

RULES OF PROCEDURE FOR THE SUPERVISORY COMMITTEE

PREAMBLE

Act No. 684, approved August 23, 1976, Local Acts of Alabama, Regular Session of the Legislature, 1976, amended the Local Civil Service Law. Among the changes brought about by this Act are revisions with respect to the Supervisory Committee and the Mobile County Personnel Board. The Act contains other provisions which are not pertinent to the adoption of rules of procedure for the operation of the Supervisory Committee.

The purpose of these rules is to establish formal guidelines for the orderly dispatch of the duties and responsibilities with which the Supervisory Committee is charged under the law. The duties of the Supervisory Committee are:

1. To fill any existing vacancy on the Board, and to elect a successor to any member of the Board whose term will expire before the next annual meeting of the Committee;
2. To make such recommendations to the Personnel Board as it shall deem in the interest of the sound administration of the Personnel Board law;
3. To review the rules of the Personnel Board promulgated since the last annual meeting of the Committee, which Committee may, by a two thirds vote of the entire Committee, repeal any such rules of the Personnel Board which it may deem not in the best interest of the sound administration of the Act. (The Committee shall not have the power to amend any such rules or to promulgate any new rule within the province of the Personnel Board to adopt, according to the provisions of the Act. Further, the word "rule" shall not be construed to mean orders, actions, or decisions of the Personnel Board made in the administration of the Act.)

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RULE I. NOMINATIONS OF CANDIDATES FOR THE PERSONNEL BOARD.

- A. The Chair shall announce that the floor is open for nominations for candidates to fill positions on the Personnel Board. In doing so, the Chair shall specify the place on the Board to be filled and shall further specify the district from which such board member shall be elected.
- B. When placing the name of a candidate in nomination, the member shall first rise and obtain the floor. When recognized by the Chair, he shall then proceed to nominate the candidate of his choice. In making his nomination, he shall state that his candidate meets the qualifications that are required by Section VII (a) of Act No. 684.
- C. Nominating speeches shall not exceed five minutes. Nominations need not be seconded, however, members may second any nomination, but no more than two seconding speeches shall be permitted, and shall not exceed two minutes each.
- D. After each nomination, the Chair shall declare such candidate nominated and shall inquire of the Committee if there are any other nominations for the specified place on the Personnel Board. When no further nominations are forthcoming, the Chair shall then inquire if there are any further nominations, and when there is no response, he shall declare the nominations closed. A motion to close the nominations shall not be required.
- E. When only one candidate is nominated, the Chair may take a voice vote or he can declare the nominee elected.

RULE II. CHALLENGING THE QUALIFICATIONS OF A CANDIDATE.

Any member of the Committee may challenge the qualifications of any candidate whose name has been placed in nomination at any time prior to the actual balloting. In challenging the qualifications of a candidate, the member shall first obtain the floor and shall then present to the Committee any material facts which would tend to support the challenge. Unless the challenge is upheld by a majority of the members present, the candidate shall be deemed qualified. If a majority of the members present upheld the challenge, the candidate's name shall be removed from the ballot. If a candidate is disqualified, this shall not disqualify such individual for consideration by the Committee for candidacy for the Personnel Board at a later date, provided, however, such individual at such later date meets the requirements of the law for membership on the Personnel Board. Challenge of a candidate's qualifications shall not be used for delay or to obstruct the election of members to the Personnel Board.

RULE III. MOTION TO RE-OPEN NOMINATIONS.

When, for any reason, it is the desire to re-open nominations, this may be done by a majority vote of the members present.

RULE IV. BALLOTING.

- A. The Chair shall appoint three members of the Committee to act as tellers to tally the votes of the Committee. The Chair shall announce the names of the candidates for the position on the Personnel Board to be filled and instruct the members to vote. The Chair shall direct the Secretary to call the roll and each member shall thereupon announce his vote. After all votes are cast, the tellers shall tally the vote for each candidate and shall inform the Chairman of the results. The Chair shall then announce the results and if any candidate has a majority of the votes cast, the Chair shall then declare such candidate elected. If no candidate receives a majority vote, then the two candidates receiving the largest number of votes shall compete in a run-off election. The same election procedures shall be followed until one of the candidate receives a majority vote. In the case of a tie, the Chair shall cast the tie-breaking vote.
- B. If more than one place on the Personnel Board is to be filled by the Committee, the Committee shall then proceed to the election of the other candidate or candidates to fill any other places on the Board, and the same procedure shall be followed.

