



Unified Personnel Board/Appointing Authorities Workshop Agenda

Date: September 22, 2021
Time: 2:00 – 5:00 p.m.
Location: 315 Court Street, 4th Floor Clerk's Conference Room
Clearwater, Florida

- I. Introductions by Board Members and Appointing Authorities
- II. Overview of Special Act and Role of Personnel Board
- III. Discussion of Personnel Rules for Exempt Employees
- IV. Discussion of Process for Evaluation of HR Director
- V. Discussion of Annual Goals for HR Director
- VI. Open Issues for Discussion

* 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 SYSTEM

Annex Building
 400 S. Fort Harrison Ave., 4th Floor
 Clearwater, Florida 33756
 Phone: (727) 464-3367
 FAX: (727) 464-3949
www.pinellascounty.org/hr

**PERSONNEL ACT****WHO DOES WHAT?****THE BOARD:**

Seven members appointed by various components of Pinellas County Government and Employees. The purpose of the appointment of a variety of interests is to insure balance of perspective on the Board. However, this representation of different interests is not intended to supplant the fiduciary duty of each Board Member – its duty to the Board as a whole.

1. *Adopt and amend Rules under the Act, pertaining to*
 - a. Position classification for Classified Service;
 - b. Grievances and complaints;
 - c. Disciplinary & Appeal Hearings for all permanent Classified Service;
 - d. Certification to Appointing Authority of persons qualified to fill a vacancy, with Appointing Authority having the right of selection from among certified qualified.
 - e. Establishment and maintenance of eligibles for appointment and promotion;
 - f. Promotions related to qualifications, probation, selection by Appointing Authorities;
 - g. Temporary and provisional employment;
 - h. Establishment of programs, including training and career development;
 - i. Record keeping for performance of Classified Service;
 - j. Layoffs or position elimination.
2. Investigation concerning enforcement of Act
3. Hear and Determine Appeals and Complaints under the Act
4. Board shall be the final authority in all matters relating to personnel policy and actions for those subject to the Act.

CLASSIFIED SERVICE:

All tenured positions under the Appointing Authorities, except those exempt positions set forth in the Act. Subject to the rights of Classified Service rights under the Act and Personnel Rules, the Appointing Authorities shall hire, promote, demote, suspend, or dismiss members of the Classified Service.

EXEMPT SERVICE:

The Appointing Authorities shall hire, promote, demote, suspend, or dismiss persons serving in exempt positions at their leisure, and exempt employees have no rights under the Act's grievance procedure. The Appointing Authorities shall determine the appropriate compensation for exempt employees.

Upon approval by the Appointing Authorities and the Board, exempt employee rights under the Act are limited to those who were promoted from classified to exempt service may return to the classified service at a position and pay grade comparable to that prior to their promotion.

The Board shall be the Appointing Authority for the position of Director of Personnel/ Human Resources Director who shall be selected by the Board from applicants recommended and ascertained through a joint screening process with the County Administrator, Clerk of the Circuit Court, Property Appraiser, and Supervisor of Elections. The Director of Personnel/Human Resources Director serves at the pleasure of the Board. **Note, as the position is exempt, there is no distinction between an interim or permanent appointment.*

Otherwise, exempt employees shall be subject to all other provisions of the personnel policies, rules and regulations as established by the Board or the Act.

DEPARTMENT OF RULES AND REGULATIONS:

Appointing Authorities may continue to establish departmental rules and regulations for their employees in addition to the Personnel Rules, but shall be approved by the Board. Once approved, such rules will control in the case of a conflict between departmental Rules and Rules and regulations of the Board.

EMPLOYEE ADVISORY COMMITTEE:

The EAC shall serve in an advisory capacity to the Board concerning personnel matters, policies, rules and regulations affecting Pinellas County employees.

PERSONNEL ACT

Pinellas County Unified Personnel System Act

The Pinellas County Unified Personnel System was created in 1977 by Florida Law 77-642 (see pages 1 to 10), and amended in 1995 by Florida Law 95-474 (see pages 11 to 12) which added the Tax Collector. In addition there are other special acts associated with the Unified Personnel System, including Florida Law 74-587 providing authority to hire a consultant to design the system, Florida Law 75-488 which was amended the next year to remove the Sheriff, and Florida Law 89-414 which allowed representation before the Board by lay persons.

CHAPTER 77-642

House Bill No. 1684

AN ACT relating to Pinellas County, pertaining to personnel; establishing a personnel system for employees of the Board of County Commissioners, Clerk of the Circuit Court, Property Appraiser and Supervisor of Elections; providing for a classified service; providing for exempt positions; creating a Personnel Board; providing for appointment, size, term of office, removal and

qualifications of members of the Personnel Board; providing for compensation of members of the Personnel Board; providing duties of the Personnel Board; creating a personnel department; providing for the appointment and removal of a Director of Personnel; providing qualifications and duties of the Director of Personnel; providing for job descriptions, a job classification schedule and a pay plan; providing for department rules and regulations; providing for present employees; prohibiting certain political activities; providing for hearings and investigations; providing for funding; providing for continuation of membership, rules and regulations, and actions of the Personnel Board; ratifying prior actions; repealing Chapter 75-488, Laws of Florida; providing for severability; providing for conversion to local ordinance upon passage of Charter; and providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. The Classified Service.

(1) The classified service shall be a permanent service to which this law shall apply and shall comprise all tenured positions under the Board of County Commissioners, Clerk of the Circuit Court, Property Appraiser and Supervisor of Elections, now existing or hereafter established, except those exempt positions listed in Appendix A, attached hereto and made a part hereof. The Personnel Board may establish new exempt positions or abolish existing exempt positions upon recommendations of the appropriate appointing authority. Persons serving in the classified service shall be hired, promoted, demoted, suspended or dismissed by the appropriate appointing authorities in accordance with the provisions of this act and the rules and regulations adopted pursuant hereto.

(2) Those persons serving in exempt positions shall be hired, promoted, demoted, suspended or dismissed at the pleasure of the appointing authority, and they shall have no right to the exercise of the grievance procedure. Employees who may be promoted from the classified service to an exempt position may return to the classified service at a position and pay grade comparable to that which such employee had attained prior to promotion to an exempt position. Any such return to the classified system shall require the approval of the appointing authority and the Personnel Board. Compensation for employees in exempt positions shall be determined by the appropriate appointing authority. Exempt employees as hereinafter provided shall be subject to all other provisions of the personnel policies, rules and regulations as established by the Personnel Board or by this act with the restrictions defined in this section.

Section 2. Personnel Board.

(1) Appointment Size, Term and Removal. The Pinellas County Personnel Board shall consist of seven (7) members appointed as follows: two (2) members shall be appointed by the Board of County Commissioners; two (2) members shall be appointed by the Clerk of the Circuit Court, Property Appraiser and Supervisor of Elections as a body; and two (2) members shall be appointed by the Employee Advisory Council. These six (6) members shall appoint the seventh member. Board members shall serve overlapping two (2) year terms. In the case of a person selected to fill a vacancy existing prior to the

expiration of a term, selection shall be made in the same manner as for his predecessor and shall be for the remainder of the unexpired term. In the event any vacancy is not appointed as herein provided, then the remaining board members, may fill such vacancy on an interim basis after due notice to the Clerk of the Circuit Court, Property Appraiser, Supervisor of Elections, the Board of County Commissioners and the Employee Advisory Council with such action taken at a public meeting. Board members may be removed by unanimous vote of the remaining members of the Board for cause, which shall be defined in the Board's rules.

(2) **Qualifications of Board Members.** All members of the Personnel Board shall be at least eighteen (18) years of age; of good moral character; of good reputation in the community; a citizen of the United States; permanent resident of Florida; a resident of Pinellas County for at least two (2) years prior to the date of his appointment. No member may be an employee of any entity of county government in Pinellas County or a member of any national, state or county committee of a political party, or may hold or be a candidate for any paid public office. No member may serve who is the spouse, parent or grandparent, child or grandchild, brother or sister, aunt or uncle, niece or nephew, by consanguinity or affinity or a member of the classified service or of any officer who elects that his employees shall come under the provisions of the act establishing this personnel system. No member may have a conflict of interest in terms of his related business, duties or responsibilities in connection with the Board.

