



UNIFIED PERSONNEL BOARD AGENDA

Date: February 5, 2026

Time: 6:30 p.m.

Location: BCC Assembly Room, Fifth Floor, Pinellas County Courthouse
315 Court Street, Clearwater, Florida

Citizens to be Heard*

Employees' Advisory Council (EAC) Representative

I. Consent Agenda

1. Request Approval of the Minutes of the Regular Personnel Board Meeting held January 8, 2026

II. New Business

1. Human Resources Reclassification Recommendation

III. Informational Items

1. Reduction in Force – Building & Development Review Services Department
2. Reduction in Force – Utilities Department
3. HR Update
4. Action Taken Under Authority Delegated by the Personnel Board

IV. Lisa Carter v. Pinellas County Solid Waste Department

1. Appellee's Motion to Dismiss for Lack of Jurisdiction

Appellant's Objection to Appellee's Motion to Dismiss for Lack of Jurisdiction

2. Appellant's Motion to Continue Appeal Hearing/Objection to Consolidation

Appellee's Response to Objection to Consolidation

* 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@pinellas.gov at least three (3) business days in advance of the need for reasonable accommodation. You may also call (727) 464-4882. View more information about the [Americans with Disabilities Act and requests for reasonable accommodation](#).

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

**Unified Personnel Board
Pinellas County
January 8, 2026 Meeting Minutes**

The Unified Personnel Board (UPB) met in regular session at 6:30 PM on this date in the Palm Room at the Pinellas County Communications Building, 333 Chestnut Street, Clearwater, Florida.

Present

Ricardo Davis, Chair
Kenneth Peluso, Vice-Chair
Jeffery Kronschnabl
William Schulz II
Mark Strickland

Not Present

Peggy O'Shea

Others Present

Wade Childress, Chief Human Resources Officer
Lisa McMurray, Employees' Advisory Council Representative
Jennifer Monroe Moore, Ogletree, Deakins, et. al, P.C., Board Counsel
Ashley Pabilonia, Board Reporter, Deputy Clerk
Other interested individuals

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

CALL TO ORDER

Chair Davis called the meeting to order at 6:30 PM and led the Pledge of Allegiance.

ELECTION OF CHAIR AND VICE-CHAIR

Attorney Moore indicated that, as is customary for the January UPB meeting, the election for Board Chair and Vice-Chair will be conducted; whereupon, she requested a motion or nomination for the positions.

Mr. Peluso made a motion that Mr. Davis continue as Chair and indicated that he volunteers to serve as Vice-Chair; whereupon, the motion was seconded by Mr. Schulz.

In response to a query by Attorney Moore, Mr. Davis confirmed his willingness to continue serving as Chair. Upon Attorney Moore's call for the vote, the motion carried unanimously; whereupon, Attorney Moore related that Mr. Davis will continue as Chair; and that Mr. Peluso will serve as Vice-Chair.

CITIZENS TO BE HEARD

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

EMPLOYEES' ADVISORY COUNCIL (EAC) REPRESENTATIVE

Ms. McMurray provided an update regarding her search for a replacement EAC appointee to the UPB and noted that suggestions for candidates would be helpful; that a couple of individuals have declined the role; and that she hopes to have an appointee by the March meeting.

CONSENT AGENDA

Minutes of the Joint Unified Personnel Board/Appointing Authorities Meeting Held October 22, 2025

Minutes of the Regular Personnel Board Meeting Held December 4, 2025

Chair Davis indicated that the next item on the agenda is a request for approval of the minutes for the Joint Unified Personnel Board/Appointing Authorities meeting held on October 22 and a request for approval of the minutes for the regular Personnel Board Meeting held on December 4. Upon the Chair's call for a motion to approve the Consent Agenda, Mr. Schulz made a motion to approve, which was seconded by Mr. Peluso and carried unanimously.

NEW BUSINESS

Human Resources Promotional Appointment to Exempt Role

Mr. Childress indicated that while it is his understanding that he holds the authority to make a promotion to an exempt role, he wishes to keep the Board informed of updates within Human Resources (HR). He noted that implementation of the County's new Enterprise Resource Planning software began on January 5, which will span approximately three years; that some of the ERP-related functions currently managed by Business Technology Services will be transferred to the HR Department; and that since

this will increase HR's back-end involvement with regard to the ERP system, staff has identified three positions that need to be added to HR; whereupon, he related that the intent is to promote current HR staff member, Lauren Bollinger, to the position of Application Analyst.

INFORMATIONAL ITEMS

Reappointment of the following Personnel Board Member for 2026-2027:

- Kenneth Peluso by the Board of County Commissioners

This item was not addressed.

Chief Human Resources Officer 2025 Performance Review Timeline

Mr. Childress provided details regarding the timeline of his performance review as Chief Human Resources Officer (CHRO), indicating that performance review questionnaires will be distributed to the Appointing Authorities and the EAC on January 26; and that staff will compile and distribute questionnaire responses, which will include average scores by respondent and topic. He related that he plans to schedule individual meetings with the members prior to the March 5 UPB meeting in order to discuss questionnaire responses; and that the members will formally vote at the March 5 UPB meeting regarding whether he will continue in his position; whereupon, he noted that the performance review for the CHRO position will transition from a three-point to a five-point system, which aligns with the same performance review format used for the County Attorney and County Administrator.

Deviating from the agenda, Attorney Moore indicated that an appeal is scheduled for the March UPB meeting; and that two motions related to the appeal will be brought before the Board at the February UPB meeting, including a motion to dismiss a grievance appeal and a motion requesting to not consolidate the grievance appeal with a termination appeal; whereupon, she summarized the appeal and associated motions and related that the outcome of the motions presented at the February UPB meeting will determine whether the Board will hear one or two appeals at its March meeting. Attorney Moore also noted that a quorum will be necessary at the February and March meetings; and that the same members will need to be in attendance at both meetings.

In response to a query by Mr. Peluso, Attorney Moore indicated that the February meeting will begin at 6:30 P.M.; and that the members will have the opportunity to ask questions of both parties related to the legal issues associated with the appeal and the motions.

HR Update

This item was not addressed.

Action Taken Under Authority Delegated by the Personnel Board

This item was not addressed.

ADJOURNMENT

The meeting was adjourned at 6:43 PM.

TO: The Honorable Chair and Members of the Unified Personnel Board

FROM: Wade Childress, Chief Human Resources Officer *(Signature)*

DATE: February 5, 2026

SUBJECT: Human Resources Reclassification Recommendation

I am recommending that the members of the Unified Personnel Board approve the promotion of Christine Gauger from Benefits Technician - HRD/C35 at pay grade C20 to Benefits Specialist - HRD/C62 at pay grade C22, effective February 5, 2026.

Chris has successfully completed Career Ladder Levels I-II as a Benefits Technician, as well as the first two levels of the Benefits Specialist ladder. In addition to her regular responsibilities, she has assumed responsibility for benefits billing reconciliation and is currently partnering with our payroll team to take over the Life and Optional Life Insurance billing reconciliations as well. While taking on these expanded duties, Chris has made notable progress in improving efficiency within the reconciliation process, addressing several inefficiencies that existed in the prior workflow.

Attachment:

- Human Resources Specialist Description



Human Resources Specialist

Category: Classified
Pay Grade: C22
Job Code: 20130

To perform this job successfully, an individual must be able to perform the essential job functions satisfactorily. Reasonable accommodations may be made to enable individuals with disabilities to perform the primary job functions herein described. Since every duty associated with this position may not be described herein, employees may be required to perform duties not specifically spelled out in the job description, but which may be reasonably considered to be incidental in the performing of their duties just as though they were actually written out in this job description.

JOB SUMMARY

Performs technical and administrative tasks relating to implementation and maintenance of the Unified Personnel System; may be responsible for one or more specialized human resources programs.

ESSENTIAL JOB FUNCTIONS (examples, not all inclusive)

- Advises administrators and managers regarding the position and employee lifecycle;
- Offers guidance to employees through human resources procedures and answers questions about policies, programs, regulations, and procedures;
- Initiates and responds to inquiries in area of specialization typically requiring further research of the issue, complete analysis and responds with answers to questions and/or recommendations;
- Provides technical support in the administration of a broad range of human resources functions (employee benefits, communications, recruitment, onboarding, learning and development, human resources information systems, etc.);
- Plans, implements, and provides employee education for various human resources programs;
- Counsels supervisors, employees, and their dependents on a wide variety of laws, rules, and policies;
- Perform information processing duties including data entry and retrieval;
- Assists in the coordination of specialized programs such as recruitment, compensation, benefits, communications and employee development;
- Provides information in written form, email, in person or by telephone;
- Creates and edits various employee communication tools;
- Performs other related job duties as assigned.

