

Unified Personnel Board  
Pinellas County  
June 6, 2024 Meeting Minutes

The Unified Personnel Board (UPB) met in regular session at 6:29 PM on this date in the County Commission Assembly Room at the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida.

Present

Ricardo Davis, Chair  
Ralph O. Reid IV, Vice-Chair  
Jeffery Kronschnabl  
Peggy O'Shea  
Kenneth Peluso  
William Schulz II  
Joan Vecchioli

Others Present

Lisa Arispe, Employees' Advisory Council Representative  
Wade Childress, Chief Human Resources Officer  
Jennifer Monroe Moore, Ogletree, Deakins, et al., P.C., Board Counsel  
Abigail Nygaard, 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 Davis called the meeting to order at 6:28 PM; whereupon, he led the Pledge of Allegiance.

**CITIZENS TO BE HEARD**

No one responded to the Chair's call for citizens to be heard.

**EMPLOYEES' ADVISORY COUNCIL (EAC) REPRESENTATIVE**

Ms. Arispe indicated that the EAC and the Appointing Authorities recently met; and that two of the topics discussed were the need for more Employee Advocates and simplifying the grievance process.

Attorney Moore suggested that brainstorming regarding the appeal process occur in advance of the joint meeting with the Appointing Authorities; and that the process be placed on that meeting's agenda in order to obtain consensus between the EAC, the Appointing Authorities, and the UPB, in terms of making the grievance process less onerous while maintaining due process.

Responding to a query by Ms. Vecchioli, Attorney More indicated that she would take a look at appeal processes in other jurisdictions and municipalities.

In response to comments and a query by Mr. Reid, Ms. Arispe briefly discussed the Employee Advocate role, including that it is on a voluntary basis, reasons that may discourage interest in becoming an Advocate, and a past suggestion to incentivize the role.

In response to a query by Mr. Childress, Ms. Arispe indicated that an Advocate is allowed three hours per week to perform advocacy work; whereupon, Mr. Childress noted that it could then be argued that the Advocate is compensated for those hours. Attorney Moore related that she believes the topic of Employee Advocate compensation was addressed at some point by the County Attorney's Office; and that this could be revisited with them.

## **CONSENT AGENDA**

### Minutes of the Regular Personnel Board Meeting held May 2, 2024

Mr. Peluso made a motion to approve the May 2 meeting minutes. The motion was seconded by Ms. O'Shea and carried unanimously.

## **NEW BUSINESS**

### Revisions to Personnel Rule 3, Compensation

Mr. Childress summarized information related to the following three proposed revisions to Rule 3, Compensation:

- Strike the requirement of general increases being calculated on the midpoint of the pay grade
- Remove the wording, *may elect to* and replace with, *will*, related to Appointing Authorities' compensation of exempt employee during disaster situations
- Delete references to *extended illness leave*

Responding to a query by Ms. Vecchioli, Attorney Moore provided a historical perspective related to the Board's discussions regarding the compensation of exempt employees during disasters. A brief discussion ensued; whereupon, Mr. Childress indicated that he has contacted the Appointing Authorities to inform them that this correction needs to be made.

In response to comments and queries by Ms. Vecchioli and Mr. Reid, Attorney Moore clarified that removal of the midpoint language would allow discretion by the Appointing Authorities with regard to general increases and method of payment; whereupon, Mr. Childress related that while he has discussed the proposed revision with Ms. Arispe, it has not been presented to the entire EAC; and that he should continue discussions with the Appointing Authorities related to continuity throughout the County.

Following a brief discussion, Mr. Peluso made a motion to approve the revisions and suggested placing the topic on the joint UPB and Appointing Authorities' August 22 meeting agenda. The motion was seconded by Mr. Kronschnabl and carried unanimously.

#### Revisions to Personnel Rule 5, Reduction in Force

Mr. Childress indicated that the proposed revision is administrative in order to keep Rule 5 updated and is for the removal of two references to the extended illness plan, which is no longer utilized.

Mr. Reid made a motion for approval. The motion was seconded by Ms. Vecchioli and carried unanimously.

#### Joint Unified Personnel Board and Appointing Authority Meeting, August 22

Mr. Childress provided information related to unsuccessful attempts at scheduling a meeting for discussion of goals for his position and requested that efforts to do so be discontinued for the time being and that the August 22 meeting be held as planned.

Ms. Vecchioli expressed concern regarding the lack of goals for Mr. Childress in the meantime. Mr. Reid and Attorney Moore provided information regarding work that they have done thus far, at the direction of the Board, related to this process and suggested that they could meet with him to discuss goals and a feedback structure prior to the August 22 meeting; whereupon, Ms. Vecchioli indicated that the information from that meeting should be brought before the UPB before it is discussed at the joint meeting.

Following a discussion, Attorney Moore summarized that she and Mr. Reid will meet with Mr. Childress to inform him of prior discussions and the work done so far related to the

process and to assist him with creating goals, with the intent of having a more meaningful discussion with the Board at its July meeting.

## **INFORMATIONAL ITEMS**

### HR Update

Mr. Childress indicated that an HR update is included in the agenda packet for review by the members.

### Action Taken Under Authority Delegated by the Personnel Board

Mr. Childress indicated that the document containing the delegated actions is included in the agenda packet.

