

Unified Personnel Board
Pinellas County
January 6, 2022 Meeting Minutes

The Unified Personnel Board (UPB) met in regular session at 6:29 PM on this date in the Magnolia Room at the Pinellas County Extension Office, 12520 Ulmerton Road, Largo, Florida.

Present

Joan M. Vecchioli, Chair
Ricardo Davis, Vice-Chair
Jeffery Kronschnabl
Kenneth Peluso
Paul Rogers
William A. Schulz II

Not Present

Peggy O'Shea

Others Present

Kimberly Crum, Director of Human Resources (HR)
Jennifer Monroe Moore, Ogletree, Deakins, et. al, P.C., Board Counsel
Shirley Westfall, Board Reporter, Deputy Clerk
Other interested individuals

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

CALL TO ORDER

Chair Vecchioli called the meeting to order at 6:29 PM; whereupon, she led the Pledge of Allegiance.

ELECTION OF CHAIR AND VICE-CHAIR

Upon request by Chair Vecchioli, Attorney Moore presided over the nomination for Chair. Mr. Peluso made a motion that Ms. Vecchioli be re-elected as Chair. The motion was seconded by Mr. Rogers and carried unanimously.

Attorney Moore turned control of the meeting back over to Chair Vecchioli; whereupon, Mr. Peluso made a motion that Mr. Davis be re-elected as Vice-Chair. The motion was seconded by Mr. Rogers and carried unanimously.

CITIZENS TO BE HEARD

None.

EMPLOYEES' ADVISORY COUNCIL (EAC) REPRESENTATIVE

EAC Representative Lisa Arispe related the following EAC elections results:

- She has been re-elected Chair
- Bill Gorman has been re-elected Vice-Chair
- Zach Bloomer was elected representative for the Property Appraiser's Office

In response to a query by Chair Vecchioli, Ms. Arispe indicated that the HR Director evaluations should be completed and returned by the end of next week.

CONSENT AGENDA

Mr. Schultz moved that the minutes of the regular meeting held on December 2, 2021 be approved. The motion was seconded by Mr. Davis and carried unanimously.

INFORMATIONAL ITEMS

Deviating from the agenda, Chair Vecchioli recommended proceeding with the Informational Items prior to New Business.

Reappointment

Ms. Crum related that Ken Peluso was reappointed to the Personnel Board by the Board of County Commissioners for 2022-2023.

Human Resources Update

Ms. Crum indicated that the HR update is included in the agenda packet and highlighted the following items:

- The new HR Technology and Performance Enhancement Manager will start in mid-January

- Per analysis of the Employee Voice Survey results, the following key areas were identified that require additional focus and attention:
 - Respectful atmosphere
 - Opportunity to do my best work
 - Inclusion
 - Recognition
 - Flexible work
- Administrative leave for eligible employees, which ended on December 18, and communicating safety guidelines related to COVID-19
- Implementation of the new benefit vendors – Cigna and Aetna
- Collaborating with the BCC Workforce Relations team regarding position audits
- A total of 506 new hires were processed in 2021
- Pinellas County is hosting a Career Fair on January 18 at the St. Petersburg College EpiCenter

Responding to a query by Chair Vecchioli, Ms. Crum indicated that she will be presenting the HR annual report in February. Chair Vecchioli inquired about scheduling of the workshops with the Appointing Authorities for March and September and requested a follow-up by HR staff on the process regarding the HR Director's evaluation.

Action Taken Under Authority Delegated by the Personnel Board

Ms. Crum indicated that there are two items listed in the report.

NEW BUSINESS

Determine Interpretation of Rule 3 C.1.e. General Increase

Chair Vecchioli informed that a joint request has been received from the County Administrator and the Employee Advocates Committee regarding the interpretation of Personnel Rule 3.C.1.e., General Increase, and requested that Attorney Moore outline the proceedings.

Attorney Moore indicated that while the Board has authority in the matter, there is no set procedure; and that she views this as a fact-finding conference to allow for the members to solicit information they may need in order to accomplish the task; whereupon, she responded to a query by Mr. Davis regarding the role of witnesses in the current proceeding and read the joint statement of the case.

The aggrieved employees, the Employee Advocate Committee, and the County Administrator jointly request that the Personnel Board investigate and instruct the parties whether or not the Board's interpretation of Rule 3.C.1.e. is consistent with the County Administrator's decision to withhold the general increase effective

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

Senior Assistant County Attorney Ashley Donnell presented her opening statement and indicated that an email has recently been received from the former County HR Director Peggy Rowe relating to the history and context in the creation of the General Increase Rule, specifically, on whether Appointing Authority discretion regarding determining pay increase eligibility was intended. Attorney Donnell indicated that Employee Advocate Tammera Maloney objected to the email disclosure.

Mr. Peluso made a motion that the email be distributed to the Board, which was seconded by Mr. Davis and carried unanimously. The Board was supplied with a copy of the email.

Ms. Maloney, representing the aggrieved employees in the matter, presented her opening statement.

Following testimony, cross-examination, and questioning of the parties and witnesses by the Board, including input provided by HR Officer Jack Loring and Workforce Relations Director Rodney Marion, Chair Vecchioli requested that a copy of the Pinellas County Personnel Rules that were in effect until December 31, 2015 be provided to the Board; whereupon, and with input by Attorney Donnell, she indicated that those rules lack reference to a general increase.

The meeting was recessed at 8:11 PM and reconvened at 8:28 PM

Following closing arguments, the members deliberated on the matter. Mr. Rogers noted the past and current issues with unfair administration of Cost of Living Adjustments in the County and opined that the Appointing Authority discretion as to pay actions, implemented through department managers, is over-utilized; that he disagrees with the Appointing Authorities' arguments; and that Rule 3.C.1.e. is too arbitrary and should be revised, and Mr. Schulz concurred, indicating that the aggrieved employees deserve the general increase.

Mr. Peluso noted the importance of the historical perspective presented during the testimony, opined regarding the importance of the Appointing Authority discretion allowed under the current rule, and expressed support for the County Administrator's interpretation and application of the rule, and Messrs. Davis and Kronschnabl agreed; whereupon, Mr. Davis commented on the general vs. a merit-based increase and on the Board's full intention of allowing the Appointing Authority discretion upon the rule adoption in 2016.

Chair Vecchioli reiterated the need for clarity of definitions and revision of the rule, but noted that notwithstanding the rule ambiguity, there is consistent history of practice of applying discretion in pay increase exclusions based on certain criteria by the HR Department and the Appointing Authorities; and that she supports the County Administrator's interpretation of the rule based on the presented evidence and testimony.

Mr. Peluso made a motion to support the County Administrator's interpretation and application of Rule 3 C.1.e., which was seconded by Mr. Davis. Following further discussion and upon call for the vote, the motion carried 4 to 2, with Messrs. Schulz and Rogers dissenting; whereupon, Chair Vecchioli concluded that the County Administrator's interpretation of the rule has been confirmed by the Board and suggested that staff place a potential revision to the rule on a future agenda.

ADJOURNMENT

The meeting was adjourned at 8:44 PM.