QUALIFICATIONS

Education and Experience:

Five (5) years of professional experience that includes one (1) year of professional experience in the job's specialized field or assignment or; a Bachelor's degree in human resources management, personnel administration, business, public administration, or related field; and one (1) year of experience as described above; or an equivalent combination of education, training, and/or experience.

Special Qualifications (May be required depending on area of assignment):

- Assignment to work a variety of work schedules including compulsory work periods in special, emergency, and/or disaster situations.
- Candidate to demonstrate more advanced proficiency, competency, and satisfactory completion of regularly assigned work in an independent manner. Appointing Authority retains discretion to employ an incumbent at this level or advance the incumbent non-competitively or competitively after a candidate

- meets the minimum qualification to an in-line career ladder position within the same organization or department.
- Candidate to demonstrate competence, possess specialized training, or certifications in one or more specific human resources programs and functions.
- Other knowledge, skills, abilities, and credentials required for a specific position.

Knowledge, Skills and Abilities(examples, may vary depending on area of assignment):

- Knowledge of the principles and procedures of public sector human resources administration;
- Knowledge of the principles of management, education, career development, and statistics;
- Knowledge of principles, practices, and techniques relevant to recruiting qualified, employment applicants;
- Knowledge of principles, methods, and techniques relevant to classification and compensation;
- Knowledge of benefits programs, laws, and regulations;
- Knowledge of the Family Medical Leave Act, the Americans with Disability Act, and other benefits related to federal, state, and local laws;
- Knowledge of analytical concepts and methods used in benefits, compensation, classification or testing determination;
- Knowledge of publication principles and methods including desktop and web publishing.
- Skill in the use of publishing software;
- Skill in public speaking;
- Skill in the use of a personal computer including word processing, spreadsheet and database applications.
- Ability to perform technical computations and statistical tabulations, and prepare reports based upon the findings;
- Ability to interact with community resource organizations;
- Ability to write and prepare documents for distribution including design and layout;
- Ability to express oneself clearly and concisely, orally and in writing;
- Ability to analyze facts, prepare reports, and maintain filing systems;
- Ability to deliver accurate and understandable information in response to inquiries and complaints;
- Ability to establish and maintain effective working relationships with customers, superiors, fellow employees, and others;
- Ability to actively listen giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times;
- Ability to tell when something is wrong or is likely to go wrong. It does not involve solving the problem, only recognizing that there is a problem;
- Ability to think critically by using logic and reasoning to identify strengths and weaknesses of alternate solutions, conclusions or approaches to problems;
- Ability to develop constructive and cooperative working relationships with others, and maintain them over time.

PHYSICAL/MENTAL DEMANDS

The work is light work which requires exerting up to 20 pounds of force occasionally. Additionally, the following physical abilities are required:

- Fingering: Picking, pinching, typing, or otherwise working, primarily with fingers rather than with the whole hand as in handling.
- Grasping: Applying pressure to an object with the fingers and palm.
- Handling: Picking, holding, or otherwise working, primarily with the whole hand.
- Visual ability: Sufficient to effectively operate office equipment including copier, computer, etc.; and to read and write reports, correspondence, instructions, etc.
- Hearing ability: Sufficient to hold a conversation with other individuals both in person and over a telephone; and to hear recording on transcription device.
- Speaking ability: Sufficient to communicate effectively with other individuals in person and over a telephone.
- Mental acuity: Ability to make rational decisions through sound logic and deductive processes.

- Talking: Expressing or exchanging ideas by means of the spoken word including those activities in which they must convey detailed or important spoken instructions to other workers accurately, loudly, or quickly.
- Repetitive motion: Substantial movements (motions) of the wrist, hands, and/or fingers.

WORKING CONDITIONS

Work is performed in a dynamic environment that requires sensitivity to change and responsiveness to changing goals, priorities, and needs.

TO: The Honorable Chair and Members of the Unified Personnel Board

THROUGH: Wade Childress, Chief Human Resources Officer

FROM: Barry A. Burton, County Administrator *JAB*

CC: Tom Almonte, Assistant County Administrator
Kevin McAndrew, Director, Building & Development Review Services

DATE: January 16, 2026

SUBJECT: Reduction in Force Contractor Licensing Administrative Unit

Please consider this notice pursuant to the Unified Personnel Service Rule 5 that a reduction in force (RIF) is necessary in the Contractor Licensing Administrative Unit.

One (1) job classification affecting one (1) position control number is affected:

- Administrative Support Specialist 2 / BCC/C4637

Plan and Retention

A Reduction in Force is occurring due to a lack of funds in sustaining the PCCLB operations (*note - PCCLB is a self-sustaining fund*). Despite cost-saving operational changes over the past several years, a reoccurring budget shortfall (actual revenue against actual expenses) has occurred the last five consecutive years.

The Department is implementing a series of measures to achieve a sustainable operation. These measures include terminating any current practice that is not a statutory requirement of PCCLB, a reduction in the number of PCCLB meetings, and transitioning to online-only applications for license renewals. Further measures to be implemented in FY26 will pursue transitioning to a multi-year license renewal (currently annual). In aggregate, these changes will realize meaningful operational efficiencies and cost savings.

The proposed Reduction in Force will result in \$100,255.26 annual reoccurring savings.

The Contractor Licensing Administrative unit has one (1) employee in this classification. Accordingly, no Retention Score Calculation applies.

The Department will assist the displaced employee in finding employment within County government, if possible. The anticipated date of the RIF is February 27, 2026.



MEMORANDUM

TO: The Honorable Chair and Members of the Unified Personnel Board

THROUGH: Wade Childress, Chief Human Resources Officer

FROM: Barry Burton, County Administrator
Jeremy Waugh, Director of Utilities *Jeremy Waugh*

SUBJECT: Reduction in Force: Field Services Section, Customer Service Division

DATE: January 20, 2026

Please consider this notice pursuant to the Unified Personnel System Rule 5 that a reduction in force (RIF) is necessary in the Field Services section of the Customer Services Division within the Utilities Department.

One (1) job classification affecting one (1) position control number is affected by this RIF:

- Meter Reader 2 / BCC/C1273

Plan and Retention:

Upon the completion of Advanced Metering Infrastructure (AMI) installation, manual readings of residential and commercial meters are no longer required. This project installation commenced in 2023, at which time employees in the classifications of Meter Reader 1, Meter Reader 2, and Meter Reader 3 were advised of the ultimate department reorganization eliminating these roles upon project completion. To date, 14 of the 15 employees in those roles have acquired employment elsewhere within the Utilities Department. As of the present date, one (1) Meter Reader 2 remains in his current role and thus will be impacted by the deletion of these classifications and subject to the RIF.

A Reduction in Force is necessary due to the lack of work for Meter Reader 2 and to ensure that the Utilities Department operates within its new budget requirements, as the following positions will be deleted during the first half of fiscal year 2026:

- BCC/C1273 (currently occupied, impacted by RIF)
- BCC/C1276 (vacant)
- BCC/C3274 (vacant)
- BCC/C1278 (vacant)
- BCC/C3196 (vacant)

The Department will assist the displaced employee in finding employment within County government, if possible. The anticipated effective date of the RIF is February 27, 2026.



HR Update for February (January 2026 Updates)

Benefits & Wellness

- Virtual Health Care Expansion – As of January 1, primary care, dermatology, and mental health care is now available virtually via Teladoc to employees on the County's medical plan. This includes an annual visit, lab orders, prescriptions, and referrals.
- Wellness Incentive Updates – Skin screenings, previously awarded automatically through the claims process, now need to be self-reported. Dental exams (up to 2 per year) continue to be self-reported.

Employee Communications & Volunteer Services

- 2025 Annual Report – The report is available [online](#).
- Classified Ads in the *Pen Extra* – In light of various legal and ethical considerations regarding the items being offered, as well as the potential for employees to engage in transactions during work hours, we have discontinued the option of selling used items in the *Pen Extra*. There are many other platforms available for this purpose.

Employee Relations/Business Partners

- Workplace Violence Policy and Rule 6 Updates – Following changes to Florida's Open Carry Law, the Workplace Violence Policy now grants employees the same rights as citizens to carry firearms on Pinellas County property, except during and in the course of their official duties. These updates were communicated to all employees via an Ask HR question in the December *Pen* and in the Weekly Digest email on January 7.
- Disaster Assignment & Preparedness Assessment (DAPA) – Employees are currently completing their annual DAPA updates. Employee Relations is managing the disaster exemption request process.
- Employee Voice Survey Analysis – HR Business Partners are continuing to assist departments/Appointing Authorities with action planning following the Employee Voice Survey results.

