



UNIFIED PERSONNEL BOARD AGENDA

Date: January 6, 2022

Time: 6:30 p.m.

Location: Parks and Conservation Resources – Magnolia Room
12520 Ulmerton Road, Largo, Florida

I. Election of Chair and Vice Chair

Joan Vecchioli elected Chair

Rick Davis elected Vice Chair

II. Citizens to be Heard*

III. Employees' Advisory Council (EAC) Representative

IV. Consent Agenda

1. Request Approval of the Minutes of the Regular Personnel Board Meeting held December 2, 2021

Approved

V. New Business

1. Inquiry: In Response to a Joint Request by the County Administrator and the Employee Advocates, Specifically the Interpretation of Rule 3 – C.1.e. General Increase

Board voted in favor of the County Administrator's interpretation

VI. Informational Items

1. Reappointment of the following Personnel Board Members for 2022-2023:
Ken Peluso by the Board of County Commissioners
2. Kimberly's HR Update
3. Action Taken Under Authority Delegated by the Personnel Board

The CDC recommends that all individuals — including those who are fully vaccinated — wear a face mask in public indoor settings in areas of high transmission which includes the Tampa Bay area.

* Persons with disabilities who need reasonable accommodations to effectively participate in this meeting are asked to contact Pinellas County's Office of Human Rights by emailing requests to accommodations@pinellascounty.org at least three (3) business days in advance of the need for reasonable accommodation. You may also call (727) 464-4882. More information about the ADA, and requests for reasonable accommodation, may be found at www.pinellascounty.org/humanrights/ada.

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need a verbatim record of the proceedings, and, for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Unified Personnel Board
Pinellas County
December 2, 2021 Meeting Minutes

The Unified Personnel Board (UPB) met in regular session at 6:30 PM on this date in the Magnolia Room at the Pinellas County Extension Office, 12520 Ulmerton Road, Largo, Florida.

Present

Joan M. Vecchioli, Chair
Jeffery Kronschnabl
Peggy O'Shea
Paul Rogers
William A. Schulz II

Not Present

Ricardo Davis, Vice-Chair
Kenneth Peluso

Others Present

Kimberly Crum, Director of Human Resources
Jennifer Monroe Moore, Ogletree, Deakins, et al., P.C., Board Counsel
Sitara Coyle, Senior Board Reporter, Deputy Clerk
Other interested individuals

All documents provided to the Clerk's Office have been made a part of the record.

CALL TO ORDER

Chair Vecchioli called the meeting to order at 6:30 PM; whereupon, she led the Pledge of Allegiance.

CITIZENS TO BE HEARD

There were no citizens to be heard.

EMPLOYEES' ADVISORY COUNCIL (EAC) REPRESENTATIVE

EAC Chair Lisa Arispe provided the following updates:

- Former UPB and EAC member Keith Dekle died on November 10th, his memorial service will take place next month. Ms. Arispe and the members shared their memories of Mr. Dekle, noting that he was a champion and an advocate of the employees.
- The EAC has accomplished one of its goals for the County to provide voluntary insurance benefits through Aflac, which was made available in November as part of Open Enrollment for 2022.

CONSENT AGENDA

Ms. O'Shea made a motion, which was seconded by Mr. Kronschnabl, that the minutes of the regular meeting held on November 4, 2021 be approved. Upon call for the vote, the motion carried unanimously.

NEW BUSINESS

Memorandum of Understanding Between the Advocate Committee, Aggrieved Parties, and the Pinellas County Administrator

Workforce Relations Director Rodney Marion referred to the memorandum and provided background information regarding the issue. He related that County employees received a 3% general pay increase on October 10; that 22 classified employees who work in departments reporting to the County Administrator did not receive the increase due to disciplinary reasons; and that 13 of those employees filed a grievance, claiming that the County Administrator was not authorized to withhold it in this manner.

Mr. Marion indicated that the parties are requesting that the Board investigate and determine whether Personnel Rule 3.C.1.e would support the County Administrator's decision; and that if the Board agrees to investigate the matter, the County Administrator and aggrieved parties will waive individual grievance hearings, accept the Board's decision as final and binding, and follow the Board's process to obtain any information needed to render a decision. He noted that if the County Administrator's actions were not consistent with the Board's ruling, all 22 employees affected will receive the general increase.

Mr. Marion suggested that to assist in the Board's investigation, the parties could identify and agree on certain stipulations, provide written statements explaining their respective positions, and answer questions to clarify or provide further information for a future Board meeting.

EAC Advocate Tammera Maloney indicated that she represents the aggrieved parties; that they have reviewed the memorandum of understanding; and that they are in agreement to holding one hearing and will all abide by the subsequent ruling.

In response to queries by the members, Attorney Moore related that under the Special Act, the Board has the authority to undertake the type of investigation that is being requested; that there is not a specific procedure or process with respect to how the Board would conduct this investigation; and that the Board would need to determine what information would be relevant to render a decision; whereupon, she read Rule 3.C.1.e for additional context.

Mr. Schulz made a motion, which was seconded by Ms. O'Shea, that the Board undertake the requested investigation. Chair Vecchioli noted that an investigation in the form of a hearing, including presentation of the parties' arguments, would occur at the January meeting.

In response to a query by Mr. Kronschnabl regarding case law or examples from other localities as to how a substantially similar rule may have been interpreted, Attorney Moore indicated that if the Board felt it was relevant to the investigation, the information could be presented by the parties and/or researched by the Board. She suggested that looking at the rule and the different types of pay increases would be helpful in providing interpretive guidance.

Discussion ensued regarding what information would be relevant to the Board when making their determination, including the clarity and drafting history of the rule, and in response to a query by Ms. Maloney, Chair Vecchioli clarified the process in which the investigation would be conducted, with which the members agreed, and Ms. Arispe provided input.

Responding to a query by Mr. Marion, Chair Vecchioli, with input from Mr. Kronschnabl, indicated that any written position statements or other information from either party may be provided to the Board two weeks in advance of the January 6, 2022 meeting.

Upon call for the vote, the motion to undertake the investigation at the January 6 meeting carried unanimously.

INFORMATIONAL ITEMS

Reappointment of Personnel Board Members

Chair Vecchioli related that she and Mr. Rogers were re-appointed to serve another term by the Constitutional Officers and the EAC, respectively.

Human Resources (HR) Update

Ms. Crum referred to the HR update provided in the agenda packet and highlighted the following items, along with other related matters:

- Overview of quantitative HR goals created from data received through the HR Customer Satisfaction Survey and the Employee Voice Bi-Annual Survey.
- Public Defender Sara Mollo has agreed to provide pro-bono assistance to Employee Advocates to help in preparing cases; also, there are plans for additional training for the advocates.
- The vaccine incentive payment was provided on the November 24th paycheck and results indicated a 79.3% vaccination rate for all Pinellas County employees.
- Over 2,700 policies were purchased during the Annual Enrollment for 2022 Benefits, which concluded on November 15th.
- The Classification and Compensation team has been compiling the results from the benchmark survey that covers 82 different job classifications, with over 14 jurisdictions participating in the survey.
- The Communications and Outreach team has been focusing their efforts on ensuring that all employees complete the biometric screening by the deadline.
- Work continues on the Oracle upgrade and Taleo integration.
- The Organizational and Talent Development team continues to increase the number of customized workshops available to various departments, with 33 completed and 15 scheduled before year-end.
- Utilization of ULearnIT by employees has increased by 34% over the last month.
- Pinellas County has hired 58 individuals in the last month, totaling 467 individuals hired in 2021 to date.

In response to queries by the members regarding the HR goals, Ms. Crum indicated that time-to-fill recruiting metrics can vary depending on the type of work and competitiveness of the position, leading the County to strive for a goal of 70 days on average; that there are currently no metrics related to HR's interactions with the Appointing Authorities as a business partner; and that she anticipates presenting the HR annual report at the February Board meeting; whereupon, Ms. Arispe confirmed that the EAC plans to undertake the HR Director evaluation this month.

Responding to further queries by the members, Ms. Crum indicated that the County's current health insurance provider, United Healthcare, will pay "run out" claims for services dated through December 31, and any new claims would be covered under Cigna, the new insurance provider; and that the County practices short-term double-encumbering of certain employee positions for training or other purposes.

Action Taken Under Authority Delegated by the Personnel Board

The document titled *Action Taken Under Authority Delegated by the Unified Personnel Board* has been made a part of the record.

Unified Personnel Board Schedule 2022

Chair Vecchioli indicated that a schedule of meetings for 2022 has been included in the agenda packet and confirmed with staff that the January Board meeting will take place in the current location. Thereafter, the Board may move the meetings to the Board of County Commissioners Assembly Room; and that staff is working to confirm the dates of the March and September joint workshops with the Appointing Authorities.

In response to a query by Ms. O'Shea, Ms. Crum indicated that the Board of County Commissioners will be meeting in the Assembly Room for regular meetings and in the Palm Room for work sessions.

ADJOURNMENT

The meeting was adjourned at 7:21 PM.

THE PINELLAS COUNTY
UNIFIED PERSONNEL SYSTEM BOARD

THE PINELLAS COUNTY ADMINISTRATOR and THE ADVOCATE ON BEHALF OF THE EMPLOYEES furnish the following for purposes of the investigation into the County Administrator's withholding of the 2021 General Increase for certain employees, as requested by the parties, scheduled before the UPB Board for January 6, 2022.

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JOINT STATEMENT OF THE CASE

There were 21 classified employees who work in Departments that report to the County Administrator's Office, that did not receive a fiscal year 2021-2022 general increase because they were suspended, received a pay reduction or demotion for disciplinary reasons between October 1, 2020 and September 30, 2021. As of this date, 9 of these employees filed a grievance claiming, the County Administrator did not have the authority to withhold the general increase.

In order to resolve this matter, the aggrieved employees, the Employee Advocate Committee and the County Administrator jointly request that the Personnel Board investigate and instruct the parties whether or not the Board's interpretation of Rule 3.C.1.e is consistent with the County Administrator's decision to:

"Withhold the general increase effective October 10, 2021 from classified employees who were suspended, received a pay reduction or demotion for disciplinary reasons during the period of October 1, 2020 through September 30, 2021"

If the Board finds that the determination of the County Administrator was not consistent with the Board's interpretation of Rule 3.C.1.e, the County Administrator voluntarily agrees to process the 2021 general increases for all classified employees, under the County Administrator, who were denied the 2021 general increase because of active disciplinary action, as soon thereafter as practicable and to compensate the employees for any additional pay they would have received between October 10, 2021 and the effective date of the aggrieved party's general increase through retroactive pay, a lump sum payment, or a grant of leave as deemed appropriate by the County Administrator in consultation with Clerk's Finance.

ADVOCATE AND EMPLOYEE POSITION STATEMENT

RE: Request for investigation pursuant to Laws of Florida 77-642
(originally submitted 11/3/21 by Rodney Marion on behalf of Barry Burton)

In response to the recent request for an investigation into the practice of withholding any budget approved “General Increase” by Appointing Authorities for clarification of both the intent and any implied discretionary nature of Rule 3, as the advocate for the employees conjoined for the purpose of this hearing regarding Rule 3.C.1.e, we ask that Board Members take the following points and documentation into consideration when deliberating whether Rule 3 or Rule 6 provides discretionary measures to Appointing Authorities for determining employees ineligible for a market-based General Increase (also known in some sectors as a COLA, Cost of Living Adjustment) due to prior discipline actions:

A. UPB Policy 10 and UPB Rule 6 offers six (6) options of discipline sanctions and specifies that “*disciplinary actions taken must be applied consistently, must be appropriate for the offense and must be timely*”. Although Rule 6 lists sanctions 3, 4, and 5 as being of the same level, they are distinctively different in both explanation and their impacts upon an employee’s pay and status. Neither UPB Policy 10 nor UPB Rule 6 lists denial of any future market-based general increase as an appropriate sanction.

1. Verbal Warning
2. Written Warning
3. Suspension
4. Pay Reduction
5. Demotion
6. Dismissal

B. Rule 3.C.1.e is clear in its assertion that a General Increase pay adjustment “*is without variation for individual performance*”, and secondarily contains specific language

indicating it's use as "*designed to reflect an increase in the labor market*". Further, it is recognized as distinctively "*different than a merit-based increase*", in which 3.C.1.a identifies a merit increase as being "*at the discretion of the Appointing Authority*", where factors of individual performance may be taken into consideration when granting such merit increase. Rule 3.C.1.e specifies a "*general increase as applicable to all eligible employees of a general category*" with the only stipulation, requirement, or exception being that the approved budget allows for such market-based increase and that a general increase (market-based COLA) is "*deemed in the best interest of the organization*". The verbiage contained does not declare any **individual** eligibility standard or stipulation requirement and does not define "*eligible*" as being at management or Appointing Authority discretion for any individual exclusionary cause.

C. Rule 6 infractions and levels of applicable sanctions does not include any verbiage notifying an employee subject to discipline of any additional imposed sanction of future withholding of any market-based increase. We reject the Appointing Authority assertion that verbiage included on specific discipline forms "*Additionally, the behavior documented in this notice will also be addressed in your next performance review and may also affect any pay adjustments, if applicable.*" acts as proper notification; since we believe withholding a market-based General Increase is, in fact, NOT applicable. Further, the verbiage included is inconsistent between discipline forms currently being utilized. As such, the current management practice of withholding a General Increase imposes double jeopardy upon an employee who received an ungrieved or upheld discipline action. By withholding a market-based, budget approved General Increase only from employees with a prior discipline action occurring within up to 12 months before a general increase is

enacted, management is in violation of not only the verbiage of Rule 3.C.1.e, “*without variation for individual performance*”, but also the clearly defined intent of a market-based general increase “*designed to reflect an increase in the labor market*”.

- D. Without conceding our assertion that the Appointing Authorities lack standing to apply such performance or disciplinary standards as a requirement of “eligibility” to receive a budget approved market-based General Increase, we would also point to the inconsistency in the application of such discretionary standards.

While Mr. Marion’s letter explains that the County Administrator has applied the standard as those who received “*discipline of suspension or greater, which did not result in a pay reduction*”, the act of withholding the general increase does in fact act as a permanent pay reduction along with the original sanction, creating a double jeopardy situation for the employee where they receive an additional and permanent financial hardship NOT related to any merit-based increase. Not stated in Mr. Marion’s letter are other eligibility standards being imposed to withhold the market-based General Increase, such as withholding from those who have recently received a promotion or equity adjustment, having been newly hired, or employees having been demoted, whether voluntary or otherwise. These eligibility standards have never been clearly defined, vetted, or approved by any UPB approved rule or policy, nor have employees been made aware of any timeframes or parameters involved or imposed to create such ineligibility.

Further, individual Appointing Authorities are each utilizing differing degrees of standards; as noted that there are at least two employees who received discipline of only a written warning, one under the direction of the Human Resources Director, and a second under the direction of the Supervisor of Elections. In effect, the applied standards are

inconsistent not only with Rule 3 and Rule 6, but from Appointing Authority to Appointing Authority. We recognize that any employee impacted or referenced with respect to any other Appointing Authority practice in regard to the denial of any market-based General Increase (COLA) is not part of any resolution obtained by this hearing. This information is asserted merely as an evidentiary comparator that the current practice is not only a violation of Rule 3.C.1.e but is utilized in an arbitrary and capricious manner at the discretion of each Appointing Authority, even though it is not defined as an individual discretionary measure afforded to them. Our position is maintained that the market-based General Increase (COLA) is not listed as discretionary by any factors other than “*deemed in the best interest of the organization and if the budget allows*”. It is determined by the budget approval process and not delegated as discretionary to any individual Appointing Authority.

- E. We vehemently reject the Appointing Authority’s position that any unchallenged prior practice has set precedent in this matter. Since employees are not represented by any formal collective bargaining or legal authority, precedent does not set or solidify prior practice as policy. In fact, as to precedent, no other market-based changes in classification or pay include such arbitrary exclusions; as noted that no denials based upon behavior resulting in disciplinary action have been enacted in any previous PAQ (Position Assessment Questionnaire), JAT (Job Assessment Tool), the Evergreen Study, or other market-related evaluations of position functions and tasks for the purpose of labor market adjustments. The fact that this practice has not previously been challenged is irrelevant as precedent since affected employees were not aware that the practice could be challenged

as a misapplication of Rule 3.C.1.e, or what method, process, or grounds could be used to issue such challenge.

We respectfully request that Rule 3, Rule 6, and UPB Policy 10 be reviewed for clarification and a determination of our request that the County Administrator no longer be allowed to continue the practice of withholding a general increase on the basis of prior discipline regardless of the infraction be reached. Since Appointing Authorities have ample time, opportunity, and authority to impose sanctions related to disciplinary infractions at the time of discipline determination through their discretionary use of Rule 6, and additionally through Rule 3.C.1.a, which is a “*discretionary increase*” should the Appointing Authorities re-implement such merit-based increases, we feel that the current use of the Market-based General Increase (COLA) to further apply an ineligibility standard to Rule 3.C.1.e based on prior individual employee behavior(s) resulting in disciplinary sanctions is a misapplication of the rule. Further, we ask that any withholding already enacted for the FY22 budget be reinstated and retro-active for all BCC employees impacted by this misapplication of Rule 3 (as per the MOU submitted).

Tami Maloney
Employee Advocate

On behalf of:
Dorothy Gonzalez
Cody Wright
Xavier Jones
Jamie Curtis
Lisa Carter
Robert Pamic
Willie Marshall
Steven Allen
Bryclyn Thomas

POSITION STATEMENT OF PINELLAS COUNTY ADMINISTRATOR

The general increase as proscribed in Rule 3, Compensation, of the Pinellas County Unified Personnel Rules, states that “eligible employees” may receive a general increase “if deemed in the best interest of the organization and if the budget allows.” It has been the longstanding policy of Human Resources that the general increase may be denied to certain employees on the basis of recency of hire, recency of promotion, or disciplinary actions. This policy has been promulgated to all Appointing Authorities, and the County Administrator, in his discretion and acting consistently with the direction of Human Resources, did elect to withhold the general increase from twenty-one classified employees who had been either suspended, demoted, had a disciplinary pay reduction, or a combination thereof.

Rule 3 provides extensive discretion to Appointing Authorities, and here, the County Administrator, to make discretionary pay actions, such as equity adjustments, merit increases, and special merit increases. This discretion to withhold the general increase has been communicated to employees by Human Resources in the Pen newsletter and on disciplinary forms. It is the discretion of the County Administration to determine who is eligible for such the general increase and whether to award the general increase is in the best interest of the organization. Because the general increase reflects increases in the market value of the occupation, the discretion to withhold recently hired or recently promoted employees is consistent as those employees’ market values have been reflected in their recent hire or promotion. Similarly, it would not be in the best interest of the organization to provide additional compensation to employees who have progressed in discipline to the extent that they have been suspended, demoted, or had their pay reduced, or some combination of those disciplinary measures. Moreover, it was always the intent of Human Resources to afford discretion to the employer of any given organization in determining what employees were eligible or ineligible for the general increase.

The language of the Pinellas County Unified Personnel Rules extends great discretion to the Appointing Authorities in determining pay actions for their employees. It logically follows that the same discretion is extended to the awarding of a general increase, which is specifically awarded to eligible employees *if* in the best interest of the organization. By the language of Rule 3, discretion was inherently afforded to the County Administrator, as is afforded to all Appointing Authorities. Such discretion is promulgated by Human Resources, who has been interpreting Rule 3 to afford such discretion in the awarding of the general increase and in the discretion of determining eligibility by each organization. For these reasons, the County Administrator respectfully requests this Board find that his decision was consistent with Rule 3.C.1.e. and with the intent of Human Resources in implementing the general increase in pay policy.

DOCUMENTARY EVIDENCE AND EXHIBITS

Exhibit Number	Description and Evidentiary Purpose	Stipulated as to Authenticity Y/N	Stipulated As to Relevance Y/N
1	Unified Personnel Board Rule 3. Compensation	Y	Y
2	Memorandum of Understanding Between the Advocate Committee, Aggrieved Parties and The Pinellas County Administrator	Y	Y
3	Disciplinary Notice Suspension (template)	Y	Y
4	Disciplinary Notice Verbal Warning (template)	Y	Y
5	Disciplinary Notice Written Warning (template)	Y	Y
6	Disciplinary Notice Demotion (template)	Y	Y
7	Disciplinary Notice Pay Reduction (template)	Y	Y
8	Composite Communications from Human Resources (Pen article 2016; Pen article 2017; Email dated October 1, 2019; Email dated September 30, 2021; Email dated October 7, 2021)	Y	Y
9	Unified Personnel Board Policy #10 Discipline Policy	Y	Y
10	Unified Personnel Board Rule 6. Discipline	Y	Y
11	Email from Beverly Waldron, dated August 19, 2015	Y	N
12	Email from Chris White, dated September 21, 2018		
13	Email from Kimberly Crum, dated September 20, 2021		
14	UPB 6/15/15 Board Reporter Meeting Notes	Y	N
15	Withholding Worksheet created by EAC	N	N
16	Records Request Email thread.	N	N

WITNESS LIST

1. Peggy Rowe
2. Jack Loring
3. James Valliere
4. Rodney Marion
5. Lisa Arispe
6. Charles Toney
7. Any rebuttal or impeachment witnesses.

STIPULATED ISSUE

ISSUE	
	Stipulated Y/N
Whether the County Administrator's withholding of the general Increase effective October 10, 2021 from classified employees who were suspended, received a pay reduction or demotion for disciplinary reasons during the period of October 1, 2020 through September 30, 2021, was appropriate pursuant to Rule 3.C.1.e.	Y

EXHIBIT 1

Rule 3. Compensation

It is the policy and practice of all Appointing Authorities in the Unified Personnel System to compensate employees accurately and in compliance with applicable state and federal laws, and not to make improper deductions from any employee's pay. Pay records should be reviewed by the employee upon receipt for accuracy. Any questions or inaccuracies should immediately be brought to the attention of the Appointing Authority or designee. The Appointing Authority or designee shall promptly investigate, correct any errors and make any necessary adjustments.

Factors to consider when establishing starting pay and/or making pay adjustments are the individual's qualifications and skills, pay equity issues including the relationship of the newly hired or promoted employee's proposed salary to that of the experienced incumbents in the classification and the prevailing labor market value.

A. Pay Plans

A pay plan is a particular table or array of pay rates that establishes the ranges of pay within which employees will be paid.

1. Classified Pay Plan

The Classified Employee Pay Plan is a listing of pay ranges (minimum and maximums) applicable to each classification to which classified employees are assigned. The Classified Employee Pay Plan provides a market-based pay structure or framework for aligning job classifications according to their job value.

The Director of Human Resources prepares and presents the Classified Employee Pay Plan to the Unified Personnel Board for adoption and amendment. This Classified Employee Pay Plan is utilized by all Appointing Authorities within the Unified Personnel System.

2. Exempt Pay Plans

There are multiple exempt pay plans. Each Constitutional Officer (Clerk of the Circuit Court, Property Appraiser, Supervisor of Elections and Tax Collector) adopts and maintains his/her own exempt pay plan. The exempt pay plan for all other Appointing Authorities is recommended by the Director of Human Resources and adopted and maintained by the Board of County Commissioners.

B. Starting Pay

1. Permanent Positions

a. Exempt

The starting pay of an individual selected to fill an exempt position must be within the salary range utilized by the Appointing Authority for that position or classification within their organization.

b. Classified

The starting pay of an individual selected to fill a classified position is normally made at the minimum rate of pay of the pay grade established for the job classification. Because of unusual or extenuating circumstances an individual may be hired above the minimum of the pay range established for the job classification. Such

appointment requires the recommendation and approval of the Appointing Authority in consultation with the Director of Human Resources.

2. Temporary Positions

An individual appointed to a temporary position or temporarily appointed to a permanent position will be paid in accordance with the provisions shown above for permanent positions, classified or exempt, as appropriate.

3. Grant Worker Positions

The starting pay for a specific Grant Worker position must be within the salary range established in the pay plan for Grant Workers and consistent with any terms of the grant and the work to be performed. It shall be determined by the Appointing Authority in consultation with the Director of Human Resources.

4. Special Project Positions

The starting rate of pay for a specific Special Project position must be within the salary range established in the pay plan for Special Project Positions. It shall be determined by the Appointing Authority in consultation with the Director of Human Resources.

5. Internships

Internships may be paid or unpaid. If the internship is paid, the rate of pay will be determined by the Appointing Authority in consultation with the Director of Human Resources.

C. Base Pay Adjustments

Base pay adjustments solely associated with the implementation of the Evergreen Classification and Compensation Study completed in 2018 shall be as adopted. In the event of a conflict between implementation of that study and this Rule, the approved implementation of the study shall govern. In all other cases, the following will continue to apply. Base pay does not include benefits or supplemental earnings. The following describes the types and application of base pay adjustments.

1. Base Pay Increases

a. Merit Increases

Merit Pay increases may be granted annually at the discretion of the Appointing Authority but may not be granted above the maximum pay rate of the employee's job classification. Merit pay increases are calculated on the employee's current pay rate.

If a merit pay increase would bring an employee's pay rate above the maximum rate established for the employee's classification, the Appointing Authority shall bring the employee to the maximum of the pay rate of the employee's job classification and grant the remaining portion of the pay increase in a one-time lump sum payment in lieu of a full base rate increase.

If an employee is at the maximum rate of pay established for the employee's classification the merit pay increase shall be granted as a one-time lump sum payment calculated as the annualized value of the merit increase.

b. Special Merit Increase

Special Merit increases may be made at any time at the discretion of the Appointing Authority but may not be granted above the maximum pay rate of the employee's job classification. Special Merit increases are meant to recognize an employee's

exceptional work contributions or unusual employment conditions and are calculated on the employee's current pay rate.

c. Promotional Increase

Promotional increases are granted at the discretion of the Appointing Authority but may not be granted above the maximum pay rate of the employee's job classification. Promotional increases are calculated on the employee's current pay rate and within the following:

- The employee's pay must be increased to at least the minimum pay rate for their new position.
- The Appointing Authority may award a promotional increase of 4 to 10%.
- An increase less than 4% or greater than 10% may be made by the Appointing Authority in consultation with the Director of Human Resources.

d. Reclassification or Reallocation Increase

When a position is reclassified or reallocated to a pay grade for which the maximum of the pay rate is higher than that of the incumbent's current job classification, the Appointing Authority may grant the employee a pay adjustment in accordance with the following:

- The employee's pay must be increased to at least the minimum pay rate of the new pay grade, or
- The employee's pay will be increased by an amount equal to 4% of the midpoint of the new pay grade, whichever is greater.
- No reclassification pay increase may be granted above the maximum rate established for the classification.

e. General Increase

A general increase is an increase applied to all, or to a general category of, eligible employees without variation for individual performance. A general increase may be granted if deemed in the best interest of the organization and if the budget allows.

The general increase is designed to reflect an increase in the labor market. This is different from the merit increase which reflects the value of the individual's performance in that job.

The general pay increase will be calculated on the midpoint of the pay grade established for the employee's job classification.

If a general pay increase would bring an employee's pay rate above the maximum rate established for the employee's classification, the Appointing Authority shall bring the employee to the maximum of the pay rate of the employee's job classification and grant the remaining portion of the pay increase in a one-time lump sum payment in lieu of a full base rate increase.

If an employee is at the maximum rate of pay established for the employee's classification the merit pay increase shall be granted as a one-time lump sum payment calculated as the annualized value of the merit increase.

f. Equity Adjustment

An Equity Adjustment is a pay rate adjustment provided to an employee outside the normal salary administration policies to correct a significant deviation from internal equity and to ensure compliance with fair pay practices. Equity Adjustments may be granted at the discretion of the Appointing Authority in consultation with the Director of Human Resources but may not be granted above the maximum rate established for the employee's classification.

g. Pay Grade Change - Reallocation

A pay grade change is the reallocation of a job classification from one pay grade to another.

An incumbent employee whose job classification has been allocated to a higher pay grade shall not receive an upward adjustment unless the employee is below the minimum pay rate of the new pay grade. In such case the employee's pay will be increased to the minimum of the new pay grade. An incumbent employee whose current rate of pay is at or above the maximum pay rate of the new pay grade shall continue to receive the current rate of pay.

An incumbent employee whose job classification has been allocated to a lower pay grade shall continue to receive their current rate of pay unless that rate is more than 10% above the maximum of the new pay grade, in which case their pay rate shall be decreased to 10% above the maximum pay rate of the new pay grade.

h. Temporary Pay Increase

- i. When an Appointing Authority temporarily assigns a classified employee to a higher classification and such assignment is expected to last more than 30 consecutive calendar days, a substitute or temporary appointment shall be made. The employee shall receive a temporary pay increase not to exceed the maximum of the pay rate of the job classification to which the employee is temporarily promoted. The pay increase shall be done in accordance with the provisions of Promotional Increase C.1.c. above.