### Administrative Change to the Personnel Rules and Unified Personnel Board Policies

Mr. Childress provided brief information regarding prior action taken by the Board to allow a change to the title of his position from Human Resources (HR) Director to Chief Human Resources Officer (CHRO) and asked for confirmation of his understanding that he may make administrative changes to UPB rules and regulations under the authority of the HR Department; whereupon, he indicated that he would like to replace all title references to CHRO.

Following a brief discussion, Attorney Moore indicated that any type of change to a rule should be authorized by the Board; that if the request by Mr. Childress, however, is for replacing any references to either HR or Personnel Director, to either Chief Human Resources Officer or CHRO, she believes that it would be acceptable for him to make those blanket revisions without it being brought to the Board after completion.

Mr. Peluso made a motion to allow Mr. Childress to change all references to any other titles to Chief Human Resources Officer or CHRO. The motion was seconded by Mr. Schulz and carried unanimously.

Responding to concerns expressed by Mr. Kronschnabl regarding turnover rate data provided in the *Workforce Strategy – Recruitment* section of the aforementioned HR update document, Mr. Childress indicated that the rate is relatively the same as the previous year; that the data shown is year-to-date; and that staff is developing a turnover report by Appointing Authority; whereupon, in response to a query by Mr. Schulz, he briefly discussed the decrease in time it is taking to fill positions.

### HR Organizational Chart Updates

Mr. Childress referenced conversations with the members, relating that their feedback was utilized to help create the version of the HR organizational chart which has now become effective and was presented to HR staff yesterday.

In response to comments and a query by Mr. Reid, Mr. Childress provided information regarding an open supervisory position which was upgraded to an existing director classification and moved to the Benefits area, noting that it is his understanding that he has the authority to take such an action if utilizing a current classification; whereupon, Mr. Reid indicated that the HR Department has not recently utilized this classification and would have preferred that this change had been brought before the Board for formal approval.

A brief discussion ensued and included remarks regarding the Board's sole oversight of the HR Department, clarification of certain aspects of Mr. Childress' delegated authority, and recruitment for the position prior to formal approval by the Board at its next meeting.

### **APPELLANT'S MOTION FOR RECONSIDERATION OF TERMINATION APPEAL**

#### Patrice Perry v. Pinellas County Clerk of the Circuit Court and Comptroller

Attorney Moore provided information regarding the two Motions for Reconsideration that are before the Board, specifying that the original motion was filed timely but that the amended motion was not. Attorney Moore suggested that Ms. Perry present her argument for the first issue, which is procedural, and would be with regard to whether or not the amended motion should even be considered due to the lack of timeliness; whereupon, Ms. Perry indicated that she filed the amended motion due to new information coming to light and requested the Board's consideration.

Attorney Moore invited Assistant County Attorney Jeff Klein to respond in terms of whether the amended motion should be heard in light of its lack of timeliness; whereupon, Mr. Klein indicated that he is representing the Clerk of the Circuit Court and Comptroller Ken Burke; and that Executive Director Teresa Del Rio is present as Mr. Burke's representative. He related that the amended motion was filed only one day untimely, but that what he feels is of more significance is that neither the initial motion nor the amended motion meet requirements set forth in Rule 11-1.

Attorney Moore provided details regarding the requirements related to Motions for Reconsideration in UPB Procedure 11-1; whereupon, Mr. Peluso made a motion to not

accept the amended Motion for Reconsideration. The motion was seconded by Mr. Reid and carried unanimously.

Indicating that the original Motion for Reconsideration would now be addressed, Attorney Moore provided criteria and requirements for requests for reconsideration outlined in Rule 11-1. Following a brief discussion, Attorney Moore clarified that both parties will have the opportunity to argue the original motion.

Ms. Perry spoke and provided insight and information related to her reasons for filing an amended Motion for Reconsideration.

Mr. Klein then discussed the rules for reconsideration which are involved, including that Rule 11-3 indicates that reference to the transcript is required; that since no such reference was made, as a procedural matter, it should be denied; and that Rule 11-1 requires that the Board's decision was made through, or based upon, fraud, collusion, deceit, or mistake of fact or law; whereupon, he summarized information related to Ms. Perry's original hearing held on April 3, 2024 and indicated that nothing in Ms. Perry's Motion for Reconsideration shows that the Board's decision was improperly based upon fraud, collusion, deceit, or mistake of fact or law and, therefore, should be denied.

Responding to comments and queries by the members, Attorney Moore clarified what is required as evidence to qualify as false testimony. Following a discussion by the members, Mr. Peluso made a motion to deny the Motion for Reconsideration.

Ms. Vecchioli indicated that Ms. Perry is requesting to speak; and that she feels it is appropriate to allow that before there is a second; whereupon, Ms. Perry related that if there was something else that she needed to provide, she would have added that to the Motion for Reconsideration. Ms. Vecchioli clarified that the lack of the transcript is not the reason that the Board is not considering the Motion for Reconsideration and seconded the motion.

Following comments by the members, Attorney Moore reminded the Board that the motion is to deny the Motion for Reconsideration and provided clarification related to the decision that they are being called upon to make with respect to the standard set forth in Rule 11.1; and that the issue is determining whether or not it should be granted or denied.

Chair Davis indicated that the motion which has been made is to deny the request. Upon his call for a vote, the motion carried 6-1, with Mr. Schulz dissenting.

**ADJOURNMENT**

Chair Davis adjourned the meeting at 7:56 PM.