Learning & Development

- Learning Partners – The Learning & Development (L&D) team is now aligned to departments in the same way as our HR Business Partners (HRBP). This alignment is designed to build stronger, more consistent partnerships with each department; provide more tailored, consultative learning and development support; improve responsiveness to department-specific needs; and create clearer points of contact and accountability. This alignment is a foundational step in strengthening partnerships, improving service delivery, and continuing to build a culture of learning across Pinellas County.

Learning Partners Alignment

| Team Member | Departments Supported |
|--|---|
| Dr. Holley Walker (HRBP: Missy Kracher) | Animal Services; Building & Development Review Services; Clerk & Comptroller; Contractor Licensing; Convention & Visitors Bureau; Housing & Community Development; Human Resources; Office of Human Rights; Utilities |
| LeahRae Rusu (HRBP: Michelle Musser) | Board of County Commissioners; Business Technology Services; County Administration; Economic Development; Human Services; Parks & Conservation Resources; Property Appraiser's Office; Public Works; Office of Fleet & Asset Management; Solid Waste; Supervisor of Elections |

| | |
|--|--|
| Dawn Stophia / Kevin Connally (HRBP: Maria Ciro) | Airport; Communications; Construction & Property Management; County Attorney's Office; Emergency Management; Forward Pinellas; Office of Management & Budget; Purchasing; Risk Management; Safety & Emergency Services; Tax Collector's Office |
| Kate Mamot | All departments – leadership development |

- Reimagining Learning for Employees and Leaders – L&D is actively reimagining learning offerings for all employees and leaders and is diligently designing and developing content aligned to the top competencies identified through recent analysis and stakeholder meetings, ensuring learning is relevant, targeted, and aligned to organizational needs.
- Upcoming classes –
 - **Reset & Respond: Your Guide to Calm, Confident Service**, February 5 (2 hours) – Build confidence and composure when handling tough customer interactions. Learn practical de-escalation, empathy, and communication techniques to turn challenging moments into positive outcomes. Participants will leave with ready-to-use strategies, supportive language tools, and renewed confidence in managing sensitive situations effectively.
 - **Navigating Challenging Conversations**, February 11 (90 minutes) – This interactive session focuses on proactive strategies to prepare for and engage in challenging conversations before conflict escalates.
 - **Effective Presentation Skills**, February 17 and 18 (two 4-hour sessions) – In this hands-on session, you'll explore how to make outstanding presentations. From mastering your delivery style to creating an environment that connects and inspires your attendees. You'll also get the chance to practice your skills, receive feedback from peers, and walk away with practical tools you can apply right away to your next presentation.

Recruitment

- Job Fair – We will be hosting a Countywide job fair on January 30. The event will provide an opportunity for potential candidates to meet with hiring managers and recruiters to learn more about the opportunities with Pinellas County.

HR Technology, Compensation, & Operations

- Technology Team – Lauren Bollinger was promoted to Application Analyst as she has been involved in process mapping across the department, participated in specialized Workday training, and is actively supporting all aspects of the new Enterprise Resource Planning (ERP) project. She brings over 4 years with the Human Resources department working within the current software system and a master's degree in leadership. This leaves 2 additional vacancies for this project that are anticipated to be filled by one BTS resource and a recruitment is open to internal and external applicants.
- Employment statistics for December are:
 - Time to fill: 65.3 days
 - New hires: 34
 - Promotions: 22
 - Separations: 22 (5 terminations, 3 retirements and 14 resignations)
 - County-wide year-to-date annualized turnover is 13.2% and the rolling 12-month turnover is 13.1%.
 - Human Resources department's rolling 12-month turnover is 12.5% as of the end of December.



Chief Human Resources Officer
Action Taken Under Authority Delegated by the Unified Personnel Board

The Chief Human Resources Officer, having been granted delegated authority to act on behalf of the Unified Personnel Board, has taken the following actions from **January 3, 2026 through February 1, 2026**.

ADDITION

| Spec No. | Title | EEO4 Code | OT Code | PG |
|----------|--|-------------------|------------|-----|
| 12006 | Permit Specialist 1 | Paraprofessionals | Classified | C19 |
| 12008 | Permit Specialist 2 | Paraprofessionals | Classified | C21 |
| 12012 | Permit Specialist Lead | Professionals | Classified | C23 |
| 20046 | Animal Specialist Facility Coordinator | Professionals | Classified | C25 |

PAY GRADE CHANGE

| Spec No. | Title | Old PG | New PG |
|----------|------------------|--------|--------|
| 07564 | Video Specialist | C23 | C26 |

**THE PINELLAS COUNTY
UNIFIED PERSONNEL SYSTEM BOARD**

IN RE:

Appeal of Final Written Warning,

LISA CARTER,

Appellant,

v.

Appeal No. 25-3

**PINELLAS COUNTY SOLID WASTE
DEPARTMENT,**

Appellee.

/

**PINELLAS COUNTY SOLID WASTE DEPARTMENT'S MOTION TO DISMISS
APPEAL FOR LACK OF JURISDICTION**

COMES NOW, the Appellee, PINELLAS COUNTY SOLID WASTE DEPARTMENT (hereinafter “Appellee” or “the Department”) by and through the undersigned counsel and hereby files this Motion to Dismiss Appeal for Lack of Jurisdiction in accordance with Unified Personnel Board Appeal Procedure 10-3, and in support thereof states as follows:

1. Appellant, LISA CARTER, appealed the unanimous decision of the Informal Grievance Panel on September 23, 2025 - upholding the Final Written Warning issued to her on May 30, 2025.
2. The appeal was initially scheduled to be heard before the Unified Personnel Board on December 4, 2025.
3. The parties appeared for a pre-hearing conference on November 7, 2025, at which time, LISA CARTER, requested the December 4, 2025, hearing date be continued, and the pre-hearing conference similarly be rescheduled.

4. The DEPARTMENT did not object to the request, and an Amended Notice of Pre-Hearing Conference has been issued for January 13, 2025.

5. LISA CARTER was terminated from employment with Pinellas County effective November 7, 2025. A copy of her termination letter is attached hereto as Exhibit "A."

6. LISA CARTER is no longer an employee of Pinellas County, and therefore, is no longer a member of the Classified Service.

7. Pursuant to Unified Personnel Board Appeal Procedure 10-3:

Notwithstanding any of the above, the Board shall be without jurisdiction to hear a grievance appeal from an individual who is no longer in the Classified Service at the time of his/her scheduled appeal hearing.

(Emphasis added.) A copy of the Procedure is attached hereto as Exhibit "B."

8. The Unified Personnel Board is without jurisdiction to hear Appellant, LISA CARTER'S grievance appeal as she is no longer in the Classified Service, and will not be a member of the Classified Service at the time of the appeal hearing.

9. Regardless of her request to continue the December 4, 2025, hearing; LISA CARTER would not have been an employee or member of the Classified Service on the initial December 4, 2025, date of hearing.

10. Appellant, LISA CARTER'S grievance appeal must be dismissed because the Unified Personnel Board lacks jurisdiction to hear the grievance appeal.

WHEREFORE, the Appellee, PINELLAS COUNTY SOLID WASTE DEPARTMENT, respectfully requests the pending grievance appeal of Final Written Warning be dismissed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing document has been furnished via electronic delivery to **Wade Childress**, Pinellas County Human Resources Director, at

wchildress@pinellas.gov, **Jennifer Moore, Esquire**, Attorney for the Unified Personnel Board, at jennifer.moore@ogletree.com and **Karmika Rubin, Esquire**, attorney for Appellant, at krubin@rubinslaw.com on this 25th day of November, 2025.

/s/ Kelly L. Vicari

Kelly L. Vicari, Esquire

FBN 0088704

Senior Assistant County Attorney

Pinellas County Attorney's Office

315 Court Street, 6th Floor

Clearwater, FL 33756

Tel: 727-464-3354

Primary: kvicari@pinellas.gov

Secondary: eservice@pinellas.gov

Attorney for Solid Waste
Department/Appointing Authority



Hand Delivered or
Sent via Regular and Certified Mail, Return Receipt Requested (return receipt #_____)

November 7, 2025

Lisa Carter
Accountant 1
Employee #: 26512
1408 York St. S.
Gulfport, FL 33707

Subject: Disciplinary Notice - Dismissal

Dear Lisa:

This letter is to advise you of the decision to terminate your employment with Pinellas County due to your violation of Personnel Rule 6, Paragraph B, Category A - Poor Performance, Infractions - Substandard quality or quantity of work; Failure to perform assigned duties.