This adjustment shall be retroactive to the first day that the employee was assigned to perform in the higher classification.

Such temporary appointment may not exceed six months in duration without the approval of the Appointing Authority and the Director of Human Resources.

Upon conclusion of the appointment, the employee shall be returned to the position held immediately prior to the reassignment, and the employee's pay rate shall be adjusted back to the prior pay rate or, at the discretion of the Appointing Authority, to the pay rate that would have been attained had there not been a temporary reassignment.

- ii. When an Appointing Authority temporarily assigns a classified employee a portion of the duties and responsibilities of a higher classification and the assignment is expected to be more than 30 consecutive calendar days, the Appointing Authority may grant the employee a temporary pay increase. The amount of the increase shall be at the discretion of the Appointing Authority but shall not exceed the maximum of the pay grade of the higher classification. When the employee is no longer performing the additional duties, the employee's pay rate shall be adjusted back to the prior pay rate or, at the discretion of the Appointing Authority, to the pay rate that would have been

attained had there not been a temporary assignment of additional duties and responsibilities. The temporary assignment of additional duties and responsibilities shall not exceed six months.

2. Base Pay Decreases

a. Demotion – Classified Employees

i. Disciplinary

An employee demoted for disciplinary reasons to a job classification for which the maximum pay rate of the pay grade of the new job classification is lower than that of the position's current pay grade shall have their rate of pay reduced in an amount determined by the Appointing Authority, but in no event shall the new pay rate be lower than the minimum of the classification to which the employee is demoted.

ii. Reduction in Force

If as the result of a reduction in force, a classified employee is displaced into a job classification for which the maximum pay rate of the pay grade of the new job is lower than that of the employee's current classification the employee shall have his/her salary adjusted in accordance with the provisions of Rule 5. Reduction in Force.

iii. Voluntary

Upon such demotion, a reduction in pay should be made. The demotion decrease is granted at the discretion of the Appointing Authority but may not be granted above the maximum pay rate of the employee's job classification. The demotion decrease is calculated on the employee's current pay rate and within the following:

- The employee's pay may not be reduced below the minimum pay rate nor exceed the maximum pay rate of the pay grade to which the employee is being demoted.
- The Appointing Authority may make a demotion pay decrease of 4 to 10%.
- A decrease less than 4% or greater than 10% may be made by the Appointing Authority in consultation with the Director of Human Resources.

b. Demotion – Exempt Employees

Any change in pay for an exempt employee who is demoted is at the discretion of the Appointing Authority.

c. Pay Reduction – Disciplinary

Upon a disciplinary pay reduction, the employee's rate of pay shall be reduced up to 5% at the discretion of the Appointing Authority but in no event shall the new pay rate be lower than the minimum of the employee's pay grade.

d. Reclassification or Reallocation Decrease

When a position is reclassified to a job classification for which the maximum pay rate of the pay grade of the new job classification is lower than the maximum pay rate of the position's current pay grade or the job classification for the position is reallocated to a pay grade for which the maximum pay rate is lower than the maximum of the

position's current pay grade, an incumbent shall continue to receive their current rate of pay unless that rate is more than 10% above the maximum of the new pay grade, in which case their pay rate shall be decreased to 10% above the maximum pay rate of the new pay grade.

An incumbent employee shall be offered a transfer to a vacancy in the original job classification with the same Appointing Authority, if one exists. Otherwise the employee shall remain in the reallocated position.

D. Supplemental and Incentive Pay

1. Standby Pay

- a. All Classified Service employees required to work standby shall be paid one hour additional pay ("standby pay") at the employee's straight hourly rate for every eight hours of the standby assignment regardless of whether the employee is called to report for work and regardless of the number of hours worked in the workweek. Standby pay is not hours worked.
- b. If required to physically report for work:
 - i. The employee's hours worked for the week (or for salaried classified employees for the pay period) shall include travel time from home to the work location and back home from the work location and all hours worked on the assignment.
 - ii. A minimum of two hours shall be counted as hours worked for the first instance requiring the employee to physically report to a work location in an eight hour standby period. No minimum number of hours worked shall be counted for subsequent standby call outs during the same standby period.
- c. If not required to physically report for work:
 - i. If an employee can complete the assignment without physically reporting to the work location, the employee's hours worked for the week (or for salaried classified employees for the pay period) shall include all hours worked on the assignment.
 - ii. A minimum of one hour shall be counted as hours worked for the first instance worked remotely in an eight hour standby period. No minimum number of hours worked shall be counted for subsequent call outs during the same standby period.
- d. Pay for reporting for standby duty, whether physically or remotely, is in addition to the standby pay.

2. Emergency Call Out Pay

- a. In cases where there is no Standby Assignment, if an off-duty classified employee called out to work is required to physically report to a work location, the employee's hours worked for the week (or for the salaried classified employee for the pay period) shall include travel time from home to the work location and back home from the work location and all hours worked on the assignment.
- b. A minimum of two hours shall be counted as hours worked for each Emergency Call Out requiring an employee to physically report for work.
- c. In cases where the assignment can be completed without the employee physically reporting to a work location, a minimum of one hour shall be counted as hours worked for each Emergency Call Out.

3. Shift Differential Pay

a. Five Percent Differential

A shift differential pay of 5% shall be paid to those Classified Service employees, except Airport Firefighters and Airport Fire Lieutenants, who regularly work a shift where a majority of the hours worked falls after 5 p.m.

b. Ten Percent Differential

A shift differential pay of 10% shall be paid to those Classified Service employees, except Airport Firefighters and Airport Fire Lieutenants, who regularly work a shift where the majority of the hours worked falls after midnight and before 6 a.m.

Excluding Airport Firefighters and Airport Fire Lieutenants, an employee who is assigned a specific shift when the majority of the worked hours falls after 5 p.m. and before 6 a.m. and who is assigned to this shift for a period of not less than four consecutive calendar weeks, will earn the applicable shift differential as of the first day worked on the assigned shift.

4. Control Burn Fire Team

Each employee serving as a Fire Team Member shall be paid an additional \$3.00 per hour for each hour (or portion thereof) worked as a member of the Fire Team. Each employee serving as a Fire Team Supervisor shall be paid an additional \$5.00 per hour worked as a supervisor of a Fire Team.

Any hours worked on the Control Burn Fire Team will be counted as hours worked for all compensation purposes, including but not limited to calculating any overtime due.

5. Classified Service Employees Working in the Citizen Information Center (CIC)

Classified Service Employees working in the Citizen Information Center (CIC) during an emergency shall be paid their regular pay in situations where their CIC shift falls during their normally scheduled work time and work days and the County operations are continuing as usual. If the assigned CIC hours fall outside the normally scheduled work time or work days, the CIC employee will be compensated at the overtime rate, regardless of the actual number of hours worked in the week. The hours actually worked in the CIC shall also be included in the calculation of the time an employee worked during that work week.

6. Declared Emergencies and Other Emergency or Disaster Situations

When the Board of County Commissioners declares a state of emergency and/or the Appointing Authorities close their operations due to an emergency, employees will be compensated as follows:

- a. When regular County operations have been suspended because of an emergency situation, Classified Service employees directed to report to work in any capacity will be paid at the overtime rate regardless of the number of hours worked in the workweek.
- b. When regular County operations are fully or partially open regular pay rules will apply to Classified Service employees whether preparing for or dealing with the emergency or recovery efforts are part of the employee's normal duties.
- c. If a Classified Service employee is assigned duties at a higher classification and such assignment continues longer than 30 consecutive calendar days, the employee

will receive a pay adjustment in accordance with rules and practices governing temporary increases in C.1.h above.

- d. Appointing Authorities may grant employees administrative leave with pay if they direct them to leave work during their regularly scheduled hours in order to prepare their homes for emergency. Applicable shift differentials will be applied to the administrative leave with pay. Employees so directed who fail to return to work as directed by management may be considered AWOL (Absent Without Leave) and subject to discipline.
- e. Classified service employees required to work during an emergency (when County operations are closed) on a recognized County Holiday will be paid for such time in accordance with Personnel Rule 4 A.
- f. An Appointing Authority may elect to compensate exempt employees directed to report to work in any capacity during a declared local state of emergency after the Appointing Authority has closed his or her operations at one and one half times that rate for any hours worked in the workweek over 40.
- g. County employees who are *directed not to report to work* during an emergency (when County operations are closed or partially closed) will be granted leave with pay equal to their normal work hours for a period up to four weeks duration.
 - i. County employees who have previously scheduled paid time off during such time will not be required to use the paid time off.
 - ii. County employees not scheduled to work on a day that would be covered by leave with pay under this provision are not eligible for leave with pay on that day or any other day in substitution for that day.
- h. County employees who are directed not to report to work due to such an emergency for a period in excess of four weeks duration will be granted leave without pay for this time beyond the initial four weeks. Employees so affected shall substitute available compensatory time, extended illness leave, floating holidays, personal day and then available annual leave for the leave without pay. Employees may retain up to 80 hours of annual leave and be granted leave without pay for the duration.

7. Market Driven Skills Supplement (MDSS)

Market Driven Skills Supplement is an optional pay supplement with a variable rate not to exceed 10% of the employee's base rate for an employee that is proficient and engaged in work that requires the use of critical skill sets that are in short supply within the available labor market. The maximum rate of pay cannot exceed 10% above the maximum of the pay grade. The skill sets identified for eligibility for MDSS will be determined by the Human Resources Department in conjunction with the Appointing Authorities impacted by the critical skill shortages and approved by the Unified Personnel Board. The list will be reviewed and updated as needed, but at least every two years. The Director of Human Resources and Appointing Authority will determine when an approved skill set is no longer in short supply or is no longer deemed a critical skill set and recommend the Unified Personnel Board remove the skill set from those identified for eligibility for MDSS. Upon Unified Personnel Board approval, the supplemental pay will be ended.

8. Certification Pay

Certification pay is a supplemental pay provided to an employee for possession and maintenance of specific certification(s). The supplemental pay may be an amount added to the employee's base pay or an amount paid at set intervals during the year (for example, monthly). Eligible certifications are determined by the Appointing Authority. Certifications which are required in the minimum qualification of the job classification are not eligible for certification pay. Possession of the certification should add value to the employee's ability to perform his/her job responsibilities. The added value should be meaningful and real. Loss or failure to maintain the certification will result in removal of the certification pay. Changes in job classification may result in removal of the certification pay.

9. Other Supplemental Pay

Other supplemental pay as approved by the Appointing Authority may be provided to employees for performance of specific duties not required as part of the minimum qualifications of the employee's classification (e.g., fogging or 911 training).

E. Pay

1. Method of Payment

a. Exempt Employees

- i. Exempt employees are salaried employees paid a set salary for each week worked, subject to legally allowable deductions whether from the salary or accumulated leave. For administrative purposes only, such as the payout of accumulated leave the annualized salary is divided by 2,080 hours (and a pro-rated amount for employees regularly scheduled for less than 40 hours in a workweek). All Exempt Service employees shall be available at all times for the performance of service beyond the generally scheduled workweek as may be required without any entitlement to extra compensation.
- ii. All members of the Exempt Service will have their pay directly deposited in a financial institution of their choosing.

b. Classified Employees-

- i. Overtime: It shall be the general practice of the County to not have its employees work frequent or considerable overtime. However, Appointing Authorities may authorize or direct an employee to work overtime when necessary in order to meet emergency situations or operating needs. Each Appointing Authority shall maintain records of all hours worked, including overtime hours worked by Classified Service employees in his/her department.
 - a) For overtime compensation purposes, recognized Holidays or Leave with Pay for work-related purposes shall be considered as time actually worked. All other time used by the employee, such as, time paid under the Workers' Compensation Law, under short or long term disability plans, Compensatory Time, Annual Leave, Extended Illness Leave, Floating Holidays, Personal Days, or Leave with Pay for non-work related purposes shall not be considered as hours worked.
 - b) All hourly Classified Service employees, except Airport Firefighters and Airport Fire Lieutenants, paid on an hourly basis will be compensated at time and one half for any hours worked over 40 in any workweek in accordance

with the Fair Labor Standards Act. Any hours worked over 40 in a workweek shall be considered overtime hours.

- c) Pursuant to section 207 (k) of the Fair Labor Standards Act (FLSA) and Title 29 Code of Federal Regulations, Pinellas County establishes a 21 consecutive day work period for all Airport Firefighters and Airport Fire Lieutenants Employees effective November 20, 1988. All classified Airport Firefighters and Airport Fire Lieutenants working 159 hours or less during the established 21 consecutive work day period shall be paid at the straight hourly rate set forth in the Pinellas County Pay & Classification Plan. Should Fire Protection Employees be required to work more than 159 hours in any 21 consecutive day work period, all such time shall be considered overtime work.
- d) Salaried Classified Service employees, those certified by the Appointing Authority through the County Attorney to the Director of Human Resources as excluded from the overtime provisions of the Fair Labor Standards Act ("Classified Excluded"), will be compensated at time and one half for any hours worked over 80 in a pay period if approved by the Appointing Authority.
- e) Compensation for overtime may be monetary or in compensatory time, at the sole discretion of the Appointing Authority. Employees may not accumulate more compensatory time than designated below.
- f) The maximum accumulation of compensatory time for Classified hourly employees shall be 80 hours and for Classified Excluded employees shall be 240 hours.
- g) An employee who has accumulated compensatory time may request compensatory time off and such compensatory time off must be given within a reasonable time so long as it does not unduly disrupt departmental operations.
- h) Upon separation from employment, an employee shall receive a lump sum payment for all accumulated compensatory time at a rate which is not less than that employee's average regular rate during the last three years of employment, or that employee's final regular rate, whichever is higher.
- ii. Employees promoted from the Classified Service to an exempt position shall, at the time of promotion, receive payment for accumulated compensatory time based upon the employee's regular rate of pay at the time of promotion.
- iii. All members of the Classified Service will have their pay directly deposited in a financial institution of their choosing.

F. Claims for Underpayment of Wages

Claims for underpayment of wages must be made within two years of the underpayment.

EXHIBIT 2

Advocate Committee
11-19-21

Memorandum of Understanding
Between the
~~Employee Advisory Council~~, Aggrieved Parties
and The Pinellas County Administrator

There were 22 classified employees who work in Departments that report to the County Administrator's Office, that did not receive a fiscal year 2021-2022 general increase because they were suspended, received a pay reduction or demotion for disciplinary reasons between October 1, 2020 and September 30, 2021. As of this date, 13 of these employees filed a grievance claiming, the County Administrator did not have the authority to withhold the general increase.

In order to resolve this matter, the aggrieved employees, the ~~Employee Advisory Committee (EAC)~~ Advocate Committee and the County Administrator jointly request that the Personnel Board investigate and instruct the parties whether or not the Board's interpretation of Rule 3.C.1.e is consistent with the County Administrator's decision to:

"Withhold the general increase effective October 10, 2021 from classified employees who were suspended, received a pay reduction or demotion for disciplinary reasons during the period of October 1, 2020 through September 30, 2021"

Expedited Stipulated Process

If the Personnel Board agrees to investigate this matter and the employees agree to the stipulations contained herein:

- The County Administrator and the aggrieved employees will waive their right to individual hearings.
- The parties agree to be bound by the Personnel Board's decision related to the stipulated issue for which a ruling is requested.
- The parties agree to waive any disputes regarding timeliness for the purpose of this matter exclusively; the waiver of any timeliness issues in this matter may not be used as precedence or past practice in any other matter or dispute.

We agree to ask that the Personnel Board's investigation include an opportunity for the parties to present information to the Personnel Board during their regular January 2022 meeting, that supports their respective positions on the matter and to ask questions of the opposing party relevant to the matter in dispute.

If they agree, the Personnel Board will use the information gathered during the above presentations and other information it feels is pertinent to render a thoughtful decision to clarify this matter.

The aggrieved employees and the County Administrator agree to accept the Personnel Board's decision in this matter as final and binding.

If the Board determines that the determination of the County Administrator was not consistent with the Board's interpretation of Rule 3.C.1.e, the County Administrator voluntarily agrees to process the 2021 general increases for all classified employees, under the County Administrator, who were denied the

2021 general increase because of active disciplinary action, as soon thereafter as practicable and to compensate the employees for any additional pay they would have received between October 10, 2021 and the effective date of the aggrieved party's general increase through retroactive pay, a lump sum payment, or a grant of leave as deemed appropriate by the County Administrator in consultation with Clerk's Finance.

In order to preserve timelines contained in the Grievance Procedure, prior to the December 2, 2021 Personnel Board Hearing, Human Resources will schedule a step 2 grievance hearing, on a date to be arranged, after the December Personnel Board meeting as described in the non-expedited stipulated process outlined below. The County Administrator and Aggrieved parties agree that the non-expedited process will be canceled should the Personnel Board agree to investigate the matter (at which time the expedited process will be used).

Non- Expedited Stipulated Process

The Aggrieved Parties and County Administrator agree that all grievances filed between October 10 and November 14 of 2021 related to this matter will be joined and one grievance hearing will be held by the Informal Grievance Panel (step 2).

- The Informal Grievance Panel will decide whether the County Administrator's **withholding of the general increase effective October 10, 2021 from classified employees who were suspended, received a pay reduction or demotion for disciplinary reasons during the period of October 1, 2020 through September 30, 2021, was appropriate pursuant to Rule 3.C.1.e.**
- Any party may appeal the decision of the Informal Grievance Panel to the Personnel Board.
- Despite the Parties agreeing to a joint hearing, the timeliness of any Aggrieved Party's grievance may be disputed by the County Administrator, if such grievance is filed outside the timeframe specified above.

Michael Brown

Michael Brown

Steve Allen

Steve Allen

Eric Lawrence

Eric Lawrence

Dorothy Gonzalez

DOROTHY GONZALEZ

Liam Maloney - Employee Advocate - 11-22-21
on behalf of grievants.

EXHIBIT 3



DISCIPLINARY NOTICE SUSPENSION

TO: TITLE: EMPLOYEE #
FROM: TITLE: DEPARTMENT:

DISTRIBUTION:

- Department File
- Human Resources (for employee’s personnel file) – Scan and email to HRAdmin@pinellascounty.org or send by interoffice mail to the Director of Human Resources

DATE:

INFRACTION(S): Personnel Rule 6, Paragraph B, Item #(s), Item Title(s):

(Please list Infractions #'s and Titles.)

Based on the information we discussed at your Pre-Disciplinary hearing on _____, you will be suspended without pay for ____ days.
(date)

Your suspension begins on _____.
(date)

Upon return to work, you will report to _____.
(location)

SUMMARY OF FACTS/INCIDENTS LEADING TO THIS ACTION:

(Provide a summary of the circumstances leading to this action. Include dates, times, individuals involved.)

NECESSARY CORRECTIVE ACTION:

(Provide employee corrective actions to take and performance expected in future.)

A copy of this document will remain active (in your personnel file) for at least twelve (12) months. While this document is active, hiring supervisors may not consider you an appropriate promotional candidate. Additionally, the behavior documented in this notice will also be addressed in your next performance review and may also affect any pay adjustments, if applicable.

At the end of the twelve-month active period, if you have corrected this problem and have not developed other work-related problems, we will ask Human Resources to place the document in your inactive file. It will remain inactive if you have no further disciplinary problems.

If you do have further work-related problems, this disciplinary action can be considered. This is true whether the document is active or inactive. Further work-related problems, whether similar or different, can lead to further discipline, up to and including dismissal.



DISCIPLINARY NOTICE SUSPENSION

If you believe this decision is in error, you may grieve it, in accordance with Personnel Rules 6 and 7 (attached). To do so, you must contact the Human Resources Department and file a written notice of your intent within 15 calendar days from the date you receive this notice. If you have any questions about this action, please notify me or the manager(s) listed below:

(Name & phone #)

Check One: This Notice was Hand Delivered on (date) _____
 Sent via Regular & Certified Mail (return receipt # _____)

(Departments are encouraged to seek feedback on drafting disciplines from Human Resources.)

EXHIBIT 4



**DISCIPLINARY NOTICE
DOCUMENTATION OF VERBAL WARNING**

TO: TITLE: EMPLOYEE #
FROM: TITLE: DEPARTMENT:

DISTRIBUTION:

- Department File
- Human Resources (for employee’s personnel file) – Scan and email to HRAdmin@pinellascounty.org or send by interoffice mail to the Director of Human Resources

DATE:

INFRACTION(S): Personnel Rule 6, Paragraph B, Item #(s), Item Title(s):

(Please list Infractions #'s and Titles.)

SUMMARY OF FACTS/INCIDENTS LEADING TO THIS ACTION:

(Provide a summary of the circumstances leading to this action. Include dates, times, and individuals involved.)

NECESSARY CORRECTIVE ACTION:

(Provide employee corrective actions to take and performance expected in future.)

A copy of this document will remain active (in your personnel file) for at least six (6) months. While this document is active, hiring supervisors may not consider you an appropriate promotional candidate. Additionally, the behavior documented in this warning will also be addressed in your next performance review and also **may affect any pay adjustments, if applicable.**

At the end of the six-month active period, if you have corrected this problem and have not developed other work-related problems, we will ask Human Resources to place the document in your inactive file. It will remain inactive if you have no further disciplinary problems.

If you do have further work-related problems, this disciplinary action can be considered. This is true whether the document is active or inactive. Further work-related problems, whether similar or different, can lead to further discipline, up to and including dismissal.

If you believe this decision is in error, you may grieve it, in accordance with Personnel Rules 6 and 7 (attached). To do so, you must contact the Human Resources Department and file a written notice of your intent within 15 calendar days from the date you receive this notice.

If you have any questions about this action, please notify me or the manager(s) listed below:

(Name & phone #)



DISCIPLINARY NOTICE

DOCUMENTATION OF VERBAL WARNING

Check One: This Notice was Hand Delivered on (date) _____
 Sent via Regular & Certified Mail (return receipt # _____)

Employee Signature

Department Signature

Note: Employee signature acknowledges receipt of document.

(Departments are encouraged to seek feedback on drafting disciplines from Human Resources.)

EXHIBIT 5



DISCIPLINARY NOTICE WRITTEN WARNING

Check One: This Notice was Hand Delivered on (date) _____
 Sent via Regular & Certified Mail (return receipt # _____)

Employee Signature

Department Signature

Note: Employee signature acknowledges receipt of document.

(Departments are encouraged to seek feedback on drafting disciplines from Human Resources.)

EXHIBIT 6



DISCIPLINARY NOTICE DEMOTION

TO: TITLE: EMPLOYEE #

FROM: TITLE: DEPARTMENT:

DISTRIBUTION:

- Department File
- Human Resources (for employee’s personnel file) – Scan and email to HRAdmin@pinellascounty.org or send by interoffice mail to the Director of Human Resources

DATE:

INFRACTION: Personnel Rule 6, Paragraph B, Item #(s), Item Title(s):

(Please list Infractions #'s and Titles.)

Based on the information we discussed at your Pre-Disciplinary hearing on _____, you are being demoted to the following position:

(date)

New Position Title	Position Control #	Pay Grade
Previous Position Title	Position Control #	Pay Grade

Your pay rate will be reduced per Personnel Rule 3, to: \$_____.

EFFECTIVE DATE OF DEMOTION & PAY RATE CHANGE: _____

You will not be eligible for a merit increase before twelve (12) months from this date.

SUMMARY OF FACTS/INCIDENTS LEADING TO THIS ACTION:

(Provide a summary of the circumstances leading to this action. Include dates, times, individuals involved.)

NECESSARY CORRECTIVE ACTION:

(Provide employee corrective actions to take and performance expected in future.)

A copy of the pay transaction will become a permanent part of your personnel file. If you correct this problem and have no further work-related problems, you will be eligible for promotions and pay adjustments in future years on the same basis as other employees. If you have further work-related problems, whether similar or different, this disciplinary action can be considered. Further work-related problems can lead to further discipline, up to and including dismissal.



DISCIPLINARY NOTICE DEMOTION

If you believe this decision is in error, you may grieve it, in accordance with Personnel Rules 6 and 7 (attached). To do so, you must contact the Human Resources Department and file a written notice of your intent within 15 calendar days from the effective date of the action or the date you receive this notice, whichever is later. If you have any questions about this action, please notify me or the manager(s) listed below:

(Name & phone #)

Check One: This Notice was Hand Delivered on (date) _____
 Sent via Regular & Certified Mail (return receipt # _____)

(Departments are encouraged to seek feedback on drafting disciplines from Human Resources.)

EXHIBIT 7



DISCIPLINARY NOTICE PAY REDUCTION

TO: TITLE: EMPLOYEE #
FROM: TITLE: DEPARTMENT:

DISTRIBUTION:

- Department File
- Human Resources (for employee’s personnel file) – Scan and email to HRAdmin@pinellascounty.org or send by interoffice mail to the Director of Human Resources

DATE:

INFRACTION(S): Personnel Rule 6, Paragraph B, Item #(s), Item Title(s):

(Please list Infraction #'s and Title.)

Based on the information we discussed at your Pre-Disciplinary hearing on _____, your pay is being reduced as follows:

(date)

\$ _____	_____	\$ _____
Previous Pay Rate	Reduction	New Pay Rate

This reduction does not exceed 5% nor take you below your current pay grade. Your job title and classification remain the same.

EFFECTIVE DATE OF PAY REDUCTION: _____

You will not be eligible for a merit increase before twelve (12) months from this date.

SUMMARY OF FACTS/INCIDENTS LEADING TO THIS ACTION:

(Provide a summary of the circumstances leading to this action. Include dates, times, individuals involved.)

NECESSARY CORRECTIVE ACTION:

(Provide employee corrective actions to take and performance expected in future.)

A copy of the official pay transaction will become a permanent part of your personnel file.

If you correct this problem and have no further work-related problems, you will be eligible for promotions and pay adjustments in future years on the same basis as other employees. If you have further work-related problems, whether similar or different, this disciplinary action can be considered. Further work-related problems can lead to further discipline, up to and including dismissal.

If you believe this decision is in error, you may grieve it, in accordance with Personnel Rules 6 and 7 (attached). To do so, you must contact the Human Resources Department and file a written notice of your intent within 15 calendar days from the effective date of the action or the date you receive this notice, whichever is later. If you have any questions about this action, please notify me or the manager(s) listed below:

(Name & phone #)



DISCIPLINARY NOTICE PAY REDUCTION

Check One: This Notice was Hand Delivered on (date) _____
 Sent via Regular & Certified Mail (return receipt # _____)

(Departments are encouraged to seek feedback on drafting disciplines from Human Resources.)

EXHIBIT 8



Q. I'm wondering if you can clarify exactly what I need to do to complete the Biometric Screening and Health Survey. Mainly, I'm concerned with ensuring I meet the requirements so I can receive the preferred premium (i.e. save \$500).

What exactly needs to be done and where do I enter blood work results when I receive them back?

A. The information you need is available on the HR website. Here is a direct link to the [FAQ web page](#) about biometric screenings.

The basic and required information for the biometric screening includes blood pressure, cholesterol levels, height and weight. Your physician can refer you to a lab where you can get the screening. Or you can go to a convenience care clinic (see a list of [local CVS and Walgreens clinics](#)). Once you know your numbers, log into your Rally [Rally](#) account and complete the health survey.

The Pen

General Increases for Employees Scheduled for October

As has been the case in the last three years, County employees will be eligible to receive a general increase effective with the new fiscal year in October. This increase will be reflected on the October 21st payroll.

The general increase is 3% pending approval of the Board of County Commissioners as part of adopting the budget.

As a reminder, the new Personnel Rules effective January 1, 2016, provide a different method than what was used in the past for calculating the increase. Prior to the rule changes the general increase was applied to employee base salary. The new rules require the increase to be calculated on the mid-point of classified and most exempt employee's pay grade range, not the actual salary. Please see item 7 in [What Changed in the Personnel Rules: Update Highlights](#) which Human Resources provided to employees in December 2015 regarding this and other changes to the Personnel Rules.

To view the midpoint for your pay grade, view the [Classified Pay Plan](#) or [Exempt Pay Plan](#) (if you are unsure of your position's pay grade, visit [Class Specifications](#)).

As in past years, your Appointing Authority reserves the right to withhold increases for an employee based on serious disciplinary actions, or for instances where a recent salary adjustment took into consideration the general increase. Employees hired on or after September 1, 2016 are not eligible for the increase. Employees whose salaries are at the maximum of their pay grade will receive a lump sum payment in lieu of base pay increase.



Annual Benefits Enrollment Begins in October

Annual Enrollment will begin October 10 and end October 28. This is your once-per-year opportunity to review your plan offerings and make informed decisions for you and your covered family members for the upcoming plan/calendar year.

