



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 Annex, Room 429, Clearwater, FL

Wednesday, December 14, 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.

Introductions

Everyone introduced themselves as the newly elected EAC members were in attendance. An extern from UCF joined Jack Loring and Tim Closterman at the meeting.

Approval of Minutes

- Hazel Lane motioned to approve the Representative Minutes for November 16, 2016. The motion was seconded by Richard Carvale. The minutes were approved as written.
- Randy Rose motioned to approve the EAC Delegate Minutes for November 17, 2016. The motion was seconded by Rich Castle. The minutes were approved as written.

Comments from Holly Schoenherr, Director of Human Resources

Holly welcomed the new EAC Representatives and thanked the members who no longer will continue with the EAC. She looks forward to working with the new EAC Representatives.

Holly presented the attached proposed changes to Personnel Rule 3 – Compensation, to the Personnel Board at the December 1, 2016 meeting. The Board approved that the language be restored in section #1 regarding the upward reclassification. The Board did not approve the recommended changes to section #2 regarding Jury Duty. This subject may be revisited at a later date.

The Workforce Strategy Manager has been selected. Bryan Cook will begin his employment on January 3, 2017. Bryan comes to Pinellas County from the Tampa Bay Times. Lisa thanked Holly for allowing her to be on the committee and part of selection process.

Holly requested that Jim Valliere inquire on the hours required for training for employees who have maxed out of their pay grade.

Dave Blasewitz commented on the [letter](#) sent to employees who may have had personal information (employee ID number and date of birth) breached via the dental insurance plan. Human Resources followed federal law by reporting the issue and sending letters to employees. Human Resources has fielded some phone calls from employees who received letters and had concerns. Anyone with questions regarding the letter should contact Benefits directly.

The dental HMO insurance plan, previously through Met Life, will be administered by Cigna beginning in 2017. The vision insurance will change from EyeMed to Davis Vision. Additional communications regarding the changes will be sent via email.

A question was raised regarding updating benefits during the calendar year. Dave responded that Pinellas County allows updating of benefits throughout the year for qualifying life events only. This is in compliance with federal regulations. [[View a list of qualifying life events.](#)]

Old Business

The Workforce Strategy Manager, Bryan Cook, after getting oriented to his new position, will begin the bidding process to hire consultants for the pay and classification study.

Suggestions to recognize outstanding performance will be discussed with the Appointing Authorities. An idea was presented to set aside a pool of money from the money being generated through the sale of the STAR Center, increase in property taxes and the bed tax. This pool of money would be saved to offset any potential layoffs or to subsidize departments which have other financial restraints.

The Christmas Wish Fund donations will be delivered on December 20, 2016. Lisa will communicate the grand total amount collected with the EAC members and other supporters.

New Business

The Anti-Bullying Policy meeting was cancelled for December 14, 2016. The meeting will be rescheduled.

A reminder that all communications regarding the EAC must follow the Sunshine Laws. Carol Sanzeri from the County Attorney's office will be invited to speak to the council at a future meeting.

Election Results:

BCC Group III – Lisa Arispe
BCC Group IV – Charles Toney
BCC Group V – Donna Beim
BCC Group VII – Bill Gorman
BCC Group VIII – Clare McGrane
Clerk South – Marion Nuraj
Other Appointing Authorities- Alicia Parinello
Tax Collector – Richard Carvale

Rich Castle motioned to elect Peg Poole for the At Large vacancy on the council. Lisa Arispe seconded the motion. Motion passed unanimously. This will be a one-year position.

Steve Yeatman thanked Camille Evans for her outstanding assistance with the election process.

Election of Officers

- Chair – Peg Poole motioned to elect Lisa Arispe. Randy Rose seconded the motion. No other nominations. Lisa accepted the position.
- Vice Chair – Hazel Lane motioned to elect Richard Carvale. Lisa Arispe seconded the motion. No other nominations. Richard accepted the position.
- Secretary – Lisa Arispe motioned to elect Peg Poole. Richard Carvale seconded the motion. No other nominations. Peg accepted the position.

Committee Appointments

Advocate Committee – Lisa Arispe & Ashley Skubal

Affirmation Action – Lisa Arispe

Legislative –Charles Toney & Richard Carvale

Suggestion Awards – Donna Beim & Linda Cahill

Professional Development – tabled until January meeting

Adjourned

Richard Carvale made a motion to adjourn at 4:15. Rich Castle seconded.

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*

New Members: Bill Gorman* Clare McGrane* Alicia Parinello* Marion Nuraj*

*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.