This dismissal is effective as of November 7, 2025.

Please provide your badge and any keys to Paul Sacco.

If you believe this decision is in error, you may appeal this action to the Personnel Board, in accordance with Personnel Rules 6 and 7 available at www.pinellas.gov/hr/rules. To do so, file a written notice of appeal to the Director of Human Resources within 15 calendar days from the date you receive this notice.

Sincerely,

A handwritten signature in blue ink that appears to read "Paul S. Sacco".

Paul S. Sacco
Director
Solid Waste Department

cc:

- Department File
- Human Resources (for employee's Human Resources personnel file) – Scan and email to HRExecOffices@pinellas.gov or send by interoffice mail to the Director of Human Resources



EMPLOYEE POLICIES & PROCEDURES

UNIFIED PERSONNEL BOARD PROCEDURE Appeal Procedures of the Pinellas County Unified Personnel Board

Section 1. Title and Scope

- 1-1 All members of the Classified Service have the right to appeal a decision regarding a grievance from the Informal Grievance Committee to the Unified Personnel Board, unless otherwise provided by Board rules. Regular Status Classified Service Employees may appeal their termination directly to the Unified Personnel Board. The following paragraphs are meant to be a guide to County employees and employers regarding appeals and shall be known as the Pinellas County Personnel Board Appeal Procedures.
- 1-2 These procedures govern practice in all appeal hearings before the Unified Personnel Board in conjunction with the requirements of Rules 6 and 7 of the Pinellas County Personnel Rules.

Section 2. Definitions

- 2-1 Appointing Authority – Shall refer to the Appointing Authority of the Employee. The Appointing Authorities of the Unified Personnel System are: the Board of County Commissioners, the Clerk of the Circuit Court, the Property Appraiser, the Supervisor of Elections, the Tax Collector, the County Administrator, the County Attorney, the Executive Director of Forward Pinellas, the Chief Information Officer of Business Technology Services, the Human Rights Officer, and the Chief Human Resources Officer. They have the power to appoint the employees who shall hold some or all positions under their supervision.
- 2-2 Board - Shall mean the Pinellas County Unified Personnel Board.
- 2-3 Calendar Day - Shall mean the respective days of the week. In computing any period of time prescribed by these rules, if the day on which the act is required to be done falls on a Saturday, Sunday, legal holiday, or county holiday, the act may be done on the next business day.
- 2-4 Classification Appeal – Shall refer to an appeal by an Employee whose position classification has been downgraded by the Chief Human Resources Officer.
- 2-5 Counsel – Shall refer to Counsel for the Board.
- 2-6 Chief Human Resources Officer - Shall refer to the Chief Human Resources Officer or his or her designee.

Appeal Procedures

- 2-7 Employee - Shall mean any Classified Service County Employee who is entitled to an appeal of a final grievance decision or termination before the Unified Personnel Board.
- 2-8 Parties – Shall refer to the Employee and the Appointing Authority. The Appellant refers to the Party bringing the appeal. The Appellee is the Party defending the appeal.

Section 3. Hearing Requests and Scheduling

- 3-1 Any affected Employee or the Appointing Authority shall have the right to appeal the final decision of the Informal Grievance Committee, unless otherwise provided by the Personnel Rules, and a regular status classified Employee shall have the right to appeal a termination to the Board. Such appeals must be made in writing, in accordance with Rule 7 or simply by submitting a letter, to the Chief Human Resources Officer, within 15 calendar days from the Employee's receipt of the grievance decision or within 15 calendar days from the effective date of termination, or the Employee's receipt of written notification of termination, whichever is later. (See Appendix A, for example). The letter should state whether all or part of the decision of the Informal Grievance Committee is being appealed and what outcome the Employee is seeking. Any findings or determinations of the Informal Grievance Committee which are not appealed shall be binding upon the parties.
- 3-2 Upon receipt of a request for an appeal hearing, and not later than 21 calendar days thereafter, the Chief Human Resources Officer shall schedule an appeal hearing and notify the Counsel. Except as provided in §5-1 of these procedures, the appeal hearing shall be scheduled within 120 days from the receipt by the Chief Human Resources Officer of the hearing request.
- 3-3 In the event the final decision of an Informal Grievance Committee is appealed, the Appellee may cross appeal any determination of the Committee which is not being appealed by the Appellant and which otherwise would be binding upon the parties. The notice of Cross Appeal shall be provided to the Chief Human Resources Officer and the Appellant within 10 calendar days of the date of the initial letter from the Chief Human Resources Officer setting the appeal for hearing before the Board.

Section 4. Pre-Hearing Conference and Procedure

- 4-1 Upon request by the Chief Human Resources Officer, the Counsel will issue a notice to the parties involved to appear at a pre-hearing conference. The notice to the parties shall be sent via certified mail, return receipt requested, and shall be mailed not later than 10 calendar days prior to the scheduled date of the pre-hearing conference. The purpose of the pre-hearing conference is to identify issues, witnesses and exhibits and agree to those matters that will not require strict proof before the Board. (See Appendix B, for example.)

Appeal Procedures

4-2 Parties will bring with them the following information to the pre-hearing conference:

- a. A brief written statement (legibly handwritten or typed) of the case, which shall not exceed 500 words, and which describes their view of the relevant facts regarding the appeal and in the case of the Appellant or Cross Appellant, the outcome that is sought.
- b. A written listing (legibly handwritten or typed) of documentary evidence and exhibits and witnesses which they intend to present at the appeal hearing, with a brief description as to the evidentiary purpose. If a Party desires to subpoena witnesses, each witness' full name, home address and/or business address should be provided. The number of witnesses listed by a Party shall not exceed 15 unless the Board specifically authorizes more upon written motion made by the Party seeking to list witnesses in excess of 15 in number, served upon the Opposing Party and the Counsel. The written motion should include the names of the additional witnesses and the nature of their testimony and will be ruled upon by the Board at the next regularly scheduled meeting.
- c. A set of the physical evidence the Party intends on using at the hearing which will be given to the Opposing Party and the Counsel at the pre-hearing conference. Each Party is expected to be prepared to make binding agreements on the admissibility of all exhibits and be prepared to agree on arrangements for submission to the Board of those exhibits for which there are no objections.
- d. Failure to comply with this section will result in the pre-hearing conference being continued for one week to allow compliance. Non-compliance after a continuance of the pre-hearing conference shall be reported to the Board and may result in the Board striking the Non-Complying Party's witnesses or exhibits or other remedies as determined by the Board.

4-3 Following the completion of the pre-hearing conference, the Counsel, within seven calendar days, will prepare and issue a Pre-Hearing Conference Statement. The Pre-Hearing Conference Statement shall include the following:

- a. A statement of the case, which may either be a combined edited version of the statements provided by each Party or, as an alternative, the Counsel may simply attach each Party's respective statement of the case as a combined exhibit. The decision regarding the statement of the case by the Counsel shall be final.
- b. A description of the issues to be resolved.

Appeal Procedures

- c. A listing of documentary evidence, exhibits, and witnesses to be presented, and a brief statement explaining their purpose.
- d. Any stipulated issues and pertinent facts.
(A sample Pre-Hearing Conference Statement is included as Appendix C.)

4-4 Exceptions regarding the Pre-Hearing Conference Statement must be in writing and shall be filed with the Counsel no later than seven calendar days from the date the Pre-Hearing Conference Statement is issued. A Party wishing to object to the granting or denial of an exception may do so at the beginning of the formal appeal hearing. The Board, by a majority vote, will then decide on the exception. Once exceptions have been decided, the Pre-Hearing Conference Statement shall become binding upon the parties, and any other testimony or evidence not reflected in it will be excluded. However, the Board may, by a majority vote, allow previously undisclosed testimony or evidence to be presented if good cause is shown by a requesting Party.

Section 5. Continuance of Appeal Hearing

5-1 Upon request of either Party, and with the approval of the Chief Human Resources Officer, the appeal hearing may be continued. Additionally, the Chief Human Resources Officer may reschedule an appeal hearing based upon his/her own discretion provided it is still within the 120-day time frame mentioned in paragraph 3-2 above. Continuances beyond the 120-day period mentioned in paragraph 3-2 above may only be granted if both parties agree, or, if one Party requests such a continuance and the other Party does not agree, if recommended by the Chief Human Resources Officer and approved by the Board's Chair or Vice-Chair.

5-2 If a formal hearing is continued by the Board, it will automatically be scheduled for the next regularly scheduled Board Meeting, unless the Chair directs otherwise.