(3) **Compensation of Board Members.** Board members shall be compensated at a rate determined by the Board of County Commissioners, upon the recommendation of the County Administrator, Clerk of the Circuit Court, Property Appraiser and Supervisor of Elections as a body, to defray expenses connected with serving on the personnel board.

(4) **Duties of the Personnel Board.** It shall be the duty of the Personnel Board to:

(a) Adopt and amend rules and regulations for the administration of this act, which rules shall provide:

(1) For the preparation, maintenance and revision of a position classification for all positions in the classified service, based upon similarity of duties performed and responsibilities assumed, so that the same qualifications may reasonable be required for the same schedule of pay may be equitably applied to all positions in the same class. An employee affected by the allocation or reallocation of a position to a class shall, after filing with the Director of Personnel a written request for consideration thereof in such a manner and form as the Director may prescribe, be given a reasonable opportunity to be heard thereon.

(2) For the establishment of a plan for resolving employee grievances and complaints.

(3) For the establishment of disciplinary measures such as suspension, demotion in rank or grade or discharge. Such measures shall provide for presentation of charges, hearing rights and appeals for all permanent employees in the classified service.

(4) For the certification to the appointing authority of the names of persons who are categorized as qualified to fill a vacancy. The appointing authority shall have the right of selection from among persons certified as qualified.

(5) For the establishment and maintenance of lists of eligibles for appointment and promotion, upon which lists shall be placed the names of successful candidates.

(6) For promotions, by the appointing authorities which shall give appropriate consideration to the applicant's qualifications, record of performance and ability.

(7) For, upon appointment or promotion by the appointing authorities, a period of employee probation prior to permanent appointment, not to exceed one year.

(8) For temporary employment by the appointing authorities for not more than six (6) months, such temporary employment may be continued for an additional six (6) months with the approval of the Personnel Board.

(9) For provisional employment by the appointing authorities without competitive examination where there is no appropriate eligible register available. No such provisional employment shall continue longer than six (6) months.

(10) For the establishment of programs, including trainee programs, designed to attract and utilize persons with minimal qualifications, but with potential for development in order to provide career development opportunities among members of disadvantaged persons, handicapped persons, and returning veterans. Such programs may provide for permanent appointment by the appointing authorities upon the satisfactory completion of the training period without further examination.

(11) For keeping records of performance of all employees in the classified service, which performance records shall be considered by the appointing authorities in determining salary increments or increased for meritorious services; as a factor in promotions; as a factor in determining the order of layoffs because of lack of funds or work and in reinstatements; and as a factor in demotions, discharges and transfers.

(12) For layoffs by the appointing authorities by reason of lack of funds or work, or abolition of a position, or material change in duties or organization and for re-employment of employees so laid off.

(b) Make investigations concerning the enforcement effect of this act and to require observance of its provisions and the rules and regulations made thereunder;

(c) Hear and determine appeals and complaints respecting administration of this act.

(5) Authority of the Personnel Board. The Personnel Board shall be the final authority in all matters relating to personnel policy and personnel actions for offices, agencies and employees subject to the provisions of this act. The findings of the Board shall be binding on all parties concerned and the Board at its election may

apply to the Circuit Court of Pinellas County for injunctive relief to enforce the terms of its decisions.

(6) Personnel Board Actions. An affirmative vote of five (5) members of the Personnel Board shall be required to abolish or establish a personnel rule or regulation.

(7) Election of the Chairman and Vice Chairman. At its first meeting, and annually thereafter at its first regular meeting in January, the Personnel Board shall elect one of its members to serve as Chairman and one of its members to serve as Vice Chairman.

Section 3. Personnel Department. There is hereby established a Personnel Department.

Section 4. Director of Personnel.

(1) Appointment and Removal. The Director of Personnel shall be appointed by the Personnel Board from among applicants recommended by a screening process jointly established by the County Administrator, Clerk of the Circuit Court, Property Appraiser and Supervisor of Elections. He shall serve at the pleasure of the Personnel Board.

(2) Qualifications. The Director of Personnel shall be a person experienced in management and personnel administration.

(3) Duties of the Director of Personnel. The Director of Personnel shall be the executive head of the Personnel Department and shall direct all of its administrative and technical activities and appoint its employees. The Director shall foster and develop programs for the improvement of employee effectiveness including training, communications, insurance, safety, health, counseling and welfare. Such programs shall be implemented only upon the approval of the Personnel Board.

Section 5. Job Descriptions, Job Classification Schedule and Pay Plan. The job descriptions, job classification schedule and pay plan in effect at the time this act is adopted are hereby confirmed and ratified, and shall remain in effect until amended by the Personnel Board in accordance with this act and the rules and regulations of the Personnel Board.

Section 6. Department Rules and Regulations. The appointing authorities covered under the provisions of this act shall continue to possess the authority to establish departmental rules and regulations concerning the conduct of their employees in addition to any such rules and regulations established by the Personnel Board. Rules promulgated by the appointing authorities shall be approved by the Personnel Board and when approved shall control in case of inconsistency with the rules and regulations of the Personnel Board.

Section 7. Employee Advisory Council. There shall be an Employees Advisory Council which shall serve in an advisory capacity to the Pinellas County Personnel Board concerning personnel matters, policies, rules and regulations affecting Pinellas County employees. The size and departmental representation of the Employees Advisory Council shall be determined by rule of the Personnel Board. All members of the Employees Advisory Council shall be members of the classified service and shall be elected to serve by their fellow employees. Members of the Employees Advisory Council shall serve a two year term of office. In case of a vacancy, a new member shall be

selected in the same manner as his predecessor and serve out the unexpired term.

Section 8. Status of Present Employees. Employees holding positions in the classified service herein for one year or more immediately prior to the adoption of this law shall be continued in their respective positions without further examination, until separated from their positions as provided by law. Those holding their positions less than one year immediately prior to the adoption of this law shall serve the remainder of the probationary period in effect at the time he was appointed.

Employees who have accrued any rights or benefits under previous Pinellas County Merit System or Civil Service System Acts or rules or under any established rules or other Constitutional Officers shall retain all such rights and benefits, however, no increase in said rights or benefits shall accrue beyond what the employee is currently eligible to receive except in accordance with the provisions of this act and the policies, rules and regulations adopted pursuant thereto.

Section 9. Political Activities Prohibited. No person holding a position in the classified service shall hold, or be a candidate for, public or political office while in the employment of the County, or take any active part in a political campaign while on duty or within any period of time during which such employee is expected to perform services for which compensation is received from the County.

Nothing contained in this Section shall be deemed to prohibit any classified service employee from expressing his opinion on any candidate or issue, or from participating in any political campaign during his off-duty hours so long as such activities are not in conflict with the provisions of Section 104.31, Florida Statutes. Any person violating the provisions of this Section shall be dismissed from the classified service.

Section 10. Hearings and Investigations. The practice and procedure of the Personnel Board with respect to any investigation by the board authorized by this act, shall be in accordance with the rules and regulations to be established by the board which shall provide for a reasonable notice to all persons affected by order to be made by the board after such investigation, with the opportunity to be heard either in person or by counsel and to introduce testimony in his behalf at a public hearing to be held for that purpose.

The board, when conducting any investigations or hearings authorized by this act, shall have the power to appoint hearing examiners, administer oaths, take depositions, issue subpoenas to compel the attendance of witnesses and the production of books, accounts, papers, records, documents, and testimony. In case of the disobedience of any person to comply with a subpoena issued pursuant to board action or any of its members, or on the refusal of a witness to testify on any matter on which he may be lawfully interrogated, the judge of the circuit court of the county, on application of the board, shall compel obedience by proceedings as for contempt. The service of subpoenas shall be made in the manner provided by the Florida Rules of Civil Procedure. Each witness subpoenaed by the board shall receive for his attendance, fees and mileage as provided for witnesses in civil cases and paid in the same manner as all other expenses are authorized and paid upon the presentation of proper vouchers approved by the board.

Section 11. Funding. The Board of County Commissioners shall provide sufficient funds to carry out the provisions of this act.

Section 12. Continuation of Membership, Rules and Regulations, and Actions of the Personnel Board; Ratification of Prior Actions.

