



Employees' Advisory Council – Representative Meeting Minutes

County Office Annex, Room 429, Clearwater, FL

Wednesday, July 17, 2019, 1:30 p.m. – 4:40 p.m.

Prepared by Leena Delli Paoli

Call to Order

The EAC Representative meeting was called to order at 1:40 p.m. by Chair Lisa Arispe.

Approval of Minutes

- The June 19, 2019 Representative meeting minutes were approved, after removal of the preliminary bullying summary report attachment, with a motion by Linda Cahill, seconded by Doris McHugh. Passed unanimously.

Comments from Holly Schoenherr, Director of Human Resources

- Merit Pay – All Appointing Authorities were invited to attend the EAC Meeting, by Holly Schoenherr, to discuss their progress on Merit Pay. The Appointing Authorities held a meeting on July 16th to discuss Merit Pay. All Appointing Authorities recognize the importance of Merit. Working on creating a fair process for all, and discussing funding. Considerable work to do to ensure that all Supervisors are giving fair reviews. Will use a phased approach, with phase 1 being to come up with a fair evaluation process. Anticipate that it will take a year to develop the evaluation process as it needs to be as close to perfect as possible. Phase 2 would be to look into funding.
 - Comments from discussion with Appointing Authorities:
 - Merit Pay would include only the top performers
 - Focus on competency model – Lominger Competency has flexibility to allow for specific positions
- Voice Survey – EAC Reps are asked to encourage employees to participate in the survey. In 2017, 74% of employees participated in the voice survey. This year's goal is to have 75% participation in the survey. Survey is anonymous.
- Health Claim Trends – Pinellas County employees and their families are making better health choices which is positively affecting Health Claims. Employees are also looking at cost effective alternatives.
- Recording Device – The EAC Representatives approved the purchase and use of a recorder, for meetings, during the April 17, 2019 meeting. A recorder was purchased and given to Leena Delli Paoli at this meeting. The recorder will be used for future meetings as an aid to the secretary.

Personnel Board 07/11/19 Comments

- Lisa Arispe notified the Board that the EAC was still in the process of reviewing their bylaws and would update them at a future meeting.
- Lisa Arispe notified the Board of the bullying complaint that was filed by Ashley Skubal against Charles Toney and herself.

- Lisa Arispe invited the members of the Board to attend the EAC Delegates Meeting scheduled for Thursday, July 25, 2019.
- Two classification appeals were held at this meeting. These are the only two appeals that reached the level of the Personnel Board. Both sides presented well, and gave the Board something to think about. Both claims were denied, and the Evergreen decision was upheld.

Committee Reports

- Advocates – We are in need of additional advocates. There are currently only two advocates who are actively taking on employees. If you are interested in becoming an advocate please contact Lisa Arispe. Information, application and contact info can be located on the HR website. <http://www.pinellascounty.org/hr/eac/advocate.htm>
- Legislative – no update
- Awards Committee – no update

Old Business

- Bylaws – Continued previous debate regarding the suggested bylaw change that would not allow a Human Resources employee to serve on the council as a perceived conflict of interest. Also discussed the proposed reformatting of the bylaws, and the inclusion of language to outline the timeline for the HR Director's review.
 - Motion to strike the two (2) weeks' notice to the personnel board prior to the amendment of the bylaws and instead sending the completed changes for final approval was made by Marion Nuraj and seconded by Randy Rose. Passed unanimously.
 - Motion to approve the formatting to include the HR Director's review, and excluding section 5 Qualifications was made by Charles Toney and seconded by Linda Cahill. Passed unanimously.
 - Motion to accept changes to Section 5 – Qualifications, which would not allow Human Resources employees to serve on the council, was made by Marion Nuraj and seconded by Linda Cahill. With four (4) yeses, eight (8) no's, and two (2) abstains the motion failed.

The attached final draft of the Bylaws will be forwarded to the Personnel Board for approval at their August 1, 2019 meeting.

- SOPs – tabled to a future meeting.
- Bullying Complaint – Lisa Arispe will comment on the complaint after final summary is received ([Attached is the summarization on the Bullying Complaint filed against Charles Toney and Lisa Arispe as discussed at the June 19th meeting](#)).
- YMCA – At the June 19th meeting Henry Gomez and Randy Rose discussed discounts that are provided to PCSB employees for childcare, and wanted to see if these same discounts could be provided to Pinellas County employees. Unfortunately the discounts that are being offered to PCSB employees cannot be offered to Pinellas County employees. These discounts are provided to school board employees because the PCSB provides the location and utilities, so the YMCA only has to provide the childcare representative.
 - The YMCA does offer a No Join Fee to Pinellas County Employees. They also offer 10% off of your monthly membership fees.