Section 6. Subpoenas

6-1 All parties and the Board, at its own request, have the right to request subpoenas, to compel the attendance of witnesses at appeal hearings or Board-conducted investigations (see Appendix D). Subpoenas may also be issued to compel production of books, papers, and other documents for Board hearings and investigations. The Party requesting the issuance of subpoenas shall be responsible for preparing the subpoenas and paying the witness fee and mileage as provided by law. Service of the subpoenas shall be the responsibility of the requesting Party, and shall be made in accordance with the Florida Rules of Civil Procedure. In the event either or both parties are not represented by legal counsel, the Counsel will provide assistance to them in preparing subpoenas.

Appeal Procedures

6-2 The parties to an appeal may agree to conduct depositions of witnesses before a court reporter prior to an appeal hearing without the need for the issuance of subpoenas, provided the witness agrees to testify. Additionally, the Board Chair may, upon a showing of good cause by the requesting Party, issue a subpoena directing a witness to appear at a designated place and time to provide testimony which appears relevant to a Board investigation or a pending appeal. However, such subpoenas shall only be issued if the requesting Party agrees to have the testimony taken before an official court reporter, and agrees to pay the costs and expenses relating thereto.

Section 7. Documentary Evidence

- 7-1 Documentary Evidence must be relevant to the issues involved in the case.
- 7-2 Printed Exhibits shall be submitted in note books or otherwise securely clipped or bound. Each set shall be consecutively numbered or "Bates stamped". The exhibit should be clearly identified as to the Party submitting the exhibit. (e.g. Appellant's Exhibit; Appellee's Exhibit or Agreed upon Exhibit.)
- 7-3 The parties must provide a minimum of two copies of the exhibit(s). Each Party shall be responsible for providing their own copies. Human Resources shall provide copies of the exhibits to the members of the Board via the means elected by the individual members. In the event that any member of the Board chooses to receive the exhibits by printed copy, the Parties shall be required to provide those copies in addition to the two set forth above. The distribution of copies (electronic or otherwise) shall be as follows: one to each Board member (7), Counsel (1), the Chief Human Resources Officer (1). One printed copy shall be used as the record copy. A printed or electronic copy of the proposed exhibits must be served on the Opposing Party as provided in §7-4.
- 7-4 The Parties are responsible for delivering the required printed copies of the exhibits to the Human Resources Department no later than 15 calendar days before the scheduled appeal hearing. Failure to submit the exhibits timely will result in the automatic continuance of the appeal hearing to the next available meeting date of the Board. Each Party shall be responsible for submitting the exhibits it intends on placing into evidence. Each Party shall serve a copy of its exhibit package upon the Opposing Party.
- 7-5 After one continuance has been granted under §5-1, the failure by either Party to deliver their proposed exhibits to Human Resources 15 calendar days before the continued hearing may result in the Board disallowing any documentary evidence by that Party or other remedy as determined by the Board.
- 7-6 It is the intent of the Board that all proposed exhibits shall be provided to the members of the Board prior to the appeal hearing. In the event that either Party objects to evidence being submitted, they may file a written objection stating the

Appeal Procedures

basis of the objection which will be submitted to the members of the Board at the time the proposed exhibits are submitted. A copy of any objection shall be served upon the Opposing Party. Objections to evidence will be heard prior to its admission into evidence.

7-7 The Personnel File held by Human Resources shall be a standard exhibit in appeals of termination and grievances. The Human Resources Department shall provide a copy to the members of the Board prior to the appeal hearing. A copy of the Personnel File shall be provided to the parties electronically prior to the pre-hearing conference. In the event that both parties object to the admission of all or a portion of the Personnel File, such objection(s) shall be made in writing and served upon the Counsel and the Opposing Party within seven calendar days of the close of the pre-hearing conference. The Counsel shall determine if the nature of the objection is such that the Board should consider the objection before the documents are provided to the Board or if the documents can be provided to the Board prior to resolution of the objection. Any objection to all or a part of the Personnel File shall be renewed and resolved by the Board at the time of the appeal hearing. All objections under this section or §7-6 shall be waived if not renewed at the time of the appeal hearing.

Section 8. Formal Hearing Procedures for Appealing a Termination

8-1 During the appeal of a termination, the following sequence of events will occur:

- a. Exceptions raised by the parties on the Pre-Hearing Conference Statement will be read aloud by the Counsel, and the parties will argue their respective sides concerning the exceptions. The excepting Party will argue first. After both sides have completed their arguments, the Board will grant or deny each exception. Written objections will be ruled upon by the Board prior to opening statements.
- b. After the decisions on exceptions, the parties will present opening statements. The opening statement should include: a brief introduction of the Party; an explanation of why the hearing has been called; an explanation of what each Party intends to show by evidence presented; and a statement as to what the Board is to decide. Opening statements should not exceed 10 minutes. The Party bringing the appeal will present his or her opening statement first.
- c. Next, the parties shall present witnesses, documents, and any other relevant evidence. The Appointing Authority, or his/her representative, shall proceed first. During the presentation of evidence, parties will have the opportunity to object and cross-examine witnesses. Objections will be decided by the Board as they arise. During the proceedings members of the Board may ask such questions as they believe necessary and relevant to the determination of the issues presented to them.

Appeal Procedures

- d. After both parties have presented their cases, the Appointing Authority shall be given the opportunity to rebut evidence presented by the Appellant. Next, the Appellant will be given the opportunity for surrebuttal to the Appointing Authority's rebuttal. No new evidence or testimony will be permitted during rebuttal or surrebuttal, unless it explains or contradicts testimony or evidence previously submitted.
- 8-2 The burden shall be upon the Appointing Authority in appeals which involve termination, to show, by a preponderance of evidence, that the Appellant committed the activities for which he/she was disciplined, and that the activities violated the Personnel Rules cited.

Section 9. Formal Hearing Procedure for Grievance Appeals

- 9-1 During an appeal hearing other than an appeal of a termination or a classification appeal, the following sequence of events will occur:
 - a. Exceptions raised by the parties on the Pre-Hearing Conference Statement will be read aloud by the Counsel, and the parties will argue their respective sides concerning the exceptions. The excepting Party will argue first. After both sides have completed their arguments, the Board will grant or deny each exception. Written objections will be ruled upon by the Board prior to opening statements.
 - b. After the decisions on exceptions, the parties will present opening statements. The opening statement should include: a brief introduction of the Party; an explanation of why the appeal hearing has been called; an explanation of what each Party intends to show by evidence presented; and a statement as to what the Board is to decide. Opening statements should not exceed 10 minutes. The Appellant will present his or her opening statement first.
 - c. Next, the parties shall present witnesses, documents, and any other relevant evidence. The Appellant, or his/her representative, shall proceed first. During the presentation of evidence, parties will have the opportunity to object and cross-examine witnesses. Objections will be decided by the Board as they arise. During the proceedings members of the Board may ask such questions as they believe necessary and relevant to the determination of the issues presented to them.
 - d. After both parties have presented their cases, the Appellant shall be given the opportunity to rebut evidence which was presented by the Appointing Authority. Next, the Appointing Authority will be given the opportunity for surrebuttal to the Appellant's rebuttal. No new evidence or testimony will be permitted during rebuttal or surrebuttal, unless it explains or contradicts

Appeal Procedures

testimony or evidence previously submitted.

- 9-2 The burden in grievance appeals shall be upon the Appellant to show, by a preponderance of the evidence, that the action taken by the Appointing Authority should be modified or revoked.
- 9-3 The parties in a grievance appeal shall be limited in their presentations to the issues and evidence presented at the Informal Grievance Committee hearing. Evidence and witnesses not presented at the Informal Grievance Committee hearing shall only be admissible at the Board appeal hearing if the Party seeking to proffer such evidence (or witnesses) establishes to the satisfaction of the Board that it made a good faith effort to present the same at the Informal Grievance Committee hearing but was unable to do so.

Section 10. Board Deliberation and Decision

- 10-1 Following the closing argument, the appeal proceedings shall be closed to presentation of further evidence or testimony. The Board shall then deliberate, in public, regarding the testimony and evidence presented. The deliberation shall begin with a review by the Counsel of what issues the Board must resolve in the appeal.
- 10-2 In reaching its findings and decision regarding termination appeals, the Board shall decide the following issues:
 - a. Does the Board find that the Appellant committed the activities for which he/she was terminated?
 - b. Does the Board find that cause existed for the disciplinary action in that the above mentioned activities violated the Personnel Rule(s) cited by the Appointing Authority?

In the event the Board renders a tie vote on either of these two issues (10-2.a. or 10-2.b.), the action shall be reversed.