(1) Each individual who, at the time this act is adopted, is serving as a member of the Pinellas County Personnel Board created by Chapter 75-488, Laws of Florida, shall continue as a member of the Personnel Board created by this act until his term of office expires.

(2) Rules and regulations adopted in accordance with the provisions of Chapter 75-488, Laws of Florida, are hereby confirmed and ratified, and shall remain in effect until amended or repealed in accordance with this act.

(3) All hearings, investigations, petitions or other matters pending before the Personnel Board created by Chapter 75-488, Laws of Florida, shall remain in full force and effect. All such hearings, investigations, petitions or other matters shall be completed by the Personnel Board under this act.

(4) All actions taken pursuant to Chapter 75-488, Laws of Florida, are hereby ratified.

Section 13. Chapter 75-488, Laws of Florida, is hereby repealed.

Section 14. If any provision of this act or the application thereof to any person or circumstance is held invalid, it is the legislative intent that the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 15. The act shall not be held nor construed to create any property rights or any vested interests in any position in the classified service and the right is hereby reserved to repeal, alter or amend this act, or any provision thereof at any time.

Section 16. In the event a charter is adopted by the voters for the County of Pinellas, this act shall become an ordinance of the county.

Section 17. This act shall take effect immediately upon becoming a law.

APPENDIX A
EXEMPT POSITION SCHEDULE
BOARD OF COUNTY COMMISSIONERS

County Administrator

Assistant County Administrator

Assistant to County Administrator

Director, Office of Consumer Affairs

Management Intern

Director of Historical Museum

Director of Public Works and Engineering
Assistant Director of Public Works and Engineering
Director of Public Works Operations
Mosquito Control Director
Assistant Mosquito Control Director
Motor Vehicle Inspection Director
Assistant Motor Vehicle Inspection Director
Motor Pool Director
Pollution Abatement Director
Director of Sewer System
Assistant Director of Sewer System
Water System Director
Assistant Water System Director
Park Director
Assistant Park Director
Director of Veterinary Services
Director of Budget and Evaluation
Director of Social Services
Assistant Director of Social Services
Clinic Physician
Veterans Services Officer
Assistant Veterans Services Officer
Director of Building
Assistant Director of Building
Community Development Coordinator
Assistant Community Development Coordinator
Director of Purchasing
Assistant Director of Purchasing
Director of Planning
Assistant Director of Planning
Justice Information System Coordinator

Director of Environmental Management
Director of General Services
Assistant Director of General Services
Director of Grants Development
County Fair Director
Director of Public Services
Director of Public Information
Civil Defense Director
County Extension Director
Extension Agent (Marine)
Extension Agent (Horticulture)
County Home Economics Agent (Program Leader)
County Extension Home Economics Agent
4-H Coordinator
Airport Director
Director of Highway Division
Assistant Director of Highway Division
Director of Solid Waste System
County Attorney
Assistant County Attorney
Board of County Commissioners' Secretaries
Director of Data Processing
Assistant Director of Data Processing
Manager of Systems and Programming Division
Manager of Operations Division

CLERK OF THE CIRCUIT COURT

Personal Secretary
Chief Deputy
Supervisor of Accounting, Secretarial, Budget and Audit Division
Supervisor of the Courts Division
Supervisor of the Juvenile Division

Supervisor of the Probate Division

Supervisor of the Traffic Division

Branch Office Manager

Administrative Assistant

PROPERTY APPRAISER

Secretary to Official

Chief Deputy

Administrative Assistant

Chief Appraiser

Deputy in Charge of Tangible Personal Property

Deputy in Charge of Exemption Department

Deputy in Charge of Real Estate Tax Roll

Office Auditor

Research Assistant

Appraisal Supervisor

Director Incomes Section

SUPERVISOR OF ELECTIONS

Personal Secretary

Executive Chief Deputy

Chief Deputy Administrator

PERSONNEL BOARD

Director of Personnel

Assistant Director of Personnel

AFFIRMATIVE ACTION - EQUAL EMPLOYMENT OPPORTUNITY COMMITTEE

Affirmative Action - Equal Employment Opportunity Officer

Became a law without the Governor's approval.

Filed in Office Secretary of State July 5, 1977.

CHAPTER 95-474

House Bill No. 603

An act relating to the Pinellas County Unified Personnel System Board, Pinellas County; amending chapter 77-642, Laws of Florida; adding the tax collector to the group of appointing authorities to whom the act applies; adding the Tax Collector to the group of constitutional officers who, as a body, appoint two members to the Personnel Board; adding the Tax Collector to the group of appointing authorities who determine the rate of compensation for Personnel Board members; adding the Tax Collector to the group of appointing authorities who establish a screening process for applicants for the position of Director of Personnel; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 1 of chapter 77-642, Laws of Florida, is amended to read:

Section 1. The Classified Service.

(1) The classified service shall be a permanent service to which this law shall apply and shall comprise all tenured positions under the Board of County Commissioners, Clerk of the Circuit Court, Property Appraiser, Tax Collector, and Supervisor of Elections, now existing or hereafter established, except those exempt positions listed in Appendix A, attached hereto and made a part hereof. The Personnel Board may establish new exempt positions or abolish existing exempt positions upon recommendations of the appropriate appointing authority. Persons serving in the classified service shall be hired, promoted, demoted, suspended, or dismissed by the appropriate appointing authorities in accordance with the provisions of this act and the rules and regulations adopted pursuant hereto.

Section 2. Subsections (1) and (3) of section 2 of chapter 77-642, Laws of Florida, are amended to read:

Section 2. Personnel Board.

(1) Appointment, Size, Term, and Removal. The Pinellas County Personnel Board shall consist of seven (7) members appointed as follows: two (2) members shall be appointed by the Board of County Commissioners; two (2) members shall be appointed by the Clerk of the Circuit Court, Property Appraiser, Tax Collector, and Supervisor of Elections as a body; and two (2) members shall be appointed by the Employee Advisory Council. These six (6) members shall appoint the seventh member. Board members shall serve overlapping two (2) year terms. In the case of a person selected to fill a vacancy existing prior to the expiration of a term, selection shall be made in the same manner as for his predecessor and shall be for the remainder of the unexpired term. In the event any vacancy is not appointed as herein provided, then the remaining board members may fill such a vacancy on an interim basis after due notice to the Clerk of the Circuit Court, Property Appraiser, Tax Collector, Supervisor of Elections, the Board of County Commissioners, and the Employee Advisory Council with such action taken at a public meeting. Board members may be removed by unanimous vote of the remaining members of the Board for cause, which shall be defined in the Board's rules.

(3) Compensation of Board Members. Board members shall be compensated at a rate determined by the Board of County Commissioners, upon the recommendation of the County Administrator, Clerk of the Circuit Court, Property Appraiser, Tax Collector, and Supervisor of Elections as a body, to defray expenses connected with serving on the Personnel Board.

Section 3. Subsection (1) of section 4 of chapter 77-642, Laws of Florida, is amended to read:

Section 4. Director of Personnel.

(1) Appointment and Removal. The Director of Personnel shall be appointed by the Personnel Board from among applicants recommended by a screening process jointly established by the County Administrator, Clerk of the Circuit Court, Property Appraiser, Tax Collector, and Supervisor of Elections. He shall serve at the pleasure of the Personnel Board.

Section 4. This act shall take effect July 1, 1995.

Became a law without the Governor's approval June 16, 1995.

Filed in Office Secretary of State June 15, 1995.



M E M O R A N D U M

TO: Ken Burke, Clerk of the Circuit Court and Comptroller
 Julie Marcus, Supervisor of Elections
 Charles W. Thomas, Tax Collector
 Mike Twitty, Property Appraiser
 Whit Blanton, Executive Director, Forward Pinellas
 Barry A. Burton, County Administrator
 Kimberly R. Crum, Director, Human Resources
 Jeffery Lorick, Director, Office of Human Rights
 Jeff Rohrs, Chief Information Officer, Business Technology Services

THROUGH: Jewel White, County Attorney *JW*

FROM: Carole Sanzeri, Senior Assistant County Attorney *CS*

SUBJECT: Unified Personnel Board Rules To Exempt Employees

DATE: August 26, 2021

The issue of what authority, if any, the Pinellas County Unified Personnel Board (UPB) has over exempt Unified Personnel System employees has been the subject of some debate. All the authority of the UPB originates from Laws of Florida, Chapter 77-642, as amended, (the Act). The Act has never been judicially interpreted to my knowledge.

