

Clearwater, Florida, July 11, 2013

The Unified Personnel Board (UPB) met in regular session at 6:31 P.M. on this date in the County Commission Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, with the following members present: Ricardo Davis, Vice-Chair; Keith Bailey; Andrea S. Daggett; Keith C. Dekle; Angela Outten; and Joan Vecchioli.

Not Present: Daniel M. Andriso, Chair.

Also Present: Peggy Rowe, Director of Human Resources; Michelle A. Wallace, Senior Assistant County Attorney; Michael P. Schmidt, Board Reporter, Deputy Clerk; and other interested individuals.

AGENDA

EAC

Item I. Employees' Advisory Council Representative

Item II. Consent Agenda

Human Resources

1. Request Approval of the Minutes of the Regular Personnel Board Meeting held June 6, 2013.

Item III. Information Items

Human Resources

1. Action Taken Under Authority Delegated by the Unified Personnel Board to the Human Resources Director.

Health and Human Services

2. Details on Reorganization of Health and Human Services Resulting in the Elimination of One Encumbered Position.

CALL TO ORDER

Vice-Chair Davis called the meeting to order at 6:31 P.M.; whereupon, he led the Pledge of Allegiance to the Flag.

EMPLOYEES' ADVISORY COUNCIL (EAC) REPRESENTATIVE

EAC Representative Clare McGrane discussed the employee compensation package being considered.

CONSENT AGENDA – APPROVED

Motion - Mr. Bailey
Second - Mr. Dekle
Vote - 6 – 0

#1 Minutes of regular meeting held June 6, 2013, approved.

INFORMATION ITEMS

Human Resources Director Action Taken Under Authority Delegated by the UPB

Vice-Chair Davis referred to the document titled *Human Resources Director Action Taken Under Authority Delegated by the Unified Personnel Board*, which has been attached and made a part of the minutes, and indicated that the item lists the actions taken by the Human Resources Director during the period June 16 through June 30, 2013, is informational in nature, and requires no action by the Board.

Elimination of Classification in Health and Human Services

Vice-Chair Davis indicated that a memorandum has been received from County Administrator Robert S. LaSala and Director of Health and Human Services (HHS) Gwendolyn Warren regarding the elimination of the Team Leader classification in the HHS Department, as outlined in the memorandum dated July 8, 2013, a copy of which has been filed and made a part of the record.

Ms. Rowe indicated that Health and Human Services began implementing a comprehensive reorganization in May 2012; that the next step in the reorganization is the elimination of the Team Leader classification; that there is one remaining encumbered position in the classification, which is a non-exempt position; and that the individual is subject to layoff under Unified Personnel System Rule 23. Ms. Rowe indicated that the Appointing Authority is not implementing displacement in this situation; that the employee has rejected offers of alternative positions; and that pursuant to Personnel Rule 23, the employee will be given notice of the position elimination and will receive transition assistance.

During discussion and in response to queries and concerns by the members, Ms. Rowe confirmed that an Appointing Authority implementing a layoff shall provide notice of the layoff plan to the Personnel Board prior to implementation; and that no action is required by the members; whereupon, she clarified that when an encumbered position within a classification is

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being eliminated, only the Appointing Authority has the delegated authority to initiate the reduction-in-force; and that such a reduction-in-force does not provide an opportunity for an employee to appeal to the Personnel Board.

Senior Assistant County Attorney Carole Sanzeri provided further information pertaining to Personnel Rule 23, indicating that it was revised by the UPB in March 2010 and contains a grievance provision which allows an employee the opportunity to appear before an informal grievance committee, challenge a prospective layoff, and demonstrate how it is being conducted in violation of the Rule; whereupon, Ms. Rowe related that a reduction-in-force generally encompasses issues relating to reorganizing, restructuring, and funding; and that as the Personnel Board has no means to remedy those matters, such appeals remain within the purview of Human Resources.

Mr. Dekle expressed his concerns that something of such significance as a reduction-in-force would not come before the Personnel Board and, responding to his queries, HHS Public Administrator Natalie Jackson, with input by Ms. Rowe, indicated that the current reduction-in-force is not merely a reclassification of the Team Leader positions, but the elimination of a classification which will no longer exist. Ms. Jackson indicated that of the eight employees who were subject to layoff, seven were promoted, resigned, or retired; and that the eighth individual declined to take advantage of alternative positions because those positions were of a lower pay grade and not in proximity to her residence.

