

NOV-01-2006 08:51

JEFFERSON CO. TAX COLLECT

P.01

RESOLUTION

WHEREAS, the trial court in the case of Jimmy P. Black, et al. v. The Pension Board of the General Retirement System, Jefferson County Circuit Court Case No. CV 03-870 and John Alexander, et al. v. Jefferson County Comm., et al., Jefferson County Circuit Court Case No. CV 04-295, ordered the County to pay by November 1, 2006, the amount of \$14,416,930.71 to the Jefferson County Pension System as the actuarial cost equivalent for employees of the County claiming benefits under Act 03-343; and

WHEREAS, Alabama law requires the County Commission to maintain a balanced budget; and

WHEREAS, there are currently 956 budgeted job vacancies in Jefferson County departments which may be used in order to balance the County budget.

NOW THEREFORE BE IT RESOLVED BY THE JEFFERSON COUNTY COMMISSION that a Partial Moratorium is hereby Declared and Ordered on the filling of budgeted job vacancies in Jefferson County in accordance with the following conditions:

1. This order is applicable to every department of Jefferson County.
2. Excepted from this Order are:
 - (i) Those budgeted job situations where the pre-employment process has been fully completed and an offer of employment has been communicated to the applicant and has been legally accepted by the applicant. The Human Resources Department shall identify those situations in consultation with the County Attorney.
 - (ii) Those budgeted job situations where the filling of the job vacancy is

CRITICAL. As used herein, "CRITICAL" shall mean that if the vacancy is not filled a crisis will result that will cause a substantial economic loss or cost to the County that substantially exceeds the cost of filling the vacancy. The following procedure shall be required to establish the exception:

- (a) The Department Head or elected official shall submit to the Human Resources Department a written statement regarding the specific job situation with
 - (i) A complete job description;
 - (ii) The complete annual cost, salary and benefits of the job;
 - (iii) An explanation of the crisis that will result if the job is not filled; and
 - (iv) The estimated cost to the County thereof.
- (b) Human Resources shall verify the matters set out in the statement and provide comments and a recommendation to the County Commission.
- (c) The County Commission shall approve or disapprove the requested exception.

3. This order shall continue in effect until such time as the County Commission with advice of the Director of Finance determines that the budget is in balance with respect to the November 1, 2006, payment of \$14,416,930.71.

2

**APPROVED BY THE
JEFFERSON COUNTY COMMISSION**
DATE: 10-31-06
MINUTE BOOK: 152
PAGE(S): 303-304