Section 1(2) of the Act (as amended) specifically addresses exempt employees and provides as follows:

Section 1(2) Those persons serving in exempt positions shall be hired, promoted, demoted, suspended, or dismissed at the pleasure of the Appointing Authority, and they shall have no right to the exercise of the grievance procedure. Employees who may be promoted from the classified service to an exempt position may return to the classified service at a position and pay grade comparable to that which such employee had attained prior to promotion to an exempt position. Any such return to the classified system shall

require the approval of the Appointing Authority and the UPB. Compensation for employees in exempt positions shall be determined by the appropriate Appointing Authority. Exempt employees, as hereinafter provided, shall be subject to all other provisions of the personnel policies, rules and regulations as established by the Personnel Board or by this Act with the restrictions defined in this section.

The most recent question was whether the UPB has authority over exempt pay in emergencies. The Act provides that “compensation for employees in exempt positions shall be determined by the appropriate Appointing Authority.” Rule 3 specifically addresses pay during emergencies and includes provisions on pay for exempt employees. That rule was adopted at the request of the then-current Appointing Authorities. Therefore, my recommendation to the Appointing Authorities when changes to emergency pay for exempt employees was recently addressed was not to act in contravention of the rule, but to either achieve the goal in a different way or seek a change to the rule. An amendment to the rule was sought to accomplish the specific goal in that instance. The rule was changed to allow extra compensation for exempt employees during emergencies.

It is my recommendation that the Appointing Authorities determine whether they want *any provisions* on exempt pay (emergency or not) in the Personnel Rules and, if not, ask the UPB to repeal those parts of the rules that they do not find desirable.

As for the broader picture, the UPB has adopted several rules that cover exempt employees either in whole or in part. Those include:

Rule 1: The Classification Plan. This rule explains the role of the UPB, through Human Resources, is to maintain the Plan, which merely provides the classification descriptions (positions are created by the UPB) and assigns them a pay grade (pay grades are established by either the Board of County Commissioners or the Constitutional under which the position falls). This rule is an explanation of how the Classification Plan is adopted and maintained, it is not prescriptive. Beyond establishing positions, for which the UPB has authority under the Act, the UPB does not have any authority over an exempt classification plan. Removing the references to exempt employees in this rule would not seem to create an issue.

Rule 2: Filling Positions. This rule describes various types of positions, including exempt positions, and explanations of how they are filled. With regard to exempt employees, this rule is essentially an explanation of the process used and does not have prescriptive provisions. Removing the references to exempt employees in this rule would not seem to create an issue.

Rule 3: Compensation. This rule contains parameters for pay of both classified and exempt employees. This is a rule that may overstep the boundaries of the UPB’s jurisdiction regarding exempt employees based on the notation in the Act indicating that compensation of exempt employees shall be determined by the Appointing Authorities. However, while in place based on prior Appointing Authorities’ request, this rule should be followed. Removing the reference to exempt employees in this rule would not seem to create an issue.

Rule 4: Time Off. This rule contains parameters outlining the granting of all types of time off for both classified and exempt employees. Removing the references to exempt employees in this rule would likely create issues since it covers the granting and use of all types of paid time off, as well as governing the payout of terminal pay upon separation. If this rule was changed to remove all references to exempt employees, there could be issues with the application of leave and the payout of terminal pay. Therefore, I strongly recommend that if the references to exempt employees in this rule are removed, each Appointing Authority immediately adopt their own rules for compensation for consistency and clarity. Consideration should be given to employees that might be adversely impacted if the rules were less generous and whether they would have any claim of a property interest in their accrued leave being treated in the same way it would be under the rule. In my opinion, a better approach would be for this rule to remain as is, or for each Appointing Authority to adopt a policy that they will follow UPB's Rule 4 for their exempt employees.

Rules 5 - 8 do not apply to exempt employees.

If the Appointing Authorities wish to ask the UPB to remove *all references to exempt employees*, as was discussed, they may make that request. It is clear, however, that the Legislature intended the UPB to have some authority over exempt employees based on the highlighted language above. The UPB has a mandate to adopt rules on certain topics (see the Act, Section 4(a), (1)-(12) - discipline, promotion, grievance, etc.), but exempt employees are excluded from these provisions. However, there is nothing indicating the UPB cannot adopt rules on other topics and, over the years at the request of Appointing Authorities, it has. Examples include rules on annual leave and pay.

The UPB also has the following broad authority in Section 2(5):

Authority of the Personnel Board. The Personnel Board shall be the final authority in all matters relating to personnel policy and personnel actions for offices, agencies, and employees subject to the provisions of this Act.

All employees in the Unified Personnel System are subject to the provisions of the Act, as its terms refer to both classified and exempt employees, and therefore, the UPB is the final authority on personnel policy--- which is exercised through the adoption of rules and policies.

A conversation about what the Appointing Authorities want with regard to the UPB and the Personnel Rules is needed before anything can be proposed. That conversation will necessarily include input on how to handle issues identified herein, such as paid time off.

Rule 1. The Classification Plan

A. Purpose of the Plan

The Classification Plan provides a systematic arrangement and inventory of the positions in the Unified Personnel System. The plan groups the various positions into understandable classes indicative of the range of duties, responsibilities, and level of work performed. The class titles standardize the meaning, allocation, and usage of the Plan throughout the Unified Personnel System, again based upon the similarity of work and duties performed.

B. Uses of the Plan

1. Groups positions into classes based on similarities in the nature and scope of work.
2. Determines qualifications, prepare recruitments and examination content.
3. Determines pay grades to be paid for the various classes of work.
4. Determines promotional paths.
5. Develops employee training and development programs.

C. Content of the Plan

The Plan is a compilation of the following for each class: class title indicative of the work of the class, a class specification for each job classification containing the nature of work and relative responsibilities of the class, typical illustrative tasks, minimum qualifications, and the knowledge, skills, and abilities required for adequate performance of the work.

D. Maintenance of the Classification Plan

The Unified Personnel Board is responsible for maintaining the Classification Plan by adding, deleting or modifying job classifications based on studies and recommendations made by the Director of Human Resources.

E. Appeals

The position incumbent or Appointing Authority may request a secondary review of the classification decision to the Director of Human Resources. Downward reclassifications may be appealed through the Director of Human Resources to the Unified Personnel Board.

Rule 2. Filling Positions

The method used to fill a position is dependent upon the type of position and the type of appointment to be made. Classified and exempt positions may be filled by a competitive or non-competitive process into one of the following:

A. Permanent Positions

A permanent position is one for which the duties and responsibilities are expected to occur on an ongoing basis and which is funded with recurring funds. The term permanent does not mean that the position cannot evolve or be eliminated. A permanent position may be a classified position or an exempt position.

Unless the position is excluded from the provisions of Florida Statutes Chapter 295, individuals who are eligible for Veterans' Preference in accordance with Chapter 295, Florida Statutes shall be provided a preference in each step of the hiring process.

1. Exempt Positions

- a. Exempt positions are filled at the pleasure of the Appointing Authority.
- b. The selection process used to fill a position is at the discretion of the Appointing Authority.
- c. At the request of the Appointing Authority, the Human Resources Department will assist in the design and/or execution of a selection plan to fill an exempt position.

2. Classified Positions

Classified positions will be filled by new hire, promotion, demotion, lateral, or transfer. Except as provided below, all permanent classified positions will be filled by a competitive process with the selection of a candidate from a list of eligible candidates (eligible register) provided by the Human Resources Department. Qualified employees shall be given an employee preference by requiring the hiring manager to review the qualification of the employee. All employees filling permanent classified positions must serve an initial one year probationary period unless shortened by the Appointing Authority.

a. Eligible Register and Recruitment

The Human Resources Department is responsible for the design and administration of the selection plan for the construction of the eligible register and will use fair and valid selection criteria in accordance with established professional standards and practices. The Human Resources Department shall make the final determination as to whether an individual meets the minimum qualifications of the job classification to be placed on the eligible register.