- c. Does the Board find that the disciplinary action taken by the Appointing Authority towards the Appellant was appropriate? (If the Board determines that cause existed for the action, the burden shall be upon the Appellant to show, again by a preponderance of the evidence, that the action taken was not appropriate.)

In the event of a tie vote on this issue, the action taken shall be upheld.

If the Board finds that the action taken was not appropriate, it shall remand the matter to the Appointing Authority for a recommended alternative disciplinary action, which shall be considered by the Board before it renders its final decision.

Appeal Procedures

The Appointing Authority may elect to respond at the appeal hearing and provide a recommended alternative disciplinary action. In such instance, the Board may render its final decision at that time, or postpone its final decision until a later date. Otherwise, the Appointing Authority shall respond to a request to provide a recommended alternative disciplinary action in writing, not later than 15 calendar days following the appeal hearing. The Board shall then render its final decision at the next regularly scheduled Board meeting.

10-3 In rendering its findings and decision regarding grievance appeals, the Board shall decide the following issues:

a. Has the Appellant shown that the action complained of should be modified or revoked?

In the event of a tie vote, the action is upheld.

b. If the evidence supports the modification of the action complained of, what modification should take place?

Notwithstanding any of the above, the Board shall be without jurisdiction to hear a grievance appeal from an individual who is no longer in the Classified Service at the time of his/her scheduled appeal hearing.

Section 11. Request For Reconsideration

11-1 In the case of an appeal hearing under Personnel Rule 6 or 7, either Party may, within 15 calendar days of the Board's deliberation and decision announced at the conclusion of the hearing pursuant to Section 10, file a motion requesting it to reconsider, modify, or amend its findings and/or decision. However, such a request will only be granted if:

- a. The proposed modification or amendment is based upon evidence previously presented or is based upon newly discovered evidence which, by due diligence, could not have been discovered prior to the appeal hearing; and
- b. A showing is made that the Board's decision was made through or based upon fraud, collusion, deceit, or mistake of fact or law.

Some examples of appropriate cases for reconsideration are:

- a. The Board has overlooked or misinterpreted points of law or fact;
- b. There was a misrepresentation or misconduct at the appeal hearing by the Opposing Party; or
- c. There is a showing that false testimony or evidence was submitted.

Appeal Procedures

- 11-2 The Motion for Reconsideration may be made by a formal motion or in letter form (see Appendix F) and addressed to the Chief Human Resources Officer. It should contain a brief summary of the reasons for the reconsideration, modification, or amendment. The Motion for Reconsideration may be amended or supplemented at any time prior to 10 calendar days before the hearing at which it is scheduled to be heard.
- 11-3 The Motion for Reconsideration should be heard at the next available Board meeting but may be continued by the Chair at the request of either Party. The Motion for Reconsideration must be heard within 90 calendar days of the Finding and Decision of the Board. The burden shall be on the movant to prove that a reconsideration is necessary and must be supported by references to the transcript or other evidence as allowed in §11-1. Such new evidence or copies of the relevant portion of the transcript must be provided to the Chief Human Resources Officer no later than 10 calendar days prior to the hearing.

Section 12. Classification Appeals

- 12-1 Classified employees who have had their positions downgraded as a result of a classification and/or pay grade review have the right to a reasonable opportunity to be heard by the Board.
- 12-2 If, after an informal hearing before the Chief Human Resources Officer, in a manner and form to be determined by the Chief Human Resources Officer, an Employee is still not satisfied with the position reclassification or pay grade determination, he or she may, within 15 calendar days request an opportunity to be heard by the Board.
- 12-3 Classification appeals shall be subject to scheduling as determined by the Chief Human Resources Officer, but shall be heard within 120 days of the Employee's request to be heard.
- 12-4 The classification appeal shall be a review of the evidence and materials which were presented and considered during the informal hearing process before the Chief Human Resources Officer. The Human Resources Department shall include the Job Assessment Tool completed by the affected Employee, a copy of the Employee's completed appeal form, and the response from the Chief Human Resources Officer to the Employee's appeal form.
- 12-5 During the appeal hearing, the Employee making the appeal will be allowed up to 30 minutes to present his or her arguments. The Human Resources Department staff will then be allowed up to 30 minutes to present their arguments. Each Party, in the same order, shall be permitted up to 10 minutes to rebut the other side's argument.
- 12-6 Following the presentation of arguments and rebuttal, the Board will decide the following issues:
 - a. Do the arguments and documentary evidence submitted show the

Appeal Procedures

classification or pay grade decision by the Chief Human Resources Officer should be changed?

In the event of a tie vote, the action is upheld.

- b. If the evidence submitted shows that the classification or pay grade decision should be changed, what should that decision be changed to?

12-7 The Board's decision regarding classification appeals shall be final.

12-8 The burden shall be on the Appellant to show by a preponderance of the evidence that the action taken by the Chief Human Resources Officer should be changed.

Section 13. Waiver/Withdrawal of Appeals

- 13-1 Failure of an individual to file an appeal within the time frame specified under the respective Personnel Rule shall constitute a waiver of the individual's right to an appeal, unless there is a showing, by a preponderance of evidence, that such failure to comply was due to fraud, mistake of fact, or excusable neglect. When an appellant has failed to comply with the time frame requirement, the Board shall conduct a separate hearing to make a determination as to whether the appellant should be treated as having waived his/her appeal rights. In any event, the Board shall be without jurisdiction to hear any appeal which has not been filed within 30 days of the effective date of the disciplinary or aggrieved action.
- 13-2 Parties to an appeal are expected to appear at noticed pre-hearing conferences and appeal hearings. Upon motion and a showing that an appellant had notice of and failed to appear at a scheduled pre-hearing conference or appeal hearing, the Board may treat such failure to appear as a voluntary withdrawal of the appeal. Notice of the motion shall be provided by the Moving Party via regular U.S. Mail to the Non-Moving Party at his or her last known address. The Human Resources Department will notify both parties of the date and time of the meeting where it will be heard by the Board.

Section 14. Waiver of Procedure for Good Cause

Except as set forth in Section 13, upon motion of a Party the Board may waive the application of any part of the Appeal Procedures upon a showing of good cause and lack of unfair prejudice to the Opposing Party.

Section 15. Quorum

Quorum for appeal hearings shall consist of five Board members. Appeals shall be decided by a majority vote.

Appeal Procedures

Appendices:

- A. Letter Requesting a Formal Hearing Before the Personnel Board
- B. Notice of Pre-Hearing Conference
- C. Pre-Hearing Conference Order
- D. Subpoena
- E. Findings and Decision
- F. Motion for Reconsideration, Modification, or Amendment

Appeal Procedures

Appendix A - Letter Requesting a Formal Hearing Before the Personnel Board

Date

Chief Human Resources Officer
Pinellas County Florida
Fourth Floor
400 South Fort Harrison Avenue
Clearwater, FL 33756

Subject: Disciplinary Action/Grievance

Dear Chief Human Resources Officer:

On _____, 20____, I was terminated from my job as _____, by the _____ Department for Pinellas County. I am writing this letter to notify you I wish to appeal my _____ to the Unified Personnel Board.

My appeal is based on the following grounds:

(Employee should list grounds for appeal here, such as: punishment is excessive; punishment is not in accordance with the Personnel Rules; punishment is discriminatory; etc. The employee may also wish to state specific facts). Employee should also list any alternative outcome sought including alternative discipline if appropriate.

Thank you.

Sincerely yours,

Signature
Address

Appeal Procedures

Appendix B - Notice of Pre-Hearing Conference

The Pinellas County Unified Personnel Board

In Re:

_____ /

NOTICE OF PRE-HEARING CONFERENCE

This cause coming on to be heard upon the request for an appeal hearing by the Appellant, notice is hereby given.

That the Appellant and the Appointing Authority, or their authorized representatives, may appear before the County Attorney for a pre-hearing conference on _____, at _____, _____.M., at: _____ pursuant to the Pinellas County Unified Personnel Board's procedures for _____ appeal hearing to consider all matters suggested therein and to simplify the issues and expedite the appeal hearing of this cause set for Thursday, , 20_____, at 6:30 P.M.

The parties should be familiar with the evidence and have full authority to make disclosures of facts, to admit and stipulate any undisputed facts, and to waive technical requirements covering the admission of evidence. No motions will be heard at said pretrial conference.

Each party will be expected to furnish the following items in writing to the County Attorney and serve a copy on the opposing party, to-wit:

- a. A concise statement of the case and the issues involved;
- b. A list of documentary evidence and exhibits that will be offered during the hearing;
- c. A list of all possible witnesses, which shall include the witnesses' first name, middle initial, last name and contact information, and a brief summary of the substance of each witness' proposed testimony.
- d. A list of those issues and pertinent facts on which there is agreement.
- e. The Parties will exchange copies of any exhibits they intend to use at trial and be prepared to state whether there is agreement on or objection to the introduction of the opposing parties evidence.

