



Employees' Advisory Council



to continually improve the Pinellas County classified employees' quality of work life

APPROVED BY THE EAC

Employees' Advisory Council – Representative Meeting Minutes

County Office Annex, Room 429, Clearwater, FL

Wednesday, November 16, 2016, 2:30 p.m. – 4:30 p.m.

Call to Order

The EAC Representative meeting was called to order at 2:30 p.m. by Chair, Lisa Arispe.

Approval of Minutes

Charles Toney motioned to approve the EAC/Appointing Authority meeting minutes for October 14, 2016 with the changes he proposed. The written changes were provided to Peg Poole and Camille Evans for updating the minutes. The motion was seconded by Randy Rose. The minutes were approved.

Charles Toney motioned to approve the EAC Representative minutes for October 19, 2016 with the changes he proposed. The motion was seconded by Richard Carvale. The minutes were approved.

Opening Comments

Lisa Arispe announced the retirement of Dave Blasewitz which will take place in February of 2017.

Comments from Holly Schoenherr, Director of Human Resources

Holly announced that the final interviews for the Workforce Manager would be completed by the end of the week. Five people are being interviewed. The new manager will be working with a consulting agency on a comprehensive study of pay classes. The County Administrator's office requested to have the study completed within 12 months. Originally the study was to take between 12 and 18 months.

The County Administrator's office has requested Holly to propose changes to Personnel Rule 3 – Compensation (see attachment provided by Holly). These changes will be presented to the Personnel Board at the December 1, 2016 meeting. Anyone with comments regarding the proposed changes should provide them to Holly by December 1st.

New Business

Donna Beim requested a change be considered in the number of overtime compensation hours which can be banked. Classified employees with over 80 hours of comp time are required to be paid overtime. Classified/excluded employees can bank 240 hours of comp time. Many times, due to staffing needs employees cannot take time off; therefore, they are required to take overtime pay when they have maxed out on comp time. Request that Personnel Rule 3 be changed to increase the maximum accumulation of compensatory time for classified hourly employees from 80 hours to 120 or 160 hours.

Tim Closterman will be videoing segments for the Two-Minute Tuesday which will be distributed on Tuesday, November 22, 2016. The topic will be what employees are thankful for. The videoing will take place after the Delegate meeting at the Botanical Gardens. [[Watch "What Are You Thankful For?".](#)]

Jim Valliere and Camille Evans discussed the upcoming EAC elections. The ballots will be distributed via email through Survey Monkey on Monday 11/28/2016.

Charles Toney provided a list of suggestions for rewarding deserving employees for outstanding performance (see attached). He also suggested to allow for future savings which the County benefits from for people who submit cost-saving Suggestion Award ideas. Currently the awards are 10% of the estimated savings in the first year. The County savings accumulate over many years; therefore, the employee(s) should be compensated accordingly.

Holly reiterated that equitable pay is the priority, not merit increases. Currently the County is working on the FY 18 budget. A proposed general increase is to be included in the budgeting process which will be placed in the general fund account.

Steve Yeatman asked about the exit interview process. It appears that the issues being discussed at the exit interviews are not being addressed after the employee leaves the County. If the same issues continue the retention of employees might be jeopardized. A few of the questions include: Who conducts the interviews?, How is the information shared?, and What is being done about the issues being expressed by outgoing employees? Holly will meet with Jim Valliere to discuss further.

Charles Toney discussed the health concerns of employees with some of the newer buildings being named as "sick buildings". Any concerns regarding building conditions should be directed to Real Estate Management, Risk Management and Air Quality.

Charles Toney motioned to move the December EAC Representative meeting from December 21, 2016 to December 14, 2016, due to the holiday. Lisa Wright seconded the motion. Motion was passed by the council.

Old Business

Bullying Policy: Paul Valenti, Office of Human Rights Director, sent some changes to the Anti-Harassment Policy to the County Attorney's office for approval. He suggested the EAC form a committee to discuss a bullying policy. Charles Toney, Mercedes Pearson, Lisa Wright, and Peg Poole will be on the committee. Gene Pressoir will join the committee as a representative from Human Resources. The committee will meet at 1:00 p.m. on December 14, 2016. Human Resources staff obtained bullying policies from a variety of other agencies which were distributed to the EAC Representatives on November 8th.

Adjourned

Richard Carvale made a motion to adjourn at 4:20. Lisa Wright seconded the motion.

Lisa Arispe*	Richard Carvale*	Peg Poole*	Linda Cahill*	Rich Castle
Donna Beim*	Hazel Lane	Doris McHugh*	Mercedes Pearson*	Randy Rose*
Mario Ruggia*	Ashley Skubal*	Charles Toney*	Lisa Wright*	Steve Yeatman*

*EAC Representatives in attendance at this meeting.

Proposed Changes to Personnel Rule 3 – Compensation

HR is recommending two changes to Personnel Rule 3 – Compensation:

1. Restore language clarifying how an upward reclassification will impact an employee's pay. This will ensure that there are no inequities when these pay increases are awarded.
2. Add Jury Duty to the list of activities that shall be considered as Leave with Pay for non-work-related purposes. It is presently considered Leave with Pay for work-related purposes and is therefore counted as "time worked" in overtime calculation.

Background:

1. When the revised Personnel Rules were adopted in January 2016, Section C.1.d. pertaining to a Reclassification Increase was revised to read as follows:

d. Reclassification Increase

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

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

Prior to the January rule changes, former Personnel Rule IX, Section A.a. addressing Reclassification to a Higher Pay Grade specified that an employee was to be awarded whichever was the greater of the first two options. The new rule lacks that language and could lead to inequitable treatment of employees that have their positions reclassified. For example, "Employee A" and "Employee B" are both reclassified upward and their new classification is in pay grade CL17. The minimum for CL17 is \$44,699.