The method of recruitment and posting to fill vacant classified positions will be determined by the Appointing Authority or designee in consultation with the Human Resources Department. The recruitment may be:

- i. **External** – recruitment open to all interested individuals including the general public and all employees.
- ii. **Internal** – recruitment open to all interested employees in permanent positions within a designated area of the Unified Personnel System. Such recruitment

may be open to all Unified Personnel System employees or limited to employees within a designated department or division. Members of the public and temporary employees are not eligible for consideration.

- iii. **Reduction in Force** - recruitment during a reduction in force limited to classified employees, exempt employees who are to be impacted by the reduction in force, and former classified and exempt employees who have been separated from County service through layoff and whose separation date is less than six months from the closing date of the recruitment.
- iv. **Restricted** – recruitment resulting from the reclassification of an unspecified position will be limited to all interested employees in designated permanent positions. The designation of the positions will be made as part of the reclassification recommendation made by the Director of Human Resources and approved by the Appointing Authority and the Unified Personnel Board.

b. Types of Appointment

i. New Hire

- a) If the individual selected to fill the position is not currently in a permanent position within the Unified Personnel System, the appointment will be considered a new hire and the appointee required to serve a probationary period.
- b) The probationary period is an integral part of the selection process and shall be utilized to evaluate the employee's performance on the job as well as for dismissing an employee who does not meet required standards of performance or behavior.
- c) The probationary period shall be for one year from date of appointment.
- d) Employees absent for a period in excess of 10 consecutive working days during the probationary period shall have their probationary period extended for the amount of time that such absences exceed the 10 day limit.
- e) A new hire may be given up to six months credit for time worked toward the probationary period for immediate prior temporary service if hired into a permanent position in the same department in the same or a lower related job classification.
- f) An employee whose services are deemed unsatisfactory may be dismissed at any time prior to the expiration of the probationary period. If satisfactory, or if the Appointing Authority fails to furnish notice to the Director of Human Resources prior to expiration of the probationary period, the probationary period shall be deemed to be satisfactorily completed and the individual will become a member of the regular service. At any point prior to the end of the employee's probationary period, the Appointing Authority may remove the employee from probationary status. The determination of the Appointing Authority in either of these matters shall be final.
- g) Starting pay will be determined in accordance with Rule 3.

ii. Promotion

- a) If the individual selected to fill the position is currently in a permanent position within the Unified Personnel System and the maximum of the pay rate for the

new position is higher than that of the employee's current pay grade, the filling of the position will be considered to be a promotion.

- b) Any increase in pay shall be awarded in accordance with Rule 3.
- c) With the approval of the Appointing Authority and the Director of Human Resources, a classified employee promoted to fill a classified position who is unable to satisfactorily perform the job related requirements of the position during the first six months following the promotion shall be returned to a position in the employee's former job classification. Pay rate and probationary period, if any, shall be adjusted to correspond to what normally would have been attained had there not been a promotion. Any employee who is displaced by demotion of a promoted employee in accordance with the above procedure shall be subject to the provisions outlined in Personnel Rule 5, Reduction in Force. The determination of the Appointing Authority in this matter shall be final. After the first six months following the promotion, an inability to satisfactorily perform the job related requirements must be dealt with through the disciplinary process.
- d) An exempt employee promoted into a classified position will serve a one year probationary period. If the services of the employee are deemed unsatisfactory, the employee may be dismissed at any time prior to the expiration of the probationary period. If satisfactory, or if the Appointing Authority fails to furnish notice to the Director of Human Resources prior to expiration of the probationary period, the probationary period shall be deemed to be satisfactorily completed and the employee will become a member of the regular service. At any point prior to the end of the employee's probationary period, the Appointing Authority may remove the employee from probationary status. The determination of the Appointing Authority in either of these matters shall be final.
- e) A classified employee promoted to fill a classified position and currently serving in the first six months following the promotion who wishes to voluntarily return to the previous job classification shall make such a request in writing and, with the approval of the Appointing Authority, may be demoted in accordance with the provisions described in the Rule 2.A.2.b.ii.c. above. An exempt employee promoted to fill a classified position and currently serving a probationary period who wishes to voluntarily return to the previous job classification shall make such a request in writing and the return of the individual to the exempt service is at the Appointing Authority's discretion.

iii. Transfer/Lateral

- a) If the individual selected to fill a position is currently in a permanent classified position within the Unified Personnel System in the same job classification, it will be considered a transfer. If the individual selected is currently in a permanent classified position within the Unified Personnel System and is in a different job classification but in the same pay grade, it will be considered to be a lateral.
- b) Normally there is no adjustment in pay. However any change in pay shall be made in accordance with Rule 3.C. Base Pay Adjustments.
- c) A classified employee taking such a transfer or lateral will not serve an additional probationary period.

iv. Demotion

- a) If the individual selected to fill a position is currently in a permanent position within the Unified Personnel System and the maximum of the pay rate for the new position is lower than that of the employee's current pay grade, the filling of the position will be considered to be a voluntary demotion.
- b) Any decrease in pay shall be awarded in accordance with Rule 3.
- c) A classified employee demoted to fill a classified position will not serve an additional probationary period.
- d) An exempt employee demoted to fill a classified position will serve a one year probationary period. An Appointing Authority, prior to the expiration of the probationary period, shall notify the Director of Human Resources in writing whether the services of the employee have been satisfactory or unsatisfactory. An exempt employee demoted to a classified position whose services are deemed unsatisfactory may be dismissed at any time prior to the expiration of the probationary period. If satisfactory, or if the Appointing Authority fails to furnish notice to the Director of Human Resources prior to expiration of the probationary period, the probationary period shall be deemed to be satisfactorily completed and the employee will become a member of the regular service. At any point prior to the end of the employee's probationary period, the Appointing Authority may determine that the employee has successfully satisfied the job related requirements of the position and may remove the employee from probationary status. The determination of the Appointing Authority in either of these matters shall be final.

v. Exceptions

The following are the exceptions whereby a classified position may be filled without the use of an eligible register.

a) Career Ladder Promotion

A classified employee may be career ladder promoted without use of an eligible register to a higher level position within the established career ladder if:

- i) The position has been designated a career ladder position, by the Unified Personnel Board;
- ii) The department has a genuine need for the higher level work; and
- iii) The employee meets the criteria for advancement within the career ladder.

Any pay changes will be made in accordance with Rule 3.

b) Transfer/Lateral (Non-competitive)

With the approval of the Appointing Authority(ies) concerned and the Director of Human Resources, a regular status or probationary classified employee may be transferred to another position in the same job classification or another job classification with the same pay grade and substantially similar duties and responsibilities at the written request of the employee or the

discretion of the Appointing Authority. Such transfer shall not change the employee's pay grade, pay rate, or regular/probationary status.

c) Non-competitive Demotion

i. Voluntary

A regular status or probationary employee may, based on written request of the employee, be demoted to a job classification with a lower maximum pay rate in the pay grade assigned to the encumbered job classification. Such demotion shall occur with the approval of the Appointing Authority and the Director of Human Resources.

Any changes in pay will be made in accordance with Rule 3.

Upon such demotion, a probationary employee will serve the balance of the probationary period but a regular status employee will not be required to serve another probationary period.

ii. Exempt Service Returned to Classified Service

An exempt employee may, at the discretion of the Appointing Authority, return to the classified service to a position and pay grade comparable to that which the employee had attained prior to promotion to an exempt position. Any such return to the classified system shall require the approval of the Unified Personnel Board.

Upon such return, a one year probationary period will be served. The Appointing Authority, prior to the expiration of the probationary period, shall notify the Director of Human Resources in writing whether the services of the employee have been satisfactory or unsatisfactory. An exempt employee demoted to a classified position whose services are deemed unsatisfactory may be dismissed at any time prior to the expiration of the probationary period. If satisfactory, or if the Appointing Authority fails to furnish notice to the Director of Human Resources prior to expiration of the probationary period, the probationary period shall be deemed to be satisfactorily completed and the employee will become a member of the regular service. At any point prior to the end of the employee's probationary period, the Appointing Authority may determine that the employee has successfully satisfied the job related requirements of the position and may remove the employee from probationary status. The determination of the Appointing Authority in either of these matters shall be final.