New Business

- EAC Elections – Motion to keep the same Election procedures as in 2018 was made by Lisa Arispe and seconded by Charles Toney. Passed unanimously.

- Questions:
 - Can the paygrades be added to job postings on Taleo?
 - No, there is not enough space to provide this information, and those people who are applying from outside of the county do not understand the paygrade system. Perhaps in the future if additional space is provided the paygrade can be added.
 - Can Pinellas County employees have the deposit waived when they sign up for utilities?
 - Unfortunately no, if they do not meet the qualifications the fee cannot be waived.
 - Why send out internal job opportunities if they are limited to a specific appointing authority or section?
 - These are sent out to show that the county does promote from within. There is also a link provided that takes you to all current listings.
 - Why does the class I want to take have to match a specific Pinellas County job to qualify for tuition reimbursement?
 - Tuition reimbursement is intended to help you advance in your current career, or another career within Pinellas County, so the classes you take must align with that.

Adjourned

Leena Delli Paoli made a motion to adjourn at 4:40 p.m., seconded by Ashley Skubal.

Lisa Arispe*	Donna Beim	Linda Cahill*	Richard Carvale*	Kevin Connelly*
Leena Delli Paoli*	Henry Gomez*	Bill Gorman*	Clare McGrane*	Doris McHugh*
Marion Nuraj*	Randy Rose*	Ashley Skubal*	Christian Steiermann*	Charles Toney*

*EAC Representatives in attendance at this meeting.



**BYLAWS OF
EMPLOYEES' ADVISORY COUNCIL
TO THE PERSONNEL BOARD OF THE PINELLAS COUNTY
UNIFIED PERSONNEL SYSTEM**

Article I - NAME

This body shall be known as the **Employees' Advisory Council** to the Personnel Board of the Pinellas County Unified Personnel System, hereinafter called the Council or EAC.

Article II - STATEMENT OF PURPOSES AND OBJECTIVES

Section 1 - The express purpose of the Employees' Advisory Council, acting as a representative body of all classified employees, shall be to serve in an advisory capacity to the Personnel Board, management, and their fellow employees.

Section 2 - To improve understanding between management and employees, the Council shall render assistance both to management and their fellow employees.

- Members of the Council are urged to assist in resolving problems between employees and management where such assistance would not interfere or interrupt the general procedures set forth in the rules dealing with such matters.
- Where there is evidence of unjust or unnecessary treatment involving a group of employees, the Council shall investigate and attempt to resolve the matter with those parties involved.
- When conditions warrant, and with the approval by the Council, the Appointing Authorities may be invited to any Council meeting for discussion of mutual problems or information sharing. In addition to any such meeting, informal discussion between the Appointing Authorities and the Advisory Council are encouraged.

Section 3 - The Council is charged with developing and recommending ideas related to working conditions, morale, public image, efficiency, employee safety, employee insurance programs, and other employee related benefits.

Section 4 - The duties of the Council members shall be to transact all business brought before the Council for said Council's disposition.

Section 5 - Furthermore, no member of the Council shall use it as a means for personal or political gain, nor shall the Council as a whole take part in any movement not in keeping with the real purpose and objective of the Council.

Article III - MEETINGS

Section 1 - MEETINGS: Normally there shall be regular monthly meetings of this Council on the third (3rd) Wednesday of each month. Said meetings to be held at 2:30 p.m. at a designated location.

Section 2 - SPECIAL MEETINGS: Special meetings may be held at the call of the Chairperson or Vice Chairperson, by the request of at least eight (8) members of the Council, or by the Director of Human Resources.

Section 3 - NOTICE: Normally at least three (3) days' notice of each special meeting shall be furnished to each member of the Council.

Section 4 - ORDER OF BUSINESS: The order of business at regular meetings shall be:

- Call to Order
- Roll Call and Introduction of Guests
- Approve Minutes of Previous Meeting
- Committee Reports
- Old Business (unresolved issues)
- New Business (issues brought up for the first time)
- Adjournment

Section 5 - QUORUM: Eight (8) of the members constitute a quorum for the transaction of business.

Section 6 - VOTING: Every member of the Council shall have the right and be entitled to one vote, in person, upon every proposal properly submitted to vote at any meeting. Council members may vote on an individual proposal by Proxy by sending an email to the Chair with the Proxy's name prior to voting.

Section 7 - RULES OF ORDER: "Robert's Rules of Order" shall be utilized as a guideline for all matters of procedure not specifically covered by these Bylaws.

