees.

13 "(b) Every state employee whether subject to the
14 state Merit System or not shall be paid ~~biweekly two weeks in~~
15 ~~arrears through March 17, 2006, and beginning April 3, 2006,~~
16 ~~shall be paid semi-monthly one payday in arrears, semi-monthly~~
17 ~~one payday in arrears through September 16, 2014, and~~
18 ~~beginning October 1, 2014, shall be paid biweekly two weeks in~~
19 ~~arrears,~~ except that elected officials and appointees whose
20 pay is based on an annual salary for the position held shall
21 be payable in equal semi-monthly installments on the fifteenth
22 and the last day of each month. ~~The payday which normally~~
23 ~~falls on Friday, September 30, 2005, shall be moved to~~
24 ~~Saturday, October 1, 2005. Subsequent paydays will resume the~~
25 ~~previously established schedule of being paid every other~~
26 ~~Friday.~~ This change will have no impact on salaries of those
27 paid in equal semi-monthly installments. Unpaid salaries shall

1 be paid upon the expiration of the appointment or term of
2 office.

3 ~~"(c) Beginning April 3, 2006, all employees shall be~~
4 ~~paid semi-monthly one payday in arrears. Salary payments made~~
5 ~~on March 17, 2006, shall be the last salary payments made~~
6 ~~using a biweekly pay plan. October 1, 2014, all employees~~
7 ~~shall be paid biweekly two weeks in arrears. Salary payments~~
8 ~~made on September 16, 2014, shall be the last salary payments~~
9 ~~made using the semi-monthly pay plan. The Director of the~~
10 ~~State Personnel Department shall revise the pay plan for all~~
11 ~~classified and unclassified employees by multiplying the~~
12 ~~biweekly salary for each classified and unclassified employee~~
13 ~~by 26 and dividing by 24. Salary payments based on the~~
14 ~~semi-monthly plan shall be made on the first and sixteenth day~~
15 ~~of each month, except that if the first day of October falls~~
16 ~~on a Saturday, a Sunday, or a holiday, then the salary payment~~
17 ~~shall be made on the next succeeding workday. If the first or~~
18 ~~sixteenth day of any month, other than the first day of~~
19 ~~October, falls on a Saturday, a Sunday, or a holiday, then the~~
20 ~~salary payment shall be made on the last workday immediately~~
21 ~~prior to the Saturday, the Sunday, or the holiday. The Finance~~
22 ~~Director shall have the authority to adjust any payday to~~
23 ~~ensure that each fiscal year has 24 pay periods except for the~~
24 ~~fiscal year ending September 30, 2006, which shall be the~~
25 ~~transition year. For purposes of converting from a biweekly to~~
26 ~~a semi-monthly pay plan, the payday that would be made on~~
27 ~~Friday, March 31, 2006, using the biweekly pay plan shall be~~

1 made on Monday, April 3, 2006, using the semi-monthly pay
2 plan.

3 "(d) Where the day on which salaries are payable is
4 a holiday, the salaries shall be payable on the last workday
5 preceding such holiday.

6 "(e) It is intent of the Legislature that the
7 conversion from a biweekly pay plan to a semi-monthly
8 semi-monthly pay plan to a biweekly pay plan shall not reduce
9 any employee's annual rate of compensation.

10 "(d)(f) The state Comptroller and the State
11 Personnel Department will revise procedures to implement
12 changes included in this section, and the State Personnel
13 Department shall revise its regulations regarding accrual of
14 sick leave by state employees to convert the accrual from
15 biweekly pay periods to semi-monthly to biweekly pay periods
16 effective on the same date that accrual of annual leave is
17 converted as provided in Section 36-26-35. The annual
18 accumulation of sick leave shall remain the same using
19 semi-monthly biweekly accrual as it was using biweekly
20 semi-monthly accrual.

21 "§36-26-35.

22 "(a) All persons who are regularly employed by the
23 state and who are subject to the provisions of the state Merit
24 System, and all legislative personnel, officers, and employ-
25 ees, including, but not limited to, Legislative Reference Ser-
26 vice personnel, whether subject to the state Merit System or
27 not, shall be entitled to accumulate annual leave on the basis

1 of ~~biweekly~~ semi-monthly pay periods through the payday on
2 ~~March 17, 2006~~ September 16, 2014, as follows:

3 Employee's total	4 Accumulation of	5	6
7 service with:	8 leave per pay period	9	10 Annual Accumulation
11 Fewer than five	12 4 hours <u>20 minutes</u>	13	14 13 days
15 years' service			
16 Five but less than	17 5 hours <u>25 minutes</u>	18	19 16 days 2 hours
20 10 years' service			
21 10 but less than	22 6 hours <u>30 minutes</u>	23	24 19 days 4 hours
25 15 years' service			
26 15 but less than	27 7 hours <u>35 minutes</u>	28	29 22 days 6 hours
30 20 years' service			
31 20 but less than	32 8 hours <u>40 minutes</u>	33	34 26 days
35 25 years' service			
36 25 years of ser-	37 9 hours <u>45 minutes</u>	38	39 29 days 2 hours
40 vice or more			

17 "(b) Beginning with the payday on ~~April 3, 2006~~ Oc-
18 tober 1, 2014, all persons who are regularly employed by the
19 state and who are subject to the provisions of the state Merit
20 System, and all legislative personnel, officers, and employ-
21 ees, including, but not limited to, Legislative Reference Ser-
22 vice personnel, whether subject to the state Merit System or

1 not, shall be entitled to accumulate annual leave on the basis
2 of ~~semi-monthly~~ biweekly pay periods as follows:

3 Employee's total	4 Accumulation of	5	6
7 service with:	8 leave per pay period	9 Annual Accumulation	10
11 Fewer than five	12 4 hours 20 minutes	13 13 days	14
15 years' service	16	17	18
19 Five but less than	20 5 hours 25 minutes	21 16 days 2 hours	22
23 10 years' service	24	25	26
27 10 but less than	28 6 hours 30 minutes	29 19 days 4 hours	30
31 15 years' service	32	33	34
35 15 but less than	36 7 hours 35 minutes	37 22 days 6 hours	38
39 20 years' service	40	41	42
43 20 but less than	44 8 hours 40 minutes	45 26 days	46
47 25 years' service	48	49	50
51 25 years of ser-	52 9 hours 45 minutes	53 29 days 2 hours	54
55 vice or more	56	57	58

17 "(c) Maximum accrued leave after 25 years of service
18 shall be limited to 29 1/4 days per year, and the maximum
19 number of days of annual leave which may be carried over at
20 the end of each year shall be limited to 60 days.

21 "(d) Any law enforcement officer in the Department
22 of Public Safety shall be entitled to receive payment for any
23 accrued and unused annual leave days in excess of 60 days, up

1 to a maximum of 10 days per year. Payment shall be calculated
2 using the officer's regular rate of pay."

3 Section 2. This act shall become effective
4 immediately following its passage and approval by the
5 Governor, or its otherwise becoming law.