Any adjustments to pay will be made in accordance with Rule 3.

d) Temporary Appointments to Permanent Positions

An Appointing Authority may assign any regular status employee under the Authority's jurisdiction to any duties as long as such duties are within the same classification encumbered by the employee. When it is necessary to temporarily assign duties of a higher classification to a regular status employee for more than 30 consecutive calendar days because of a vacancy in a permanent position or the extended absence of the employee who encumbers the position, a temporary appointment to the position shall be made.

The employee's pay shall be adjusted in accordance with Rule 3. Upon conclusion of the appointment, the employee shall be returned to the permanent position held immediately prior to this reassignment and the employee's pay rate shall be adjusted to the pay rate that would have normally been attained had there not been a promotion to the higher assignment.

e) Reduction in Force

Placements into vacant positions which are at the same or a lower pay grade and/or displacements made in accordance with Rule 5 – Reduction in Force may be made with the approval of the Appointing Authority and the concurrence of the Director of Human Resources.

f) Provisional Appointment

An Appointing Authority may make an appointment to a classified permanent position in the absence of an eligible register. Such appointment will not exceed six months from the date of its start or 45 days following the establishment of an eligible register for the position, whichever is less. Such an appointment requires approval of the Director of Human Resources. Provisional employees may not avail themselves of the grievance procedure and have no appeal rights to the Unified Personnel Board.

Pay rate will be established in accordance with Rule 3.

g) Substitute Appointments

Such appointments may be allowed to fill a permanent, vacant position open due to extended leave of absence. Such appointments shall be made from appropriate eligible registers, or in the case of a promotional position, from the lower related class. The substitute appointment shall confer no status, appeal, or related provision under the Personnel Rules. The initial substitute appointment shall not exceed six months. The substitute appointment may be extended for an additional six months upon approval of the Director of Human Resources. In the case of a vacant position open due to military leave that exceeds one year, the substitute appointment may be extended for the duration of the military leave upon approval of the Director of Human Resources, providing the approval is sought in six month intervals.

h) Double Encumbering

An Appointing Authority may double encumber a position with the approval of the Director of Human Resources. Double encumbering may be done competitively or non-competitively. There are occasions when departments may double encumber positions. These circumstances include situations where there is a need to train successors when retirement, resignation etc. is on the horizon. Other circumstances include but are not limited to situations when an employee is on an extended leave of absence and the position is encumbered by another employee during that time, and the use of job sharing between two employees occupying the same position.

Pay rate will be established in accordance with Rule 3.

B. Temporary Positions (excluding intern positions)

A temporary position is one for which the duties and responsibilities are expected to occur for a short time frame or occur on a seasonal basis. An employee hired to fill this position is considered a temporary employee. The respective Appointing Authority makes appointment to this classification, subject to concurrence of the Director of Human Resources. The initial appointment may be for up to six months. The appointment may be extended for up to an additional six months with the approval of the Unified Personnel Board. Temporary employees may not avail themselves of the grievance procedure and have no appeal rights to the Unified Personnel Board.

A temporary position intended to exist for more than six months requires mandatory Florida Retirement System participation from the inception of the position.

Pay rate will be established in accordance with Rule 3.

C. Other Types of Positions

1. Special Projects

A position created for a specific project(s) and for a specific amount of time only. An employee hired to fill this position is considered a temporary employee and accrues County benefits as such. The respective Appointing Authority makes the appointment to this classification, subject to approval of the Director of Human Resources. The appointment may not exceed the length of the project(s), with extension of the original appointment to be granted by the Appointing Authority with the approval of the Director of Human Resources.

Pay rate will be established in accordance with Rule 3.

2. Grant Worker Positions

A position created for a specific grant(s) only. An employee hired to fill a classified Grant Worker position will serve the same initial one year probationary employee describe in New Hire Rule 2.A.2.b.i.and will be considered a regular service employee. The respective Appointing Authority makes appointment to this classification, subject to concurrence of the Director of Human Resources. The appointment may not exceed the length of the grant, with extension of the original appointment to be granted by the Appointing Authority with the concurrence of the Director of Human Resources. Employees in this classification are excluded from the reduction in force provisions in Rule 5, Reduction in Force, and may not appeal terminations resulting from the end of the grant under which they are working or conclusion of their appointment. An employee hired to fill an exempt Grant Worker position will treated as any other appointment to an Exempt position.

Pay rate will be established in accordance with Rule 3.

3. Intern Position

An intern position is a temporary position with emphasis on on-the-job training rather than just employment. Persons appointed to these positions acquire no rights under the County Service by virtue of such appointment, and said appointment shall terminate immediately upon completion of the training program or completion of 1,040 working hours, whichever occurs first, unless an extension of such period of temporary employment is granted by the Personnel Board. Intern positions may be paid or unpaid. If a paid position, pay rate will be established in accordance with Rule 3.

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.

Rule 4. Time Off

All forms of accumulated or gained leave shall be exhausted prior to the request and use of leave without pay, except as provided in the Pinellas County Family Medical Leave Act Handbook (FMLA Handbook); in a Declared Emergency as provided in Rule 3; or approved by the Appointing Authority.

A. Recognized Holidays

Eligible County employees will be allowed holiday leave with pay on the following recognized County holidays:

Holiday	Date(s)
New Year's Day	January 1
Martin Luther King Jr. Holiday	Third Monday in January
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving	Fourth Friday in November
Christmas Day	December 25

If Christmas or New Year's Day falls on Tuesday or Thursday, the preceding Monday or following Friday will also be recognized as a holiday.

If any recognized holiday falls on a Saturday, the preceding Friday will be observed as a holiday and if any recognized holiday falls on a Sunday, the following Monday will be observed as a holiday.

1. Eligibility:

- Regular status employees of the Unified Personnel System.
- Temporary employees with 30 days or more of continuous service.
- For those employees working part-time, holiday pay will be computed according to the ratio that the employee's normally scheduled workweek bears to a 40 hour workweek.
- Airport Firefighters and Fire Lieutenants assigned to a work week schedule of 48 hours will earn 14.4 hours for each of the recognized holidays.

2. Exceptions:

For purposes of this rule, non-pay status shall mean an employee who is not receiving any pay or whose only source of pay is Workers' Compensation or short term disability.

- Employees in a non-pay status for the entire pay period during which the holiday falls will not be eligible for holiday leave with pay.
- Employees receiving Workers' Compensation or short term disability during a week that includes a holiday and who are also in a paid status during that week will have holiday pay prorated pursuant to the rules of those respective benefits.

3. Application:

- a. Classified employees who are required to work the calendar holiday, the observed holiday, or both will be compensated for all hours worked on those days at the overtime rate of pay, regardless of the actual number of hours worked in the week and in addition to being compensated for the County observed holiday at the regular rate of pay. At the discretion of the Appointing Authority, compensation may be in cash or as compensatory time.
- b. In the event a recognized holiday is observed while an employee is on leave with pay, the recognized holiday will not be charged against the employee's accumulated leave and the employee will be compensated for the holiday.
- c. Employees whose standard work day is greater than eight hours may add the necessary number of hours from any accumulated leave to bring the total number of hours to that of their standard work day unless doing so causes the number of hours in the workweek to exceed their normally scheduled workweek. These additional hours will be considered scheduled leave. Departments may also offer additional work hours during the week chosen in order to make up the difference if such is deemed in the interest of the department.

B. Floating Holidays

Eligible regular status County employees will be allowed floating holidays with pay on dates selected by the employee each payroll year as follows:

1. Eligibility:

- a. After the first year of hire, regular status employees will be allowed two floating holidays with pay.
- b. Employees who have completed 25 years of service will be allowed two additional floating holidays beginning with the next payroll year and each payroll year thereafter.
- c. New hires into permanent positions will be allowed floating holidays based on their hire date from the beginning of the payroll year:
 - Two floating holidays – hire date from beginning of payroll year through April 30
 - One floating holiday – hire date of May 1 through August 31
 - No floating holidays – hire date of September 1 through the end of the payroll year
- d. Airport Firefighters and Fire Lieutenants assigned to a 48 hour work week will earn 17.6 hours for each floating holiday.