Section 8 - HUMAN RESOURCES DEPARTMENT'S ROLE: The Director of Human Resources or his/her designee shall act in an advisory and liaison capacity to the Council.

Article IV - MEMBERSHIP

Section 1 - MEMBERS: Membership of this Council shall consist of fifteen (15) members.

Section 2 - COUNCIL COMPOSITION: The Council shall be composed of fifteen (15) members to be apportioned as follows:

- Tax Collector - One (1) Member
- Clerk of the Circuit Court - Two (2) Members
- Property Appraiser - One (1) Member
- Supervisor of Elections - One (1) Member
- Other Appointing Authorities - One (1) Member
- Board of County Commissioners - Eight (8) Members
- Representative At Large - One (1) Member
- TOTAL EAC MEMBERS - Fifteen (15) Members

Council members shall be elected from each of the following Groups:

- (1) TAX COLLECTOR
- (1) CLERK OF CIRCUIT COURT - NORTH COUNTY
- (1) CLERK OF CIRCUIT COURT - SOUTH COUNTY
- (1) PROPERTY APPRAISER
- (1) SUPERVISOR OF ELECTIONS
- (1) OTHER APPOINTING AUTHORITIES (Representing: County Attorney, Office of Human Rights, Human Resources, Forward Pinellas, Business Technology Services)
- (8) BOARD OF COUNTY COMMISSIONERS - 1 from each of 8 Groups

Council Member selected by Appointment:

- (1) REPRESENTATIVE AT LARGE – appointed by a quorum of the 14 EAC Elected Members

Section 3 - GROUP COMPOSITION: The Council shall establish the composition of each Representative Group according to geographical, organizational and numerical considerations, in a manner that will best serve the established purposes and objectives of the Council. Any changes to this Section requires approval of the Personnel Board.

Section 4 - TERM: Council members shall serve two (2) year terms. The commencement of each term shall be staggered so that no more than eight (8) of the Council seats will need to be filled through a regular election at one time.

Section 5 - QUALIFICATIONS: The members shall have been employed for at least one year by Pinellas County as a permanent employee of the classified service.

Section 6 - POWERS TO ELECT OFFICERS: The Council, at their December meeting each year, shall elect a Chairperson, a Vice Chairperson, and a Secretary. These officers will take office at the first scheduled meeting in January.

Section 7 - REMOVAL OF OFFICERS AND/OR MEMBERS: Any officer and/or member may be removed by the Council whenever, in the judgment of the Council, the best interest of the Council will be served thereby, by a two thirds (2/3) vote of the Council, after two (2) weeks notice and reason for removal to the members of the Council and the Human Resources Director. Members missing three (3) consecutive monthly meetings or six (6) meetings over a twelve (12) month period shall have a review by the Council with the possible action of removal.

Article V - ELECTION PROCESS

Section 1 - Election Process: It shall be the responsibility of the Employees' Advisory Council to establish, with the approval of the Personnel Board, the electoral process for all parties elected to said Council and for classified service employees within the Unified Personnel System aspiring to be elected to the Council.

Section 2 - Elections Committee: The Council shall appoint an Elections Committee to oversee this election process including the responsibility of supervising the Primary and the General Elections. The Elections Committee shall consist of three council members not up for re-election. It shall be the Elections Committee's responsibility to oversee the voting process as well as addressing and investigating any irregularities in the campaign, nomination and voting processes and referring them to the Council for disposition.

Section 3 - Election Policy: The Elections Committee shall conduct each election annually in accordance with the policies and procedures approved by the Employees' Advisory Council each year. The policies and procedures shall be approved by the Employees' Advisory Council no later than the July meeting.

Section 4 - Election Review Request: A classified employee who believes that inappropriate activities, such as violation of campaign rules, voter fraud, voter coercion, etc., have significantly affected a primary or general election, may file a written complaint to the Elections committee, which shall investigate the matter and present a report to the chairperson. If, in its report, the Elections Committee finds merit in the complaint, the chairperson shall schedule a meeting, within ten working days, for the entire Council, during which it shall review the Elections Committee report and consider what action to take regarding the situation. After considering the evidence presented, and the greater good to all concerned, the Council, with the support of two-thirds vote of those voting, may require a new election in the EAC group(s) affected.

Article VI - AT LARGE REPRESENTATIVE

The At Large Representative shall be appointed by a quorum of the other 14 representatives on the Council following the election of officers. This representative shall serve for a two year term and is eligible for reappointment by a quorum vote of the Council at the end of each two year term. This representative shall meet the same employment qualifications as the other representatives on the Council and shall be subject to the same removal procedures as the other members on the Council.

