

Clearwater, Florida, July 12, 2012

The Unified Personnel Board (UPB) met in regular session at 6:27 P.M. on this date in the County Commission Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, with the following members present: George E. Tragos, Vice-Chair; Andrea S. Daggett; Ricardo Davis; Keith C. Dekle; James P. Koelsch; and Joan Vecchioli.

Not Present: Daniel M. Andriso, Chair.

Also Present: Peggy Rowe, Director of Human Resources; Flip Coleman, Sheriff's Office; Charles E. Toney, Employee's Advisory Counsel; Michael P. Schmidt, Board Reporter, Deputy Clerk; and other interested individuals.

AGENDA

EAC

Item I. Employees' Advisory Council Representative

Item II. Consent Agenda

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| Human Resources | 1. Request Approval of the Minutes of the Regular Personnel Board Meeting held June 7, 2012. |
| Human Resources | 2. Request Approval of Housekeeping Addition, Revisions, Title Changes, Reinstatements and Deletions of Class Specifications in the Pay and Classification Plan. |
| Parks and Conservation Resources | 3. Request Approval of the Classification and Pay Study of Horticulture Positions in the Parks and Conservation Resources Department. |
| Animal Services | 4. Request Approval of the Classification and Pay Study of Various Positions in the Animal Services Department. |

Item III. Appeal of Termination

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| Department of Environment and Infrastructure (DEI) | 1. Gary Giddens, Transportation and Stormwater, DEI. |
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CALL TO ORDER

Vice-Chair Tragos called the meeting to order at 6:27 P.M.; whereupon, he led the members and attendees in the Pledge of Allegiance to the Flag.

EMPLOYEES' ADVISORY COUNCIL (EAC) REPRESENTATIVE

EAC Chairman Charles E. Toney invited the members to attend the EAC Representative and Delegate meetings, and indicated that the time, date, and location of each meeting is listed on the EAC website.

Mr. Toney reported that County Commissioners Kenneth T. Welch and Susan Latvala were presented the Presidential Advocacy Award by the Florida Association of Counties (FAC) and, on behalf of the EAC, congratulated the commissioners on their achievement; and indicated that the president of FAC would be attending a meeting with county commissioners in New Port Richey on July 25, 2012 at 2:00 P.M.

Mr. Toney reported that a committee was formed to support Ms. Rowe during the update of the Personnel Rules; that a subcommittee was subsequently formed to review the section of the Rules pertaining to discipline; that the committee and subcommittee include EAC representation and involvement; and that he would provide updates to the members regarding progress made at the meetings. Later in the meeting in response to comments by Mr. Dekle, Ms. Rowe related that preliminary information will be presented to the members at the October UPB meeting; that updates will be provided throughout the process; and that a final packet will be provided to each of the members for their review. Mr. Toney indicated that due to meeting room space limitations, information pertaining to committee and subcommittee meetings is disseminated to EAC members during their monthly meetings; and that Ms. Rowe had indicated that the EAC would be provided time to review and discuss committee activities prior to the information being presented to the UPB.

Mr. Toney discussed the County Service Optional Exchange of Leave policy, relating that, in the past, County employees were permitted to exchange a certain number of banked leave hours for pay; that due to some tax implications the policy was abolished; that a replacement policy is being created to fit within Internal Revenue Service guidelines; and that approximately 35 percent of employees take advantage of the leave exchange program.

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Mr. Toney indicated that the lawsuit by the Florida Education Association (FEA) over the mandatory three-percent employee contribution to the Florida Retirement System (FRS) is scheduled to be heard by the Florida Supreme Court in September; and that no matter which side prevails in the FEA lawsuit, the EAC would like to see the mandatory three-percent contribution to the FRS by Pinellas County Government employees discontinued.

In response to query by Mr. Toney as to whether the EAC could be allowed to address individual agenda items during UPB meetings, Vice-Chair Tragos indicated that because the EAC holds a unique position, the Board could make an exception to the general practice of not allowing open meetings; and suggested that if Mr. Toney wishes to discuss an agenda item, he inform the Board during the EAC Representative portion of the meeting, and the members would decide on a case-by-case basis, and no objections were noted.