NEW this year:

- ▶ **If you do not make your benefits selections in OPUS by Friday, October 28, neither you nor your dependents will have coverage in 2017.**
- ▶ **There is an increase in premiums and copays. ([more info](#))**

To help you prepare, we will send informative *Two-Minute Tuesday* videos to all individuals with a County email address. These videos will provide tips on using the tools and resources available to assist you in finalizing your plan choices for 2017.

We have also scheduled onsite meetings at work locations throughout the County, beginning the week of September 21st. If your worksite is not hosting a meeting, there are **additional locations**: four in downtown Clearwater and another at the Extension Services building in Largo. You are welcome to attend one of these and learn about your options for 2017. There is no need to register: Just come. We hope to see you there!

Keep an eye on the Human Resources, [2017 Annual Benefits Enrollment](#) website. We will continue to add information as it becomes available.

In case you missed it!

In the September [To Your Health](#): Information on prostate health, cholesterol, ovarian cancer, a co-worker's triumph in *Tell It Well*, wellness series and programs, and much more.

September's [Leadership Notes](#): Do you feel the need for more clarity? Read this issue on *How to Deal with Ambiguity* which includes guidance on how to manage it.



Q. Does Pinellas County have a written policy on smoking in County vehicles?

A. Yes. [Administrative Directive 11.7](#) prohibits smoking in County-owned or leased vehicles in order to provide for the health, safety and wellbeing of employees, and to preserve the value of County assets.

Adjustments to the Pay Plan Approved by Unified Personnel Board

On September 7, the Unified Personnel Board approved a 2% upward adjustment to the minimums and maximums of the pay ranges in the Classified Pay Plan and Fire Fighting Personnel Pay Plan effective September 30, 2017. It is important to clarify that a pay plan adjustment is not a pay increase, merely an increase to the pay ranges which is done every 1-2 years to maintain a competitive compensation structure for our employees.

One of the strategic goals of Pinellas County is to “Create a Quality Workforce in a Positive, Supportive Organization.” In addition, it is the mission of Human Resources to “Cultivate a diverse, talented, and engaged workforce prepared to effectively serve the citizens of Pinellas County.” In order to fulfill these objectives it is important to provide a competitive pay plan that is based upon market values commensurate with the skill sets needed for success.

Proposed October Pay Increase

The FY18 proposed budget includes a general increase for Unified Personnel System employees. If approved by the Board of County Commissioners on September 26, eligible permanent and probationary classified and exempt employees will receive an increase equivalent to 3% of the midpoint of their pay range effective October 1st. This increase would be reflected in the October 20 paycheck. An Appointing Authority may exclude some employees from receiving the general increase due to a recent pay increase, a recent hire, active discipline, or other reason.

In accordance with [Personnel Rule 3, Compensation](#), general increases are calculated on the midpoint of the pay range. This means that employees who are in the same pay grade would receive the same amount of increase in dollars. For example, CL10 employees would receive a 3% increase based on the new midpoint of that pay range. That would amount to \$1,239.26 (the new CL10 midpoint of \$41,308.80 multiplied by 3%). Note that this is the same amount an employee at the minimum of the pay range or at the maximum, or anywhere in that range would receive. If the increase results in pay higher than the maximum of the pay range, the amount above the maximum is paid as a lump sum.

The pay ranges for each grade will be increased by 2% on September 30, thereby raising the minimum, mid-point, and maximum for those ranges immediately prior to the general increase. Raising the pay ranges immediately prior to the general increase will result in a slightly higher general increase than what they would have received if there were no adjustment to the pay grades. In addition, adjusting pay grade maximums prior to a general increase will allow for some increase to base pay for employees who are currently at the maximum of their pay grades.

If you would like more information about the proposed pay and pay range increases, please send an email to askhr@pinellascounty.org.

The Pen

Benefits U

Free Financial Planning Webcasts

The Florida Retirement System (FRS) is offering free financial planning workshops for FRS-covered employees via webcast.

Upcoming workshops will be held after regular work hours on Wednesday, October 4 and Thursday, October 5, and will be on the following topics:

Oct. 4	Using the FRS to Plan for Retirement	4:30 to 6:30 p.m.
Oct. 4	Investment Planning for Everyone - The Basics	7:00 to 9:00 p.m.
Oct. 5	Nearing Retirement in the FRS	4:30 to 6:30 p.m.
Oct. 5	Estate Planning: Protecting Your Family	7:00 to 9:00 p.m.

To register for any of these workshops, call (866) 446-9377, Option 2, or go to <http://tinyurl.com/zrsh8r6> and log in. After login, select “Attend a Workshop”, then “**A WEBINAR**” under the “County” drop down box (be sure to select “A WEBINAR” and not the county you live or work in), then select the requested workshop.

Employees who sign up to attend an online workshop will receive details for logging in and participating a few days prior to the workshop.

From: [Employee Communications](#)
To: [Employee Communications](#)
Subject: Information About the FY2020 General Pay Increase
Date: Tuesday, October 1, 2019 10:14:12 AM
Attachments: [image006.png](#)



General Increase for FY2020

- The Fiscal Year 2020 approved budget includes a general increase for Unified Personnel System employees.
- Eligible permanent and probationary classified and exempt employees will receive an increase equivalent to 3% of the midpoint of their pay range effective October 13.
- Employees whose hourly rate is currently at or above the maximum for their pay grade will receive a single lump sum payment calculated at 3% of the midpoint of their pay grade.
- This increased pay rate **will be reflected in the November 1 paycheck** as will any lump sum payments.
- An Appointing Authority may exclude employees from receiving the general increase due to a recent pay raise, a recent hire, active discipline, or other reason.

LINKS

- FY2020 Classified and Firefighter Pay Plans - www.pinellascounty.org/hr/compensation/pdf/Classified-FF-Pay-Plan-FY20.pdf
- FY 2020 Exempt Pay Plan for Business Technology Services, County Administrator/BCC departments, County Attorney, Forward Pinellas, Human Resources and Human Rights - www.pinellascounty.org/hr/compensation/pdf/Exempt-Pay-Plan-FY20.pdf

Pinellas County Human Resources

www.pinellascounty.org/hr

(727) 464-3367

[How are we doing?](#) (Please take a brief survey.)

Human Resources
Helping U Succeed

All government correspondence is subject to the public records law.

From: [Employee Communications](#)
To: [Employee Communications](#)
Subject: General Pay Increase for FY2021
Date: Wednesday, September 30, 2020 1:41:34 PM
Attachments: [image002.png](#)



General Pay Increase for FY2021

- The Fiscal Year 2021 approved budget includes a general increase equivalent to 3% of the midpoint of the pay range for eligible permanent and probationary classified and exempt Unified Personnel System employees, effective October 11.
- Employees whose hourly rate is currently at or above the maximum for their pay grade will receive a single lump sum payment calculated at 3% of the midpoint of their pay grade.
- This increased pay rate will be reflected in the October 30 paycheck as will any lump sum payments.
- An Appointing Authority may exclude employees from receiving the general increase due to a recent pay raise, a recent hire, active discipline, or other reason.
- In addition, the Unified Personnel Board approved a 2% upward adjustment to the pay plans which the Board of County Commissioners adopted in the FY21 budget, to be effective October 11, 2020. This is not a pay increase but does increase the minimum, midpoint and maximum of the pay grades.

Link to Pay Plans - www.pinellascounty.org/hr/pay-plan

Link to BCC Budget - www.pinellascounty.org/budget

Communications & Outreach

Pinellas County Human Resources

400 S. Fort Harrison Ave., Clearwater, FL 33756

(727) 464-3367

employee.communications@pinellascounty.org

www.pinellascounty.org/hr

We continue to work remotely with limited staff onsite. If you need assistance, please call 464-3367.

Bookmark the COVID-19 page for employees: www.pinellascounty.org/hr/coronavirus & Employee Blog – www.pinellascounty.org/hr/blog

Human Resources
Helping U Succeed

All government correspondence is subject to the public records law.

From: [Employee Communications](#)
To: [Employee Communications](#)
Subject: Important Information About Your Pay
Date: Thursday, October 7, 2021 3:38:07 PM
Attachments: [image002.png](#)



General Pay Increase for FY2022

- The Fiscal Year 2022 approved budget includes a **general increase equivalent to 3% of the midpoint** of the associated pay range for eligible permanent and probationary classified and exempt Unified Personnel System employees, **effective October 10, 2021.**
- Employees whose hourly rate is currently **at or above the maximum** for their pay grade **will receive a single lump sum payment** calculated at 3% of the midpoint of their associated pay grade.
- This **increased pay rate will be reflected in the October 29 paycheck** as will any lump sum payments.
- An Appointing Authority may exclude employees from receiving the general increase due to a recent pay raise, a recent hire, active discipline, or other reason.
- In addition, the Unified Personnel Board approved a **2% upward adjustment to the pay plans** which the Board of County Commissioners adopted in the FY22 budget, to be effective October 10, 2021. **This is not a pay increase but does increase the minimum, midpoint and maximum of the pay grades.**
- You may view the **updated FY22 pay plans** online (see *LINK* below).

EXAMPLE

This example is for Pay Grade C18. Numbers will vary based on your current pay grade.

- The new FY22 midpoint for Pay Grade C18 is \$23.05 per hour.
- Multiply the midpoint of \$23.05 by the 3% general increase to get an increase of \$.69 cents per hour.
- Add the \$.69 cents per hour to the current hourly rate to learn the new rate.

LINKS

Pay Plans: www.pinellascounty.org/hr/pay-plan

We value your feedback! Please complete a brief [Customer Satisfaction Survey](#).

Pay & Classification

Pinellas County Human Resources

(727) 464-3367, option 2

www.pinellascounty.org/hr

Human Resources
Helping Us Succeed

All government correspondence is subject to the public records law.

EXHIBIT 9



EMPLOYEE POLICIES & PROCEDURES

UNIFIED PERSONNEL BOARD POLICY #10

Discipline Policy

County employment policy is designed to give each employee a full opportunity for work success. Discipline is a necessary part of a supervisor's role to remedy performance or behavioral problems.

There are several steps a supervisor should take to help ensure success and reduce the need for discipline. An effective selection procedure that matches the knowledge, skills, abilities, and behaviors of candidates with those needed to be successful in the position is a first step. Employees also need a meaningful orientation and appropriate on-the-job training. A positive approach accompanied by feedback through periodic performance discussions and reviews helps point employees towards success.

The Unified Personnel System strives to have a consistent, progressive, and fair system of employee discipline. Often the first step towards correcting performance or behavioral issues will be coaching. Coaching is communicating with an employee, listening to find out what the problem is, removing obstacles that are not under the employee's control, and offering encouragement and support. Supervisors should focus on communicating an expectation of change and improvement in a non-threatening way while, at the same time, maintaining the seriousness of the situation.

If coaching fails to effectively resolve performance or behavioral issues, counseling can be an effective next step. In counseling, the supervisor provides specifics concerning the problem, discusses them with the employee and seeks mutually agreed upon solutions.

Coaching and counseling are the expected methods for supervisors to confront an employee about a problem in the areas of work performance, conduct, safety, or attendance. The objective is to help the employee recognize that a problem exists and to develop effective solutions to it. Supervisors should keep notes on what was discussed in coaching or counseling sessions. Effective coaching and counseling will frequently resolve the situation.

When an employee fails to respond to counseling, or a single incident or behavior occurs which is serious enough to warrant a formal step of discipline, the supervisor has several options, depending on the seriousness of the problem. These options, or steps, of progressive discipline, in increasing order of severity, are:

- (1) Verbal Warning
- (2) Written Warning
- (3) Suspension*
- (4) Pay Reduction*
- (5) Demotion*
- (6) Dismissal

**Considered same level of discipline*

Discipline Policy

Disciplinary actions taken must be applied consistently, must be appropriate for the offense and must be timely. Details of the discipline process are contained in Personnel Rule 6. Discipline.

EXHIBIT 10

Rule 6. Discipline

A. Applicability and Purpose

This rule applies to employees in the Classified Service.

The purposes of this rule are to establish procedures for administering discipline and to recommend standard ranges of penalties to promote reasonable consistency in discipline. The level of discipline should be dependent on the facts and circumstances surrounding the behavior or performance issue. The impact of the behavior or performance, the totality of the employee's work record, and any mitigating or aggravating circumstances are relevant in determining the level of discipline administered.

B. Authority to Effect Discipline

1. Subject to the grievance and appeal procedures herein, the Appointing Authority or designee shall have sole authority to administer discipline.
2. Any Classified Service employee may be disciplined for just cause. The types of performance and behavior identified in the attached chart are deemed to constitute just cause. Other causes not specifically listed which in the sole determination of the Appointing Authority negatively impact the efficiency, morale, good order, and discipline of the workplace, or the performance of a department, office, or agency may also constitute just cause.

C. Disciplinary Actions

Discipline should be progressive in nature. Progressive means that more severe discipline is warranted if an employee continues to exhibit performance and behavior problems, whether similar in nature or not. Additionally, there are circumstances where a transgression is egregious enough to warrant termination with no prior discipline.

1. Types of Disciplinary Action, in increasing order of severity:

- a. Verbal Warning
- b. Written Warning
- c. Suspension*
- d. Pay Reduction*
- e. Demotion*
- f. Dismissal

*considered the same level of discipline

2. Procedure

The following procedure should be used when administering discipline.

a. Verbal Warnings and Written Warnings

Verbal Warnings and Written Warnings are levels of formal discipline that do not require a pre-disciplinary hearing. However, Warnings should be issued at a meeting with the employee. The meeting is the time to inform the employee of the factual basis for the discipline, explain expected corrective action and deliver the documentation of Warning. The employee shall be allowed to make comments

during the meeting.

Verbal Warnings and Written Warnings will be memorialized in a written document, the Warning, which should be given to the employee at the meeting. The document should include the factual basis for the discipline and the expected corrective action. The document should also inform the employee that additional performance deficiencies or behavior problems, whether similar or not, could result in additional discipline. The employee shall be required to acknowledge receipt of the Verbal or Written Warning by signing the document.

b. Suspension

Suspension is a period of time off work without pay. Suspensions require a pre-disciplinary hearing. Written notice of suspension shall be given to the employee. The notice shall include the factual basis for the suspension, the length and details of the suspension, and the expected corrective action. The notice shall also inform the employee that additional performance deficiencies or behavior problems, whether similar or not, could result in additional discipline.

c. Pay Reduction

Pay Reduction is a reduction in an employee's pay rate. Pay Reductions require a pre-disciplinary hearing. Pay reductions shall be limited to a maximum of five percent. Written notice of Pay Reduction shall be given to the employee. The notice shall include the factual basis for the Pay Reduction, the amount and effective date of the Pay Reduction, and the expected corrective action. The notice shall also inform the employee that additional performance deficiencies or behavior problems, whether similar or not, could result in additional discipline.

d. Demotion

Demotion is a change to a position in pay grade for which the maximum pay rate is lower than that of the employee's current pay grade. Demotions require a pre-disciplinary hearing. Written notice of Demotion shall be given to the employee. The notice shall include the factual basis for the demotion, identify the pay grade and pay rate of the position into which the employee is demoted, the effective date of the demotion, and the expected corrective action. The notice shall also inform the employee that future additional performance deficiencies or behavior problems, whether similar or not, could result in additional disciplinary action. Upon such demotion a probationary employee shall serve the balance of his/her probationary period and a regular status employee shall not be required to serve another probationary period.

e. Dismissal

Dismissal is separation from employment. Dismissals require a pre-disciplinary hearing. Written notice of Dismissal shall be given to the employee.

3. Pre-Disciplinary Hearings

Before issuing a Suspension, Pay Reduction, Demotion or Dismissal, the Appointing Authority shall provide written notice of his or her intent to administer discipline and offer the employee the opportunity to discuss the situation at a pre-disciplinary hearing. Such hearing shall be held by the employee's Department Director or that Director's designee. The notice shall include the factual basis for the discipline being considered and the just cause for the discipline and advise the employee of the date and time of the pre-disciplinary hearing.

The pre-disciplinary hearing is the employee's opportunity to be heard on issues related to the proposed discipline. Employees may be represented by a person of their choice at their pre-disciplinary hearing.

Pre-Disciplinary hearings may be conducted in the manner determined appropriate by the respective Appointing Authority.

D. Retention of Disciplinary Documentation

Discipline actions shall remain active for at least the minimum time specified below:

Type of Action	Minimum Time Active
Verbal Warning	6 months
Written Warning	9 months
Suspension, Pay Reduction, or Demotion	12 months

If the Appointing Authority has determined the problem necessitating the discipline has been corrected by the employee and additional performance or behavior problems have not occurred during the designated time frame, the Appointing Authority may request that discipline actions be inactivated. Even if inactive, all documentation will be retained as a part of the personnel file and available in accordance with Chapter 119, Florida Statutes. The determination of the Appointing Authority regarding inactivation is final.

E. Grievance of Discipline Actions & Appeals of Dismissal

1. Grievances

An employee may grieve disciplinary action, except dismissal, by filing a written grievance in accordance with the grievance procedure specified in Rule 7.

2. Appeals of Dismissal

Except as provided herein, a regular status employee may appeal a dismissal directly to the Unified Personnel Board by filing a written notice of appeal with the Director of Human Resources within 15 calendar days from the notice of the dismissal. An employee serving the initial one year probationary period may not appeal a dismissal.

Human Resources staff may advise the employees and the Appointing Authority of all rights and responsibilities in the appeal procedure but shall not act as a representative or advocate for either.

Conference for Probationary Employees: When incidental to the dismissal of a probationary employee, the Department places in the employee's personnel file any information concerning the employee which might be considered stigmatizing to future employers, i.e., termination for misconduct; and if the employee contends that the information is false, the employee may, in writing, demand a name clearing conference. If such demand is made, the Department shall provide the employee an opportunity to demonstrate the falsity of the information, and the burden of proof shall be on the employee. The sole issue to be determined shall be the truth or falsity of the information alleged by the employee to be false, and the decision shall not necessarily affect the dismissal.

3. Representation

The employee may, if desired, be represented by counsel or lay person during hearings conducted under the provisions of this Rule.

4. Unified Personnel Board Appeal of Dismissal Hearings

Employees appealing their dismissal under this Rule shall be provided a fact-finding hearing before the Unified Personnel Board at which both parties shall have the opportunity to be heard in person, to be represented by lay person or by counsel, and to introduce testimony and evidence. Board Hearings shall be conducted in accordance with the Unified Personnel Board's appeal procedures.

F. Suspensions Pending Judicial Review

When an employee has been indicted or has had an information filed against him or her for a felony, a misdemeanor involving moral turpitude, or any offense in which a conviction would adversely affect the efficiency or morale of the County Service, the Appointing Authority may, in his or her sole discretion, suspend that employee with or without pay until any such charge has been prosecuted to its conclusion. Written notice of suspension shall be provided to the employee.

In the event the suspension is without pay, the employee will be given an opportunity, either orally or in writing to present to the Appointing Authority reasons why the suspension without pay would be inappropriate.

At the conclusion of the charge, if the employee has been found guilty, has pled guilty whether adjudication is withheld or not, or entered a pre-trial intervention or similar program, the Appointing Authority may proceed with termination, in accordance with the procedure in Section 2.

In the event the employee has been tried and acquitted or the information or indictment is quashed or dismissed, the employee may present appropriate documentation to the Appointing Authority and request reinstatement in writing within 15 calendar days of the acquittal or other disposition of the case. This request must be made by delivering the request and documentation to the Appointing Authority. Failure of an employee to request reinstatement from the Appointing Authority within 15 calendar days of the acquittal or other disposition of the case shall be deemed a voluntary resignation of employment. Upon verification that such documentation is genuine and accurate, the Appointing Authority may reinstate the employee with or without back pay.

If the Appointing Authority does not reinstate the employee, the employee may, within 15 calendar days of denial of reinstatement, petition the Unified Personnel Board for reinstatement by delivering a written request for reinstatement to the Director of Human Resources. Failure of an employee to timely file such written request with the Director of Human Resources shall be deemed a voluntary waiver of the employee's right to seek reinstatement from the Unified Personnel Board and will be considered a voluntary resignation. Such resignations shall not be appealable.

Back pay is limited to wages and benefits lost during the suspension period, less sums from all other sources including wages or salary earned and monies received from any and all public assistance and unemployment compensation for the suspension period. The Personnel Board has no authority to grant pay. Only the Appointing Authority may grant back pay.

Disciplinary Guidelines and Disciplinary Action Ranges

Number	Infraction	First Level	Second Level	Third Level	Fourth Level
D1	Substandard quality or quantity of work.	Verbal Warning to Written Warning	Written Warning to 3 Day Suspension	3 Day Suspension to Dismissal	Dismissal
D2	Sleeping on the job.	Written Warning to 3 Day Suspension	3 Day Suspension to Dismissal	Dismissal	
D3	Failure to perform assigned duties.	Verbal Warning to 3 Day Suspension	Written Warning to 5 Day Suspension	Dismissal	
D4	The employee refused to answer questions from a superior or investigative agency relating specifically and directly and narrowly to the employee's official duties, after the employee had been warned that refusal to answer such questions could lead to disciplinary action and that statements made by employees under such circumstances were inadmissible as evidence in a criminal prosecution.	3 Day Suspension to Dismissal	Dismissal		
D5	Insubordination.	Verbal Warning to Dismissal	Written Warning to Dismissal	Dismissal	
D6	Excessive tardiness or absenteeism.	Verbal Warning to Written Warning	Written Warning to Reduction in Pay	Reduction in Pay to Dismissal	Dismissal
D7	Leaving work station without authorization.	Verbal Warning to 3 Day Suspension	3 Day Suspension to Dismissal	Dismissal	

Number	Infraction	First Level	Second Level	Third Level	Fourth Level
D8	Absence without authorized leave. <i>Note: Unauthorized absences from work for a period of three consecutive working days may be considered as the employee's voluntary resignation by the Appointing Authority and as such may not be grieved.</i>	Written Warning	3 Day Suspension	Dismissal	
D9	Intentional falsification of records.	3 Day Suspension to Dismissal	Dismissal		
D10	Misuse or destruction of property or equipment.	Verbal Warning to Dismissal	3 Day Suspension to Dismissal	5 Day Suspension to Dismissal	Dismissal
D11	Unauthorized use of County equipment or property.	Verbal Warning to Dismissal	3 Day Suspension to Dismissal	Dismissal	
D12	Violation of written rules, regulations, policies or statutes.	Verbal Warning to Dismissal	Written Warning to Dismissal	3 Day Suspension to Dismissal	Dismissal
D13	Negligence resulting in minor consequences.	Verbal Warning to Written Warning	Written Warning to 3 Day Suspension	Dismissal	
D14	Negligence resulting in serious consequences.	3 Day Suspension to Dismissal	Dismissal		
D15	Unauthorized distribution, solicitation, or sales.	Verbal Warning to Written Warning	Written Warning to 3 Day Suspension	Dismissal	

Number	Infraction	First Level	Second Level	Third Level	Fourth Level
D16	The employee engaged in a physical fight while on duty.	3 Day Suspension to Dismissal	Dismissal		
D17	<p>The employee is in possession of a deadly weapon on County owned or leased property or in a County owned or leased vehicle at any time, or in a personal vehicle while being used for County business except:</p> <ul style="list-style-type: none"> a. if specifically authorized in advance by the employee's Appointing Authority, or b. With regard to a firearm, is otherwise specifically allowed under Florida Statute §790.251. <p>Deadly weapon means any instrument which will cause great bodily harm or death when used in its ordinary and usual manner. For this infraction, deadly weapons include, but are not limited to: firearms, clubs, knives (other than a common pocket knife with a folding blade or an eating utensil), stun guns, brass knuckles, nunchucks, throwing stars, and other martial arts weapons.</p>	3 Day Suspension to Dismissal	Dismissal		
D18	The misappropriation of County funds, appropriation of County property for personal use, or illegal disposition of County property.	3 Day Suspension to Dismissal	Dismissal		
D19	Violation of County Alcohol and Controlled Substance Testing Policy for Commercial Motor Vehicle Drivers.	Dismissal			
D20	The employee has engaged in conduct unbecoming an employee of the County.	Written Warning to Dismissal	Dismissal		

Number	Infraction	First Level	Second Level	Third Level	Fourth Level
D21	Finding of guilty or plea of guilty or <i>nolo contendere</i> to an employment-related first degree misdemeanor, or felony whether adjudication of guilt is withheld or not.	3 Day Suspension to Dismissal	Dismissal		
D22	Finding of guilty or plea of guilty or <i>nolo contendere</i> to a misdemeanor or felony involving moral turpitude, whether adjudication of guilt is withheld or not and whether related to employment or not.	Written Warning to Dismissal	Dismissal		
D23	Finding of a violation of Pinellas County Anti-Harassment Policy after an investigation by the Office of Human Rights or an investigation done at its direction.	Written Warning to Dismissal	Dismissal		
D24	With a reasonable accommodation, the employee is incapable of performing the essential functions of the job position because of a mental or physical disability.	Demotion or Dismissal			
D25	Attempt to use political influence in personnel matters.	Written Warning to Dismissal	Dismissal		
D26	The employee has intentionally falsified a time record or made a false claim for leave, or failed to report absence from duty to supervisors.	3 Day Suspension to Dismissal	Dismissal		
D27	The employee, after employment, is found to have made a false statement in his application for employment.	Written Warning to Dismissal			
D28	The employee's conduct is offensive or antagonistic toward superiors, fellow employees or the public. The actions include but are not limited to verbal abuse, intimidation or the use of profane or obscene language	Verbal Warning to Dismissal	Written Warning to Dismissal	Dismissal	

Number	Infraction	First Level	Second Level	Third Level	Fourth Level
D29	The employee's conduct interferes with the proper cooperation of coworkers or impairs the efficiency, morale, good order or discipline of the workplace.	Verbal Warning to Dismissal	Written Warning to Dismissal	Dismissal	
D30	The employee required to maintain an active driver's license has had his or her driver's license suspended or revoked; or has failed to report a suspension or revocation to his supervisor by the next scheduled work day immediately following notification of the suspension or revocation; or has driven a county owned or leased vehicle or his or her own vehicle on county business after such revocation or suspension.	Demotion or Dismissal	Dismissal		
D31	The employee whose position requires the operation of a motor vehicle in the performance of their duties, fails to immediately advise of a conviction for violation of any motor vehicle law or ordinance for which more than three points are assessed pursuant to Section 322.27, Florida Statutes, or any conviction under Sections 316.193 or 316.1931, Florida Statutes (driving under the influence).	Verbal Warning to Written Warning	Written Warning to 3 Day Suspension	3 Day Suspension to Dismissal	Dismissal
D32	The employee has failed to obtain or maintain the required certification for their job position.	Demotion or Dismissal			
D33	The employee, whether on or off the duty, has engaged in employment or other activity which is inconsistent or incompatible with his or her assigned duties, functions, or responsibilities, or one that is in legal, moral, or technical conflict with such duties.	3 Day Suspension to Dismissal	Dismissal		

Number	Infraction	First Level	Second Level	Third Level	Fourth Level
D34	That the employee has violated Section 447.505, Florida Statutes, or any subsequent amendments thereto or any other related, applicable Florida Statute, or has induced or attempted to induce, or aided or abetted any employee of Pinellas County to engage in any strike or walk-out against Pinellas County or any organizational department or unit thereof.	Dismissal			
D35	Violation of Pinellas County Statement of Ethics	Verbal Warning to Dismissal	Dismissal		
D36	Failure to perform a reasonable amount of emergency work outside normal working hours when directed to so do by proper authority.	3 Day Suspension to Dismissal	Dismissal		
D37	During employment the employee fails to report to management that he or she was arrested by the first scheduled work day immediately following the arrest.	Verbal Warning to Dismissal	Written Warning to Dismissal	Dismissal	

EXHIBIT 11

From: Waldron, Beverly C
Sent: Wednesday, August 19, 2015 9:59 AM
To: Rose, Martin <mrose@co.pinellas.fl.us>
Subject: General Increases for Fiscal Year 2016
Importance: High

Good morning!

In anticipation of the Board of County Commissioners approving the 3% general increase/salary adjustment for Unified Personnel System employees, as promised we are sending you information regarding how this salary adjustment will be handled. The adjustment will be calculated and awarded in accordance with the guidelines listed

below. To ease the process, the HR Department will calculate the raises and provide the information to BTS for loading into the payroll system. Attached is a list of your employees who currently are expected to receive the adjustment. We have made note of those individual not eligible (interns, temporary employees and elected officials).

