

1 SB322  
2 175009-1  
3 By Senator Reed  
4 RFD: Fiscal Responsibility and Economic Development  
5 First Read: 03-MAR-16

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: Under existing law, the Alabama Department  
9 of Labor is headed by an officer who is known and  
10 designated as the Commissioner of Labor.

11 This bill would change the title and  
12 designation from the Commissioner of Labor to the  
13 Secretary of Labor.

14  
15 A BILL  
16 TO BE ENTITLED  
17 AN ACT

18  
19 Relating to the Alabama Department of Labor; to  
20 amend Sections 25-2-1.1 and 25-2-6, Code of Alabama 1975, to  
21 change the title and designation of the head of the Alabama  
22 Department of Labor from the Commissioner of Labor to the  
23 Secretary of Labor.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Sections 25-2-1.1 and 25-2-6, Code of  
26 Alabama 1975, are amended to read as follows:

27 "§25-2-1.1.

1           "(a) All powers, duties, and functions and all  
2 related records, property, equipment of, employees of, and all  
3 contractual rights, obligations of, and unexpended balances of  
4 appropriations and other funds or allocations of the  
5 Department of Labor shall be transferred to the Department of  
6 Industrial Relations which shall be renamed the Department of  
7 Labor on October 1, 2012.

8           "(b) Notwithstanding any other provision of law,  
9 whenever any act, section of the Code of Alabama 1975, or any  
10 other provision of law refers to the Department of Industrial  
11 Relations or the Department of Labor or the Director of  
12 Industrial Relations, ~~or the Commissioner of Labor, or the~~  
13 Secretary of Labor, it shall be deemed a reference to the  
14 Department of Labor and the ~~Commissioner~~ Secretary of Labor  
15 created by Act 2012-496.

16           "§25-2-6.

17           "The Department of Labor shall be headed by and  
18 shall be under the direction, supervision, and control of an  
19 officer who shall be known and designated as the ~~Commissioner~~  
20 Secretary of Labor. The ~~Commissioner~~ Secretary of Labor shall  
21 be the advisor of the Governor and the Legislature in matters  
22 relating to employer-employee relations and the welfare of the  
23 wage earners of the state. He or she shall be responsible to  
24 the Governor for the administration of the Department of  
25 Labor. The ~~Commissioner~~ Secretary of Labor shall be appointed  
26 by and shall hold office at the pleasure of the Governor.  
27 Vacancies for any reason shall be filled in the same manner as

1 original appointments are made. Before entering upon the  
2 discharge of his or her duties, the ~~Commissioner~~ Secretary of  
3 Labor shall take the constitutional oath of office. Before  
4 entering upon the duties of office, the ~~Commissioner~~ Secretary  
5 of Labor shall execute to the State of Alabama a bond, to be  
6 approved by the Governor, in an amount to be fixed by the  
7 Governor, but not less than \$10,000.00, for the faithful  
8 performance of the duties of the office. The annual salary of  
9 the ~~Commissioner~~ Secretary of Labor shall be fixed by the  
10 Governor at a sum comparable to salaries paid similar officers  
11 in other states, notwithstanding any limitation or maximum in  
12 any other law, \$1,200.00 of which sum shall be paid from  
13 moneys of the State of Alabama and the remainder from grants  
14 of the United States of America to this state. Such salary  
15 shall be payable at the same time and in the same manner as  
16 the salaries of other state officers. The ~~Commissioner~~  
17 Secretary of Labor is authorized and empowered to make such  
18 agreements as may be necessary or proper with the United  
19 States of America with respect to the proration of funds from  
20 the State of Alabama and funds from the federal government for  
21 the salary paid to the ~~Commissioner~~ Secretary of Labor by  
22 virtue of the provisions of this section. The ~~Commissioner~~  
23 Secretary of Labor shall devote full time to his or her  
24 official duties and shall not hold another office under the  
25 government of the United States, or under any other state, or  
26 of this state or any political subdivision thereof, during his  
27 or her incumbency in such office, and shall not hold any

1 position of trust or profit, or engage in any occupation or  
2 business the conduct of which shall interfere or be  
3 inconsistent with his or her duties as ~~Commissioner~~ Secretary  
4 of Labor under the provisions of this title."

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