RULE V. PERSONNEL BOARD RULES REVIEW COMMITTEE.

Section V (e) of Act No. 684, also provides that the Supervisory Committee shall review the rules of the Personnel Board promulgated since the last annual meeting of the Committee, and may, by a two-thirds vote of the entire Committee, repeal any such rule of the Personnel Board which it may deem not in the best interest of the sound administration of the Act.

In order to carry out the duties imposed upon it by law, the Chair is hereby directed to appoint a five person standing committee, which committee shall review all rules promulgated by the Personnel Board since the last annual meeting of the Supervisory Committee. This committee shall be referred to as the Standing Committee on Personnel Board Rules. The members so appointed shall serve for a term of one year and may be re-appointed or replaced as the Chair shall direct. This Committee shall make a written report containing recommendations, if any, and shall furnish to the Chair its report at least thirty (30) days prior to the annual meeting of the Supervisory Committee. A copy of the Committee's report shall be mailed by the Chair to each member of the Committee, along with the Chair's notice of the meeting at which such report is to be considered. In acting on such report, the Supervisory Committee shall be bound by the provisions of Act No. 684 pertaining thereto.

RULE VI. RECOMMENDATIONS TO THE PERSONNEL BOARD.

At each meeting of the Supervisory Committee, it is charged with making such recommendations to the Personnel Board as the Committee shall deem in the interest of the sound administration of the Personnel Board Act. It is the sense of the Supervisory Committee that any such recommendations shall be reduced to writing and furnished to the Chair at least thirty (30) days prior to any annual or special meeting of the Committee, and that the Chair shall cause a copy of any such recommendation to be mailed to each member of the Committee, along with the Chair's notice of such meeting, at which any such recommendations are to be considered. Only those recommendations of which the Committee has had notice as aforesaid shall be acted upon by the Committee at such meeting. Any recommendations made by any

member of the Committee at such meeting, of which the Committee members have not had written notice, shall not be acted upon by the Committee but shall be referred to a special meeting composed of at least five members appointed by the Chair. Such special committee shall study such recommendations and shall make its report to the Chair within thirty (30) days. If the Chair deems it to be in the interest of the sound administration of the Personnel Board Act to act upon such recommendations, the Chair may call a special meeting for that purpose, otherwise, action on any such recommendations shall be deferred until the next meeting of the Committee.

RULE VII. DETERMINATION OF NUMBER OF VOTES.

Under the provisions of Section V (d) of Act No. 684, the Chair is the sole judge of the number of votes the members of the Committee shall have as provided for in subsection (c) thereof. In order for the Chair to comply with this requirement, the Chair shall call upon the Personnel Director to furnish to him, in writing, the number of Civil Service employees occupying permanent positions of all jurisdictions as of December 31st of the year preceding any such meeting of the Committee. The Chair shall thereupon determine the number of votes to which each member is entitled, and shall furnish this information to the Committee before any voting is had.

RULE VIII. NOTICES OF MEETINGS.

Not less than ten (10) days before any annual or special meeting of the Committee, the Chair shall mail written notice of such meeting to each person registered as a member of the Committee or known to be such, in addition to the other notices required to be published in a daily newspaper published in Mobile County.

RULE IX. PARLIAMENTARY PROCEDURE.

The meetings of the Supervisory Committee shall be conducted in all respects in accordance with the foregoing Rules of Procedure, hereinabove set forth. Except as hereinabove provided, Robert's Rules of Order shall be followed in the conduct of such meetings.

RULE X. ORDER OF BUSINESS.

The following is hereby adopted as the "order of business" for the Supervisory Committee:

1. Call to order by the Chairman.
2. Roll call of members.
3. Determine if a quorum is present.
4. Announce the number of votes to which each member is entitled.
5. Reading of the minutes of the last meeting.

6. Report of the Standing Committee on Rules.
7. Report of Special Committees, if any.
8. At the annual meeting, receive the annual report of the Personnel Board.
9. Old business.
10. New business.
11. Election of Personnel Board members.
12. Adjournment.

RULE XI. AMENDMENTS.

These rules may be altered, amended, repealed or added to by an affirmative vote of a majority of the entire Supervisory Committee at any annual meeting or at a special meeting called for that purpose, provided that written notice shall have been sent to each member at least ten (10) days before any such meeting, which notice shall state the alterations, amendments, or changes which are proposed to be made in such rules. Only such changes as have been specified in such notice shall be considered by the Committee at any such meeting.