Raise Guidelines – if the salary adjustment is approved by the Board as expected

- Permanent and Probationary Classified and Exempt employees will receive a 3% salary adjustment effective October 4, which will appear on their October 23, 2015, paycheck.
- Employees for whom a 3% increase takes them above the new maximum for their pay grade will receive an hourly rate increase that will bring their salary to the new maximum. The remainder of their "salary adjustment" will be awarded in a single lump sum payment also on October 23, 2015. (Note: the maximums of the pay ranges will be adjusted upward by 2% on 9/27/2015.)
- Employees whose salaries are currently above the maximum will receive a lump sum payment calculated as 3% of the current maximum of the pay grade they occupy. The lump sum payment will be made on October 23, 2015.
- The salary adjustment will apply to permanent and probationary classified and exempt employees with a start date of no later than September 30, 2015, and who are still employed as of October 4, 2015. The adjustment will be applied based on the hourly rate and pay grade the employee holds as of September 30, 2015.
- As previously discussed, an Appointing Authority may elect to exclude an individual employee from the salary adjustment. Examples of reasons for exclusion are: recent pay raise, recency of hire, etc. Exclusion of an employee is at the Appointing Authority's discretion.

The attached list shows the current employees within your department, their job classification and current rate of pay. Please use column A of the attached spreadsheet to indicate any employee whom you wish to exclude from the 3% adjustment and the reason for the exclusion (i.e., new hire, recent raise/salary adjustment; etc.) and column B to indicate the reason for the exclusion. (Note: the data actually used by HR to make the calculations will be that as of 9/30/2015 and will reflect promotions, new hires, terminations, etc. so these changes do not need to be entered into the spreadsheet.)

In order to meet payroll deadlines and requirements, the list with the indication of exclusions must be returned to the Human Resources Department no later than 5:00 p.m. on Monday, September 21, 2015. If we do not receive a list from you, we will assume that you have no exclusions.

If you have questions, please contact me by email or at x43020.

Thank you!

Beverly

Beverly Waldron
Director Human Resources (interim)
Human Resources Department
Pinellas County Government
400 S. St. Harrison Avenue

EXHIBIT 12

Donnell, Ashley

From: Donnell, Ashley
Sent: Tuesday, December 21, 2021 3:31 PM
To: Donnell, Ashley
Subject: FW: FY2019 General Increase employee listing [CAO]

From: White, Jewel
Sent: Tuesday, September 25, 2018 5:09 PM
To: Grajirena, Valerie B. <vgrajirena@co.pinellas.fl.us>
Subject: FW: FY2019 General Increase employee listing [CAO]

From: White, Christopher M
Sent: Friday, September 21, 2018 3:25 PM
To: White, Jewel <jwhite@co.pinellas.fl.us>
Cc: Crowell, Don S <dcrowell@co.pinellas.fl.us>; Schoenherr, Holly J <hschoenherr@co.pinellas.fl.us>
Subject: FY2019 General Increase employee listing [CAO]

Good afternoon,

As a result of adjustments to the pay plans and in anticipation of pending budget approvals for FY19, we are seeking your authorization to award the general increase to your eligible employees. In order to facilitate the general increase for Unified Personnel System employees, we are providing you with a list of eligible employees within your organization, including job classification, current & proposed rate of pay, and lump sum if applicable, for your review.

Please indicate any employees that should be excluded from the pay rate adjustment and return by noon on 9/26/18. We will coordinate with BTS to load them into the payroll system with an effective date of October 1, 2018.

The increase will be calculated and awarded in accordance with the guidelines listed below.

- The hourly rate adjustment will apply to permanent and probationary classified and exempt employees with a start date prior to October 1, 2018.
- An Appointing Authority may elect to exclude an individual employee from the general increase. Reasons for exclusion may include: recent pay raise, recently hired, disciplinary actions, etc.
- Permanent and probationary classified and exempt employees will receive a pay rate

adjustment equal to 3% of their associated paygrade midpoint, effective October 1, which will appear on their October 19, 2018, paycheck.

- Employees for whom a pay rate increase takes them above the new maximum for their pay grade will receive an increase that will bring their pay rate to the new maximum. The remainder of their adjustment will be awarded in a single lump sum payment on October 19, 2018. (Note: the minimum and maximums of the pay ranges will be adjusted upward by 2% on 9/30/2018.)
- Employees whose hourly rate is currently at or above the new maximum for their pay grade will receive a single lump sum payment calculated as 3% of the midpoint of their associated pay grade. The lump sum payment will appear in the October 19, 2018, paycheck.

Do not hesitate to contact me if you have any questions.

Christopher White

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EXHIBIT 13

Donnell, Ashley

From: Donnell, Ashley
Sent: Tuesday, December 21, 2021 3:30 PM
To: Donnell, Ashley
Subject: FW: General Increase Process for 2021

From: Crum, Kimberly <kcrum@co.pinellas.fl.us>
Sent: Monday, September 20, 2021 5:18:24 PM
To: Blanton, Whit <wblanton@co.pinellas.fl.us>; Burke, Ken <kburke@co.pinellas.fl.us>; Burton, Barry <bburton@co.pinellas.fl.us>; Charles Thomas <cthomas@taxcollect.com>; Lorick, Jeffery <jlrick@co.pinellas.fl.us>; Marcus, Julie <jmarcus@votepinellas.gov>; Rohrs, Jeff S <jrohrs@co.pinellas.fl.us>; Twitty, Mike <mtwitty@pcpao.org>; White, Jewel <jwhite@co.pinellas.fl.us>
Cc: Loring, Jack K <jkloring@co.pinellas.fl.us>; Ciro, Maria <mciro@co.pinellas.fl.us>; Atwood, Brennan <batwood@co.pinellas.fl.us>; Belanger, Kim <kbelanger@co.pinellas.fl.us>; Catherine Bailey Noble <cnoble@taxcollect.com>; Closterman, Tim <ticlosterman@votepinellas.gov>; Estrada, Sue M <sestrada@co.pinellas.fl.us>; Jablon, Tina <TMJablon@co.pinellas.fl.us>; Klug, Della <dklug@co.pinellas.fl.us>; Lamb, Karen <klamb@co.pinellas.fl.us>; Leggett, Sandy <sleggett@pcpao.org>; Rosas, Yury L <YRosas@co.pinellas.fl.us>; Sellards, Peggy A <psellards@co.pinellas.fl.us>
Subject: General Increase Process for 2021

Good Afternoon, Colleagues:

In anticipation of pending budget approvals for FY22, I wanted to provide a reminder regarding the process for how the general increase is applied. The increase will be calculated and awarded in accordance with the guidelines listed below.

To expedite the process, Human Resources will calculate the raises and provide the information to BTS for loading into the payroll system prior to October 10, 2021.

Process

- The hourly rate adjustment will apply to permanent and probationary classified and exempt employees with a start date prior to October 1, 2021.
- In keeping with prior years, an Appointing Authority may elect to exclude an individual employee from the general increase. For example, some employees might be excluded due to: recent pay raise, recently hired, disciplinary actions, etc.
- Effective October 10th, permanent and probationary classified and exempt employees will receive a pay rate adjustment equal to 3% of their associated paygrade midpoint, which will appear on their October 29, 2021, paycheck.
- Employees for whom a pay rate increase would exceed the new maximum for their pay grade will receive an increase that will bring their pay rate to the new maximum. The remainder of their adjustment

will be awarded in a single lump sum payment on October 29, 2021. (Note: the minimum and maximums of the pay ranges will be adjusted upward by 2% on 10/10/2021 concurrent with the application of the general increase).

- Employees whose hourly rate is currently at or above the new maximum for their pay grade will receive a single lump sum payment calculated as 3% of the midpoint of their associated pay grade. The lump sum payment will appear in the October 29, 2021, paycheck.
- The week of Monday, September 20th, Human Resources will provide you with a spreadsheet listing the permanent and probationary classified and exempt employees within your organization, including their job classification and current rate of pay.
- By Friday, October 1, we will need to receive your confirmation of any employees that you wish to exclude from the pay rate adjustment associated with the general increase. **Given the tight turnaround, I ask that you begin to think about any criteria that you plan to implement regarding exclusions.**

Of course, you are welcome to call me with any questions.

KC

Kimberly R. Crum, SHRM-SCP

Director

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EXHIBIT 14

Speaker	Comments
	<p><u>Present:</u></p> <p>Ricardo Davis, Chair Keith C. Dekle, Vice Chair Andrea S. Daggett James Dates Bill Shultz Joan M. Vecchioli, Esq. Ron Walker</p> <p><u>Others Present:</u></p> <p>Peggy Rowe, Former Director of Human Resources Michelle A. Wallace, Senior Assistant County Attorney</p> <p>Other Interested Parties Lynn M. Abbott</p>
Audio	Working
	Convened at 6:35 p.m.
	Three documents distributed by staff – Current Rule, New Rule/Policy; Unified Personnel System, Housed for Uniformity; Peggy Sellards’ email dated 9/15/2015; Personnel Rule Revisions
6:35 p.m.	Meeting convened at 6:35 p.m.
Chairman Rick Davis	We’re about ready to get started. I understand that Beverly is not with us today because she had a death in the family. I was not aware of it, so I just wanted to make sure that the other Board members are aware.
Davis	We’re going to try to move through this as easily as possible. I know we have a ton of information to look at, and we have some input from – Dekle has some input, and I think Laura has some input.
Davis	I think maybe, unless there’s a better suggestion, what we might try to do is go rule by rule, and then determine whether or not the changes that are significant enough for us to spend any time on it. If the Board wants to just move on to Rule 2, we will, but if you -- obviously, if you have something you think needs to be ruled, that you think we need to spend some time on it, we will.
Keith Dekle	There are two ways to approach it. Okay? We could start the old rule and go down the old rule and then find where that is in the new rule and check the difference.
Dekle	The other way we could do it is start with the new rule and see if there’s anything we feel is missing and see if we can find it in the old rules.
Dekle	Now, I took the first approach, so that’s the one I’m set up for.
Davis	Well, you probably know more about it than all of us.
Dekle	It’s brutal. One other question, Mr. Chairman, before we start, we’ve got legal representatives here, EAC representatives here. Although they’re not involved in this meeting directly, could they --

Davis	Yes, absolutely.
Dekle	Could we allow them to speak if they feel it's appropriate, just by raising their hands or something?
Davis	Yes. I recognize that there's -- there's another meeting of the legal that we have planned tomorrow. Is there another one in October?
Charles Toney	Yes. We've got a regular representative meeting tomorrow, and then we've got a meeting with the Appointing Authorities.
McGrane	October 16th.
Davis	So we'll talk about it later. But what we're hoping is that we get all of that input before the Personnel Board takes any action, so that's kind of what we were planning, just to let you know. And at the workshop, we will entertain any comments or observations that you all might have so that we --
Davis	I think the purpose of the workshop is just so that the Board can be aware and familiar with the proposed changes and that both -- all of the interested parties have a chance to share what information we should consider, but we're not going to take any votes or action tonight. So this is more educational information than anything else. Yes?
Joan Vecchioli	Mr. Chairman, just for my own edification, what was the origination of this document that's sitting on our table with the yellow highlights?
Peggy Rowe	And I can, if you'd like -- Peggy Rowe, former HR Director --
Davis	Peggy is here, and I'm thankful for her presence. I know she has spent a lot of time working on these rules. We did ask her, and she gratefully agreed to come back and share any input that she might have.
Rowe	Yeah, and just as a -- as you might recall, the Appointing Authorities and I, as a Body, as well as individually, met about the rule changes several times as has Beverly Waldron met with the Appointing Authorities subsequent to my departure and asked if there were any comments. And one day, I believe, at the end of last week, Mr. Loring submitted some comments, and that's what you have before you as well as the comments that Mr. Dekle shared with Beverly are also before you since he wasn't able to share those with you.
Vecchioli	I'm sorry. The first name? I didn't hear you.
Rowe	Jack Loring from the County Administrator's Office.
Vecchioli	Got you. Yes, okay.
Dekle	He's the guy with no hair over there.
Loring	It's there. You just can't see it.
Rowe	And the other thing, if I may, Mr. Chairman, there is a -- which I don't know if you have it before you, but at one point, you might have had a cross-log that gives you where the old rules are and the new rule because you can't really do a side-by-side, red-line approach. At this point, it would be pretty impossible to do it that way. But if you would like copies of this, I could --
Carol Barkalow	Does anybody need copies?
Davis	I need a copy of that.

	(Multiple speakers.)
Dekle	Peggy, It took me four-and-a-half days to do that.
Rowe	Right, which is why I would suggest
Dekle	Absolutely brutal.
Rowe	Yeah, that was the reason for suggesting that you take the current rule that you have or the proposed rule that you have before you and feel comfortable that it covers what it needs to cover in the context of the Act and your wishes as a Board, rather than try to say, oh, well, these four rules are now part of this rule.
Rowe	It would be four days-plus to do that.
Dekle	You're right. It's much faster to do that. The difficulty is some of the changes have been deletions,
Rowe	Have been – I'm sorry?
Dekle	Deletions --
Rowe	Right.
Dekle	--these that have been removed from the new rule.
Rowe	Right.
Dekle	And you don't recognize what the loss is, what has been removed, until you go through the old rules, so I think it'll be a -- maybe a hodgepodge effort. I did it the hard way, so --
Vecchioli	And is this still an accurate -- the highlights, the proposed rules revision highlights, I think, that your department prepared? It's kind of this – this front and back is an overview of all of the changes?
Berkowitz	Yes. They're primary changes, exactly. And these that you have here were received by Human Resources after we had already emailed you the new --
Vecchioli	Yeah. Okay.
Berkowitz	-- proposed rules.
Davis	And let me also mention one other item. This is mostly for the Board members. My understanding is that the appeal that would have been scheduled for next month's Board meeting has been withdrawn, and it's another light agenda.
Davis	And in light of the fact that the EAC and the Appointing Authorities will not meet on these proposed rules until later on in October, one thought is to cancel that meeting and make it after both EAC and the Appointing Authorities have had an opportunity to have their meeting on these proposed new rules and then have it come back before the Board.
	What's your feeling about that?
Dekle	Meeting before? Oh, it's after? Okay.
Berkowitz	The 16th.
Davis	Yeah. It's the 16th of October.
Dekle	As long as we don't have any pay and class change.
Davis	I don't know that we do. I was just told that except for the appeal, which has been withdrawn, it was a light agenda. I'm not sure what that means, so may --
Berkowitz	We don't have an agenda yet.
Davis	Okay. Well, what we'll do then is let's see – let's make sure that there's nothing important in that agenda, and then we'll make a decision about cancelling that meeting.

	And if we – yes?
Dekle	One thing we might include is a continuation and afterthoughts from this meeting, discussed at the regular Personnel Board meeting and make use of that time and venue.
Davis	So you're saying have the regular meeting next month and then have a subsequent meeting after October 16th?
Dekle	No. I believe we could make one of the agenda items at the October meeting to be the continuation and any afterthoughts.
Davis	The regular October meeting you're referring to?
Dekle	Yes, sir, based on tonight's meeting.
Davis	So it would be a – yes. I'm sorry?
Vecchioli	Perhaps we can defer that decision to the conclusion to see how far we get.
Dates	See where we get tonight, yeah.
Davis	Okay. All right. With that said, let's just go down and take it rule by rule then. Does everyone have – sir?
Dekle	The first item I have, Mr. Chairman –
Davis	Yes?
Dekle	--the definitions were deleted. The definitions that were Rule 1 in the old document have been deleted from the new document.
Davis	I see that.
Dekle	And my understanding, it's common practice in law that all of the statutes, the first part of the statute is definitions. I talked to an attorney about it, and he said, yes, that's true.
Dekle	And I know based on my personal experience, having dealt with EPA and all of their rules and regs for my entire career, in the federal register when they come out with a new rule, the very first part of the rule is the definitions. And you'd say, well, why you need to do that? Look them up in the dictionary, silly. Well, the reason is that those definitions are specifically aimed at that document, at that rule, at that law. And I feel that to delete them out of here and put them someplace else such as on the web or just as an anecdote someplace where they could be changed without the Board's knowledge would be – would allow a definition to be changed, which potentially could alter the meaning and impact of a rule.
Davis	I'll let HR speak, but my understanding was that there would just be rules – I'm sorry.
Vecchioli	Yeah. I was just going to respond -- but they can correct me if I'm wrong -- that they weren't eliminated, Keith. They were just moved so that the definitions were in the context of each of the rules in which they pertained as opposed to a summary at the beginning. I didn't cross-check to see that each of them found a home somewhere, but I think that's probably a little bit more efficient in terms of being user friendly –
Dekle	I agree.
Vecchioli	-- to have the reference. So it's not anything -- I don't think -- that's not set in stone or that's subject to change. It's just really a form of a substance issue.
Davis	Right, right. Yes?
Carole Sanzeri	Actually, just so everyone's clear, the goal was to put definitions that were necessary to the interpretation and application of the rules and to the rules where they would be

	used.
Sanzeri	However, certainly a majority of – and I shouldn't say a majority – certainly, many of the definitions -- because I don't know if it was a majority. I didn't count them -- that were in the definition rule, were completely eliminated. And the reason for that is many of the definitions that were in the definition rule were never utilized again, to my knowledge, in the rest of the rules, so they have no purpose. So just -- they did not find a home. I just wanted to be clear that everyone understood that.
Dekle	As I went through the two documents, I didn't find all the definitions included in there. Maybe I didn't have a check list, but I was just more comfortable with having a listing of the definitions. And I'd also make sure -- although if they're all included in the rule, the point I'm about to make is moot. If they are a rule, then they cannot be changed without Personnel Board action,
Davis	That is correct.
Dekle	-- which is one of my big concerns is all. So, personally, I think we should give some consideration to putting them in or making a concerted effort to make sure that all of the definitions have, in fact -- you know, like a checklist, have, in fact, been included in all of the new rules appropriately, and that they're clear, that is, a definition is given rather than just the use of the words.
Vecchioli	Would you give us a list of the items that were removed completely?
Carol Barkalow	Well, HR could.
Vecchioli	I mean would that satisfy you? Because if they're not used, there's no sense defining a term that doesn't appear in the body of your document.
Davis	Agreed. So it sounds like what we need to do is just to make sure that we -- (Multiple speakers.)
Berkowitz	If they were used in here, they were defined.
Davis	Right.
Berkowitz	Then that's the case.
Davis	Is there a way to maybe develop something that assures us that we didn't --
Vecchioli	We didn't scrap something inadvertently? (Multiple speakers.)
Rowe	But if I may make a suggestion, the current Rule 1, which is -- I don't know if you have the old rules in front of you, but it is on the website. Rule 1 has those definitions, so, you know, as you look down that rule as you're pondering, you know, through this rule -- these rules, you can look at the types of things that are defined here and determine whether they apply in the new rule and whether it's sufficiently defined in the rule.
Rowe	For example, this list, Anniversary Date, Appointing Authority, Classification Plan, Comp time, Demotion, Department Head, Eligible Register, Employee in a non-pay status, grievance, grant worker, job classification, job title, layoff, layoff section -- this kind of lists everything that's used in the rules, in all 28 rules whereas, as Carole just said -- both Carols just said, in the new rule, we try to define that as we go along.

	<p>(Multiple speakers.)</p> <p>If you're looking at this and you say, oh, well, I don't know, what does members of the County service mean, then that may be something you want to write and say do we need to define that.</p> <p>(Multiple speakers.)</p>
Davis	Yeah, I think the only question is whether or not, by accident or otherwise, we may have inadvertently got rid of some rule that doesn't appear where it should. So I think if we just assure ourselves of that, I think that will hopefully satisfy the concern that Mr. Dekle proposed.
Dekle	Okay. What poor person is going to get subjected to that task?
Dates	I'm not.
Dekle	Any volunteers?
Davis	I'm assuming that HR can probably provide us that assurance by just double-checking to make sure that we didn't lose any of the rules that should apply, any definitions that apply to the rule.
Barkalow	Yeah.
Davis	So they'll come back to us, and hopefully give us their assurance.
	Any other items with regard to Rule 1?
Dekle	There's one other missing item that I'd like for you-all to consider. It's never been in the rules before, and that is -- horror of horrors -- an index. So the back of it -- the back of the rules, all of the rules, if you're looking for some particular item, you can go look up that word in the index and find all the pages that it's used on. That's not imperative to the rule. It's a huge task unless this is in Word. If it's in Word, it's not so bad, but -
Vecchioli	I would think that the computer technology now, that it would be a searchable -- would it be a searchable task?
	(Multiple speakers.)
Berkowitz	Yes.
Vecchioli	So you don't really need -- I appreciate what you're saying, but we don't need the old fashioned index anymore, right?
Berkowitz	Right.
Dekle	But something we can refer to is all I'm saying.
Berkowitz	Key word search.
Vecchioli	Well, you have a -- don't we have a table of contents?
Andrea Daggett	Yes.
Dekle	Yeah, but you can't --
Davis	Yeah.
	(Multiple speakers.)

Vecchioli	It's a searchable -- it's a searchable Word document. I don't think it's necessary for someone to manually create it. I mean that would be an impossible task unless the computer could do it.
Daggett	Word can do it, but I think the usefulness of it is that you want us to read it in context in the particular section. If you get into a key word search, you might see some term like applicant that's been, you know, used in multiple ways. I'm not sure if we need to cull it out that way because the technology is kind of taking us to a more efficient place. It's kind of (inaudible).
Davis	Any other observations with respect to Rule 1 before we move on to Rule 2?
Rowe	May I just clarify?
Davis	Yes.
Rowe	We'll say it just, so Peggy can -- then Peggy can let Beverly know. We're not including an index. Or can you-all make a decision about that by consensus or -- (Multiple speakers.)
Davis	Yes, but I've got other --
Dekle	You can't search this document because all we have access as the public is to a PDF document.
Clare McGrane	The PDF is searchable. I've done that online. (Multiple speakers.)
Dekle	Not to me.
Bill Shultz	I'm doing it now.
McGrane	I've done it online. (Multiple speakers.)
Dekle	Have you?
McGrane	Ah-huh, the current -- (Multiple speakers.)
Shultz	I'm doing it right now. It works fine.
Dekle	It just seemed like it would be a good tool.
Davis	Rule 2, Recruitment, Selection, and Examinations.
	Any comments, any -- feel free to let us know if we are on a rule or draft and there's something you would like to say about that. I just want to make sure we don't miss you.
McGrane	Thank you for that.
Dekle	On page 2-b-i-d.
Berkowitz	Excuse me, sir. Are you using the new Rule 2 or the old Rule 2?
Dekle	Of the new rules.
Berkowitz	Oh, the new rules. Thank you.
Dekle	On the old rule, it's Rule 3-c-g-1. It's a poor sentence, but the -- I just need clarification. The old rule said five working days. The new rule says ten calendar

	days. Now, those are the same or a little more, right?
Berkowitz	If I may discuss that, there are some folks who had four ten-hour days, so their working days are -- not everybody working the same thing. So to avoid that confusion, we thought calendar days. Everyone agrees upon.
Dekle	Okay. Thank you.
Vecchioli	I'm sorry. I missed your cite, Keith. Where were you?
Berkowitz	Working days.
Dekle	Working days. It's on page 2. This says --
Vecchioli	D?
Dekle	D, as in dog. The second sentence says in excess of ten consecutive working days.
Vecchioli	Got you.
Dates	That working days actually makes sense.
Dekle	And I thought we were --
Vecchioli	-- changed to calendar days?
Berkowitz	Should be calendar days.
	(Multiple speakers.)
Wallace	Should it be calendar days?
Dekle	That's what I thought.
	(Multiple speakers.)
Rowe	We need to make a correction there. In this particular instance where it relates to a probationary period status, it is ten consecutive working days. Shall have their probationary period extended for the amount of time that such an act has exceeded --
Vecchioli	Right, right.
Dekle	So it's not a time restriction like in some of the grievance specifics?
Rowe	Right. And you'll see a change in that as well. That has to do with calendar days to eliminate the issue that Laura was talking about with who works what days and the parks are open and all of that.
Rowe	But this context is for the extension of a probationary period, consecutive working days.
Davis	Any other comments, observations on Rule 2?
Dekle	Yes.
Davis	Yes. I'm sorry. Go ahead, Mr. Dekle.
Dekle	Just as an item of interest, on page 3, the first sentence at the top of the page, I'm not sure why that statement is even there.
Dekle	At any point, prior to the end of the employee's probationary period, the Appointing Authority may remove the employee from probationary status and place them into regular service. I mean why is that even there?
Rowe	Because it is the option of the Appointing Authority to do that, but it's rarely exercised. But you could -- rather than having the employee complete the one year, you could say, you know, you're doing great things, I'm happy with your time here, your performance here, I'm taking you off probation now, which gives that employee the rights that a regular-status employee would have, rights of appeal and those kinds of things.
Rowe	And, again, it's rare. In fact, I could probably count on one hand the times it's ever

	happened, but it does occasionally happen.
Dekle	Okay.
Vecchioli	Mr. Chair, to what extent are we entertaining Jack's comments as we're going along? I don't really --
Vecchioli	I'm trying to figure out are they -- are we commenting on that, or is that just something that -
Davis	Well, we certainly can. It's been submitted to us.
Vecchioli	Because I'm trying to see if there are issues that we need to discuss. (Multiple speakers.)
Loring	As it relates to Rule 2?
Vecchioli	Yes.
Loring	Yeah. I had a couple of things that I noted on there, the first being a transfer. The mention of a transfer in polling positions is a little different than what's provided later in the document under another rule. And that what's missing is that for the lateral transfer, not only should it be a classification in the same pay grade, but the minimum qualifications and the duties of the job should also be similar.
Loring	So with those two different references and two different -- not real definitions -- but descriptions not matching, I think that's going to be confusing.
Rowe	Yeah. It would have to -- actually, it should actually be the same pay grade and the same classification because it's not really a transfer unless it's the same classification.
Vecchioli	So you agree with his comment?
Rowe	So what I would recommend, unless I missed Carolyn's --
Berkowitz	--is in the same pay grade and the same classification.
Rowe	Peggy is taking copious notes -- or Carolyn.
Berkowitz	Well, and Peggy is, too, as a backup. We both are.
Vecchioli	Okay. So that's an "and" for that --
Rowe	It would have to be the same classification in order to be a transfer.
Dekle	Could they be combined?
Rowe	Yes, because if it's the same classification, it will be the same pay grade.
Davis	What about the C3, intern position?
Loring	My note there was just to draw the difference between what was missing here about the temporary positions under b regarding appointment of temporary positions not matching. Some direction is actually provided in the class specification when we hire a management intern. The terms are a little different. The management intern, it talks about a number of hours that the intern completes versus a duration in time.
Loring	So a management intern, they've got 1,040 hours to complete, which may take them eight months whereas a person working full-time for 1,040 hours, that's going to be six months. So there's a little -- a differentiation between what we have under temporary positions versus what's provided in some direction on our class specification for management interns, which are, by the nature of the job, temporary.
Davis	Any comments from HR?

Rowe	I'm looking at it.
Rowe	I will probably – I would recommend that Beverly take that back and look at it. There was some rationale and reasons in the past that may not exist anymore with regard to the number of hours that an intern could work to be categorized as an intern. That may have changed, so I would suggest that you just ask Beverly to take another look at that.
Dates	I'm thinking it matches kind of an educational – (Multiple speakers.) --because we use a lot of interns, and we base their time on hours, not on days.
Rowe	Right, and that's my recollection, too, that there was specificity around the number of hours to be considered an intern as it relates to a partnership with the schools. But if it is confusing, then we need to clarify it.
Davis	Okay.
Vecchioli	Now, I was just going backwards for a minute. I'm assuming Rule 1 is a typo, but on my copy, it's right. So was that done after you got his – it says change "though" to "through."
Rowe	Yeah. That's been noted on this copy that I have.
Vecchioli	So that's already been done?
Rowe	I don't know. Has it been done? We have noted it that it needs – (Multiple speakers.)
Vecchioli	--because my copy has it scratched through – (Multiple speakers.) Unless I'm reading the wrong reference, it says through the Director of Human Resources, right?
Rowe	Yeah. I think the more recent one you received should have it, yes.
Vecchioli	Okay.
Davis	Okay. I'm going to go back because I thought I missed something in the beginning of that Personnel rule change that Mr. Loring submitted. There's a comment about an EEO statement and why isn't it included.
Sanzeri	It should be.
Rowe	It should be.
Sanzeri	Yeah, it will be.
Vecchioli	So where will we put that?
Berkowitz	Right in the beginning.
Vecchioli	Okay.
Davis	Okay. Any other comments or observations, Rule 2? We'll go to Rule 3.
Dekle	This will come up several times. On the first page, Rule 3 under a-1, the second paragraph, the Director of Human Resources shall prepare and present the Classified Employee Pay Plan to the Unified Personnel Board for adoption. And the word that has been used previously and has been deleted in numerous places in the document is

	“for Personnel Board approval.” And I would like to retain that; otherwise, it could give someone the impression that the Personnel Board doesn’t need to improve (sic) anything. The Personnel Director can just go out and do whatever they want. And I just objected to that. I’m sorry. Go ahead.
Vecchioli	Can you cite me where you’re talking about again?
Dekle	This one is on page 1 of Rule 3-a-1, the second paragraph. In this case, it’s the second line.
Vecchioli	Oh, for adoption?
Dekle	The Employee Pay Plan to the Unified Personnel for adoption, and it should be for approval; and there are numerous places throughout the Rule where the statement in the old rule would be “it was submitted to the Personnel Board for approval” has been deleted entirely as if there’s no specification that the Personnel Rule has anything to do with it. (Multiple speakers.)
Daggett	Is it implied, adopted, and approved? (Multiple speakers.)
Berkowitz	I think it’s implied that it’s the Personnel Board will adopt it and they have the discretion to adopt it or not.
Rowe	Right. It can’t be implemented or used by anybody until the Board adopts it.
Dekle	So you’re saying the adoption and approval are synonymous?
Berkowitz	That’s correct.
Charles Toney	We’ll have to put that in the definitions. (Multiple speakers.)
Sanzeri	--it’s really a level of commitment.
Davis	Okay. If we’re through with that, I think Mr. Loring also submitted a comment on Rule 3.
Rowe	Oh – no. Go ahead.
Dekle	The next place it comes up is just the next number down, No. 2, Exempt Pay Plans. This is a case where in the last sentence -- “The exempt pay plan for the Appointing Authorities of the UPS who are not constitutional officers is recommended by the Director of Human Resources and adopted and maintained by the Board of County Commissioners.”
Rowe	Right.
Dekle	I understand that’s true. But does this mean that the Personnel Board has no input, no responsibility?
Rowe	Correct. (Multiple speakers.)
Dates	And no budget.
Dekle	And what?
Dates	You have no money.