Failure to comply with terms of this notice may result in the Pre-Hearing Conference being continued and/or the non-complying Party's witnesses and/or exhibits being disallowed or such other remedy as the Board may determine.

ORDERED this _____ day of _____, 20_____, in Pinellas County.

Appeal Procedures

Office of the County Attorney

Certificate of Service

I hereby certify that a copy of the foregoing Order has been furnished by certified and regular U.S. Mail this _____ day of _____, 20____ to: _____, who resides at: _____.

Appeal Procedures

Appendix C - Pre-Hearing Conference Statement

The Pinellas County Unified Personnel Board

In Re:

_____ /

PRE-HEARING CONFERENCE STATEMENT

On _____, the following parties to this cause, or their authorized representatives, appeared before the County Attorney at a pre-hearing conference pursuant to Board procedures and the following action was taken:

Parties: Appellant
 Appellee

1. Statement of Case:
2. Issues to be Resolved:
3. Documentary Evidence and Exhibits:

Appellant Appellee

4. List of witnesses and summary of testimony:

Appellant Appellee

5. Stipulated issues and pertinent facts:

6. The parties agreed to the admissibility of the following documents:

The agreed upon exhibit will be filed no later than (date) by (party).

7. The Parties attention is drawn to §7 of the Appellate Procedures which pertain to exhibits and filing deadlines.
8. The parties have seven calendar days from receipt of this pre-hearing conference statement to file with the County Attorney exceptions to the statement.

Office of the County Attorney

Date: _____

Appeal Procedures

Appendix C, continued

CERTIFICATE OF SERVICE

I **hereby certify** that a copy of the foregoing Order has been furnished by certified and regular U.S. Mail this day of , 20 to:

Sr. Assistant County Attorney
315 Court Street, 6th Floor
Clearwater, FL 33756
Telephone: (727) 464-3354
Attorney for PINELLAS COUNTY

Appeal Procedures

Appendix D - Subpoena

The Pinellas County Unified Personnel Board

In Re:

_____ /

Subpoena

TO:

YOU ARE COMMANDED TO APPEAR BEFORE: The Pinellas County Unified Personnel Board

AT: Pinellas County Courthouse, Assembly Room, Fifth Floor,
315 Court Street, Clearwater, Florida

ON:

AT: 6:30 P.M.

to testify in this case now pending before the Pinellas County Unified Personnel Board. If you fail to appear, you may be cited for contempt pursuant to Section 10, Chapter 77-642, Laws of Florida.

YOU ARE FURTHER COMMANDED to have with you, at that time and place, the following:

WITNESS my hand and seal of the Board on this _____ day of _____,
20_____.

PINELLAS COUNTY UNIFIED PERSONNEL BOARD

By: _____
Chair

Inquiries regarding your obligations under this subpoena may be directed to:

Pinellas County Unified Personnel Board
c/o County Attorney's Office
315 Court Street
Clearwater, Florida 33756

Subpoena requested by _____
on behalf of _____.

Appeal Procedures

Appendix E - Findings and Decision

The Pinellas County Unified Personnel Board

In Re:

_____ /

FINDINGS AND DECISION

On _____, 20____, the Pinellas County Unified Personnel Board convened and considered the appeal of _____, who had received _____ from the Office of Pinellas County on _____, 20____, for the following reasons:

After hearing testimony from both parties and reviewing the evidence submitted, the Board found:

1. Based upon the testimony and/or evidence presented by _____, the Personnel Board found that the Appellant did/did not commit the following activities:

2. Based upon the testimony of _____, the Personnel Board found that there was/was not cause for the disciplinary action taken in that the Appellant's activities did/did not violate Personnel Rule _____.

3. Based upon the testimony of _____, the Board found that the disciplinary action taken was appropriate/inappropriate.

Therefore, the Board rendered the following decision:

Chair

Appeal Procedures

Appendix F - Motion For Reconsideration, Modification, or Amendment

DATE

Chief Human Resources Officer
Pinellas County Florida
Fourth Floor
400 S. Ft. Harrison Avenue
Clearwater, FL 33756

Subject: Motion for Reconsideration

Dear Chief Human Resources Officer:

By the filing of this letter, I hereby move the Pinellas County Unified Personnel Board to reconsider the decision it reached on _____, 20____, regarding my disciplinary action.

My request is based on the following grounds:

(Party should list reasons for reconsideration, modification, or amendment, such as: mistake of fact existed; there was collusion or fraud involved; new evidence has been discovered in my favor; etc...)

Thank you.

Sincerely yours,

Signature
Address

**IN THE PINELLAS COUNTY
UNIFIED PERSONNEL BOARD**

In Re:

Appeal of Final Written Warning of
LISA CARTER,
Appellant

v. PINELLAS COUNTY SOLID WASTE DEPARTMENT,
Appellee.

Appeal No. 25-3

/

**OBJECTION TO APPELLEE'S MOTION TO DISMISS FOR LACK OF
JURISDICTION ON BEHALF OF APPELLANT LISA CARTER**

COMES NOW the Appellant, **Lisa Carter**, by and through undersigned counsel, and files this Objection to the Department's Motion to Dismiss Appeal for Lack of Jurisdiction, and states:

I. The Board Had Jurisdiction at the Time the Appeal Was Requested and Properly Scheduled

The Department argues that jurisdiction is lost because Ms. Carter “is no longer in the Classified Service at the time of her scheduled appeal hearing” following her termination on November 7, 2025.

This argument misapplies the rule.

1. The grievance appeal was validly initiated while Ms. Carter was a Classified Employee.

Under **Section 3-1**, an employee has 15 days to appeal the Informal Grievance Panel's decision. Ms. Carter exercised that right **timely**, while she was actively employed and in Classified Service.

2. Under Section 3-2, the Chief Human Resources Officer (CHRO) scheduled the appeal hearing within the required 21 days.

This scheduling—performed while Ms. Carter was still a Classified Service employee—perfected and vested the Board's jurisdiction.

3. Section 10-3 does not retroactively destroy jurisdiction once it attaches.

The rule states:

“The Board shall be without jurisdiction to hear a grievance appeal from an individual who is no longer in the Classified Service **at the time of his/her scheduled appeal hearing.**”
(emphasis added)

This language governs the person’s **status at the time the scheduled hearing occurs**, not whether the employee is later terminated for unrelated reasons *after* a grievance appeal was properly filed and scheduled.

If the Department’s interpretation were accepted, it would mean:

- The Appointing Authority could **unilaterally extinguish** the right to appeal a grievance by simply terminating the employee at any point prior to the hearing.
- This would render **Section 1-1, Section 3-1**, and the grievance system itself meaningless.
- Such a reading would contradict the entire structure of the appeal process and undermine due process.

Nothing in the procedures authorizes the Appointing Authority to eliminate an employee’s right to appeal a Final Written Warning by terminating the employee **after** the appeal has been validly initiated and scheduled.

II. The Termination Did Not Occur Until AFTER the Grievance Appeal Was Pending and Scheduled

The Department acknowledges:

- Ms. Carter appealed the Final Written Warning.
- The grievance appeal was **scheduled** for December 4, 2025.
- The pre-hearing conference occurred November 7, 2025.
- The termination notice is dated the **same day** of the pre-hearing conference.

Thus, at the time the appeal was:

filed,
accepted,

noticed, and
scheduled under §3-2,

Ms. Carter **was still a Classified Service employee.**

Termination afterward does **not nullify** a previously vested appeal right.

III. Section 10-3 Was Never Intended to Apply to Employees Terminated AFTER a Scheduled Grievance Appeal Is Already Pending

Section 10-3 prevents jurisdiction only where an individual is **already outside the Classified Service when the appeal is scheduled.**

It is designed to:

- Prevent former employees from initiating new grievance appeals **after separation**, not
- Allow the County to defeat pending appeals retroactively.

The Department's reading would create absurd results:

- Any employee appealing a written warning could be terminated the next day, eliminating the appeal.
- The grievance system would become **illusory**, allowing the County to unilaterally nullify appeals.

Such an interpretation is inconsistent with:

- Section 1-1 – guaranteeing employees the right to appeal final grievance decisions;
- Section 3-1 – providing mandatory filing timelines;
- Section 3-2 – requiring the CHRO to schedule the appeal within 21 days;
- Fundamental due process and fair hearing principles.

IV. The Motion to Dismiss Fails Because the Rule Cannot Be Used as a Tool for Procedural Manipulation

The Department asserts in paragraph 9 of its motion that Ms. Carter “would not have been an employee” on December 4, 2025, even if no continuance was requested.