Article VII - COUNCIL MEMBER VACANCY

When a vacancy arises in any group of the Council, the Council has the option of either selecting a "spokesperson" who will fill the role until the next annual election, or selecting the remaining eligible candidate with the second most votes in the last General Election for that group.

Section 1 - Eligible Candidate: If the council selects the remaining eligible candidate with the second most votes in the last General Election, the new Council member will have complete voting privileges and will serve for the unexpired term of the former member.

Section 2 - Appointment: The Council shall have the authority to appoint, by two-thirds (2/3) vote of the existing Council members, a spokesperson from the affected Group to speak on behalf of the employees affected by the vacancy. Any Council member may nominate an employee for discussion and vote. Under this option, this person will not vote on Council business unless there is at least six months remaining on the original term vacated, if so the Council may grant voting rights. At the next annual election, a replacement shall be selected following normal election procedures regardless of whether or not that group was scheduled for election that year. The new Council member will have complete voting privileges but, if necessary will face re-election the following year in order to return the group to its scheduled election cycle.

Article VIII - EAC Delegates

The Council members shall, with approval of the affected Appointing Authorities, determine the number of Delegate areas necessary to adequately represent employees in an EAC group.

Delegates shall be selected in a manner prescribed by the Council and the appointments made with the approval of the Council.

The delegate roster shall be updated in January of each year or as needed due to staffing or organizational changes. Council members are responsible for assuring that each of the delegate areas in their group is staffed. New delegates are introduced at the March delegate meeting.

Article IX - OFFICERS

Section 1: OFFICERS' DUTIES: Officers of the Council shall perform the following duties:

Section 2: The CHAIRPERSON shall:

- Preside at all meetings of the Council.
- Make all Committee appointments.
- Be a member Ex-Officio of all committees.
- Represent the Council on any external committees, working groups, or other similar activities within County government wherein Council participation has been designated or invited.
- Perform all other duties pertaining to the Office of the Chairperson.
- Present his/her respective report of operation of the Council for the current operational year, at the December meeting of the Council.
- Provide updates on Council activities and concerns to the Unified Personnel Board at their scheduled meetings.

Section 3: The VICE CHAIRPERSON shall:

- Act as Chairperson in his/her absence.
- Perform all other duties pertaining to the Office of Vice Chairperson as prescribed by the Chairperson and/or the Council.

Section 4: The SECRETARY shall:

- Record the minutes of all meetings.
- Take attendance records at all meetings.
- Maintain Committee reports.
- Perform such other duties as may be delegated by the Council of the Chairperson.
- Publish approved minutes for distribution.

Article X - COMMITTEES

Section 1 - The Chairperson shall appoint members of the Council to serve on committees.

Section 2 - All committees shall provide agendas and furnish verbal reports at all subsequent meetings until completion or release.

Section 3 - The Chairperson is an Ex-Officio member of all committees.

Article XI - OPERATIONAL YEAR

The operational year of the Council shall be January 1 of one calendar year through December 31 of the same calendar year.

Article XII - DIRECTOR OF HUMAN RESOURCES - ANNUAL EVALUATION

The Councils annual evaluation of the Director of Human Resources shall be completed by the regular scheduled Council Meeting in December for review of the current operational year. The review and comments will be presented at the scheduled December Council meeting for discussion and approval. Upon approval by the Council, the evaluation will be forwarded to the Personnel Board and to the Human Resources liaison to the Council.

Article XIII - AMENDMENTS

The Council may later amend, revise, add to, or repeal these Bylaws and/or adopt new Bylaws at pleasure by a two thirds (2/3) vote of the members of the Council, after two (2) weeks notice to the members and the Director of Human Resources. Upon approval by a two thirds vote of the members of the Council the said changes shall be presented to the Personnel Board for approval at their next regular scheduled board meeting.

Summary of Bullying Complaint
Prepared by Leslie Fann
(Power Bullying & Exclusion Bullying)