Dekle	We don't have any – (Multiple speakers.)
Wallace	-- have no authority over the exempt.
Sanzeri	Yes, yes.
Rowe	Other than establishing the classifications with exempts, you have no authority over their – over – (Multiple speakers.)
Sanzeri	Well, you have no authority over their hiring This is not a change for their hiring, and they're hired at the pleasure and discretion of Appointing Authorities. It's part of the hiring. This is not a change; it's just the way it's explained in the change. But the substance of this is not a change; this is what has been happening. The BCC has been adopting and maintaining. If it's a pay plan, you may look at old actions where it was also told to the Personnel Board. It shows up in some of them.
Davis	As information.
Vecchioli	Yes.
Sanzeri	Well, it wasn't specified that it was, but it -- so it may be confusing, but, yeah, you didn't have the authority to deny it or approve it. You heard it when you heard the classified for consistency, I believe. I don't want to assume what it was done for.
Sanzeri	And subsequent to that, it went to the BCC, and the BCC would actually vote and take action.
Dekle	Well, this is an issue that's going to come up repeatedly. I mean the Personnel Board is responsible for establishing pay and classification systems.
Sanzeri	For the classified service.
Daggett	Right, for the classified service.
Dekle	It also includes the exempts because in the Personnel Act, it says that the Personnel was the --
Vecchioli	What?
Dekle	Maybe it was one of the rules. I'm not sure. I'd have to dig it up again. But it says that the Personnel Board can create or abolish the classifications in the exempt employees with the Appointing Authorities' agreement. So there's a mixture here that -- I understand your perspective. I've heard it, and I know exactly where you're coming from. I just want to be sure that we as a Board don't do something tonight and down the road that changes or makes the Personnel Board a less effective body. It's been doing fine for almost 40 years. And, here, we've taking a very audacious step in looking and revising all the Personnel Rules, and that's potentially a risky thing to do. You can hurt yourself as well as help yourself when you do that, and I'm just concerned that the Personnel Board retain its integrity, its authority, and its responsibilities and not inadvertently or intentionally give those up. That will never come up again, I guess.
Davis	Yes?

Sanzeri	I think what you're referring to are the creation of exempt positions by the Board.
Dekle	Of the what?
Sanzeri	The creation of exempt positions by the Board. I think what you're referring to is the language in the Special Act. It is the Personnel Board that creates the exempt positions. There were some already created when the Act was developed; they were independent.
	And the Act does say that the creation of new positions are within the purview of this Board but that the hiring Authority is not with this Board. But, again, just for the Board's information, this description of how the exempt's pay plan is adopted is not assessed to the same --
	(Multiple speakers.)
Dekle	Just to give you a quote, "The Personnel Board may establish new exempt positions or abolish existing exempt positions upon recommendations of the appropriate Appointing Authority."
Rowe	Right, and that's what Carole just said.
Sanzeri	Correct. That's what I was just saying. What you were referring to about creating the positions in the exempt service is in the Personnel Act. I was agreeing with you. I was agreeing that that's where it was.
Rowe	And those do come to you for establishing when it's a new classification. Those do come to you in the information packet that you get at every meeting that talks about what's been done that was delegated to the Director. Those do come to you. What doesn't come to you is how that affects the – how that impacts the salary range of that employee because you can establish the position, but you don't establish or adopt the pay plan for exempt employees. The Tax Collector, the County, the Clerk of the Court, the Property Appraiser, Supervisor of Elections can hire at will their executive staff and pay them pursuant to what they identify as the appropriate salary for those people, and those never come to the Board. They have never come to the Board.
Loring	I guess another way to think about it is the exempt plan, let's say, that's a framework of pay grades. What comes to you is a new exempt position is being created and along with that creation is a pay grade allocation, where it fits into that framework, and you're approving or reviewing those types of items. Where does that job and the creation of that occupation fit into that framework?
Davis	I think you'd hire field positions, but the plan itself, which is a different decision, that's the purview of the Board of County Commissioners.
Daggett	So it's a sliding task, and it's within skills in purview of how the system should operate; and these other issues are, you know, on the side.
Davis	Okay. I don't want to miss Mr. Loring's comment on Rule 3. I think the whole – I'll let you speak.
Rowe	The hiring under the minimum, was that the – (Multiple speakers.)
Davis	(reading from the rule.)

Rowe	So I'm not sure what the -- I mean it's the Board's discretion if you want that introductory paragraph to be eliminated. I'm not sure that it -- I think it's more helpful than harmful to have it there just so that you have some basis on which to make your salary decisions and the kinds of things that you would consider.
Rowe	As for the hiring under the minimum, again, it's one of those very rarely -- rarely is it done, but, occasionally, we have someone who is in a trainee type of position or an intern in a position or something like that and you might, under a certain circumstance, bring them in at a lower salary. And, again, I don't even know that I can name a time when that was done, but it gives you the latitude to do that in special circumstances.
Daggett	So do we need to answer the question why? I mean give a specific trainee possibly a rarely used, something like that?
Rowe	Or an example of why that might --
Daggett	Yeah. I mean it's just the option, sure. It doesn't mean it's executed.
Dates	Can we also get an example of when it's been done? Because if it hasn't been done, then why have it.
Jack Loring	I'll give you my -- I guess the reason why I ask these questions, in terms of the starting pay, the classified pay plan features a market-based pay structure. So in those pay structures, the mid-point represents the market rate for someone in that occupation. So people who are starting at the minimum would be your minimally qualified newbies in that particular occupation. Hiring someone below the minimum, to me, means that they don't meet those minimum qualifications. We do have a trainee classification. Someone could be hired in as -- you call it the trainee. So there's really no need to hire someone below the minimum because that trainee role, universal in our system, can be set for any job.
Rowe	And that is true what Jack is saying. However, that's one of those things where there's no harm in having that caveat for the Appointing Authority who wants to exercise it.
Rowe	So if the County Administrator chooses never to exercise it, then they would just bring their people if they're an intern or minimally qualified in at the minimum whereas the Clerk might say, you know what, I've got ten new people who are permanent employees hired at the minimum. I'm bringing somebody in as a trainee to come and learn the position. I'd like to bring them in (inaudible). So it just gives them the latitude --
Davis	Let's give them the option.
Rowe	But I could ask Beverly to revisit that with the Appointing Authorities if that's the wishes of the Board, or Peggy could ask her.
Davis	Or -- okay. I guess I was allowed to ask the question whether -- besides Mr. Loring's observation, whether there's been any comment by any of the other Appointing Authorities.
Rowe	No, sir. These were well-vetted, and all of the Appointing Authorities spent a great deal of time both with myself and with Beverly to talk through these and vet these

	pretty thoroughly. So their comments were provided and considered at the point that you got your copies, and then we got the information from the County Administrator's office a little later.
Rowe	But that doesn't mean we shouldn't go back and revisit it, but we certainly can do that.
Vecchioli	This relates to the introductory paragraph. That's why I'm bringing it up now and am just going to pose it to HR Counsel.
Vecchioli	With the language about not making improper deductions, is there included anywhere in the rule the issue about any safe harbor language that the Department of Labor recommends in terms of bringing if you feel --
Sanzeri	That's what this is intended to be --
Vecchioli	But does it --
Sanzeri	--one of three, is it whether it should be beefed up?
Vecchioli	I think so. I'm only suggesting it because I think to give them the affirmative duty, if they feel an improper deduction has been made, to bring it, you know, to the department's attention. It gives you a little bit of a safe harbor in the event of an exempt employee --
Sanzeri	Sp why don't we revisit the Department of Labor's recommendation in conjunction with our current wording and bring back a recommendation at the next meeting? Will that suffice? And then you guys could see if that's satisfactory?
Vecchioli	Yeah. Okay.
Davis	Okay. I'm good with that.
Lisa Wombles	Mr. Davis?
Davis	Yes?
Wombles	<p>On 3 in the current rules, there's a latitude on the promotions and the merit pay. And in the new rules, that you've pulled a correction without a percentage or a number of pay grades up and down as to what the decisions you made. It's like a merit increase may be granted annually at the discretion of the Appointing Authority but may not be granted at the maximum pay rate.</p> <p>Now, we all know as employees, that merit increases only happen if they've got money. We understand that. And there's no system yet as to how those merit increases can happen. But with the promotional increases, there are right now. And, right now, there's a rate as to going up two pay grades from one pay grade, etc.</p> <p>But this here is basically giving them the authority to increase it as much or as little as they want depending on the person's job. It's not detailed. And, yes, they might want to give them more than raises could currently right now, but maybe they don't want to give as much. So there's nothing there to give them a standard to go by. It's just a "whatever" in this item. So the EAC has a concern over that.</p>
Davis	Is your concern the amount that they may, if by discretion, grant them above the minimum or --
	(Multiple speakers.)
Wombles	No. Let me give you a little history. I think that Peg will agree with me. This was a

	<p>few years ago. We went through the rift that the promotions were decreased. Because a few years back, they were way more than they are now.</p> <p>Now here, we could be going back again because now there's no standard. You go up two pay grades, you get a certain amount. If you go three, you get a certain amount; I think after five, you get a certain amount. Here, that doesn't give them that. It gives them latitude to do whatever. You can go up three and still get four. You can go up one and get four, but there's no latitude in that. We have to --</p>
Dekle	It was in the old rule, right?
Wombles	Yeah. There was a scale in the old rules.
Rowe	<p>And if I'm understanding your concerns properly -- and I'm sure you'll correct me if I'm wrong -- but the reason for making the -- for giving the latitude to the Appointing Authority rather than proscribing the amount of salary adjustment that would get at each step, you know, one pay grade, two pay grades, etc., was to give them the latitude to recognize that 8 percent, for example, or 6 percent or 5 percent might not get that person to the salary level that you think they should get based on the level of responsibility they have, the competencies they've displayed, the type of work they're going to be doing, etc. And that in some cases, we've had people who've been promoted, and we see 4 percent for that new job; and then meanwhile you hire in someone with expertise from outside and you bring them at close to the mid-point, the person who got promoted only gets their 4 percent.</p> <p>They earn less and may have been with the County longer than somebody at a new hire rate, and they are saying to themselves so if I quit and come back, then I can get hired at that amount. And we were trying to avoid that and say, okay, good point. Employee, your job is to -- you know, your manager and you -- your new manager or proposed new manager will negotiate that salary with you, you know, commensurate with what other people are earning in that same classification in their department rather than proscribing your hands are tied because it's a rule, I can only give you 4 percent or I can only give you 8 or whatever it is. So the latitude was there for that reason.</p>
Dekle	Well, Peggy, could -- I understand Lisa's concern because the upside is the employee can get more. The downside is that the employee can get less. Would it be possible to combine the two and say the minimum of whatever the percentage used to be or more?
Daggett	<p>My question is does it defeat the intent of a special merit increase? It has, you know, less --</p> <p>(Multiple speakers.)</p>
Wombles	You know, we do have that option.
Dekle	You could use that.
Vecchioli	Yeah.
Wombles	Yeah. You can give a special merit increase.
	(Multiple speakers.)
Dekle	That's unusual, though.

Rowe	But, you know, what makes it special, I guess, is questionable.
Daggett	But I think to your point that people could, a, quit, to come back in, to hope to be rehired at a competitive rate. That happens in industries and in companies and in government.
Rowe	And please understand it's not something that typically happens here, but the way the system is set up now does give you pause if you're an employee who's thinking they deserve more than a 4 percent increase for their promotion.
Barkalow	And it is a hardship for the employee who quits and comes back because new hires are not eligible for the subsidized retiree health care.
Daggett	Okay. So, right, they're starting over on certain criteria.
Rowe	But it still leaves them with feeling like, wow, it seems I could have gotten a little more than that. And, yet, we've tied the hands of the department head.
Lisa Wombles	Well, what if you left the rule the way it is and said under certain circumstances, these promotions at the discretion of the Appointing Authority could be higher?
Wombles	You have to have some kind of rule there.
Davis	And you're still allowing them the discretion.
Wombles	Right. You have to have a basis.
Dekle	That gives them the -- the Appointing Authority the discretion, but I think maybe -- correct me if I'm wrong, Lisa -- what the minimum does is it gives the employee a sense of confidence in what they get at a minimum. So it's the other -- not the Appointing Authority's expression or interest. It's the employee's expression or feeling that they have a minimum, that they feel comfortable, they feel assured, confident. I'm not sure what the right word is.
Davis	I'm still struggling with the whole issue of how does the management address the (inaudible) equity issue if they don't have some discretion to make sure that if they make decisions promoting people and bringing people in, that it makes sense with the, you know, other employees.
Lisa Wombles	Well, let me give you a scenario. There's a job opening. An employee wants to apply for a position at the higher pay grade or maybe four higher pay grades, and he has no idea what he's going to get. Why would they go through all that and apply for that if I don't know how much I'm going to get? If this -- if I know I'm going to get at least 4 percent because I have the skills and I've been here a long time, that's what I'm going to get. I'm going to go for this job. But if I know in my mind or an employee does, that it all depends, when I go to that interview -- up to the Appointing Authority what I'm going to get for that job. That could be hard on the Appointing Authority, too, because he might have to interview more people because of that.
Dates	You know, the one thing it does, though, is it gives the classified employee the ability to negotiate, which they have never had, and it occurs all the time. Oh, you'd be surprised how fast the classified employee goes to exempt and knows how to negotiate.

	But, you know, that's something that exempt employees have always been able to negotiate when they're moving or promoting, and classified employees haven't. So it does give them that.
Wombles	So, Mr. Davis, you're saying that if an employee went in for an interview and he says that you're a manager here in the BCC. And he said, okay, you have the skills, you have the college background, I'm going to give you 5 percent. The employee says, well, I'd rather have six.
Dates	Convince me to give you six. Eventually, he'd be six.
Wombles	So they do have negotiating skills?
Berkowitz	Yes.
Wombles	It's not just you're going to get 4 percent, and that's it? (Multiple speakers.)
Dates	I can speak for myself. They will with me.
Davis	Yeah. They do have the ability to negotiate, and it depends on the -- the hiring authority has the discretion. You know, that employee may not willingly accept what he's eventually offered, and that doesn't close the door if the Appointing Authority wants to hire that person. There's -- but they may have to come to some agreement with that employee as to what they will accept.
Rowe	That's right. And that's a good point because what currently could happen because the current rules proscribes. And I might look at a promotion and say, 4 percent, I think I'll stay where I am, and whereas, under the proposed rule, they're might be some opportunity to make --
Davis	Right. Or your Appointing Authority says, well, I can't offer you anymore because the rules say -- (Multiple speakers.)
Rowe	Exactly. That's all there is. Right.
Dates	I've done that, so I know that. (Multiple speakers.)
Rowe	Yeah. Sometimes that's all there is, but that is the current rule (Multiple speakers.)
Dekle	I know it's true because when I hired on with Pinellas County as a classified employee, I negotiated my salary up right then on the basis that my application stated that this is my expected salary.
Dekle	And he hired me based on my application at an interview, so I -- that's how I negotiated.
Rowe	We brought you in above the minimum.
Dekle	Yes. I'm not sure what it was. I don't remember anymore, but --
Ron Walker	I think the new rule will contribute to the opportunity for the County to get the best and the brightest and have more flexibility to make a better hiring and promotional decisions, so I think that's a good --

Davis	Okay. I just want to make sure I did not miss any of -- Mr. Loring's important comment says why doesn't the Appointing Authority have to consult with your chart if they want to hire someone in the 25th percentile over the pay grade?
Vecchioli	I was going to ask that. I didn't understand it. I didn't understand what that was for.
Rowe	Well -- and that's -- you know, obviously, all of this is subject to the Board's approval as to whether that should be required or not.
Vecchioli	And where is that exactly?
Rowe	Oh, I'm looking at -- the reason we put that in -- well, here's an example. Oh, under the "exempt"? Is that what we're talking about?
Vecchioli	I don't know where it is. I can't find it. (Multiple speakers.)
Rowe	Well, it's in several places. But, for example, Rule 3 -- what page is that on? Page 2, okay. Sorry. It's the second bullet point from the top of the page.
Dekle	That's classified, right?
Rowe	Yes. Further appointment requires -- (Multiple speakers.)
Vecchioli	I'm sorry. I don't see it -- where does it say --
Rowe	It's the last sentence on the -- it really has to do with hiring above the minimum, in general.
Rowe	And the reason is just for some consistency, but you certainly don't have to require that. You could say the Appointing Authority can do that whenever they want as long as they don't go over the maximum. That's up to the Board to decide whether you want that kind of oversight.
Rowe	But, generally speaking, most of the Appointing Authorities have appreciated saying, well, if you do that, then, you know, especially if the Appointing Authority decides or the Administrator, you've got -- you know, you may have 20 people in that same classification all around the County, and you might want to know what the impact is of that decision to bring above that, to bring in that higher. But, you know, if you want to leave that out --
Davis	Well, maybe it's a question of language.
Vecchioli	Well, I was just trying to figure out. I don't understand what Jack's -- where did you get the 25th percentile? Because what I'm looking at doesn't say that.
Rowe	Maybe I'm not on the right page.
Jack Loring	It's the old rule. As I mentioned earlier, it's either market based driven. So the 25th percentile is going to be met. 25percent of the people in the occupation are making less than that amount. So they're down there in the lower part of the pay grade.
	I think It's sort of a philosophical thing. As I mentioned earlier, it's either market-based pay structure --
	So the 25th percentile is going to mean that 25 percent of the people in the occupation are making less than that amount, so they're down there in the lower part of the pay grade.
Loring	It all goes right back to 3b, that opening paragraph, which I actually wrote, which said

	“for starting pay” -- and I would contend the same is respective for promotional increases -- that the factors to consider are making pay and it’s dependent on the individual’s qualifications and skills, pay issues including the relationship of the newly hired or newly promoted employee as compared to experienced incumbents in the same classification and who could barely make a living market value which again is a mid-point favor.
Loring	I believe that hiring people at the minimum is a very expensive proposition. Because it’s very difficult to retain those folks. How many people in this room that would leave, go the same or similar job in another organization and start at the minimum? Who would accept that? You want to get paid for your labor market value.
Vecchioli	What would be – I don’t understand what the objection about consulting with a charges to insure some consistence -
Jack Loring	Yeah, whenever someone is hired above the minimum, it generates all kinds of memos.
Daggett	A plethora?
Loring	And there really is a process, including the people in payroll who monitor that and start to email HR about someone starting above the minimum. It gets to a little towards the ridiculous sometimes.
Sanzeri	Is that because the current rule requires approval and not complications --
Rowe	Right. That’s the difference. (Multiple speakers.)
Sanzeri	--the current rule.
Davis	Yes. I’m interpreting changes in this restriction.
Rowe	That’s correct.
Davis	That’s all it is, the ability to make that decision.
Sanzeri	Very much so.
Rowe	So the Clerk would not need to contact us anymore. It would just be a consult, hey, we’re going to do this, this is the reason for it, this is the rationale, this person has this experience. Okay.
Dates	And I’m assuming it’s for consistency across the Appointing Authorities because in this organization, you might work for this Appointing Authority, and you might work for this Appointing Authority, but we all know they talk.
Rowe	Right.
Dates	And we all know who’s giving this percentage raise and who’s giving that. So for us, I think, the Personnel Board, consistency across the Authorities serves us well.
Vecchioli	Right.
Dekle	Otherwise, they’re stealing employees.
Dates	I won’t believe – we never stole employees.
Lisa Wombles	Some of them have more money than others. (Multiple speakers.)
Dekle	The existing rule gets worse as you go on above the third quartile.
Rowe	Right. That’s because of the Board.
Dekle	It requires the Appointing Authority, the Director of Personnel, and the approval of the

	Board. So it's more cumbersome.
Rowe	Right, which we were recommending.
Dekle	That's more cumbersome.
Rowe	Right. Then it be in consultation, so there is no approval. So there's no more -- you know, you just kind of check in, hey, does this make sense to you. Yes, it does, or have you thought of this, done. No approval, no payroll, no Clerk's Office.
Daggett	Almost serves like a mini-checklist.
Davis	Okay. We're still on Rule 3. I believe we're down to Item b. Mr. Loring's note reflects pay -- the other pay increases.
Dekle	Page 2?
Davis	Yeah. Item d, under Mr. Loring's list of items under Rule 3.
	That's just the next one in the order that he submitted.
	Is this just, Mr. Loring --
Vecchioli	Is this a comment?
Davis	--a language change, for clarity?
Loring	Yeah. When I wrote the original draft of this rule, I included reallocation with the intent that reallocation would be defined as taking a job, let's say, waste water treatment plant operator 2 and lifting that whole classification up from CL8 and moving it to CL9 because the labor market has moved.
	So reallocation meant lifting up the entire job, all the incumbents in it, and putting it into a higher pay grade versus a reclassification, which involves auditing a single position and saying this is no longer a 2.
	This job is now a 3 because of the actual work that's being performed by the incumbent in the job. So reallocation is different than a reclassification.
	And under our current rules, if there's a reallocation or you take an entire class and lift it up to a higher pay grade, the employees get nothing.
	I wanted that change. I wanted to include reallocation into the rule, along with reclassification to say that if the labor market value for the occupation has gone up, that employee should receive an increase.
Rowe	Yeah, and I can -- we'll ask Beverly to look at that. We recognize that moving the -- that reallocating that classification to a higher pay grade, we refer to it as a pay grade change, so it may be a semantics thing here. We did change, with our -- we did agree collectively some years ago in paying class, that a pay grade change -- because the duties and job responsibilities have not changed, unlike our reclassification, where they had changed -- would result in no change to the employees' compensation unless they were below the minimum. And that was a classification -- pay classification recommendation at that time when we made that change at that time. Now, if that needs to change because of practices being different today, I would recommend that Beverly take a look at that and change the -- and make it so that it's clear what a reallocation and a pay grade change is as compared to a reclassification.
Davis	Well, if the -- if the point that I believe Mr. Loring is trying to make is that we should

	provide for combat pay changes as a result of the pay grade change, I guess it raises a question of whether or not the change in the value of the job should automatically result in a change of compensation of the incumbents. I'm not sure that that's necessarily true.
Rowe	Right.
Daggett	And also it could be a lagging type of issue where you're trying to get your system organized to be more reflective of market practices. However, you may or may not have the budget available to take care of those changes for the incumbents. And if you're addressing the pay grade change, you're trying to keep your structure intact, which I think is a structural integrity issue, which -- hopefully, that's a pretty shared value. Sorry to be rambling around here, but in the comp world, you're trying to manage the system in addition to what is happening with the incumbents and have them work within a set up framework. And sometimes I don't know that your budget mechanisms are always available to adjust all. And in many companies, externally, they're not adjusted when the market changes. We realize we're lagging in the market for C plus, plus, or whatever it is, but we won't fix that pay until we can afford it.
Rowe	Right. But you fix the structure when it -- when it --
Daggett	You fix the structure, and you maintain the integrity of the structure.
Rowe	Right, right. And if the -- subsequently, when funds are available, there is a desire to make a salary adjustment to those that moved up, then the latitude is there for the Appointing Authority to do that; but it's not automatic --
Davis	Yes, it's not automatic. And it's kind of interesting when you start talking about you have to change the incumbent pay because although we never think about values going down, it does happen.
Vecchioli	Absolutely.
Davis	But it then raises the opposing question, which is if the value of the job goes down, should everyone receive a decrease in pay within that structure, you know. (Multiple speakers.)
Davis	But that is the philosophy about why incumbent pay is a separate issue than the value of the position in the market at any given point in time.
Sanzeri	Right, right.
Rowe	Right. And we'll certainly mention to Beverly the need to define those --
Daggett	But the reallocation sort of implies meaning to a higher pay grade, right?
Rowe	Yes.
Davis	Or a pay grade other than the one that's currently on there. Okay. Any other comments on -- that we haven't covered? I don't want to miss anyone.
Toney	Let me check on something real quick. I noticed on the screen some of those changes in yellow were some that were discussed at the last Rules Committee Meeting, and I just want to check up at the top of that page. I believe there's one more, and I just wanted to see if that's there.
Dekle	Yes. There is one more.

Davis	Is there? Can we scroll that down to see the top of the page?
Peggy Sellards	On the top?
Davis	Okay. There we go. That would bring the employee's pay rate above the minimum.
Daggett	Above the maximum.
Dekle	Above the max is a lump sum rather than a base increase.
Toney	Yeah. Ye just wanted to make sure that -- the original one just said the Authorities shall grant a portion of the general pay increase in a lump sum, and we just thought it was a little bit worded saying that any part of the pay increase above the maximum would be the lump sum, not a portion of it. I think that -- I think that it indicates it.
Dekle	What happens in year two? They hit their maximum this year, and they gave them 1 percent above the maximum. So they gave them a 1 percent lump sum payment. Now here comes year two.
Rowe	I can tell you the answer, same thing. And unless the maximum goes up, assuming the maximum stays and they get 3 percent, they'll get a 3 percent lump sum.
Sanzeri	Right.
Dekle	I guess my only -- sorry.
Vecchioli	Do you think that -- I meant do you think that that's clear that it's not a one-time as opposed to an annual?
Dekle	No.
	(Multiple speakers.)
Sanzeri	I think it's clear --
Vecchioli	I mean it says --
Sanzeri	--merit --
Vecchioli	--every year --
Sanzeri	-- annually, so I think -- I think it applies to any merit. If you think clarified wording is needed, then certainly throw it out there for your Board.
Vecchioli	--be pushed --
Dekle	It wouldn't hurt.
Daggett	Actually, I think it's fairly clear.
	(Multiple speakers.)
Daggett	I think -- yeah. I think it's pretty clear.
	(Multiple speakers.)
Wallace	--if I understand what the intent is.
	(Multiple speakers.)
Berkowitz	--percent next year, then 2 percent would be base-building, and 1 percent would be a lump sum. It's that portion that is above the maximum.
Sanzeri	I think if you read that when they can get the raises and just consider it, I think --
Vecchioli	--in context.
Sanzeri	I think the context is clear, but maybe I'm biased because I've read it a lot.

