

1 HB612  
2 160110-1  
3 By Representative Williams (J)  
4 RFD: County and Municipal Government  
5 First Read: 18-MAR-14

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8 SYNOPSIS: This bill would provide for the contents of  
9 reduction-in-workforce policies in Class 1, 2, 3,  
10 and 4 municipalities. This bill would provide that  
11 the reduction-in-workforce policy may not include  
12 seniority as the most significant factor in  
13 determining whether or not an employee is laid off.

14  
15 A BILL  
16 TO BE ENTITLED  
17 AN ACT

18  
19 Relating to Class 1, 2, 3, and 4 municipalities; to  
20 provide for the content of reduction-in-workforce policies;  
21 and to provide that the policy may not use seniority as the  
22 most significant factor in determining whether or not an  
23 employee is laid off.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. This act shall apply only in Class 1, 2,  
26 3, and 4 municipalities.

1           Section 2. (a) The city council of each city shall  
2           adopt a written reduction-in-force policy. The policy shall  
3           include, but shall not be limited to, layoffs, recalls, and  
4           notifications of layoffs and recalls. The reduction-in-force  
5           policy of the council shall be based on objective criteria.

6           (b) The reduction-in-force policy for employees  
7           shall be developed by the council in consultation with any  
8           personnel board or personnel department of the city. The  
9           reduction-in-force policy shall ensure that any performance  
10          evaluation used in the policy of employees evaluates the  
11          quality of the job performance.

12          (c) By the 2015-2016 fiscal year, a  
13          reduction-in-force policy may not include seniority as the  
14          most significant factor.

15          (d) by the 2016-2017 fiscal year, a  
16          reduction-in-force policy shall comply with all of the  
17          following:

18                 (1) An employee's demonstrated experience in  
19                 providing a quality work product shall be a significant  
20                 factor, as documented in the employee's annual performance  
21                 evaluation reports under an evaluation system adopted by the  
22                 city.

23                 (2) A reduction-in-force policy may not include  
24                 seniority as the most significant factor.

25                 (3) An employee's salary may not have any bearing on  
26                 a reduction-in-force decision.

1                   (e) A reduction-in-force policy shall comply with  
2 all state and federal antidiscrimination laws, rules, and  
3 regulations.

4                   Section 3. All laws or parts of laws which conflict  
5 with this act are repealed.

6                   Section 4. This act shall become effective  
7 immediately following its passage and approval by the  
8 Governor, or its otherwise becoming law.