- Employee A currently makes \$44,689, (\$10 below the CL17 minimum), and receives an increase to the new minimum. An increase of \$10.
- Employee B currently makes \$44,709, (\$10 above the CL17 minimum), and receives an increase of \$2,328 (equal to 4% of the CL17 midpoint).

Prior to the pay increases, the difference in pay between the two employees was \$20.

After the application of Rule 3 as presently written, Employee B would make \$2,338 more than Employee A. Restoring the “whichever is greater” language to the rule would ensure that both employees would receive the same increase.

There is also a matter regarding Reallocation Increases that is not addressed in the current rule. Additional language should be added to Rule 3 to address pay increases when an employee's classification has been reallocated to a higher pay grade.

When an employee's position is reclassified upward, the employee receives a pay increase by virtue of being placed into a classification that is in a higher pay grade. In other words, the employee has moved into a position with a higher “job value.”

On occasion, a classification is found to be allocated to a pay grade that is lagging the market value for that occupation. In some cases, Human Resources will recommend that a classification be reallocated to a higher pay grade in order to maintain a competitive position with the labor market. In other words, the employee's position is moved into a higher pay grade with a higher “job value.”

Under the current rule, a reclassification to a position with a higher job value results in a pay increase for the incumbent employee. However, a reallocation of a position to a higher pay grade, (due to an increase in job value,) would result in no pay increase for the incumbent employee unless the employee's pay rate was below the minimum of the new pay grade, in which case, the employee's pay would be adjusted to be equal to the minimum.

The reclassification and reallocation are both associated with movement to a higher pay grade and both are an indication that the incumbent employee is performing a function that has a higher job value as determined by studies of labor market pay rates. Rule 3 should apply the same pay increase for an employee following an upward reallocation as applies to an employee following an upward reclassification.

We recommend changing Section C.1.d. of Rule 3 to read:

d. Reclassification or Reallocation Increase

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

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

This change would be effective immediately.

2. Pinellas County Personnel Rules count certain types of leave as hours worked for overtime calculations even though this is not required by federal or state law. Section E.1.b.i. of Rule 3 presently states:

a) For overtime compensation purposes, recognized Holidays or Leave with Pay for work-related purposes shall be considered as time actually worked. All other time used by the employee, such as, time paid under the Workers' Compensation Law, under short or long term disability plans, Compensatory Time, Annual Leave, Extended Illness Leave, Floating Holidays, Personal Days, or Leave with Pay for non-work related purposes shall not be considered as hours worked.

Jury Duty is not addressed in this rule even though Rule 4 – Time Off, Section G, stipulates “Leave of absence with pay will be granted to an employee to perform jury duty or testify as a witness when legally required unless the employee is the plaintiff or defendant.” A memo issued by the Director of Human Resources on September 25, 2009 clarified that Jury Duty should be included among the list of activities that are considered Leave with Pay for work-related purposes.

Including Jury Duty in the list of activities considered Leave with Pay for work-related purposes has resulted in overtime compensation that appears inappropriate for this situation. Jury duty is a civic duty required of all citizens. Employees summoned to Jury Duty are already compensated for their time by being granted Leave with Pay. However, by considering this activity as Leave with Pay for work-related purposes, an eligible employee who serves on a jury is presently entitled to claim overtime pay if jury duty hours and work hours exceed 40 for the week. For example, an employee who spends 8 hours on a jury each day during 2 days of a week and then works 10-hour days the other 3 days can claim 6 hours of overtime for the week. In this example, the employee has not worked more than 30 hours for the week and is not entitled to overtime compensation under the Fair Labor Standards Act.

We recommend changing Section E.1.b.i. of Rule 3 to read:

*a) For overtime compensation purposes, recognized Holidays or Leave with Pay for work-related purposes shall be considered as time actually worked. All other time used by the employee, such as, time paid under the Workers' Compensation Law, under short or long term disability plans, Compensatory Time, Annual Leave, Extended Illness Leave, Floating Holidays, Personal Days, **Jury Duty**, or Leave with Pay for non-work related purposes shall not be considered as hours worked.*

This change would be effective December 25, 2016, the start of the new payroll year.

Merit Pay – Suggestions for rewards to deserving employees

- Merit pay based on a numbering evaluation system - % scale based on actual salary - to be added to base pay (tweak the old system).
- SAFE – Stabilization Account For Employees – divert a % of all employee generated cost savings ideas to the SAFE account to be used to reward deserving employees.
- Pay all employees at mid-point and don't go any higher or lower.
- Use a % of income producing activities (fertilizer, pine straw, real estate sales, sale of surplus items) to go into an Employee Account to be used to reward deserving employees.
- Raise at 6-months for new employees.
- Cost of Labor Adjustment (Cost of Living, Market Survey Adjustment) - % of mid-point to be added to base pay – annual adjustment.
- Quarterly evaluations with raises.

Other Considerations

- Florida Retirement System - based on five highest years earnings.
- Annual value added to current employees by NOT incurring the cost of replacing and training new employees – yes it is OK for one employee to get paid more than another for performing the same job duties.
- Create more career ladder opportunities for advancement.
- Annual market adjustments / Cost Of Labor – based on mid-point of salary. Combined with annual merit % increase – based on actual salary.
- Special Merit Raise is available - but rarely used to recognize and reward classified employees.
- Pay reduction for underperforming employees – this should rarely occur if the FACE is properly utilized on a regular basis.
- Invite Union representatives to provide information.