

1 SB328  
2 157487-1  
3 By Senators Coleman, Sanders and Singleton  
4 RFD: Business and Labor  
5 First Read: 11-FEB-14

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8 SYNOPSIS: Under existing law, the compensation  
9 provided for the members of the Board of Appeals of  
10 the Department of Labor is a maximum of \$100 per  
11 day, not to exceed \$24,000 per year.

12 This bill would increase the maximum  
13 compensation for members to \$150 per day, not to  
14 exceed \$36,000 per year.

15  
16 A BILL  
17 TO BE ENTITLED  
18 AN ACT

19  
20 To amend Section 25-2-12, Code of Alabama 1975,  
21 relating to the Board of Appeals of the Department of Labor;  
22 to increase the maximum daily compensation of members of the  
23 board from \$100 to \$150 per day; and to increase the maximum  
24 annual compensation of members of the board from \$24,000 to  
25 \$36,000 per year.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1                   Section 1. Section 25-2-12 of the Code of Alabama  
2 1975, is amended to read as follows:

3                   "§25-2-12.

4                   "There shall be a board of appeals for the  
5 Department of ~~Industrial Relations~~ Labor. The board of appeals  
6 shall exercise its own judgment and discretion in all matters  
7 entrusted to it, and, to that extent, shall be entirely  
8 separate and distinct from and independent of the Department  
9 of ~~Industrial Relations~~ Labor, but it shall have offices with  
10 the Department of ~~Industrial Relations~~ Labor, and an employee  
11 of the Department of ~~Industrial Relations~~ Labor shall act as  
12 its clerk. All proper expenses of the board of appeals shall  
13 be paid from the appropriations to the Department of  
14 ~~Industrial Relations~~ Labor in the same manner as expenses of  
15 the department are paid. There shall be three members of the  
16 board of appeals, all of whom shall be appointed by the  
17 Governor, subject to confirmation by the Senate, for a term of  
18 office of six years or until their successors are appointed;  
19 except, that the first appointments of members of the board of  
20 appeals shall be for terms of two, four and six years  
21 respectively. One member of the board shall be a person who,  
22 on account of his or her previous employment or affiliations,  
23 shall be generally classified as a representative of  
24 employers. One member of the board shall be a person who, on  
25 account of his or her previous employment or affiliations,  
26 shall be generally classified as a representative of  
27 employees. One member of the board shall represent the

1 interest of the public, shall not be generally classified as a  
2 representative of employers or of employees and shall be the  
3 chair of the board of appeals. Before entering upon the  
4 discharge of his or her duties, each member of the board of  
5 appeals shall take the constitutional oath of office. No  
6 member of the board of appeals shall be employed by the  
7 federal government or the state. Members of the board of  
8 appeals shall receive no salary but shall be paid for each day  
9 or part thereof necessarily spent in the discharge of their  
10 official duties, including travel time, an amount to be agreed  
11 upon by the Director of ~~Industrial Relations~~ the Department  
12 of Labor and the Governor, the same not to exceed ~~one hundred~~  
13 ~~dollars (\$100)~~ one hundred fifty dollars (\$150) per day. The  
14 sum total to be paid to each member of the board in any  
15 calendar year shall not exceed ~~twenty-four thousand dollars~~  
16 ~~(\$24,000)~~ thirty-six thousand dollars (\$36,000) plus travel  
17 allowance and expense allowance as provided in Article 2 of  
18 Chapter 7 of Title 36. The board of appeals may meet as  
19 necessary when it has been determined by the Director of  
20 ~~Industrial Relations~~ the Department of Labor that the number  
21 of appeals pending before the board of appeals shall require  
22 that the board meet and hold hearings or review cases. Members  
23 of the board of appeals shall be subject to impeachment as are  
24 other state officers. Vacancies for any reason shall be filled  
25 by appointment by the Governor for the unexpired term, and any  
26 appointments made while the Senate is not in regular session  
27 shall be effective ad interim. No member of the board of

1 appeals shall hear or determine an appeal in any case in which  
2 he or she is a directly interested party. The board of appeals  
3 shall not hear or determine any appeal unless each of the  
4 three members thereof or their alternates are present. The  
5 Governor shall immediately, whenever it is shown to his or her  
6 satisfaction that a member of the board of appeals is  
7 disqualified for any reason or cannot attend a session of the  
8 board of appeals, appoint an alternate or alternates for the  
9 member or members so disqualified or absent."

10 Section 2. This act shall become effective on the  
11 first day of the third month following its passage and  
12 approval by the Governor, or its otherwise becoming law.