2. Application:

- a. Floating holidays for employees with a normally scheduled workweek of at least 40 hours are for eight hours pay, and a prorated number of hours for employees with a workweek of fewer than 40 hours computed according to the ratio that the employee's workweek bears to a 40 hour workweek.
- b. Employees whose standard work day is greater than eight hours may add the necessary number of hours from any accumulated leave to bring the total number of hours to that of their standard work day unless doing so causes the number of hours in the workweek to exceed their normally scheduled workweek. These additional

hours will be considered scheduled leave. Departments may also offer additional work hours during the week chosen in order to make up the difference if such is deemed in the interest of the department.

- c. Floating holidays must be scheduled and approved in accordance with the Appointing Authority's established guidelines for scheduled annual leave.
- d. Floating holidays must be used during the payroll year in which they are gained.
- e. Holiday overtime provisions do not apply to floating holidays.
- f. Floating holidays may be taken in two hour increments.

C. Annual Leave

Annual leave is provided for the purpose of vacation, personal business, emergencies, illness, medical and dental appointments, and any other reason an employee cannot be present at work.

1. Eligibility:

Annual leave is accumulated in accordance with the following schedule:

Hours of Annual Leave Earned Per Year According to Years of Service

Employee Category	1 – 2 Years	3 – 4 Years	5 – 9 Years	10 – 14 Years	15 – 19 Years	20+ Years
Classified Service and Temporary Exempt Service ^{1 2 3}	120	136	160	184	208	232
Airport Firefighters and Airport Fire Lieutenants ⁴	144	164	192	221	250	279
Exempt Service ^{2 3}	144	160	184	208	232	256

- 1 Excludes temporary Classified employees with less than 30 days of continuous service.
- 2 Partial accumulation of annual leave is authorized for employees who are generally scheduled for less than a 40 hour workweek in a ratio which reflects the direct proportion that the generally scheduled hours bear to a 40 hour workweek.
- 3 No accumulation of annual leave is authorized for any time worked beyond a 40 hour workweek.
- 4 No accumulation of annual leave is authorized for any time worked beyond the 159 hours during the established 21 consecutive work day period.

2. Application:

- a. Up to one year of continuous temporary service immediately preceding appointment to a permanent position will be counted for purposes of seniority in accruing annual leave.

- b. Having annual leave in one's leave bank does not guarantee that requested time off will be approved. Managers and supervisors may deny an employee's request for time off for business reasons.
- c. Except as provided within the FMLA Handbook or during a Declared Emergency, all annual leave must be expended prior to the use of leave without pay.
- d. Annual leave is not earned when an employee is in a non-pay status.
- e. There is no limitation on the number of annual leave hours which may be accrued.
- f. Advance payment for annual leave is prohibited.
- g. Annual leave must be scheduled in advance according to the Appointing Authority's requirements. Leave not requested and approved in accordance with such requirements will be considered unscheduled and may result in disciplinary action.
- h. When an employee is transferred within the Unified Personnel System the employee's accumulated annual leave will also be transferred and such leave, when taken, will be chargeable to the department to which the transfer was made.
- i. Annual leave will not be earned when used in conjunction with a resignation, retirement or other separation from service.
- j. Payment for annual leave will be made on the regular pay date at the employee's applicable rate of pay when used.
- k. Upon separation, employees shall receive lump sum payment for all unused annual leave up to a maximum of three times the employee's annual leave accrual rate. Such payment shall be made at the employee's regular rate of pay at the time of separation. Payment for such leave shall be made in accordance with the Florida Statutes.

D. Extended Illness Leave *(This provision applies only to employees hired before 1995 who have an Extended Illness Leave balance.)*

Accrued extended illness leave may be granted for any absence.

1. Disposition Upon Separation

- a. Upon separation, employees shall receive lump sum payment for 50% of all unused extended illness leave. Such payment shall be made at the employee's base rate of pay at the time of separation. Payment for such leave shall be made in accordance with the Florida Statutes.
- b. Payments made pursuant to this section shall not be considered in any State-administered retirement system as salary payments, and shall not be used in determining the average final compensation of an employee in any State-administered retirement system.

2. Disposition for Transferred Employees

When an employee is transferred within the Unified Personnel System, the employee's accumulated extended illness leave shall also be transferred and such leave, when taken, shall be chargeable to the department to which the transfer was made.

3. Coordination with Disability Income Plans

The County offers Short Term Disability (STD) as well as Long Term Disability Insurance. Benefits are governed by the plans in place at the time of disability. An

employee is not eligible for STD benefits until exhausting all extended illness leave. In no event shall an employee receive any combination of extended illness and STD for longer than the employee would have been eligible to receive STD.

E. Personal Day

1. Eligibility:

- a. Employees in permanent positions will be allowed two 8-hour Personal Days in each payroll year, except that Classified employees serving their first year of employment in a permanent position will be allowed a Personal Day based on their hire date from the beginning of the payroll year:

- One Personal Day – hire date from beginning of payroll year through August 31
- No Personal Day – hire date of September 1 through the end of the payroll year

2. Application:

- a. The Personal Day is for eight hours pay for employees with a generally scheduled workweek of at least 40 hours and a prorated number of hours for employees with a workweek of fewer than 40 hours computed according to the ratio that the employee's workweek bears to a 40 hour workweek.
- b. Employees whose standard work day is greater than eight hours may add the necessary number of hours from any accumulated leave to bring the total number of hours to that of their standard work day unless doing so causes the number of hours in the workweek to exceed their generally scheduled workweek. These additional hours will be considered scheduled leave. Departments may also offer additional work hours during the week chosen in order to make up the difference if such is deemed in the interest of the department.
- c. The Personal Day may be used in four hour increments.
- d. Employees must notify their supervisor of their intent to use the Personal Day as soon as practicable. The Personal Day will not be considered when evaluating the employee's attendance.
- e. If taken immediately before or after a recognized holiday, the Personal Day must be scheduled and approved in advance in accordance with department requirements for other schedule leave or will be considered unscheduled.
- f. The Personal Day must be used in the payroll year in which it is gained.

F. Funeral Leave

Eligible employees may be granted three days leave of absence with pay in the event of the death of any person residing in the employee's household or any member of the employee's immediate family.

1. Eligibility:

Employees in a permanent position including those in a probationary status.

2. Application:

- a. Immediate family shall mean spouse, child, parent, sister, brother, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepchildren, grandparents, grandparent-in-law or grandchildren of the employee.

- b. At the discretion of the Appointing Authority, additional time may be granted as scheduled leave. The time will be chargeable to any accumulated leave the employee has, or if the employee has no accumulated leave, to leave without pay.

G. Jury Duty and Witness Duty

Leave of absence with pay will be granted to an employee to perform jury duty or testify as a witness when legally required unless the employee is the plaintiff or defendant. Presentation of a summons or subpoena to appear in court is required before such leave is granted.

H. Injury

An employee who has sustained a compensable workers' compensation injury, has not reached maximum medical improvement (MMI) and has returned to work but whose injury necessitates that palliative or remedial care from their authorized physician be continued will be allowed reasonable leave with pay of up to 10 hours per pay period for treatment and travel to and from the authorized physician. Payment for absences beyond a total of 10 hours per pay period will be offset by the use of any accumulated leave.

I. Other Leave of Absence With Pay

Upon approval of the Appointing Authority, other leaves of absence with pay may be allowed if such leave is deemed to be in the best interests of the organization.

J. Other Leave of Absence Without Pay

Upon request of an employee, an Appointing Authority may grant a leave of absence without pay for any reason deemed to be in the best interest of the organization and may require presentation of appropriate documentation in support of such request.

K. Military Training/Duty

Leave of absence for military training and duty will be granted in accordance with Florida and Federal law.

L. Unauthorized Absence

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.

Appointing Authority Feedback Human Resources Director Annual Performance

Feedback period: January 1, 2019 to December 31, 2019

Appointing Authority Name:

Appointing Authority Title:

PINELLAS COUNTY HUMAN RESOURCES

VISION: To position Pinellas County Government as a top-choice employer in the Tampa Bay region.

MISSION: Cultivate a diverse, talented, and engaged workforce prepared to effectively serve the citizens of Pinellas County.

VALUES: Earn a reputation as a trusted solution partner through every interaction by demonstrating credibility, fairness, respect, and service.