Rowe	C-1-a where it says may be granted annually --
Sanzeri	--annually. And then you must -- yeah, if a merit increase. And so every time you have a merit increase, I think you would have to go to the rules to apply.
Vecchioli	Okay. All right. That's good. I'm clear with that.
Sanzeri	But if there's clarification, you know -- we're trying to be plain language to the extent it doesn't confuse anything or make it wrong.
Dekle	Can ask one other question about this rule?
Davis	Yes, sure.
Dekle	When do they get paid? There's no specified --
Sanzeri	When does who get paid?
Dekle	When does the lump sum get paid and --
Vecchioli	At the time of the merit increases.
Dekle	Isn't that advanced pay?
Sanzeri	No, it's -- okay. We vetted that. It's -- you're getting your salary increase now. I mean there were times where that could be spread out; that's another option. But that was, I believe -- correct me if I'm wrong -- requested not to be done that way.
Vecchioli	So it's theoretically possible that they get the money and then they quit?
Sanzeri	Right.
Vecchioli	-- ahead of time for a merit increase --
Sanzeri	But it's not necessarily ahead of time for that, and rule is when it's due. If the Board wants it the other way, we can certainly take that back to Beverly and have her explain --
Davis	That's not getting it --
Vecchioli	Well -
Sanzeri	Yeah. It's a past record.
Vecchioli	I mean it's not a bonus. It's a merit. Do you think it's based on your past performance, so you're looking at it as -
McGrane	--wait until the end of the tax year to get it back in a refund.
Toney	I think it'll keep it clearer going forward if up to the max, it goes into base pay. Above the max, it gets lump sum. If you try to spread it out, then it's almost like it's going to be expected next year.
Vecchioli	Okay. Right.
Davis	Let me ask a question. Is there some allocation process for merit pay, and is it each Appointing Authority gets their budget and they pretty much do whatever or -

Rowe	Well, in recent years, there really has been only a percentage granted, a lump sum.
Davis	A single percentage?
Rowe	A single percentage.
Davis	So there's no distinction between your high performer or your low performer?
Rowe	At this point, correct. At this point, there has not been.
Berkowitz	There's no additional budget allocated for -
Davis	So what's the incentive for someone who -- (Multiple speakers.)
McGrane	Thank you. (Multiple speakers.)
Rowe	I will say, Mr. Chairman, that, first of all, the intent has been and -- since we came out of the recession, to have a pay-for-performance option for employees and for their managers, the funds have to be available to do that.
Rowe	That desire to make that possible really lies within the funds being available, so that is the intent moving forward. I will also say, however, that there is a lot of personal and professional integrity among the employees in the County who will perform at their highest level irrespective of whether or not there is a distinction in their salary. There are those who won't. And we certainly hear from those, who say I'm not getting any more money, so I'm not doing anymore work.
Rowe	But, by and large, employees have not failed to come through and do extraordinary work in spite of only getting one -- you know, the same amount of salary increase across the board.
Rowe	But, hopefully, that will change for Pinellas County in the future.
Davis	I hope so. Thank you.
Rowe	That's their plan. (Multiple speakers.)
Toney	We've got a tremendous workforce. With the reduction in force and picking up all the work over the last few years, you've got a tremendous group of --
Davis	And I don't have any doubt about that at all. I think that County employees, at least my own, that intensity, they're dedicated to work.
Davis	I'm just thinking more conceptually about the whole idea of employees in a department who always know who carries the load and who doesn't, and they're all rewarded equally.
Rowe	Right and they need to be rewarded differently.
Davis	Yeah. They need to be rewarded differently so that --

Rowe	They definitely --
Davis	--so that we send a message that we are prepared to give greater reward to those who give you greater productivity.
Rowe	And I think that's well-put.
Davis	Okay. That's for the future, I guess. All right.
Rowe	I hope so.
Davis	General increases, did we already address that issue, or did we get off on another discussion?
Rowe	I think that is --
Davis	I think we're at exactly the mid-point, market rate for the position rather than the employees' current base salary. I'm not sure I understand your comments.
Jack Loring	Exactly your point you just made, and that was that the increase is based upon what? Not on performance.
Loring	So that increase, if anything, should be calculated on the mid-point, the market value for the occupation that the person is in, rather than the base salary of the individuals who are in the job because we're not measuring their performance right now. With a general increase, we're giving everyone -- if we give them a percentage of the mid-point, we give them a full increase for equal jobs, the allocation.
Davis	Yeah. Well -- okay. I get your point. Everyone else understands and are okay with that? Okay, good, we'll move on.
Vecchioli	Yes.
Davis	Okay. Good. We'll move on. Pay grade change, this is something for the reallocation comments.
Rowe	Yes.
Davis	So we have debated that enough or discussed it enough? Anyone else? Okay.
Davis	An incumbent employee whose job classification has been assigned to a higher pay grade shall receive a pay increase in accordance with "d" above. Okay. Well, we just went through the reclassification or reallocation, and that's going to be looked at by HR.
Dekle	One thing about the temporary pay increase and maybe I missed something, but on page 4 under temporary increase, "i," and on the next page, "ii," aren't those paragraphs similar?
Wallace	We haven't gotten down there yet.
Dekle	Oh, I'm sorry. I thought that's where we just went. Pardon me.
Davis	Well, we are there now, so, Inspector, do ahead.
Dekle	I was just looking at those two paragraphs, and they're very, very similar. I was just wondering for clarity and brevity's sake, since this document is still over 50 pages, if we could combine those two paragraphs. Do you think that's appropriate?

Rowe	You're talking about temporary pay?
Dekle	Yes, ma'am. Temporary pay increase, "i" and "ii" over on the next page.
Rowe	Okay. Yeah. We can ask Beverly to take a look at that to see if there's a way to --
Dekle	Great.
Rowe	Let me look and see what they -- what it says here before we --
Dekle	Is there any problem with this not being grievable?
Berkowitz	Well, the difference is and my understanding is -- and Carole, maybe you can help me -- with the "i," an employee is temporarily assigned to a higher classification. On "ii," the classified employees' duties and responsibilities, they are assigned some duties and responsibilities of a higher classification, but they are not assigned a higher classification. That is the difference.
Carol Barkalow	The first one is the whole hog. You're taken from your job; you're putting in a higher job, 100 percent vested. The second one is you are working additionally outside of your normal class, but you're not taking on a whole hog of the entire classification; you're just taking on pieces. Perhaps your manager has someone out and has to cover the work, and then you're taking some pieces here, some to you, some to a coworker. That's the difference.
Sanzeri	One's the whole pizza, and the other is a piece or two of the other pizza.
Dekle	Right. But don't they have the same net effective Appointing Authority to decide what to do at their discretion? And if that's the case, why not combine them? (Multiple speakers.)
Sanzeri	The difference, if you read the actual terminology, it is different.
Dekle	Okay.
Vecchioli	You're the guy that wants to put the definitions back in. Now you're trying to shrink the document? (Multiple speakers.)
Dekle	I'm for brevity but clarity, too.
Davis	Yes?
Sanzeri	In the first -- maybe this helps. Under temporary pay increase, little i, the employee shall receive a temporary pay increase not to exceed yada, yada, yada.
Sanzeri	And in the second, "ii," the Appointing Authority may grant a temporary --
Daggett	Two really different circumstances. (Multiple speakers.)
Sanzeri	The main issue is intended to be mandatory under when you get the entire pie; intended not to be mandatory when you only get a slice of the pie.

	(Multiple speakers.)
Vecchioli	It's discretionary. It's one case and not on the other is the way I'm reading it.
Daggett	But, you know, I think to the point in the second example, you might have someone that doesn't totally have those competencies. So, you know, they may be doing a partial assumption of duties while maintaining a regular -- work in their regular classification, and I think that it maybe could be confusing if you don't understand the current structure, you know, so you keep these as separate examples.
Sanzeri	I guess that's what I'm saying. They are, in fact, two different -- they're intended to mean two different things. Perhaps they need some explanatory words. I don't know.
Daggett	Do you think it's maybe a label -- a label to it or --
Sanzeri	Maybe we should ask Beverly to come back with some better -- what people want. I don't mean -- I guess what I'm saying is I would recommend not merging them because they are too distinct things. I think that would be more confusing, but perhaps it is confusing.
	(Multiple speakers.)
Sanzeri	--a scenario of what you guys want?
Daggett	Oh, an example?
Sanzeri	I guess there's way. I think we were trying to be concise and plain in the rules, and hopefully, examples are in training. But whatever is the Board's desire because, of course, these are the Board's rules, so whatever is the Board's desire.
Davis	Well, I understand. I don't know that -- maybe what we can do is provide the example at a future meeting, not necessarily adopting examples for the group.
Sanzeri	Okay. I'm sorry. I misunderstood. I'm sorry.
Davis	Give us an idea of how that plays out.
Vecchioli	I mean I could think of an example just now about a person who has some kind of work restrictions. And the other employee has -- I mean I don't know if this is how it's intended. But you're temporarily assigning them extra duties that the person in the higher level can't do because of their work restrictions, and you're going to -- maybe it's not going to -- you know, maybe more than 30 days, and you're going to give them some extra pay to take on those extra duties versus you're temporarily saying I've got a void here like an interim. Right? Like Beverly.
	(Multiple speakers.)
Vecchioli	Beverly is the other example, right?
Sanzeri	Yes.
Vecchioli	Aren't those kind of the two?
Davis	I'm not troubled by it, but I'm hearing maybe from some that maybe it's not clear. So

	maybe -- I mean I -- it works for me. I understand it's the whole job versus partial duties.
Rowe	Just so I'm clear as to what Beverly would want to do, we don't need to provide in the -- the rule in the examples, but she should be prepared to share verbally an example at the next meeting if it's necessary?
Davis	Right. Yeah.
Berkowitz	I think that's a good example. If I could, Beverly is assuming the role of interim. While Beverly's at the funeral, I'm doing the executive recruitment for the Tampa Bay Regional Planning Council for the day, and I don't recall that I'm getting any extra pay. (Multiple speakers.)
Dekle	A temporary increase.
Ron Walker	A comment on the last paragraph, it says these payments shall not be grievable. When you look at the first part of it, it's where they've been assigned the duties. And the only thing I think would be grievable is if they were assigned those duties for more than 30 days and not paid, that -- to be able to bring that request. You know where it says they shall be paid and if they're not?
Sanzeri	I don't know if you have the most recent. It should say at the very end of that section, the amount of pay change under the provision shall not be grievable. That was an item that was raised -- a good item that was raised for clarification. It would be, you know, did they give you 8 percent or 7 percent or 2 percent for that not to be grievable, not did they not give you that -- (Multiple speakers.)
Ron Walker	I see that there. That was one of the things that we discussed at the --
Sanzeri	Yeah. So I think that satisfies the concern. It was a good concern, but are you comfortable with that now?
Ron Walker	Thank you.
Sanzeri	So it should already be in your copies. (Multiple speakers.)
Daggett	But is it typical to have to specify something that may not be grievable like, in other words, should the rules be referencing "it is not grievable"? It's kind of a -- I don't know. It's a negative definition. I don't know the word I'm looking for.
Sanzeri	We're trying -- we were trying to be clear so nobody is misled. But, again, they're the Board's rules. So anything that you feel, down the line, you don't want, obviously, it's your choice as a group.
Davis	Let me share this question that you just made. What if the Appointing Authorities decide not to give any increase? Is that grievable?
Sanzeri	Well, I think under little i where it's mandatory, arguably, I would say yes. Again, they're your rules for interpreting. But under "ii," I would say no because it's

	discretionary.
Rowe	In her -- in Laura's example. Of course, she's exempt, so it doesn't matter. (Multiple speakers.)
Rowe	If we just ask you to take on some additional duties for awhile at a higher level, but not -- you know, I mean it's good -- usually, people are comfortable with that because they aspire to have that higher level that gives them exposure to that responsibility, so it's a good thing. But, certainly, if it went on and on and on and on forever, you'd want to -- you would think the <u>Appointing Authority</u> would want to recognize that.
Davis	And if they did not after a certain point, is it grievable?
Rowe	No. (Multiple speakers.)
Sanzeri	Not under the way it's written, I would say.
Davis	Under the old rules, it -- it was also -- this is not a change, or is it, from the ability to <u>grieve</u> ?
Sanzeri	I believe if you read your old grievance rule, it was very open. I can't speak to whether there was ever a grievance on something like this because I simply do not know if anyone ever tried to grieve something like this. I imagine that's information that HR has that they could <u>bring back</u> .
Rowe	And I don't recall if this was ever a grievance. Usually, those things are resolved because Laura could say, hey, I've been doing these extra duties for six months now, don't you think I ought to <u>get recognized</u> ?
Davis	But are we, by inserting the language in the new rules, the amount of pay change under this version shall not be grievable, essentially eliminating even the possibility of an extreme situation to come to <u>grieve</u> both items?
Sanzeri	Yes, you are.
Rowe	You are.
Davis	So do we really -- I mean how does the regular Board feel about that? I mean it's not likely to happen, I don't believe, and I'm not sure we have any examples where it's happened. But I just want to make sure the Board is aware that that's what that change may mean.
Toney	Unless you just bring that paragraph up to that -- I mean that statement up to that second paragraph of "you may." But we all approve of the first paragraph. In general, the EAC's opinion, sometimes it differs from the attorney's opinion.
Toney	Our opinion as far as a grievance coming back to the Board is anything that concerns the classified employees and <u>pay</u> . They should really <u>go up</u> to the Board.
Toney	I mean there are some things that aren't written; in general, that's our feeling.
Davis	I'm comfortable with that.
Dekle	I'm comfortable with taking it out.

Vecchioli	Was there a specific concern in terms of issues that cause you to want to insert that language here?
Rowe	No. Just generally as you go through these things, people will ask, well, will that be grievable, will that be grievable, as you move along, and this is probably is one of those occasions where someone will say, well, should they be able to grieve that.
Vecchioli	Do you think that by including it here that we've implied that everything else is grievable? I mean there are sometimes a hard -- including language, that you intend; and, therefore, where it's absent, there's a presumption that it would be grievable. So we might be better off by not having it.
Daggett	--silent.
Sanzeri	That is a risk, but there is also a rule that now attempts to define what is grievable. So perhaps that's still a concern that could be raised in a certain instance, but perhaps referring -- even if you took it out here, if you put it in or out of that rule, it might -- that might satisfy the concerns.
Vecchioli	Does that rule list specific items that are grievable?
Sanzeri	The currently proposed rule does. The current rule is a lot more wide open.
Vecchioli	Okay.
Sanzeri	And it's maybe -- I don't know if it would be tonight or another night. It's later on. It's No. 7, so --
Vecchioli	Ah-huh. Got you. Well, I would be in favor of eliminating it here, and if we need to insert a reference in the other rule -- I mean it seems to me if it's discretionary -- (Multiple speakers.)
Vecchioli	What we're saying essentially is it's discretionary as to whether you get it at all under two little I, right --
Daggett	Right.
Vecchioli	-- and that, therefore, you can't grieve it? But if you -- the "shall" in 1-i, seems to me, that, I mean it shall not -- shall receive.
Sanzeri	Shall implies will.
Vecchioli	Shall receive, not to exceed. So if you did not receive, it would seem to me that you'd have the ability to grieve that, right? (Multiple speakers.)
Sanzeri	Well, I agree in the way it's written. What was intended -- and it's fine to take it out, of course -- was just that the amount wasn't there.
Vecchioli	I hear you. And leaving the amount --
Wallace	And you should have gotten something, you can grieve that.
Davis	Well, let me ask the question another way.
Sanzeri	Well, we can take it out, I mean if that's the Board's decision.

Davis	In the Personnel Rule, ones the Board has decided is grievable, does that mean that if it's not on that list of grievable and grievances made to the Board, that we cannot hear that grievance?
Wallace	If it's outside of your jurisdiction.
Sanzeri	Well, yeah. I'll let your attorney answer.
Davis	Aren't those our rules?
Vecchioli	Yeah. (Multiple speakers.)
Wallace	Well, you can change the rule, but you'd have to -- (Multiple speakers.)
Sanzeri	If you felt like, oh, my gosh, this is dreadful. We must include --
Davis	So that means that, as a Board, we could --
Sanzeri	--a rule change.
Davis	--not decide that we're going to sustain any rule and hear a grievance that was otherwise listed as an un-grievable item?
Walker	That's interesting.
Dekle	Why not? We pass new rules.
Vecchioli	I don't think it's a jurisdictional thing because we're creating -- but what it is to me is a due process. Like, in other words, we're saying to the employees, these are the rules, and these are the infractions. But I think it's not -- I mean the jurisdiction is defined by the Act, not by the Personnel Rules.
Wallace	You're correct.
Vecchioli	But we're self-imposing confines, if you will, on what we would hear.
Davis	Right.
Sanzeri	Well, I think you have to remember the rules are not just for the benefit of the employee, they're also for the benefit of the employer.
Wallace	--for the benefit of the employer. (Multiple speakers.)
Vecchioli	-- the due process.
Sanzeri	And you could always, of course, decide to amend your rules as are provided for in the Act as to how you do that and add things. (Multiple speakers.)

Wallace	It's prospective in nature; it is not retrospective.
Davis	So I think the general consensus is we're going to eliminate the language?
Vecchioli	I would say until we see the subsequent -- (Multiple speakers.)
Loring	Well -- and I want to make sure that we come back to this because eliminating it, I'm not quite ready for that until I see how it lays.
Davis	Okay. Let's -- we will revisit it then. Where are we?
Vecchioli	D7? Did we get to D7?
Davis	Well, we were --
Wallace	It might be base pay increases because he doesn't have anything else until eight.
Davis	I know we addressed the -- (Multiple speakers.)
Davis	Where are we at?
Vecchioli	Is it market-driven skills? Is that --
Wallace	I think we're --
Dates	I'm lost.
Wallace	If we're -- if we're on the rules, it's 3 - 3 --
Rowe	I think it's the -- the focus seems to be on the comments --
Davis	Right, yeah. That's where we were looking at.
Rowe	So if that's where you're looking here, then it is on the second page of his comments, the highlighted area, needed in order to prevent -- there needs to be clarity on the significance of duties when the market-driven skills --
Wallace	We will have skipped a lot of the rules.
Rowe	I understand that.
Davis	Well, yeah, I think what we were focusing on is where there was a need to consider changes or additions or if anyone has any issues.
Vecchioli	Right. I'm assuming people will jump in as we're following if they had something in addition to what --
Davis	Right, right.
Vecchioli	--right? I mean -- (Multiple speakers.)
Berkowitz	And if I may, all of the other Appointing Authorities gave their input, and that

	considered prior to the – (Multiple speakers.)
Berkowitz	So this is the only one that was done afterwards?
Sanzeri	Right.
Davis	Right. Okay. We'll keep going. I think we're on –
Dekle	Page 5 --
Davis	Well --
Dekle	--of the rules?
Davis	Needed in order to prevent abuse, there needs to be clarity about the significance of the duties and responsibilities. I'm not sure that comes under --
Loring	That was under "i." Then you have "ii."
Davis	Okay. (Multiple speakers.)
Vecchioli	Right. Isn't that what we just talked about?
Loring	Yeah, it is. (Multiple speakers.)
Davis	So we're down to, on your list, D7; is that correct?
Loring	Under "ii," my concerns – well, I had a lot of concerns about "ii." That's new. That "i" is already, more or less, representative of the current rules. (Multiple speakers.)
Vecchioli	All right. We're back to page 4 – page 5. Page 5, sorry.
Jack Loring	All right. And my concerns were around the – the way that "ii" is written, very broad, very open to interpretation in terms of who's making that call on duties and responsibilities that belong to higher level of classification. And what is the significance of those duties, and how much is it working? You know, we have so many controls throughout these rules. We talk about the increase that's assigned or should be associated with, whether it's a promotional increase or reclassification, even starting pay. You have all those controls in place. But this "ii" is wide open, and I think it's open to abuse. I think it's open to favoritism on the part of a supervisor who continually gives one person additional assignments versus another person. I see a lot of trouble with it, and I think it needs to be more narrowly defined; and it should be more specific than it is.
Rowe	And I need to look back at the old rule. Certainly again, as Carole has said several

	times, it's the Board's authority.
Rowe	Historically, we only applied the increase when there has been a temporary promotion to a higher pay grade with the full duties, and I think the intent here was to say, hey, sometimes people don't take the whole job; but we're assigning them additional responsibilities. Then let's provide some guidance for people to recognize that their employee is taking on a higher level of responsibility. You could eliminate that altogether and just say, hey, we're only going to give the raise to the people who are taking the full job, which is the current practice and the way it's established, but this attempt was to say --
Davis	Yeah, but I would think we would want to give some discretion to the Appointing Authorities to make pay adjustments when they don't take on the full job.
Rowe	Well, that was our thinking, but you certainly could eliminate that if that's the will of the Board.
Davis	Yeah, I don't know. How do the other Board members feel about that?
Walker	I think "ii" provides a useful tool for the Appointing Authorities.
Daggett	I agree.
Davis	Okay. Then we'll move on.
Dekle	Rule 3.
Toney	Lower down on that page where it says base pay increases, it starts getting into the -- at the end of those paragraphs on, what, three, four, and five --
Davis	Right.
Berkowitz	I'm sorry. Charles, can you --
Toney	Yeah. Just under No. 2 there, base pay increases, under voluntary and involuntary, it talks about pay changes under this provision shall not be grievable. And under triple i, under this scenario, it definitely is grievable, but it doesn't say that. So we might want to see how we're going to word this throughout the document on what's grievable or what's not or give us a definition that allows for some latitude.
Sanzeri	And consistently with what Joan raised as a possibility -- I know it hasn't been decided yet -- like the possibility of eliminating the last sentence of Section 1 above, putting the possibility of eliminating -- if we go that route -- the last sentence of 2-A-i below, it would kind of be the same thing you brought up.
Vecchioli	Unless when we get to that provision --
Sanzeri	No, no, no, a possibility. Yes, I'm just trying to -- I'm just saying we could maybe put those two issues together because I think they're the same issue --
Vecchioli	Right.
Sanzeri	--and then the Board could address it.
Vecchioli	These are the first two times I've seen it, but I don't know if it's been like referenced

	earlier in the document or not.
Vecchioli	Maybe we could do a search term on the word grievable and see if we could get a high – you know what I mean -- so you guys could identify – (Multiple speakers.)
Sanzeri	Identify wherever it's mentioned, so the Board could focus on that. (Multiple speakers.)
Daggett	But, you know, it's also a good point because let's say it's not grievable, what is the mechanism? You know, is there a resolution, or it's the way it is; or it's grievable or nothing? What if you --
Sanzeri	Well, I mean if it's grievable, it's grievable, and there is a system; and there's different levels you can go to. If it's not grievable, then the system is the professional system where you attempt to work something out with your supervisor and/or above with basically discussion. I mean there's not a mechanism for third-parties --
Vecchioli	Right, right, right.
Sanzeri	--resolution for one side or the other. Unless you put something in the grievance rule, then there is a mechanism. That's kind of the Board's pleasure where you think those lines should be drawn.
Vecchioli	But a demotion itself would be grievable, right?
Sanzeri	A disciplinary demotion is rare. That is definitely stressed and provided for later. A disciplinary demotion, yes.
Rowe	This would just be where --
Sanzeri	This voluntary/involuntary is not. I don't like the word involuntary, so – (Multiple speakers.)
Vecchioli	Yeah. Where do you – where do you --
Sanzeri	Beverly did explain it at the time, and I wish I could explain it the way she did but I can't.
Vecchioli	I mean to me an involuntary -- how do you know it's not just disciplinary, right?
Daggett	Yeah, I don't think you really know. (Multiple speakers.)
Vecchioli	Where do you say that?
Wallace	When you can't perform the essential functions of your job, so that would be an involuntary demotion.
Vecchioli	Well, I'm sorry. Where are you reading that? It says A-I – 2-A-i.
Rowe	It's not written in there, but that's an example of where an involuntary -- where I can no longer drive the forklift, for example, but you're assigning me – well, I can't do the essential functions of my job, but if there's another job that I'm otherwise qualified to

	do at a lower pay grade.
Vecchioli	See, I consider that voluntary because it's -- no, you didn't submit to it voluntarily; but if you can't do it -- (Multiple speakers.)
Daggett	That's involuntary. (Multiple speakers.)
Rowe	Voluntary would be I really don't want to do this desk job anymore, I want to be in the Parks. You know, I'd like to move out there.
Daggett	If you're no longer capable, then it means you don't really meet the minimal qualifications for that job.
Vecchioli	Right, but it doesn't say that.
Daggett	But that is kind of tantamount to why that role exists, and you can't just -- go ahead --
Sanzeri	I think you're both right in that you're using lay people terms about voluntary and involuntary, and you're using more lawyer terms about it. And perhaps in an effort to make it readable, it's gotten too hard to understand. I think technically, you can't do the job anymore -- and not to sound harsh -- but if there's no accommodation to help you do that particular job that you're in, then the accommodation offered to you, if available, is a demotion into another position which you are capable of doing; and you either take it or you leave it. So if you take it, it is, in fact, voluntary; and if you leave it, you will be, in fact, then subject to separation from employment through -- the only system we have right now is the discipline rule. So we can perhaps work on better outlining this section and explaining any (inaudible) we get out of the word involuntary, better explaining what voluntary really means. That is the fact of what would happen, I guess, if someone didn't take what is being termed here as the example of the involuntary devotion. But I think the words are in fact strange. It's just that people are used to seeing them. So, new eyes looking at them, you really need to see that perhaps there's a better way.
Vecchioli	So you're saying that by virtue of the 3i being disciplinary, that you're necessarily interpreting an involuntary demotion as something other than disciplinary, right?
Sanzeri	That would mean --
Vecchioli	Then we should say that is my point. Upon a demotion, an -- for reasons other than disciplinary.
Sanzeri	I agree with you. I guess what I'm saying is that was the intent, but it's, obviously, not as clear as it could be; so maybe we could work on clarifying it and bring it back to you guys, with that in mind, if that's satisfactory. (Multiple speakers.)
Rowe	Okay.

McGrane	As an example, if an employee was offered to take a demotion within this department, if he didn't take the demotion, he was going to receive a written disciplinary, so that would be an involuntary demotion.
Sanzeri	Actually, that would not be right. (Multiple speakers.)
Sanzeri	Well, that just sounds wrong. (Multiple speakers.)
Sanzeri	We'll work on – how about that, we'll work on this and revise a provision and bring it back to the Board.
Davis	That's acceptable. And what we're going to do is take a short break because I know we've been here a few hours already. We'll take about five minutes already.
Break	8:15 p.m. to 8:24 p.m.
Davis	Looks like we are almost at the end, close to it, and we are on market-driven skills supplement. I think Mr. Loring has some concerns about abuse.
Loring	Well, yes.
Davis	--or our potential for it anyway.
Loring	Yes, Mr. Chairman. The market-driven skills supplement was the result of a very comprehensive market study related to the IT profession. You know, in the IT profession, we have people who are computer programmers, Programmer 1, to lead programmer. But what really what drives the market value is the skill set. Are they the programmer – so, for example, someone who's an Oracle developer versus the old mainframe Cobalt, they're both programmers, but one has a skill that's more modern and much more in demand.. And as a result of the study that we did, we identified a very finite list of skills that were hot skills in the market. We brought it to the Board's attention, and the Board approved this skills supplement, supplemental pay idea, for individuals who were in our IT Department, BTS, or Innovation, who has those particular skills. And I think there were maybe eight or ten that were on that list when it came to the Board.
Davis	So what's your concern?
Rowe	I think the -- if I'm understanding, Jack's concern is that this -- the original intent was this -- to this list, specifically for those IT hot skills. And the idea here in incorporating them into the Rules is to potentially allow that latitude if there other high-demand skills that exist in the market, outside of IT.
Davis	How would you identify those additional high-demand – sounds like the first time it was done is – (Multiple speakers.)
Berkowitz	It would be reviewed and updated at least every two years, but the idea was that the original one was only for IT and one to talk with a latitude to Appointing Authorities if

	they had a situation where they had Authorities where there was a critical shortage.
Rowe	And, you know, obviously, the most critical shortage is typically in IT, but there are occasions where, you know, following a big storm or something and there's inspectors and positions that are difficult to recruit for or difficult --
Davis	How do you envision the mechanism for the identification and the addition of potential non-IT positions? Is this something that the Appointing Authority will come to HR and say I've got this need and then you-all will verify that it's a critical shortage?
Berkowitz	Well, for example, something that is a situation this year that might be appropriate, with all of the rain we had, we had a real problem with mosquitoes, and our pilot who does the spray for mosquitoes was out for several months. And the only way that -- and in order to spray for mosquitoes, you need a certain certificate.
Daggett	Right. He's like a crop duster type --
Berkowitz	Right. And the only one that was available was from a company in Chicago. Chicago was the closest place. But on the other hand, there was a real need to spray for mosquitoes because it was a critical situation. So for something like that.
Rowe	And I wouldn't anticipate this happening very often. I think, again, the idea behind a lot of this was to provide a little more flexibility for Appointing Authorities in departments where it was needed with some oversight by the Board in HR, but at least some latitude.
Davis	So HR is involved, and by extension, the Board is involved in making sure that the list is not abused?
Rowe	Right. It's not random and arbitrary, and that there's some justification for it; and we all agree that it's a shortage.
Dekle	This is recurring theme you will hear from me. There's no mention of the Personnel Board in here. It's the Appointing Authorities and HR. And so, I know of no circumstance where I'm going to go and tell an Appointing Authority what to do. I'm not doing that. And I don't mean to imply that, but because the Board is responsible for HR, it seems that we should become specifically included, if not in a role of approval, at least review.
Rowe	Sure. And I would recommend that you have your next HR Director bring that kind of information to you at least as an information item. These are the positions or these are the classifications which would fall under here, and this is why and that kind of thing.
Dekle	Excuse me. And so you'll hear me say put it in the Rules.
Berkowitz	So am I hearing this right, you would say that the Board would be able to say no, you are not to give this person 10 percent?
Dekle	No, I'm not saying that. I'm saying that the Board should be able to review whatever it is that you're proposing. I mean we have HR experts here on the Board. I'm not one of them. But I -- with the years I did have in management, if I'm responsible for somebody if they worked for me, I want to know what they're doing, not minute by minute, but particularly on something like this as well as other areas. It just seems prudent on the part of the Board to stay informed. I mean I'm not going to tell you how to do your job, Peggy.