CONSENT AGENDA ITEMS NOS. II.1 THROUGH II.4 – APPROVED

Motion	-	Mr. Davis
Second	-	Ms. Vecchioli
Vote	-	6 – 0

- #1 Minutes of regular meeting held June 7, 2012, approved as submitted.
- #2 Additions, revisions, title changes, reinstatements, and deletions of class specifications in the Pay and Classification Plan approved; changes reflect the current duties and responsibilities of the classifications, are housekeeping in nature, and will not affect the pay grade level of the classifications.
- #3 Classification and Pay Study of Horticulture Positions in the Parks and Conservation Resources Department approved as follows:

Reclassified from Classified Service to Exempt Service

<u>Position</u>	<u>Present Classification</u>	<u>Pay Grade (Salary)</u>	<u>Approved Classification</u>	<u>Pay Grade (Salary)</u>
BCC/C701	District Operations Manager	CL22 (\$55,931 – \$91,395)	Horticultural Manager	SM5b (\$68,236 – \$102,354)

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Upward Reclassification

<u>Position</u>	<u>Present Classification</u>	<u>Pay Grade (Salary)</u>	<u>Approved Classification</u>	<u>Pay Grade (Salary)</u>
BCC/C401	Crew Chief 2	CL11 (\$32,697 – \$50,169)	Horticulture Field Inspector	CL13 (\$36,046 – \$56,056)

#4 Classification and Pay Study of Various Positions in the Animal Services Department approved as follows:

Reclassified from Classified Service to Exempt Service

<u>Position</u>	<u>Present Classification</u>	<u>Pay Grade (Salary)</u>	<u>Approved Classification</u>	<u>Pay Grade (Salary)</u>
BCC/C152	Animal Services Program Coordinator	CL17 (\$43,825 – \$69,596)	Animal Services Program Manager	P3 (\$48,332 – \$72,498)
BCC/C155	Animal Services Program Coordinator	CL17 (\$43,825 – \$69,596)	Animal Services Program Manager	P3 (\$48,332 – \$72,498)

Upward Reclassifications

<u>Position</u>	<u>Present Classification</u>	<u>Pay Grade (Salary)</u>	<u>Approved Classification</u>	<u>Pay Grade (Salary)</u>
BCC/C3209	Senior Office Specialist	CL8 (\$28,246 – \$42,806)	Administrative Support Specialist	CL11 (\$32,697 – \$50,169)

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BCC/C3115	Administrative	CL11	Volunteer	CL14
	Support	(\$32,697 –	Program	(\$37,856 –
	Specialist	\$50,169)	Coordinator	\$59,092)

Pay Grade Change

<u>Position</u>	<u>Present Classification</u>	<u>Current Pay Grade (Salary)</u>	<u>Approved Pay Grade (Salary)</u>
BCC/C137	Animal Services	CL10	CL12
	Adoption Coordinator	(\$31,137 – \$47,777)	(\$34,340 – \$53,019)

APPEAL OF TERMINATION OF GARY GIDDENS, FORMERLY OF THE DEPARTMENT OF ENVIRONMENT AND INFRASTRUCTURE (DEI) – MATTER REMANDED TO DEPARTMENT FOR ALTERNATIVE DISCIPLINARY ACTION

Appeal of Termination filed by Gary Giddens, formerly of the Department of Environment and Infrastructure, was presented by Employee Advocate Kimberly Samojeden, representing the Appellant, and by Peter J. Yauch, Director of Public Works and Transportation, representing DEI.

Vice-Chair Tragos confirmed that no conflicts of interest exist and, at his request, the witnesses proceeded to the microphone, stated their names, and were sworn by Attorney Coleman; whereupon, Attorney Coleman reviewed the procedural rules for the hearing.

In response to queries by Vice-Chair Tragos, Ms. Samojeden indicated that she had withdrawn her objection to the inclusion of Appellee Exhibit I, a spreadsheet referring to similar cases.

Following the completion of the testimony and final statements, Vice-Chair Tragos reviewed the issues to be resolved by the Board and indicated that the first issue to be resolved was whether the Appellant did commit the act for which he was disciplined. Mr. Davis moved, seconded by Mr. Koelsch, that based upon the testimony of Kimberly Samojeden, Gary Giddens, and the Appointing Authority, the act of failing to have an unrestricted drivers' license was in violation of Personnel Rule XXIV, Paragraph J, Item No. 41 and was committed by the Appellant; whereupon, following discussion, Mr. Davis amended his motion, clarifying that Mr.

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Giddens' county drivers' license was invalid or suspended as a result of the restriction placed on his state drivers' license.

Upon call for the vote, the motion carried unanimously.

Vice-Chair Tragos related that the second issue to be resolved is whether the Board finds that the disciplinary action taken by the department was appropriate; whereupon, following discussion, Ms. Vecchioli moved, seconded by Mr. Dekle, that the Board does not find the disciplinary action appropriate.

Upon call for the vote, the motion carried unanimously.

Vice-Chair Tragos directed that the matter be remanded back to the Department of Environment and Infrastructure for its recommended alternative disciplinary action.

This proceeding has been electronically taped and made a part of the record.

MISCELLANEOUS INFORMATION ITEMS RECEIVED

The following miscellaneous information items were received for filing:

1. Management and Supervisory Notes for July 2012.
2. Training Schedule for July 2012.
3. Minutes of the EAC Representatives meeting of May 16, 2012 and the EAC Delegates meeting of May 24, 2012.

ADJOURNMENT

The meeting was adjourned at 10:16 P.M.

Vice-Chair