INSTRUCTIONS

The Unified Personnel Board invites feedback from Appointing Authorities regarding the effectiveness of the Human Resources Director. A copy of the Human Resources Annual Report has been provided as a resource. Appointing Authority feedback will be collected by the Human Resources Department and shared with each UPB member.

This feedback form presents six program areas over which the Human Resources Director is responsible. Each item contains statements established by the Unified Personnel Board describing competencies or strategic goals related to that program area. For each area, use the scale below to indicate your feedback regarding the director's level of effectiveness. This form also contains the option of entering comments for each of the items. These comments may include responses to specific questions and any observations you believe appropriate and pertinent to share with the Personnel Board.

1 = Poor
2 = Fair
3 = Good
4 = Very Good
5 = Outstanding
N/A = Not applicable or Not sure

Please sign and date the form and forward it to Peggy Sellards at psellards@pinellascounty.org by **February 19, 2020**. The results will be summarized and shared with Board members prior to their March meeting. The individual forms, accompanying summary, and other agenda materials will be included in the public record.

For the rater's convenience, the rating scale appears in the header on each of the following pages.

SECTION 1: BEHAVIORAL COMPETENCIES¹

Considering the competencies listed, please note your score for each category in the space provided to the right of the category heading.

1. Leadership

Rating:

- a. Leadership and navigation – Navigates the organization and accomplishes HR goals; creates a compelling vision and mission for HR that aligns with the strategic direction and culture of the organization; leads and promotes organizational change; manages the implementation and execution of HR initiatives; and promotes the role of HR as a key business partner.
- b. Ethical practice – Maintains high levels of personal and professional integrity; acts as an ethical agent who promotes core values, integrity and accountability throughout the organization.

Comments related to this category.

2. Interpersonal

Rating:

- a. Relationship management – Creates and maintains a network of professional contacts within and outside of the organization; builds and maintains relationships; works as an effective team member; and manages conflict while supporting the organization.
- b. Communication – Effectively crafts and delivers concise and informative communications; and listens to and addresses the concerns of others.
- c. Cultural effectiveness – Values and considers the perspectives and backgrounds of all parties and promotes a diverse and inclusive workplace.

Comments related to this category.

¹ Source: Society for Human Resource Management (SHRM) Body of Competency and Knowledge, 2017.

3. Organization

Rating:

- a. Business acumen – Understands the organization's operations, functions and external environment; applies business tools and analyses that inform HR initiatives and operations consistent with the overall strategic direction of the organization.
- b. Consultation – Works with organizational stakeholders in evaluating business challenges and identifies opportunities for the design, implementation and evaluation of change initiatives; builds ongoing support for HR solutions that meet the changing needs of customers and the organization.
- c. Critical evaluation – Collects and analyzes qualitative and quantitative data; and interprets and promotes findings that evaluate HR initiatives and informs business decisions and recommendations.

Comments related to this category.

SECTION 2: FOSTER AND DEVELOP PROGRAMS FOR THE IMPROVEMENT OF EMPLOYEE EFFECTIVENESS²

1. Benefits and Wellness

Rating:

- a. Deliver benefits programs that meet the needs of Appointing Authorities and their employees
- b. Provide benefits programs that lead to the attraction, retention, and motivation of employees
- c. Educate employees about benefits processes, plans, and annual enrollment information in a clear and timely manner

Comments related to this category.

2. Communications and Outreach

Rating:

- a. Collect, understand, and respond to employee feedback in a timely manner to enhance trust and commitment to the organization
- b. Deliver reward and recognition programs that ensure the attraction, retention and motivation of employees

Comments related to this category.

3. HR Business Partners and Employee Relations

Rating:

- a. Promote the benefits of a diverse and inclusive workforce
- b. Administer a performance management system that facilitates a fair evaluation of the workforce
- c. Deliver training, resources and guidance to support the performance management process
- d. Identify and develop internal talent to meet the short and long-term strategic objectives of the organization
- e. Actively partner with Appointing Authorities to project future hiring needs

² Source: Performance Standards – Director of Human Resources, February 24, 2017

Rating Scale: 1 = Poor, 2 = Fair, 3 = Good, 4 = Very Good, 5 = Outstanding, N/A = Not Sure

Comments related to this category.

4. HR Information Systems and Records Administration

Rating:

- a. Leverage technology to enhance the effectiveness and efficiency of HR services and solutions
- b. Prepare employees to use HR technology solutions

Comments related to this category.

5. Learning and Development

Rating:

- a. Understand the critical competencies for each role in the organization to support employee development
- b. Deliver learning and development programs that support the short and long-term strategic objectives of the organization
- c. Prepare employees to work with diverse cultures and populations
- d. Deliver high quality programs

Comments related to this category.

Rating Scale: 1 = Poor, 2 = Fair, 3 = Good, 4 = Very Good, 5 = Outstanding, N/A = Not Sure

6. Workforce Strategy

Rating:

- a. Collaborate with Appointing Authorities to fill vacant positions in a timely manner
- b. Apply an understanding of open positions in order to recruit qualified candidates
- c. Recruit high quality candidates who have the required skills, experience, and capabilities to succeed in the organization
- d. Support managers during the onboarding process to help new employees quickly become active contributors to the department
- e. Develop and administer compensation programs that support the short and long-term strategic objectives of the organization
- f. Provide compensation plans that support the attraction, retention, and motivation of employees
- g. Educate employees on the way classification and compensation programs work in the Unified Personnel System

Comments related to this category.

ADDITIONAL COMMENTS

Thank you for providing feedback.

Appointing Authority's Signature

Date

HR Director Goals

- Stabilize Human Resources Department
 - Determine talent available and recruit for needed skills
 - Ensure our talent is in the right position
 - Provide for consistent interaction, service and support within HR while working hybrid schedules
 - Drive engagement and provide recognition of individual and team celebration opportunities
- Regular and consistent communication with Appointing Authorities
- Regular and consistent communication with Employees' Advisory Committee (EAC) members
- Regular and consistent communication with Unified Personnel Board members
- Investigate Florida Sterling Council Designation
- Engage support to facilitate development of Strategic Plan
- Address HR customer service intake by phone, email and in person. Include our communication vehicles, turnaround times, cross-training, education and support.
- Establish days in the field for HR Director

Benefits and Wellness

- Using the Benefits Valuation Survey, along with the Benefits Advisory Committee, develop benefits offering package with something for everyone, enhancing recruitment and retention
- Provide more education around offerings and services/resources to assist employees in navigating benefits and medical concerns
- Provide a robust slate of wellness offerings that support physical, emotional, social and financial aspects

Communications and Outreach

- Ensure that all HR initiatives are well-coordinated and communicated accurately, timely and effectively utilizing cascading messaging and appropriate change management practices
- Obtain feedback via customer satisfaction/feedback survey instruments and act accordingly
- Coordinate 2021 Employee Voice Survey, including engagement and follow through
- Successfully migrate to the new website in conjunction with the County's website upgrade
- Formalize and expand internship programs across the County
- Continue to provide superior support for all COVID-related issues via the Cross-functional Team

HR Business Partners and Employee Relations

- Support Diversity, Equity and Inclusion County-wide, including evaluation/implementation of affinity groups

- Continue to grow the impact of HR Business Partners County-wide, utilizing “strike team” concept as necessary
- Assist Appointing Authorities in developing and implementing evaluation instruments as well as coaching for performance

HR Information Systems and Records Administration

- Leverage the Oracle upgrade to include full integration and updates to core HR processes, as well as robust metrics available by Appointing Authority
- Measure and improve eligible candidate flow using creative paths for candidates
- Measure and improve time to fill open positions

Learning and Development

- Drive a “learning culture” that supports employee development and supervisory success to improve productivity, creativity, knowledge-sharing and flexibility
- Promote the Tuition Reimbursement Program
- Provide an exceptional onboarding experience for new hires through their initial year of employment
- Re-build a relevant core supervisory curriculum that meets the unique needs of our organization
- Focus on competency-based learning that aligns with business objectives and strategic initiatives

Workforce Strategy

- Enhance recruitment outreach to diverse groups, creating new paths to secure talent
- Support hiring managers during the hiring and onboarding process
- Expand the Hiring Guide