Rowe	Sure. I understand that. I think what you might want to consider as a Board is that included in the monthly delegated authority information that's provided to you, you have this kind of thing also included; and if at such time you decide well, this is getting -- you know, we've got 50 different types of classifications listed on here as opposed to those that make sense, then you can inquire as to what they are and what's the justification and rein it back in if you feel like it's not appropriate.
Davis	I'm somewhat comfortable with that because part of my concern -- and I'm going to go through that, Joan -- is I know that we have ultimate responsibility and accountability, but I'm also concerned about micro-managing HR. I want to require -- I mean I have some level of trust in what this HR Department does on a regular basis. Joan?
Vecchioli	I agree with what you said. But I go back to what was the Board's role originally in developing the list of skills because, according to Jack's memo, he says the short list was identified and approved by the Board. So if we're talking about expanding it because we say you've skill sets identified for eligibility and then going to Keith's point, will be determined by the Human Resources Department. Again, is that something that should be adopted? The skill sets, sounds to me -- are you asking for a case-by-case application of this rule?
Sanzeri	Correct.
Vecchioli	And if that's true, why did the Board in the first instance need to identify --
Rowe	Good question, because that additional pay fell outside of the pay plan. So it was an additional -- over and above the base salary. Employees with these skill sets received this additional compensation, in many cases putting them above the maximum of that pay plan.
Sanzeri	Was it also outside of the Rules? Was it not discussed in the Rules at all?
Rowe	Yes, right.
Sanzeri	Okay.
Vecchioli	So you're asking us to adopt a rule that essentially eliminates the need to come back to the Board to expand that list? Am I reading that right, and that's Jack's concern?
Rowe	Right.
Loring	Right, and --
Davis	She just also suggested that we might add language that will be similar to the delegated Authority, which we can pull back if we think it's necessary. That's what I WAS --
Daggett	You're copied on for information.
Davis	Right. It's presented to the Board. The Board is informed, but the Authority is delegated to HR to identify and make these specifications. And if we're not comfortable with that, we can remove that authority at any point.

Davis	That was the part that I was saying that I'm comfortable with.
Vecchioli	So you would add language into the rule itself?
Davis	I would add language, yeah. I would add language and treat this the way we do the pay classification that we have delegated to the Authorities.
Vecchioli	Okay. I misinterpreted. I thought you were just saying we can report, and as needed, we could rein it in. But we're going to have to put something in the rule in order for us to be able to do that. (Multiple speakers.)
Davis	Yes. We're going to have to say something in this section that tracks the language of what we have done to the pay classification. That was my thought.
Dekle	And just keep the Board informed?
Davis	Yes. Yes, it will.
Dekle	It's something.
Davis	And if at any point we find that we're not comfortable with that, we can always put – (Multiple speakers.)
Rowe	It's your rule, so you could revise it and say we're going to take it out at some point.
Vecchioli	That's all. I'm just trying to foresee the case that Jack's talking about where there may be potential abuse.
Loring	Yeah. And I would make a distinction between the examples about the pilots and building inspectors. If the certification is required to be a pilot, that's part of market pricing the jump. It's already included in there --
Vecchioli	Got you. (Multiple speakers.)
Loring	And throughout our classification system, we have a number of innovatives who receive certification papers, is another supplement. It's a pay supplement that they receive for certifications that they hold that aren't required as a part of their occupation. So in the marketplace, we're giving them that additional piece because they have something beyond what's required for the job, and the same approach was used when we developed this particular supplement; and it was specific to IT.
Vecchioli	Right. Well, do you see where the language says the list will be reviewed and updated as needed and at least every two years? Would you be satisfied if there we inserted "will be reviewed and approved by the Personnel Board"?
Loring	I would suggest that the Board --
Vecchioli	--and the list?
Loring	-- the body to approve it. The Board approves the certification pay that we have. The Board approved the act of our building inspectors' additional rate and the mosquito

	foggers who get up in the middle of the night and get the supplement. That was all approved by the Board.
Dates	Peggy, you didn't have delegated authority at the time --
Rowe	That's correct
Dates	--this just came through, right?
Rowe	We didn't have that for the mosquito or any of those others. And just, again, this provides the HR Department the latitude to make some decisions about those kinds of things when they're needed with some general oversight of the Board but not having to wait until the next meeting to get it approved.
Dekle	Well, that delays everything. So it could readily be delegated -- (Multiple speakers.)
Rowe	Right.
Walker	I think there is probably language in the authority that when -- already given to the Director that indicates we're going to get a report back, and we could do the same thing here. And it raises the flags when we do something about it and change. I would be very comfortable with that.
Loring	What you don't see there is the results of that particular survey that led up -- of skills, and it was a process. It took the better part of nine months to conduct that survey.
Dekle	That was a big one. The mosquito control problem probably didn't take much study.
Rowe	No.
Davis	All right. So we will make the adjustment to this paragraph.
Dekle	So this will be approved by the Personnel Board, and the Personnel Board will delegate it to you? We're all back to work and good.
Rower	Well, I'll put it in Beverly and Carole's hands to do the verbiage, and then it will come back to you.
Dekle	Great.
Davis	Okay. We're onto what looks like the last section, Rule 8?
Dekle	Could we back up?
Davis	Yes.
Dekle	I'm sorry. I had a question back here a couple of pages. We're back to page 5 of 11, base pay decreases; demotions, voluntary and involuntary. The amount -- It says here upon the demotion, a reduction should be made.
	The amount of the pay reduction is generally between 4 and 10 percent, but it's at the discretion of the Appointing Authority, so as long as they don't get below the minimum.
	This could often be disciplinary, couldn't it? Or it could be disciplinary?

Sanzeri	No. Disciplinary is in 2-A-i-i-i.
Dekle	An involuntary demotion is not this disciplinary?
Barkalow	No.
Vecchioli	That's what we were just talking about.
Dekle	I heard it.
Vecchioli	Here's my suggestion. Okay. It's the order of the way they've listed things. So if you had disciplinary first, reduction in force second, and then you said for other voluntary and involuntary demotions so they all fall within one or two, would that clarify it for you?
Dekle	It might, but my question --
Daggett	I think it'll give it different emphasis.
Dekle	And that brings up my question. It says the reduction is generally between 4 and 10 percent. That's potentially much greater than a disciplinary reduction which currently is 5 percent, if I understand it right.
Rowe	Well, see, the disciplinary is at the discretion of the --
Berkowitz	Yeah, there is no more --
Dekle	Right? Isn't that right, it's 5 percent?
Sanzeri	I believe the current disciplinary rule -- correct me if I'm wrong. Does somebody have a copy of the rules up there?
Dekle	I do. I'm sorry to say.
Sanzeri	Depended on how many pay grades you went down the pay raise, did it not?
Rowe	Not for discipline.
Sanzeri	Not for discipline, okay. Maybe I'm confused. The other thing I was going to say -- and the EAC people over there I can see, but correct me if I'm mistaken -- I think -- and I may be because we've been going at this awhile. But I think that between four and ten was the request. Am I mistaken from the last meeting? Am I remembering incorrectly to frame it somehow instead of having it wide open? (Multiple speakers.)
McGrane	Yeah, a 4 -- (Multiple speakers.)
Sanzeri	It came out of the EAC if I'm not mistaken, so --
Dekle	Why would you -- you guys want it at this percentage? Why would you want to -- (Multiple speakers.)

Wombles	I believe that it wasn't the number. It was having a frame.
Vecchioli	Yeah. There's no restriction on disciplinary anymore. It just says lower than the minimum of the classification to which the employee is demoted, but it could be greater than that percentage under the new rule.
Dekle	Well, the new rule 8cc on page 2 -- this is my handwritten note -- not to exceed 5 percent.
Vecchioli	But that's not what the new rule says, regardless of your handwritten note. I'm sorry.
Dekle	I was brain dead when I was doing this.
Sanzeri	His notes are now incorporated.
Daggett	We need better -- (Multiple speakers.)
Daggett	So the question wasn't really about the range itself, just the specification, is that it? Just that you're specifying a range? (Multiple speakers.)
Berkowitz	Not leaving it wide open.
Sanzeri	On new Rule 6, new Rule 6 -- or the proposed Rule 6, discipline, page 2 of 12, d deals with demotion, but c deals with pay reduction. I think this is where the Board may remember, pay reduction is a reduction. It's a disciplinary action in the employee's pay rate. Pay reductions require a pre-disciplinary hearing. Pay reductions shall be limited to a maximum of 5 percent. So it's the pay reductions, not the demotion.
Dekle	I thought it was also the demotion. Maybe that's in the old rule, but --
Berkowitz	Yeah, that could be. Let this stay.
Dekle	You --
Vecchioli	I would make -- go ahead.
Dekle	Do you want to leave it at 4 and 10? If you're happy, I'm happy.
Vecchioli	I think it's a little inartfully worded, though, because it says the amount is generally between 4 and 10 but is at the discretion of the -- so you're giving them a guideline --
Sanzeri	--and then you're saying --
Vecchioli	--and you're giving them discretion. So I'm not really sure what you're accomplishing about the "is generally between."
	I don't really know what those words -- I don't know what the legal effect of those words are.
Davis	Probably not very much since they ultimately have discretion anyway.

Sanzeri	Correct. I wanted to correct the statement – the disciplinary (inaudible) in the current rules doesn't have any percentage guidelines. It's wide open.
Vecchioli	Right, right. (Multiple speakers.)
Dekle	Was it the old rule that was the five percent?
Sanzeri	No. On the non-disciplinary demotion, (inaudible) ability. There were percentages given. 2 percent?
Rowe	2 percent and then 1 percent.
Sanzeri	Different percentages. So I just misspoke, and I wanted to make sure I didn't mislead everyone.
Davis	But this was also one of the sections (inaudible). Further, (inaudible) the last sentence about not being grievable.
Rowe	Correct.
Davis	Yeah. So we're going to look at this again.
Vecchioli	Yeah. I mean I would just go back to that same paragraph and see if you guys could tighten up the wording a little bit.
Sanzeri	What's the Board's pleasure on the tightening up, guideline ranges, mandatory ranges, no ranges, pure discretion? What's the balance that's trying to be structured? If you guys get the feedback about back what you're looking for, we might do a better job at giving you what you want.
Rowe	You don't like the word generally. So should it be shall be, between, or -
Vecchioli	Well, it doesn't make sense to me. Say is generally but is at the discretion; I think that's contradictory, too.
Daggett	Yeah, I agree. So remove --
Vecchioli	--the recommended. The recommended pay reduction is between but ultimately is at the discretion of or shall be – shall remain. I don't know. It's a recommendation is the way I'm reading it – (Multiple speakers.)
Sanzeri	It's a guideline.
Daggett	Why don't we use the guideline word instead of this generally?
Vecchioli	Okay.
Sanzeri	So you are comfortable with including guideline and the discretion? Is that -- just so I'm clear, when we try and recreate something – (Multiple speakers.)
Sanzeri	Okay. I'm sorry. I didn't mean to rush you. I'm trying to get it down.

Vecchioli	I'm sorry. Somebody is outside asking --
Toney	-- dictate that it would be more than 10 percent?
Vecchioli	What is your question? (Multiple speakers.)
Rowe	No, not -- I mean it would have to be a very significant demotion where you --
Vecchioli	I think it might be high --
Rowe	--went from a super high pay grade, and it could -- it's possible, I guess, that the minimum could be -- but I think we say or the minimum. (Multiple speakers.)
Rowe	Never mind. So that's already taken care of, but I can't think of one other than where it's bringing them to the maximum, which is already covered in there anyways.
Toney	(Inaudible) generally speaking, that 4 percent but cannot exceed 10 percent. (Inaudible) the discretionary part of it.
Davis	Do we want to make the restriction to top in?
Dates	Well, is our goal to take away the discussion?
Sanzeri	It's your pleasure.
Daggett	I didn't think the goal was to take away the discretion --
Davis	Well, I didn't say the goal was to take away the discretion either.
Dates	Nice try, though.
Sanzeri	I think we're trying to be nice and give guidelines and allow the discretion. I think we're trying to do both purposes. We're trying to educate our reader as well.
Dates	I think if we get the 10 percent, they're going to be firing the person anyway.
Dekle	I'd take the discretion away if we have a nice broad rainstorm to operate in or else just make it discretion (inaudible). It seems silly to give them discretion and then give them a guideline, doesn't it? (Multiple speakers.)
McGrane	I have in my notes from our last representative meeting says something about we can give guidelines, but we count on authority to dictate to the Appointing Authorities what they can do.
Rowe	Right, which is why that verbiage is in there at their discretion. I mean I suppose if you had someone who was taking a significant demotion voluntarily where I just decided I don't want to do this anymore, I want to work in the Parks and on the Trail, and I've never done that job before. So now you're going to reduce my salary to the maximum of that new pay grade, and meanwhile, you have all these other people who make far less than that maximum, who have worked their way up and they've been

	here longer. I mean there could be a circumstance where you might say as a boss, you know, I would love to put you in the Parks, but I can't have you making more than all these other people who are doing this comparable job.
	So, again, it is not likely to happen, but I think the idea was to allow that possibility.
Davis	Yeah. I understand the dichotomy with the wording about generally and then leave it up for discretion, but I'm not sure how you give a recommendation and then allow for discretion without necessarily contradicting – having that language appear, at least in the circumstance, to contradict itself.
Davis	I'm not troubled by it necessarily because I interpreted it when I read it as a recommendation, but an allowance for circumstances dictate whether or not they go outside of those low ranges.
Sanzeri	Maybe if this is acceptable, we could explain this to Beverly when she returns and have her, with the other stuff we're all going to be bringing back, perhaps something that we think – if I'm hearing – still provide some guideline language, maybe actually use it for these terms, but discretionary --
Vecchioli	If Beverly reads these minutes, she may not come back.
Sanzeri	We're not going to let see those until she returns, and maybe she'll have some ideas of how to word it. It's hard to word on the fly when you're in a meeting when you think about the concerns that are raised and then kind of revisit it. Sometimes that comes up with a better product.
Davis	Okay. If they're uncomfortable with that -- okay.
Vecchioli	Good idea.
Davis	Let's move on to Rule 8.
Vecchioli	Can we – unfortunately -- we can go to 8 if you want, but we're going to have to go back to 7. (Multiple speakers.)
Davis	Oh, you're right. (Multiple speakers.)
Vecchioli	Well, 7 is your grievance rule, so I definitely – is that okay? (Multiple speakers.)
Davis	Well, I was just doing that because those were the only comments that we --
Vecchioli	And we can if you want. That's why I'm just asking you. Do you want to go to his and finish his and then open it up --
Davis	Well, yeah, let's do that. Let's do that. (Multiple speakers.)
Davis	So we'll do 8, which is the – the one area that I think I had some earlier concerns about. Now, let me make some (inaudible). Is this the rule where there was some

	content or some agreement with the Appointing Authorities, that the Personnel Board (inaudible).
Rowe	<p>Back in the day, there was some agreement that the County has to follow the state and federal laws as it relates to Rule. But the Board – but, you know, as a follow-up to the request of the Appointing Authorities -- also put in the rule that an employee, exempt or classified, would be required to resign their position if they decide to run for office, and that is in the current rule.</p> <p>So whether you're exempt or classified, you have to resign. If you want to run for City Council for Safety Harbor, for example, or the School Board, for example, something that's outside of our jurisdiction, you have to resign your office – your position in order to do that.</p>
	The law requires – the Act requires that classified employees resign their position to run for office. That's in the Special Act. And the federal law and state law require – am I right – requires that if you run against your boss, you have to resign. So I can't – you know, if I work in the Clerk's Office, I can't run for Clerk if the Clerk is running for office.
Dates	I know where this came from.
Rowe	And it's gone back and forth, and it's been brought up a number of different times.
	<p>And the request of the Constitutionals was that when we revise the rules, that we allow them to make the decision. They'd obviously have to follow the laws. But as it relates to their exempts who are not running against the incumbent, that they make the decision as to whether or not they're allowed to run for another office.</p> <p>So if I'm a Clerk in the Clerk's Office -- or a Board Reporter in the Clerk's Office and I want to run for the School Board or I want to run for the Board of County Commissioners or some other person that's – against some other person that's not my boss, I should be allowed to do that.</p> <p>And they ask that that discretion be granted since it's in your rules and not a law that precludes them from having that discretion.</p>
Dates	When I was with Social Services -- that was County Social Services -- I had an employee that ran for the Seminole Recreation District, a classified employee. Nobody cared; nothing happened.
Sanzeri	It was still a violation, unfortunately, of the Act.
Dates	But I had an employee that decided to run for Sheriff, and everybody cared.
Rowe	Everybody cared. So this --
Dates	This --
Rowe	This would allow the appointments already to make this decision. They can have a policy. The Clerk can say I don't care: If you're exempt, if you're classified, if you run for office, you have to resign.

	Or they can say I'll look at it on a case-by-case basis for my exempts as long as you're not running against me.
Sanzeri	Or otherwise required to resign under some other law.
Rowe	Right. And that was their request. I mean it's certainly easier when there's no (inaudible). If you are forced to look at a rule and say, sorry, I wish I could let you run for School Board, but I can't because it's in the rule, it makes everybody's life a lot easier, so -- there might be some who would prefer that, but the Constitutionals were the ones who really kind of asked that we ask you to remove that kind of rule. (Multiple speakers.)
Walker	The scenario that I see and that I would have the biggest problem with is not running against your boss but running for your boss' seat, next in line, as it were. And I would not really think it would be a good idea to have the Appointing Authority have the ability to keep their Chief Assistant on as they're moving into the new job upon the retirement of the Appointing Authority.
Davis	Questions? Lisa, do you have a question?
Wombles	Yeah. If they do that, there'll have to be some kind of ex-patriot policy because what if, you know, this one wants to run for the office or the same office and he don't want him to run, so I'm going to let you go; but I don't have a problem with you running. There's got to be some kind of -- there can't be a just pick and choose.
Davis	Yeah.
Wombles	And as far as the exempt goes, I wouldn't think that this Board had authority of whether they let him go or not.
Rowe	Right. That's the point.
Davis	And that was my concern because we don't have that authority anyway. So why would we want to create a rule that gives us that authority?
Rowe	Well, you have a rule now that gave you that authority. Lisa's asking to you to take that out.
Davis	And I am okay with exercising authority that we don't have as long as the Constitutional Officers are on board with it, but if they don't want us to have it, I'm not inclined to suggest that we -- (Multiple speakers.)
Wallace	Yeah. If they want to have discretion -- you know, I hear your point, but it's not -- I'm not sure that this Board has the authority. In fact, this was one of the issues, I think, that was cited when I was told that the Board has infringed on certain
Wallace	Mission Creek?
Davis	Mission Creek is the word, yeah. And I think we need to look at that carefully, and if it's not within our power, to back away from it.

Dates	You know, we don't have the authority, and I understand what you are saying. But this is one of these things that's just so unfair, to me. It's just so unfair, and so --
Rowe	You mean having that restriction in there it is unfair or --
Dates	I think we're treating classified and exempt employees differently over the same issue, and, you know, whichever the way the Board goes is fine. But on record, I just have a real issue with this, and nobody's going to logic me out of it because I was there when this happened. I know why it happened, and I'm convinced that if my employee who ran for Sheriff wasn't a woman, it wouldn't have happened.
Rowe	And, you know, honestly, I wish you could -- (Multiple speakers.)
Rowe	I wish you could say all employees could -- that you could have the discussion because the employee who is a public servant might want to run for a Council position or a School Board position. (Multiple speakers.)
Sanzeri	Okay. I was just going to say, fair aside or unfair aside, the Special Act specifically says classifieds have to resign to run.
Vecchioli	It does.
Sanzeri	So that was not a rule created by the Board. That's in the Act.
Dates	Yeah, it was created by a bunch of exempt people. (Multiple speakers.)
Sanzeri	My recollection is that exempts was originally not included -- anyone correct me if I'm wrong -- and they were included -- at the request of the Constitutionals and perhaps various other Appointing Authorities they were included in the prohibition, and now they tell them you know how -- (Multiple speakers.)
Davis	Yeah, I know. I know.
Sanzeri	So I wanted to say, fair or unfair, unfortunately, this Board can't allow classifieds to run (inaudible).
Vecchioli	So I have a couple points of clarification, and I want to go back to Jack. So in light of this discussion about the authority this Board does not have on the exempts - I'm just trying to make sure I understand your concern about the rule as it's proposed.
Jack Loring	It creates potential, you know, for controversial problems whereas the current -- the status of the current rule, which does include exempts -- run -- resign to run, alleviates a lot of potential issues on there.

Vecchioli	Okay, and that's a valid point. I'm just trying to get my arms around if we don't authority to preclude them, isn't it – I mean it's kind of irrelevant, isn't it? What you're telling me is we enacted a rule that we really had no authority to do, and people were abiding by it. And now we're getting push-back, and so we're being asked to rescind a rule that we enacted that we didn't really have authority --
Davis	But I think the clarifying point is that we did it with the consent of all the Appointing Authorities. (Multiple speakers.)
Vecchioli	--of the Appointing Authorities, but I don't know if those appointees would have an ax to grind if we over-restricted them constitutionally. (Multiple speakers.)
Vecchioli	So now, what I'm struggling with is we start with a classified employee is required to resign as follows, and then we go on to say an exempt employee is not required to resign as follows. It does highlight your point about treating them totally differently. Why do we need to say anything about exempt if our new rules don't preclude it? That's my first question. Can we be silent on that issue without stepping on anybody's toes? Okay. So that doesn't – you know, it doesn't highlight the disparate treatment as much.
Vecchioli	And secondly, this may be hyper-technical, but is -- running for public office, there's also potential where one puts his or her name in to an appointment for public office, i.e., Judge Irizarry, right? Is that the same thing as running?
Wallace	I think some Appointing Authorities treat it the same.
Vecchioli	So do we need to add any verbiage?
Wallace	Maybe. The Clerk obviously did not.
Berkowitz	He encouraged her.
Wallace	He encouraged her. I think he wrote letters on her behalf.
Vecchioli	But I would consider that -- in the spirit of intention, that is running. You're not campaigning. It's a, you know, Governor's appointment, but if we're going to – we either like -- maybe I'm talking in circles. But the number one proposal is do we consider taking out number two completely without -- if it's not necessary. Let me just finish my point. And on number one, do we say to run or seek appointment to a public office to broaden the scope of that?
Sanzeri	Good point. We can -- we did get the Supervisor of Election's help in explaining the language.
Vecchioli	Okay. Okay.
Sanzeri	But the Special Act says no person in position of the classified service shall hold or be a candidate for public office.

	So we could research how that has been defined in the election laws to see what “be a candidate” is. It may be candidacy is only if you are running in an election and not if you’re appointed. I’m not sure. I’d be happy to bring something back as far as – I mean if you’re going to take out the exempt mention entirely, then put those aside, but -- for the classifieds. So that we’re clear, I’d be happy to bring that back if that’s helpful to the Board.
Vecchioli	I mean what do you-all think about the exempt language?
Davis	I like the idea about just being silent on the exempt side. On the non-exempt side, maybe we need to do -- see if there’s a need to clarify.
Daggett	I like that.
Sanzeri	Okay. I’d be happy to bring back some research on how the election laws define candidacy to make sure that we’re covering everything. And then just for clarification, we included in the rewrite of the rule that prohibited activities for all employees, including exempts, for doing certain things on County property, that’s not running for office; and that is an issue that all of the Appointing Authorities wanted to include the prohibition. Are you guys comfortable --
Dekle	Is this A?
Sanzeri	A, yeah. Including exempts in the prohibited activities, just if you – just confirming that the Constitutionals did want it, continue to include that.
Dekle	Well, watch out for number three.
Sanzeri	I’m sorry?
Dekle	Number three is like candidacy for public office.
Sanzeri	Right, but number three says classified. I was just -- as far as the exempts, if we take them out entirely, we’ll just leave them in one.
Dekle	But if we’re going to be silent on it, we ought to drop three also. Maybe we can come up with a generic inoffensive but effective statement like --
McGrane	Per the Special Act.
Sanzeri	Well, that is what the Special Act says.
Dekle	Anyone considering running for an office must comply with the terms and conditions of the Special Act?
Vecchioli	Well, how are we --
Dekle	Well, we don’t have to --
Vecchioli	I’m sorry.

Dekle	--say you can and you can't.
Vecchioli	How can they giveth and then taketh away, right? I mean if the constitutional officers want us to put it in where and not where – I'm just trying – I'm struggling with the fact of why are we putting anything about prohibitions on – in there.
Sanzeri	In their defense, we have the whole rule with the whole prohibition in it, and the part they were concerned about was the running prohibition, the candidacy. You do not have to agree to include these other prohibited activities in the rule. They can certainly each adopt a policy, leg (sic) it out so everyone is clear if that's the Board's preference so that the Rule is clean.
Vecchioli	But what does HR do? What happens in the case of exempts since we never hear about these situations when there is a potential violation within one of those departments? Do you guys get involved, or do they have the discretion --
Rowe	For an exempt --
Vecchioli	An exempt.
Rowe	--running against --
Vecchioli	No. I'm just talking about these prohibitions, prohibited activities. Would you get involved in policing that?
Rowe	There are a couple of things that happen. One is, proactively, at election season, there's a letter that's sent out that reminds people that these things are precluded. And, generally, people comply. We have had – on a rare occasion, we have had some people campaigning at work and have had to take some action, but it's not very common because that letter usually --
Daggett	Circulates in time and – (Multiple speakers.)
Toney	Whether it's classified or a manager, you don't want them projecting their political views on County time at work. It applies to exempts as well.
Vecchioli	I'm just trying to figure out our -- within our -- like what makes sense, and I don't mind including it if it's helpful because it's sending a consistent message about prohibited activities.
Sanzeri	Two quick things, I think what happens on the not running for office but other prohibited activities, whether it's a classified or exempt person who might be doing it at work, yes, they might call HR, the managers might call HR, might call Legal, and we would tell them whether the activities were or were not appearing to be in violation of the law. But even with classifieds, then it is up to that Appointing Authority's management whether they discipline them, counsel them, ask them to stop; of course, exempts, too. So the -- I mean HR doesn't police people. They don't control whether there's discipline. They obviously interpret and provide guidance on if they're doing this, is this a violation? So just there is -- there's that point as far as if the role is educational, I

	would say, and interpretative of the rule. Does that answer --
	Then again, if you want the whole rule silent on exempts for consistency, that's certainly something the Constitutionals can work with because they can adopt their policy to tell everyone you can't do this in the workplace even if you're exempt. There's no problem with them doing that. It will still be communicated out, I guess, is what I'm saying.
Vecchioli	Right.
Davis	I would be comfortable with being silent with regard to exempts, not that I don't recognize the potential problems, you know, not just even with (inaudible) individual with the Appointing Authority. But between Appointing Authorities, you could potentially end up with different rules that say different things; and, you know, depending on who you work for, you may or may not be in violation. I fully appreciate that dilemma, but I'm just -- I just don't know how to get into the weeds of that issue where we clearly don't have the authority to do so. That's my problem. So I'm more comfortable with adopting a rule even if we don't have the authority for the people we serve on Boards, and they're asking us to administrate it so that there will be consistency, which is what we had before. Apparently, they have changed their minds.
Sanzeri	At least with the candidacy, yes. With the candidacy, yes, they have changed their minds. Although in their defense, they are a different collective (inaudible) at least in some instances, if not all. (Multiple speakers.)
Loring	It could change back. (Multiple speakers.)
Loring	An outgoing incumbent is not going to run for office. It's probably okay with exempts being able to run, and then, their replacement, whoever is elected, they have (inaudible) about exempts to run against them. (Multiple speakers.)
Wallace	But they can't run, they can create a policy.
Rowe	Right. And they can't run against their boss under any circumstances, and they can create a policy that says you have to resign no matter what office you shoot for.
Davis	Just so we move this process forward, is everyone comfortable with essentially removing exempts all together from rules with regard to these issues?
Toney	We wish that all employees have the opportunity to run for office if they'd like. I understand classifieds are not able to do that. Just the clarification if they want to let the exempts be able to do that, I think it's a plus. I think it's going to open up the field to allow people with experience that want to run for office, the opportunity to do that. So I mean we're okay with that.
Rowe	And just to be clear so we get this right for Beverly, you're suggesting we move the

	exempts' reference for the entire rule or only as it relates to candidacy for office, also in the prohibited activities area?
Vecchioli	I think that's what the Chairman is suggesting.
Davis	Yeah. What I'm -- I'm talking about the political -- (Multiple speakers.)
Rowe	Okay. I just want to make sure.
Walker	And I would concur with that. The Appointing Authorities can and do make the rules for the exempts, and so this will not be a deterrent for them; and they can lay out what they want done in all of that activity. And I believe most of the exempts understand their boss' position on these kinds of things.
Wallace	If they don't, they will when they start running for office.
Davis	Okay. So we agree to go back to six. Was that it?
Vecchioli	Seven. (Multiple speakers.)
Vecchioli	If anybody wants to go back to an earlier rule -- I'm not running the show. I'm sorry. I just -- I wanted to talk about seven. That's all.
Wallace	We skipped three, which I think may be --
Davis	Oh, yeah. You had some additional comments on three?
Vecchioli	Well, we were on three, but -- okay.
Davis	Okay. Well, we'll go back to three then.
Dekle	Page 6.
Berkowitz	We're on Rule 3, right?
Wallace	Rule 3.
Dekle	Rule 3, page 6. If I read it right, that's disciplinary demotions. This is the draft -- Rule 3.
Wallace	Wait, wait. Rule 3?
Dekle	I'm on Rule 3.
Wallace	But it's not on page -- (Multiple speakers.)
Vecchioli	What section are you on?
Wallace	C, on page 6, Rule -- this is all leave. (Multiple speakers.)