This is both factually irrelevant and legally incorrect.

Jurisdiction is determined by:

- 1. Status at initiation** of the grievance appeal, and
- 2. Proper scheduling by the CHRO** under §3-2.

Once jurisdiction attaches:

- The Board cannot be divested of authority by *subsequent acts of the Appointing Authority*—including termination.

To hold otherwise would permit the County to:

- Punish employees for appealing,
- Moot appeals unilaterally, and
- Avoid review of wrongful disciplinary actions.

This is not supported anywhere in the Appeal Procedures.

V. Relief Requested

WHEREFORE, Appellant respectfully requests that the Unified Personnel Board:

1. **DENY** the Department’s Motion to Dismiss;
2. Confirm that jurisdiction attached when the grievance appeal was filed and scheduled under §§3-1 and 3-2;
3. Proceed with the grievance appeal on the scheduled date, once continued and reset as necessary; and
4. Grant all further relief deemed just and proper.

Respectfully submitted,

Karmika V. Rubin, Esq.

The Law Offices of K. V. Rubin, P.A.
Attorney for Appellant Lisa Carter
111 Second Ave NE, Suite 330
St. Petersburg, FL 33701
(727) 512-8261
krubin@rubinslaw.com

**IN THE PINELLAS COUNTY
UNIFIED PERSONNEL BOARD**

In Re:

Appeal of Lisa Carter

Appellant

APPEAL NO. 25-4

APPEAL NO. 25-3

/

**MOTION TO CONTINUE APPEAL HEARING APPEAL NO. 25-4 AND OBJECTION
TO CONSOLIDATION OF APPEAL NO. 25-3 AND APPEAL NO. 25-4
ON BEHALF OF APPELLANT, LISA CARTER**

COMES NOW the Appellant, Lisa Carter, by and through undersigned counsel, pursuant to Section 5-1 of the *Pinellas County Unified Personnel Board Appeal Procedures*, and respectfully moves the Board and the Chief Human Resources Officer to continue and reset the appeal hearing relating to Ms. Carter's termination (Appeal No. 25-4), as well as the pre-hearing conference, and in support states as follows:

1. The Termination Appeal (No. 25-4) Has Not Been Properly Scheduled, and Counsel Has Already Objected to Consolidation

On December 2, 2025, undersigned counsel formally notified the Personnel Board Attorney and Human Resources officials that:

“We have objected to consolidating both appeals for the same hearing dates.
We are awaiting new hearing dates now for the termination appeal.”

This objection was necessary because the Board’s counsel acknowledged that both matters were being treated as occurring on the same date, stating:

“Both the grievance and termination are scheduled for February 5.
The scheduled prehearing conference will cover both.”

However, the County’s own correspondence to Ms. Carter (dated November 25, 2025) provided only the scheduling of the **grievance appeal (No. 25-3)** for February 5, 2026. No formal scheduling of the **termination appeal (No. 25-4)** has occurred.

2. Treating the Two Appeals as Consolidated Is Improper and Prejudicial

The termination appeal and the grievance appeal involve:

- Different rules (Rule 6 vs. Rule 7)
- Different burdens of proof
- Different evidentiary issues
- Different factual records
- Different relief sought

They cannot be combined procedurally or substantively without confusing the issues and impairing Ms. Carter's ability to fully and fairly present each case.

Counsel has already asserted that consolidation is **not agreed to** and not appropriate.

3. Good Cause Exists to Continue Any Scheduled Hearing Relating to Appeal No. 25-4

Under Section 5-1 of the Appeal Procedures, continuances may be granted upon request for good cause.

Good cause exists because:

1. **The Termination Appeal has not been properly noticed** and must receive its own independent hearing date.
2. **The Board's counsel has already indicated that the pre-hearing conference was being structured to cover both appeals**, which is procedurally improper given the lack of proper scheduling for Appeal No. 25-4.
3. Proceeding under the current framework would create **substantial prejudice**, procedural confusion, and inadequate preparation time for two distinct cases.
4. A reset will not prejudice the Appointing Authority, while failing to reset would materially harm Ms. Carter.

4. The Pre-Hearing Conference Must Also Be Continued and Reset

Because counsel for the Board has stated that the pre-hearing conference “will cover both” matters, any rescheduling of the termination appeal **necessarily** requires rescheduling the pre-hearing conference to:

- Separate the two matters
- Ensure proper disclosure of evidence and witnesses
- Allow each appeal to proceed under the appropriate procedural rule

Revising one without the other would produce further confusion and due process issues.

5. Requested Relief

WHEREFORE, Appellant respectfully requests that the Unified Personnel Board and the Chief Human Resources Officer:

1. **Continue and reset the termination appeal hearing (Appeal No. 25-4)** to the next available hearing date;
2. **Confirm that Appeal No. 25-3 (grievance) and Appeal No. 25-4 (termination) will NOT be consolidated absent mutual written consent;**
3. **Continue and reset the pre-hearing conference**, ensuring that each appeal is addressed separately and with proper notice;
4. Issue corrected hearing notices for Appeal No. 25-4; and
5. Grant such other and further relief as is just and proper.

Respectfully submitted,

Karmika V. Rubin, Esq.

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**THE PINELLAS COUNTY
UNIFIED PERSONNEL SYSTEM BOARD**

IN RE:

Appeal of Final Written Warning,

LISA CARTER,

Appellant,

v.

Appeal No. 25-3

**PINELLAS COUNTY SOLID WASTE
DEPARTMENT,**

Appellee.

IN RE:

Appeal of Termination,

LISA CARTER,

Appellant,

v.

Appeal No. 25-4

**PINELLAS COUNTY SOLID WASTE
DEPARTMENT,**

Appellee.

**PINELLAS COUNTY SOLID WASTE DEPARTMENT'S RESPONSE IN OPPSOTION
TO APPELLANT'S OBJECTION TO CONSOLIDATION OF APPEALS**

COMES NOW, the Appellee, PINELLAS COUNTY SOLID WASTE DEPARTMENT (hereinafter “Appellee” or “the Department”) by and through the undersigned counsel and hereby

files this Response in Opposition to Appellant's Objection to Consolidation of Appeals, and in support thereof states as follows:

1. On November 25, 2025, the Department filed a Motion to Dismiss the Appeal of Final Written Warning in Appeal No. 25-3, pursuant to Unified Personnel Board Appeal Procedure 10-3:

Notwithstanding any of the above, the Board shall be without jurisdiction to hear a grievance appeal from an individual who is no longer in the Classified Service at the time of his/her scheduled appeal hearing.

2. LISA CARTER was terminated from employment with Pinellas County effective November 7, 2025.

3. LISA CARTER is no longer an employee of Pinellas County, and therefore, is no longer a member of the Classified Service.

4. The Unified Personnel Board is without jurisdiction to hear Appellant, LISA CARTER'S grievance appeal as she is no longer in the Classified Service and will not be a member of the Classified Service at the time of the appeal hearing.

5. Regardless of her requests to continue the hearing; LISA CARTER would not have been an employee or member of the Classified Service on the initial December 4, 2025, date of hearing.

6. Appellant, LISA CARTER'S grievance appeal must be dismissed because the Unified Personnel Board lacks jurisdiction to hear the grievance appeal.

7. Notwithstanding, should the Unified Personnel Board deny the Department's Motion to Dismiss, the grievance appeal and termination appeal should be consolidated.

8. The pertinent facts at issue in the grievance appeal are also facts that would, in large, be presented at the termination appeal to establish LISA CARTER'S employment history, and the timeline leading to her termination.

9. The Unified Personnel Board's determination of the grievance appeal will not negate the necessity of a determination of the termination appeal because the Personnel Rules provide for the termination of LISA CARTER even if the grievance appeal were to be modified or revoked.

10. The appeals should be consolidated and heard at the same time in the interest of judicial economy.

11. The parties will not be prejudiced by the consolidation of the appeals.

WHEREFORE, the Appellee, PINELLAS COUNTY SOLID WASTE DEPARTMENT, respectfully requests the Motion to Dismiss be granted, and in the alternative, that the pending appeals remain consolidated for hearing.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing document has been furnished via electronic delivery to **Wade Childress**, Pinellas County Human Resources Director, at wchildress@pinellas.gov, **Jennifer Moore, Esquire**, Attorney for the Unified Personnel Board, at jennifer.moore@ogletree.com and **Karmika Rubin, Esquire**, attorney for Appellant, at krubin@rubinslaw.com on this 23rd day of December, 2025.

/s/ Kelly L. Vicari

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