

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2020-151

A RESOLUTION TO AMEND THE CLAYTON COUNTY CIVIL SERVICE RULES AND REGULATIONS, RULE 5 "COMPENSATION PLAN", TO PROVIDE FOR LIMITS OF ANNUAL LEAVE ACCUMULATION AND PAYMENT OF ACCRUED AND UNUSED ANNUAL LEAVE; TO REPEAL ANY AND ALL CONFLICTING LAWS, ORDINANCES, RESOLUTIONS, RULES AND REGULATIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners has adopted the Clayton County Civil Service System pursuant to Article VII, Section IV, Paragraph I of the Georgia Constitution and certain House Resolutions pertaining thereto; and

WHEREAS, pursuant to Part 1, Article IV, Section 4-12 of the Clayton County Code of Ordinances, the Board of Commissioners is tasked to adopt by resolution the Civil Service Rules and Regulations, as well as any amendments thereto; and

WHEREAS, the Board of Commissioners desires to amend the Civil Service System Rules and Regulations to provide for limits of annual leave accumulation and payment of accrued and unused annual leave; and

WHEREAS, pursuant to the authority vested in the Board of Commissioners by state law, with acknowledgement by the Clayton County Civil Service Board, the Board desires to amend the various sections of the Clayton County Civil Service Rules and Regulations, Rule 5 "Compensation Plan", as set forth below.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF

CLAYTON COUNTY, GEORGIA, AND IT IS HEREBY ORDAINED

Section 1. The Clayton County Civil Service Rules and Regulations, Rule 5 “Compensation Plan”, Section 5.407 “Annual Leave Accumulation” is deleted in its entirety and replaced with a new Section 5.407 to read as follows:

Sec. 5.407 Annual Leave Accumulation:

Annual leave may be accumulated for regular employees up to three hundred fifty-six (356) hours and Fire Department shift personnel up to five hundred seventy-six (576) hours. Annual leave earned in excess of these maximum levels, as of the last pay period for which compensation is paid in each calendar year, shall be converted to sick leave and placed in a reserve account. Such leave reserve may be used for service credit at the time of retirement in accordance with Rule 5.421 and for any other purpose as authorized under provisions of these Rules and Regulations.

Section 2. The Clayton County Civil Service Rules and Regulations, Rule 5 “Compensation Plan”, Section 5.411 “Payment of Accrued and Unused Annual Leave” is deleted in its entirety and replaced with a new Section 5.411 to read as follows:

Sec. 5.411 Payment of Accrued and Unused Annual Leave:

Regular employees shall be paid for all accrued and unused annual leave to their credit, not to exceed forty-four and a half (44.5) working days (Fire Department shift personnel twenty-four (24) working days) at the time of termination of employment. Such payment shall be calculated at the employee’s normal daily salary rate. Employees who terminated their services before three (3) months shall not, however, be compensated for accrued annual leave. Provided, however, this section shall not apply to a deceased employee, in which instance the estate of such deceased employee shall be entitled to receive payment for all unused annual leave having accrued at the time of the employee’s death.

Section 3. All Ordinances, Resolutions, Rules and Regulations, or parts thereof which conflict with this Ordinance are hereby repealed.

Section 4. It is declared to be the intention of the Board of Commissioners that all sections and paragraphs of this Resolution are or were, upon their enactment, believed to be fully valid, enforceable and constitutional. In the event that any portion of this Resolution shall be declared invalid, unconstitutional or otherwise unenforceable by valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Board of

Commissioners that the remaining portions of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

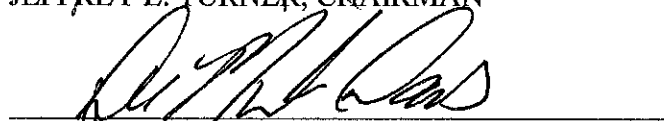
Section 5. This Resolution shall be effective on August 4, 2020.

SO ORDAINED, this the _____ day of August, 2020.

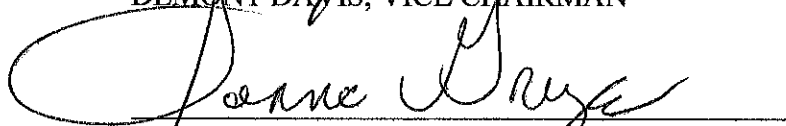
CLAYTON COUNTY BOARD OF COMMISSIONERS



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ATTEST:



BRENDA B. JAMES, CLERK