Dekle	This is the draft. Rule 3, page 5.
Vecchioli	What section is it? What section is it?
Dekle	You mean the whole reference?
Vecchioli	Yeah.
Wallace	Okay. I think I see. Kind of what happened is when we got to Rule 4, we started over with page 1. Back to Rule 4, we started over with page 1.-
Vecchioli	C what?
Dekle	2 b – I’m sorry -- c. 2c
Vecchioli	2c, Pay Reduction - Disciplinary?
Dekle	Ah-huh.
Vecchioli	That’s on page 6.
Sanzeri	Yeah, top of page 6.
Wallace	The top of page 6.
Dekle	If I understand right, this is a disciplinary demotion and a pay reduction; is that right? And this just where it has been --
Rowe	This is the disciplinary pay reduction, yes, sir, so it might not be with demotions.
Dekle	But it’s a demotion? (Multiple speakers.)
Vecchioli	It’s a pay reduction for disciplinary. (Multiple speakers.)
Rowe	--another two. There’s a disciplinary demotion. That’s one category. And there’s a disciplinary pay reduction, which is a different --
Dekle	Okay. Well, here’s where I come back to the demotion on the -- then let’s come back to page 5 of 11, Item b, the demotion. I would like to stay with the maximum of 5 percent, which is what I understand what we have now, and have that specified. (Multiple speakers.)
Davis	And it changed in --
Dekle	And it’ll come up again --
Davis	--Appointing Authority.
Dekle	--discipline.
Rowe	It’s -- actually in the currently rule, there’s not -- well, I don’t believe there is a specified amount in the current rule.

Sanzeri	For discipline demotion?
Rowe	Yes.
Sanzeri	I think we just looked at it and didn't see it.
Vecchioli	We did. I thought we did.
	(Multiple speakers.)
Rowe	For discipline, there is no established amount.
Davis	In the current rule?
Rowe	In the current rule. Not for discipline. There is for voluntary demotions and formerly known as involuntarily demotions
Daggett	Otherwise known by that label.
Rowe	But not for discipline.
Walker	Aren't we going to come back to this whole section later anyhow after it's a little more clear?
Sanzeri	Yes.
Davis	Yes.
	(Multiple speakers.)
Davis	We have a number --
Sanzeri	I was going to attempt to rewrite this part for you guys. I think the clarity would propel us to a good decision.
Berkowitz	Yeah, I think there is a -- the Vice-Chair is correct. Under the proposed Rule 6, the new one, page 2 of 12, pay reduction, this is the proposed Rule 6, page 2 of 12, see pay reduction. Pay reduction is a reduction in the employee's pay grade. It requires a pre-disciplinary hearing. Pay reduction shall be limited to a maximum of 5 percent. So under discipline, it says that a pay reduction -- not a demotion.
Rowe	In the proposed?
Berkowitz	In the proposed.
Rowe	But we were talking about the previous --
Berkowitz	But in the proposed, base pay decreases for pay reduction, disciplinary, it said it shall be reduced to any lesser pay rate at the same pay grade, so you are --
	I think you are correct. In my reading, there is an inconsistency.
Dekle	Yeah. And it just seems to me that --
Sanzeri	I think perhaps if you look at the current rule, maybe what you're thinking of -- I'm sorry.
Davis	No. Go right ahead. Go right ahead.

Sanzeri	--is in the current present rule under discipline, the demotion is not specified to a certain amount of pay grades that you're decreased, a certain pay decrease with your demotion.
	But the reduction in pay, the discipline for reduction in pay, which is another type of discipline like demotion, is limited in the discipline -- current discipline rule.
	Maybe that's why you were thinking the demotion was limited at a current discipline.
Dekle	Probably.
Sanzeri	I mean I don't know, but I just perhaps -- (Multiple speakers.)
Vecchioli	Well, he does -- I mean it does say 5 percent. But it says pay reduction; it doesn't clarify what context --
Sanzeri	Wait. In the current or the -- (Multiple speakers.)
Vecchioli	In the new rule, the new proposed rules. (Multiple speakers.)
Wallace	Proposed Rule 6.
Sanzeri	Proposed Rule 6.
Wallace	Proposed Rule 6, which is page 2 of 12.
Sanzeri	Which is the discipline?
Wallace	Yes.
Sanzeri	That is a carryover that is the same as the old rule --
Vecchioli	Okay.
Sanzeri	-- for the disciplinary pay reduction.
Vecchioli	Disciplinary other than a demotion, right?
Sanzeri	Correct. It's a pay reduction, not a pay grade reduction, so you are not going from a CL12 to a CL8. You're staying in your CL12, but you're getting a 3 percent cut in pay as your punishment -- as your discipline.
Vecchioli	So maybe you should clarify under C, where it says "is a reduction in employee's pay rate where a pay grade" -- "where the pay grade has not changed" or something?
Sanzeri	That's fine; that's the context.
Vecchioli	I mean is that -- does that clarify -- (Multiple speakers.)
Daggett	--extra context.

Vecchioli	Do you understand this?
Dekle	No. I am completely confused. To me, on page 6, C, pay reduction, disciplinary.
Vecchioli	Well, wait. We'll go back to that. Just stick with those --
Dekle	It's the same as page 2 in Rule 6, pay reduction. I don't understand the difference.
Vecchioli	Well, one is a demotion, though, isn't -- no. You're looking at --
Rowe	No. I see where you are.
Dekle	--disciplinary.
Rowe	Yes. Mr. Dekle, I see where you are in the -- page 2 of 12 in Rule 6, it limits, under section c, to 5 percent.
Vecchioli	Right.
Berkowitz	Right.
Rowe	And then in Rule 3, under pay reduction, disciplinary, it doesn't have that, so we'll make that -- we'll fix that to make it consistent.
Sanzeri	To make it consistent, that's what you want? It is consistent; they are the same.
Dekle	Yes, ma'am. (Multiple speakers.)
Berkowitz	It's supposed to be consistent, right? (Multiple speakers.)
Rowe	In these cases, they are the same. They do --
Dekle	You know all of that? (Multiple speakers.)
Wallace	He's talking about staying in the same pay grade but just losing money or just dropping --
Vecchioli	And then clarify the language in C.
Sanzeri	Got you.
Davis	Okay. Anything else under 3?
Bill Shultz	I have a question about Rule 3-e-1, standby pay? What exactly is -- who is a standby employee?
Sanzeri	E-1, yes.
Vecchioli	Page 6.
Shultz	What exactly is -- who is a standby employee?

	(Multiple speakers.)
Dates	A 911 operator.
Rowe	Well, a lot of --
Dekle	Computer people.
Rowe	A lot of people in utilities, 911, the plant operators --
Dekle	IT people.
Rowe	--emergency management.
	(Multiple speakers.)
Sanzeri	Well, here's the -- here's an easy answer, sir. A classified employee was told by their boss that for this period of time I need to be able to call you. You need to -- when you're not normally at work, well, off-work time, you know, over the weekend maybe if you work Monday through Friday. You need to answer your phone when I call you, and you may have to come in. I'm assigning you standby. That's a standby person.
Shultz	That's 40 percent of the Property Appraiser's Office who's not getting standby pay. That's called the Blue Team.
Rowe	Classified employees?
Shultz	All classified employees that are assigned to the Blue Team have to respond to a natural disaster for damage assessment.
Sanzeri	In an emergency.
Shultz	In an emergency.
	(Multiple speakers.)
Shultz	Any emergency, hurricane, tornados.
Rowe	Yeah. That's different than -- that's different --
Dates	It's different than my co-worker called off work, now I've got to go.
Rowe	Right.
Shultz	—because in terms of rules, if you do not show up when you're called, you can be fired.
Dekle	But that's in an emergency.
Rowe	That's an emergency. That's has a whole different set of rules.
Sanzeri	I think that you'll see emergency call out where there's no standby assignment made. The standby is when we know we're going to be short-staffed where we know we always need a second person in case the one person at the plant has a horrible accident

	<p>and can't come in, and someone physically has to be there, has to be a person with a license. As an example, if you're the other person with the license and they rotate, there's five people and this is your weekend.</p> <p>Emergency callout is when you don't plan that in advance. Standby is when you plan it in advance, and you get paid one hour of pay even if you never get called for -- in exchange for your -- you know, I know I have to be available and I can't go drink a bunch of beers with my friends because I may have to drive into work and watch the, you know, plant; and that's obviously -- I'm sorry?</p>
Dates	<p>That's the best explanation I've ever heard of that, Carole.</p> <p>(Multiple speakers.)</p>
Rowe	<p>You can't go out on the boat with your friends. You have to be by the phone in case you get called in as opposed to -- things happen in emergencies. You need to be available if our boss calls us to come in.</p>
Dekle	<p>That means you can't drink and all of that kind of stuff.</p>
Sanzeri	<p>Yeah, you're limited in what personal pursuits, even though it's your weekend. You can't go on the boat. You maybe can't drive to Orlando because you might have to be here in a half an hour. You can't really have a drink because you might have to get in your car and come here and do something critical.</p>
Rowe	<p>And you know that. When you go home on Friday, you're all sad for the weekend.</p> <p>(Multiple speakers.)</p>
Sanzeri	<p>So it's assigned. We're going to call you, or we may call you so be ready versus if there's an emergency, I'm calling you all and you all better come in if I tell you to. Does that help?</p>
Shultz	<p>Yes.</p>
Davis	<p>Okay. Before we continue, I have an important question for the Board. Do we want to push through this, or do we want to continue this at another date and time? Or --</p>
Dekle	<p>It's been three hours.</p>
Davis	<p>I just don't want to keep going on and on and on through the late hours of the night unless the Board is willing to.</p> <p>We don't have to do it all at one time.</p>
Dekle	<p>I make a motion we -- I'm sorry. Go ahead.</p>
Daggett	<p>I think we should continue at another time.</p>
Vecchioli	<p>Another time?</p>
Daggett	<p>Yeah.</p>
Dates	<p>Yeah, me, too. I'm at my limit.</p>
Daggett	<p>Because we're reaching a sort of a saturation, and we're trying to listen.</p>

Davis	So any other items on Rule 3? Are we through with Rule 3 so that when we come back, we know we can pick up four through seven?
Vecchioli	Yeah. I think that's great.
Dekle.	Wait, wait, wait.
Davis	Okay. All right. Just checking.
Daggett	So thank you very much for all of the clarification. (Multiple speakers.)
Rowe	We did four?
Davis	We did four.
Sanzeri	We did one, two, three, and eight.
Vecchioli	Well, if you think about it, we really did more than that because all of these old rules were consolidated. (Multiple speakers.)
Rowe	So when we -- Beverly has -- four, five, six, and seven remain. (Multiple speakers.)
Davis	Okay. So we're going to -- I'm not sure when we'll -- the next workshop. Is there a proposed --
Dekle	The first Thursday in October.
Davis	I have a few housekeeping things I need to do. First, so that I don't forget to do it, I just want to recognize and acknowledge our new Board member Mr. Shultz.
Shultz	Thank you.
Davis	I really welcome him, a fully advised Council appointee.
Davis	And we earlier discussed consideration or not having, I guess postponing the next regular scheduled Board meeting, which is, what, the first Thursday --
Vecchioli	October 1st.
Davis	--until sometime after the Appointing Authorities and the EAC have met. I'm not sure how well that works since we still have to go through 4 through 7. So maybe we need a meeting before they meet after -- sometime after the regular Board meeting (inaudible) for this workshop and then another one after they've had a chance to review. Would that work everyone? Was I clear about that?
Vecchioli	No. I'm trying to get my arms around -- (Multiple speakers.)
Berkowitz	You could just put it on the agenda for the October 1st meeting to --

	(Multiple speakers.)
Vecchioli	That's what I was going to say. Rather than suspending the meeting, let's do the workshop continuation.
Davis	So by consensus, we'll have a regular Board meeting, post a – show an agenda. We'll have members of the workshop, and we'll have some answers for the items we've already covered; and we'll continue four through seven.
Loring	Excuse me. There was another kind of question suspending the October 1st meeting because there should be an agenda item to adjust the classified pay plan, the maximums, which will enable the classified employees who are close to the maximum to get some base fill and increase.
Wallace	I thought we did that already. That was already done, I thought.
Dates	Yeah, we did that.
Davis	And if we didn't do it, it will be on the next –
Wallace	I just looked at that. I just looked at that for somebody, so --
Davis	Okay.
Vecchioli	So if we meet October 1st --
Davis	Right
Vecchioli	--then when are they having their follow-up meeting?
Wallace	October 16th.
Davis	16th.
Vecchioli	And then after that, it will come back to us with all these proposed revisions and changes, etc.? (Multiple speakers.)
Daggett	I won't be voting anyway. I'm out of town. (Multiple speakers.)
Daggett	Well, I'm sorry to say that, but I already know I'm out of town.
Sanzeri	In October?
Daggett	Ah-huh. October 1st, I'm in California, Indiana --
Davis	Well, if you have any other comments from four through seven, please send them in to the group. I don't know that you will, but –
Daggett	Yes.
Davis	--just so you'll get the benefit of any thoughts you might have since you're not going to be there.

Dekle	One other thing, I'd like to say.
Davis	Yes?
Dekle	I'd like to thank and congratulate all the people who worked so doggone hard over the past three-and-a-half years to create this mess that we're now struggling through. You all have done an excellent and great job, and I -- having spent the past four-and-a-half days of working with what you've produced, I understand how much you really did. It was enormous. So thank you very much from the whole Board.
Davis	And with that, I think the workshop is adjourned.
Adjourned	at 9:29 p.m.

EXHIBIT 15

Reason For Exclusion	EE#	Department	Division	Position Number	Position Title	Pay Grade	Mid Point	3% Withheld	5 Year Market Based Loss
Suspension	16690	BCC:Airport	BCC:Airport	BCC/C2284	Trades/Fld Svcs Supv	C23	\$ 59,758.40	\$ 1,792.75	\$ 8,963.76
Suspension	103167	BCC:Department of Safety and Emergency Services	BCC:Regional 911	BCC/C4199	911 Pub Safety Telecomm 1	C18	\$ 47,944.00	\$ 1,438.32	\$ 7,191.60
Suspension	103004	BCC:Department of Safety and Emergency Services	BCC:Regional 911	BCC/C3802	911 Pub Safety Telecomm 1	C18	\$ 47,944.00	\$ 1,438.32	\$ 7,191.60
Suspension	101318	BCC:Department of Safety and Emergency Services	BCC:Regional 911	BCC/C4437	911 Pub Safety Ctr Supv 1	C25	\$ 65,270.40	\$ 1,958.11	\$ 9,790.56
Suspension	100479	BCC:Parks and Conservation Resources Department	BCC:PCR Trades	BCC/C1812	Craftwkr 1	C18	\$ 47,944.00	\$ 1,438.32	\$ 7,191.60
Demotion	103154	BCC:Public Works Department	BCC:Mosquito Control and Vegetation Management Unit	BCC/C844	Spray Tech 1	C15	\$ 42,016.00	\$ 1,260.48	\$ 6,302.40
Suspension	100968	BCC:Public Works Department	BCC:Stormwater and Vegetation Division	BCC/C713	AEO 2	C16	\$ 43,888.00	\$ 1,316.64	\$ 6,583.20
Suspension	102843	BCC:Public Works Department	BCC:Mosquito Control and Vegetation Management Unit	BCC/C1888	Crew Chf 1	C18	\$ 47,944.00	\$ 1,438.32	\$ 7,191.60
Suspension	101722	BCC:Public Works Department	BCC:Roadway Maintenance	BCC/C782	Crew Chf 2	C20	\$ 52,395.20	\$ 1,571.86	\$ 7,859.28
Suspension	103172	BCC:Public Works Department	BCC:Construction Management Division	BCC/C2078	Fld Insp 2	C24	\$ 62,462.40	\$ 1,873.87	\$ 9,369.36
Disciplinary Pay Reduction	90758	BCC:Solid Waste Department	BCC:Solid Waste Department	BCC/C1748	Scalhhs Svcs Spec 1	C16	\$ 43,888.00	\$ 1,316.64	\$ 6,583.20
Suspension	26512	BCC:Solid Waste Department	BCC:Solid Waste Department	BCC/C4033	Accountant 1	C22	\$ 57,200.00	\$ 1,716.00	\$ 8,580.00
Disciplinary Pay Reduction	26926	BCC:Utilities Department	BCC:Maintenance Division	BCC/C1364	Util Maint Spec 2	C17	\$ 45,884.80	\$ 1,376.54	\$ 6,882.72
Suspension & Demotion	33106	BCC:Utilities Department	BCC:Maintenance Division	BCC/C3494	Util Maint Spec 2	C17	\$ 45,884.80	\$ 1,376.54	\$ 6,882.72
Suspension	28118	BCC:Utilities Department	BCC:Maintenance Division	BCC/C1340	Util Maint Spec 2	C17	\$ 45,884.80	\$ 1,376.54	\$ 6,882.72
Suspension	31902	BCC:Utilities Department	BCC:Maintenance Division	BCC/C3611	Util Maint Spec 3	C19	\$ 50,107.20	\$ 1,503.22	\$ 7,516.08
Suspension	100485	BCC:Utilities Department	BCC:Maintenance Division	BCC/C3335	Fld Insp 1	C20	\$ 52,395.20	\$ 1,571.86	\$ 7,859.28
Suspension	26674	BCC:Utilities Department	BCC:Water Quality Division	BCC/C1961	Wtr Qual Mgmt Spec 1	C21	\$ 54,745.60	\$ 1,642.37	\$ 8,211.84
Suspension	23968	BCC:Utilities Department	BCC:Plant Operations Division	BCC/C1156	Maint Supv	C28	\$ 74,484.80	\$ 2,234.54	\$ 11,172.72
Suspension	25166	BCC:Utilities Department	BCC:Utilities Engineering	BCC/C4486	Eng Spec Supv	C31	\$ 85,030.40	\$ 2,550.91	\$ 12,754.56
Suspension	102749	BCC:Utilities Department	BCC:Maintenance Division	BCC/C4360	Trne UF A EEO3	C55	\$ 50,107.20	\$ 1,503.22	\$ 7,516.08
Written Warning	26682	HRD:Human Resources	HRD:Performance and Development	HRD/C16	HR Spec	C22	\$ 57,200.00	\$ 1,716.00	\$ 8,580.00
Written Warning	00496	SOE:Supervisor of Elections Office	SOE:Supervisor of Elections Office	SOE/C122	Admin Supt Spec 1	C19	\$ 50,107.20	\$ 1,503.22	\$ 7,516.08

EXHIBIT 16

Maloney, Tammera J

From: Sellards, Peggy A
Sent: Friday, December 10, 2021 4:42 PM
To: Maloney, Tammera J
Subject: FW: Records request
Attachments: GI Exclusions 2021_Non-Discp.xlsx; 2021_Increase to New Min.xlsx; Demotion - Disciplinary Pay Reductions 2013 - 2020.xlsx

Please see the attachments and email below that are responsive to your requests.

Peggy

Peggy Sellards
Sr. Executive Assistant to
Kimberly R. Crum, Human Resources Director
Pinellas County Human Resources
400 S Fort Harrison Ave, Clearwater, FL 33756
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www.pinellascounty.org/hr

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Human Resources

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From: Maloney, Tammera J <tjmaloney@co.pinellas.fl.us>
Sent: Friday, December 3, 2021 9:43 AM
To: Sellards, Peggy A <psellards@co.pinellas.fl.us>
Cc: Crum, Kimberly <kcrum@co.pinellas.fl.us>; Ciro, Maria <mciro@co.pinellas.fl.us>
Subject: Records request

Good morning,

In preparation for the upcoming investigative hearing scheduled for 1/6/22 before the UPB, we respectfully request information and/or documentation of the following:

- A list of personnel that were denied any market based increase associated with the Evergreen market adjustment implementation due to discipline, recent promotion, or being a recent newly hired employee.

N/A: No employee was denied an increase due to the stated reasons.

- A list of any personnel previously denied any increase associated with any market or classification adjustments associated with the past PAQ practice (now known as the JAT) of market based position assessment increases or reclassifications due to discipline, recent promotion, or being a recent newly hired employee.

N/A: No employee was denied an increase due to the stated reasons.

- A list of all employees denied the October 10th 2021 general increase based on reasons OTHER than discipline. Please include hire date parameters or promotional date parameters used to make this determination and any documentation identifying these timeframe parameters.

Attached "GI Exclusions 2021 Non-Discp".

- Any policy documentation identifying these parameters, or any eligibility standards for market-based increases.

Personnel Rule 3

- A list of any employee recently hired at the time of a general increase implementation that were denied the 3% mid-point increase but received an increase based up on the implemented upward 2% on minimum increase in the past 5 years.

Attached "2021 Increase to New Min" No existing record for prior years.

- A list of all employees denied a general increase due to discipline for years 2014-2020. Please include the discipline type and origination dates.

No existing record that includes all discipline types and origin dates. I've attached a file (Demotion – Disciplinary Pay Reductions 2013 – 2020) which includes records identifying employees that did not receive the general increase in years 2013 through 2020. These records show a reason code as to the most recent action that impacted the employee's pay rate. In this case, I provided those records that indicated a reason associated with a disciplinary action or a demotion which may have been voluntary and not associated with a disciplinary action.

The information is being request for all Appointing Authority increases implemented under the Unified Personnel Systems and is not requested specific to those under the authority of the County Administrator. As time is of essence, we appreciate your help obtaining this data.

Thank you and have a wonderful day!

Tami Maloney, CPM

Accountant II

Pinellas County Parks & Conservation Resources

12520 Ulmerton Road

Largo, FL 33774

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Your opinion matters to us! **Please take a moment to answer a brief survey about our service:**

www.pinellascounty.org/surveys/parks

Maloney, Tammera J

From: Sellards, Peggy A
Sent: Wednesday, November 24, 2021 8:46 AM
To: Maloney, Tammera J
Subject: RE: records request
Attachments: Classification Crosswalk.pdf

Tami,

Please see responses to your request attached and below.

Thank you,

Peggy

Good afternoon Peggy,

I am requesting a copy of information sent to county employees explaining the Evergreen Study, methodology and calculations used to derive any increases to either position classifications or upward movement within an already place classification (where an employee role or classification does not change, however an upward award was granted due to changes to other party classifications or any recommended market based increases).

Please see the attached document which includes information about the methodology and additional information shared with employees about the Evergreen results.

I would also like any HR information regarding how previous PAQ's for review of a group of like positions is reviewed for any necessary upgrade or pay increases.

The new questionnaire is the Position Assessment Tool (PAT) which has replaced the former PAQ. Groups of like positions are sometimes covered by a single PAT document. This approach is usually used when there are a group of employees performing the same type of work. The HR Analyst would examine the positions to determine whether or not they are classified correctly and if they are allocated to the appropriate pay grade. This is the same approach used in the past with the PAQ.

Parameters and any guidelines provided for either of these market based increases is being requested.

Guidelines related to market-based adjustments to a job classification include a number of considerations, such as;

- Is the position allocated to a pay grade where it appears we a lagging the labor market by 10% or more?
- Has the occupation been lagging the market over a period of time?
- Are we experiencing any difficulties attracting new hires for this occupation?
- Are we having a difficult time retaining employees in this job classification?
- How do we compare with other employers when we take into account our total comp. including benefits?

Peggy

Peggy Sellards
Sr. Executive Assistant to
Kimberly R. Crum, Human Resources Director



Unified Personnel Board – HR Update January 2022 (December 2021 updates)

Internal Recruitments

HR Technology and Performance Enhancement Manager will begin mid-January.

Employee Voice Results – HR's Next Steps

- Following the 2021 Employee Voice Survey, the HR team developed 5 workgroups to review the results and develop action plans. Since last month's update, each of the 5 groups presented feedback during a full staff meeting on their analysis of the results, celebrating our successes, analyzing critical areas, and prioritizing action items. As a result of these workgroups, there were several general themes identified that require additional focus and attention:
 - Respectful atmosphere
 - Opportunity to do my best work
 - Inclusion
 - Recognition
 - Flexible work
- We continue to work on plans to address these themes in 2022 as well as kick off our strategic planning process.

Additional Administrative Leave for Eligible Employees

- The time period ended on December 18 to use up to 80 hours of administrative leave with pay on an as-needed basis to those fully vaccinated employees who started after April 1, 2020 who test positive for COVID-19 or must quarantine and are unable to work from home.
- As of December 15, we approved leave for 5 employees, totaling 284 hours – all from County Administration.

Benefits & Wellness

- Implementation of new Benefits vendors that are effective January 2022 is almost complete. Call volume to both Cigna and Aetna has ramped up; the most common questions are as follows:
 - Inquiries about in-network providers
 - Transition of care for ongoing treatment
- Out of the five Cigna onsite resources, 3 have completed the hiring process and are set to start in January:
 - Claims/Customer Service Representative
 - Back-up Claims/Customer Service/Administrative Representative
 - Part time Employee Assistance Program (EAP) representative
- Cigna is continuing the recruitment process for the onsite Registered Nurse Health Coach and Registered Dietician Health Coach.
- There was overwhelming interest in our new voluntary benefits provided by Aflac. Those who enrolled are expected to receive a letter from Aflac shortly.

Voluntary Benefits	Number Enrolled
Employees choosing one or more Aflac policies	1,319
Accident policies	1,181
Critical Illness policies	690
Hospitalization policies	911
Total	2,782

- We continue to communicate through a variety of channels reminding employees about the biometric screening and Rally health survey. There are lags in the reports we receive from Rally, so we are working with UnitedHealthcare to make sure all completions are captured. As of December 19, 414 eligible employees have not completed their biometric screening and 230 have not completed the health survey. Eligible employees are those who are enrolled in the County's medical plan, and who were benefits eligible prior to July 1, 2021.

Classification & Compensation

- Collaborating with the BCC Workforce Relations team on preliminary recommendations for the first phase of position audit results.
- Collecting and analyzing national, regional, and local salary budget increase and pay structure data for the annual market survey.

Organizational & Talent Development (OTD)

- New Employee Orientation (Work. Grow. Matter.) will be offered an additional 14 times in 2022 on each payroll Monday. New Employee Orientation on Risk & Safety will now be available for viewing anytime on Microsoft Stream on the Click2Learn channel. This segment includes an overview of Risk Management, Workers' Compensation, Heat Stress, and Fire Prevention. Driving Awareness will be offered by Risk on an as-needed basis. Workplace Violence Prevention will now be presented by Human Resources and also offered on Click2Learn.
- The Certified Public Manager calendar for 2022 was finalized with Florida State University and participants have been asked to save the dates and to share with leadership to ensure necessary scheduling.
- Our 2022 Learning Catalog will be released in the coming weeks. We are proud to offer a total of 105 courses to our employees both in-person and virtually.

Workforce Strategy

- Processed 506 new hires in 2021 to date. We continue to stay up-to-date with recruitments.
- Pinellas County recruitment team is hosting a Pinellas County Career Fair on January 18 from 10 am to 3 pm at St. Petersburg College EpiCenter.



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 actions from **November 21, 2021 through December 25, 2021**.

REVISIONS

Spec No.	Title	PG
07564	Video Specialist	C23
13026	Project Management Specialist 1	C25