Mr. Dekle restated his concerns, and opined that an employee is more profoundly affected by a position elimination than a position reclassification. He questioned the conclusion that the Personnel Board is only notified of a reduction-in-force and not able to take any action; whereupon, he requested that the County Attorney's Office review the ramifications of the issue as it pertains to the Legislative Act.

Ms. Rowe, with input by Attorney Sanzeri, suggested that time be set aside during a Personnel Board meeting to discuss the various aspects of Personnel Rule 23 and the Special Act. During discussion, Vice-Chairman Davis commented that while reviewing and discussing the Personnel Rules and the Special Act is a positive step, jurisdiction of the Board would still be limited by the Special Act; whereupon, Mr. Dekle reiterated his concern that the County is misinterpreting the Special Act.

During discussion and in response to queries by Ms. Outten regarding the grievance process, Attorney Sanzeri and Ms. Rowe related that while the individual who initiated the reduction-in-force would likely sit on the informal grievance committee, the committee would have other individuals with differing viewpoints.

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Attorney Vecchioli expressed concern that if a position were eliminated as a pretext for terminating someone, the targeted individual would have no opportunity to appeal to the Personnel Board; and that there could be individuals in the organization who are motivated to get rid of employees for reasons that are not business oriented; whereupon, Ms. Rowe responded that the Human Resources Department and County Attorney's Office work together to ensure that individuals are not targeted under the guise of a layoff; and Attorney Sanzeri pointed out that Personnel Rule 23 does recognize reasons, other than a lack of funds, for which a layoff could be implemented, and Mr. Davis provided input.

Thereupon, Ms. Rowe reiterated that her office would schedule an educational workshop during a future UPB meeting, and no objection was noted.

MISCELLANEOUS INFORMATION ITEMS RECEIVED

The following miscellaneous information items were received for filing:

1. Management and Supervisory Notes for July 2013.
2. Training Schedule for July 2013.
3. Minutes of the EAC Representatives meetings of April 17 and May 15, 2013.

ADJOURNMENT

The meeting was adjourned at 6:56 P.M.

Vice-Chair



Human Resources Director

Action Taken Under Authority Delegated by the Unified Personnel Board

The Human Resources Director, having been granted delegated authority to act on behalf of the Unified Personnel Board, has taken the following action from **June 16, 2013 thru June 30, 2013**.

DOWNWARD RECLASSIFICATION (Public Safety)

<u>POSITION</u>	<u>PRESENT CLASSIFICATION</u>	<u>PG</u>	<u>RECOMMENDED CLASSIFICATION</u>	<u>PG</u>
BCC/C2115	Admin Supt Supv	CL14 (\$37,856-\$59,092)	Admin Supt Spec	CL11 (\$32,697-\$50,169)

PAY GRADE CHANGES (Public Safety)

	<u>PRESENT CLASSIFICATION</u>	<u>CURRENT PAY GRADE</u>	<u>RECOMMENDED PAY GRADE</u>
911 Public Safety Telecommunicator 1		CL9 (\$29,660-\$45,011)	CL10 (\$31,137-\$47,777)
911 Public Safety Telecommunicator 2		CL11 (\$32,697-\$50,169)	CL12 (\$34,340-\$53,019)
911 Public Safety Center Supervisor 1		CL13 (\$36,046-\$56,056)	CL14 (\$37,856-\$59,092)
911 Public Safety Center Supervisor 2		CL15 (\$39,748-\$62,420)	CL16 (\$41,724-\$65,998)
911 Public Safety Center Manager		CL19 (\$48,313-\$77,313)	CL20 (\$50,731-\$82,014)

ADDITION

<u>SPEC NO.</u>	<u>TITLE</u>	<u>EEO4 CODE</u>	<u>OT CODE</u>	<u>PG</u>
01598	Executive Director, County Administrator (Exec Dir Co Admin)	Officials & Manager	Exempt	E3 (\$129,024-\$193,536)

RE-INSTATED

<u>SPEC NO.</u>	<u>TITLE</u>	<u>EEO4 CODE</u>	<u>OT CODE</u>	<u>PG</u>
02340	Financial Management & Budget Analyst (Fin Mgmt & Bud Analyst)	Professionals	Exempt	P2 (\$53,649-\$80,474)

REVISIONS

<u>SPEC NO.</u>	<u>TITLE</u>	<u>PG</u>
02352	Management & Budget Manager	SM4a
02350	Senior Management & Budget Manager	P1