- February 20, 2019: EAC Council meeting to decide on feedback to be included as part of the performance review of the HR Director. Initially, the conversation was negative but positive comments were also made prior to the scoring.
- February 21, 2019: Lisa Arispe submits the review and a letter to Peggy Sellards and the Personnel Board. Ms. Sellards forwards the information to the rest of the EAC.
- March 7, 2019: Ashley Skubal, At Large Representative to the EAC, read a letter during the Citizens to Be Heard portion of the Personnel Board meeting. The letter states that the information submitted by Lisa Arispe excludes some of the comments made during the EAC Council's discussion of the review. The letter also indicates that Ms. Arispe's personal feelings impacted the content of the information submitted to the Personnel Board. The letter further stated that Ms. Skubal did not feel the review and letter submitted by Ms. Arispe truly reflects how the EAC Council feels as a whole.
- Ms. Skubal stated she was afraid to read the letter because she 'knew Lisa would retaliate against her' for doing so but felt 'it was important for the Personnel Board to know the full context of the EAC Council's discussion about the performance review'. Leena Delli Paoli was also planning on speaking to the Personnel Board in disagreement with Ms. Arispe's letter but decided not to because she was 'afraid of retaliation by Ms. Arispe'. Ms. Delli Paoli stated she was intimidated by the physical presence of Ms. Arispe at the meeting which contributed to her decision to not speak publicly before the board. Neither Ms. Della Paoli or Ms. Skubal had previously experienced bullying from Ms. Arispe but they both had previously witnessed Ms. Arispe verbally 'shutting down' EAC Representatives who expressed opinions contrary to Ms. Arispe's opinions during EAC Meetings and believe that speaking out against her opinions results in a difference in how Ms. Arispe treats them.
- March 20, 2019: During the EAC Council Meeting, there was discussion about the letter Ashley Skubal read at the Personnel Board meeting. Lisa Arispe stated that Ms. Skubal's letter was unprofessional. Marion Naraj stated that if Ms. Skubal doesn't agree with what was sent to the Personnel Board, that Ms. Skubal should remove herself from the EAC Council. Ms. Skubal stated that, while she expected there to be discussion of the letter, she was taken aback and in a state of disbelief at the tone. Ms. Skubal stated she intended to send the letter to the EAC Council prior to submitting it to the Personnel Board but that technical difficulties prevented that from occurring and she recognizes that it would have been preferable to send the letter in advance. Ms. Skubal cannot recall other statements made but recalls them as being heated. Ms. Skubal was upset and did not want to speak up while emotional as she was concerned she would not convey her thoughts accurately. Ms. Skubal did not opt to take notes on what was said because she knew that doing so would make the statements part of

the public record and she did not want those statements to have further negative impact on those who expressed them.

Following that meeting, Ms. Skubal stated she has seriously considered stepping down from her position. She states that EAC Council meetings have become very uncomfortable for her to attend. She has not done so because she feels it would look bad on her for not standing her ground. Ms. Skubal believes many members of the EAC Council do not speak out against Ms. Arispe and Mr. Toney in order to avoid retribution.

On or about the following day, Charles Toney approached Ms. Skubal following a wellness class he attended that she taught and told her that the reactions to the letter were 'nothing personal' to which Ms. Skubal did not respond as she was uncertain if the Sunshine Law applied.

- ~March 25, 2019: Ashley Skubal met with Terri Wallace and Holly Schoenherr to discuss filing a complaint of a violation of the Anti-Bullying policy against Lisa Arispe and Charles Toney following the statements made at the March 20, 2019 EAC Council meeting. Given the unusual nature of the situation, additional time was needed prior to proceeding in order to determine who could investigate the complaint without causing a conflict of interest.
- April 16, 2019: Charles Toney sent an email to the EAC Council members in advance of the meeting scheduled for the following day with proposed changes to the EAC bylaws. Those changes include limiting the At Large position term to 1 year and adding the phrase "No member of the Council may be under employment of the Human Resources Department."
- April 17, 2019: Under the New Business portion of the EAC Council meeting, the By Law changes proposed by Charles Toney were discussed. During that meeting, Lisa Arispe stated that members of HR should not be on the Council and that Ashley Skubal was not suited for the At Large position because she doesn't represent a specific group of people. Ms. Skubal's work duties include heavy interaction with County employees using the gym and attending the workout classes she teaches and asserts that her broad exposure to a wide variety of County employees in that context makes her well-suited to be the At Large representative. Leena Delli Paoli inquired during the meeting why the By Law changes were proposed but Ms. Skubal does not recall the answer. Ms. Skubal indicated it was never stated why the By Law changes were proposed but that she believes it was done in retaliation to the letter she read at the Personnel Board meeting on March 7. Ms. Skubal came to this conclusion based on the timing of the proposed By Law changes. At the meeting, it was decided the proposed By Law changes will be sent to the County Attorney for review and that no changes will be made without the approval of the council.

May 2, 2019: Charles Toney included the following during his EAC Council update to the Personnel Board during their meeting: "A proposed change to EAC Bylaws to prevent a classified employee working from the Human Resources department from joining the EAC is being discussed with the County Attorney's Office. He reported that several members support the proposal, while other members oppose the change."

May 15, 2019: During the EAC Council Meeting, several motions were made and withdrawn regarding the creation of SOPs as well as related to the proposed By Law changes. Lisa Arispe was to send Personnel Board members notice of intent to amend the By Laws.