

PLEASE POST

**PERSONNEL BOARD FOR THE PINELLAS COUNTY
UNIFIED PERSONNEL SYSTEM
AGENDA**

Date: January 7, 2016

Time: 6:30 p.m.

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

PLEDGE OF ALLEGIANCE

Personnel Board I. Election of Chair and Vice Chair of the Unified Personnel Board

EAC II. Employees' Advisory Council Representative

Human Resources III. CONSENT AGENDA

1. Request Approval of the Minutes of the Personnel Board Workshop held September 15, 2015
2. Request Approval of the Minutes of the Regular Personnel Board Meeting and Workshop held October 1, 2015
3. Request Approval of the Minutes of the Regular Personnel Board Meeting held October 19, 2015
4. Request Approval of the Minutes of the Personnel Board Workshop held October 26, 2015
5. Request Approval of the Minutes of the Regular Personnel Board Meeting held November 5, 2015

Human Resources IV. NEW BUSINESS

1. Approval of the Revision to Personnel Rule 7. Employee Grievances

Human Resources V. INFORMATIONAL ITEMS

1. Appointment of the following Personnel Board member for 2016-17: Louise Dolsay, by the Board of County Commissioners
2. Action Taken Under Authority Delegated by the Personnel Board
3. Update: Inspector General Audit of Short-Term and Long-Term Disability Contracts
4. Update: Employee Survey
5. Personnel Rules Communications
6. Upcoming Personnel Board Meeting Schedule
7. Affirmative Action Committee
8. Other Informational Items

Utilities VI. Termination Appeal

1. Norris Watson

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.

Persons with a disability needing reasonable accommodation(s) to participate in this proceeding should contact the Office of Human Rights, 400 S. Fort Harrison Ave., 5th Floor, Clearwater, FL 33756 (727) 464-4062 (V/TDD) no later than 48 hours prior to the meeting.

Election of the Unified Personnel Board Chair and Vice Chair

At its first regularly scheduled meeting of the calendar year, the Unified Personnel Board elects a Chair and Vice-Chair who will serve for the calendar year. The election of the Chair occurs first. Nominations are made by the Board members followed by a vote of the membership. A simple majority of those present is required to elect the Chair. Once a Chair is elected, the process is repeated for the election of the Vice Chair.

The duties of the Chair include presiding over meetings and ensuring that the business of the Board is conducted in an orderly and proper manner. The Chair ensures that all members of the Board are encouraged and allowed to participate. The Vice Chair performs the duties of the Chair in the Chair's absence.

Clearwater, Florida, September 15, 2015

The Unified Personnel Board (UPB) met in workshop session at 6:35 P.M. on this date in the Clerk's Fourth Floor Conference Room, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, with the following members present: Ricardo Davis, Chair; Keith C. Dekle, Vice-Chair; Andrea S. Daggett; James Dates; William Shulz; Joan M. Vecchioli; and Ron Walker.

Also Present: Peggy Rowe, Former Director of Human Resources; Carole Sanzeri and Michelle A. Wallace, Senior Assistant County Attorneys; Jack Loring, Workforce Development Manager, County Administration; other interested individuals, and Lynn M. Abbott, Board Reporter, Deputy Clerk. Minutes by Ms. Abbott and Helen Groves.

AGENDA

PLEDGE OF ALLEGIANCE

Human Resources

- I. Personnel Rules Workshop
 1. Proposed Rules
 2. Proposed Policies

CALL TO ORDER

Chair Davis called the meeting to order at 6:35 P.M. and led the Pledge of Allegiance to the Flag. He thanked Ms. Rowe for her presence and participation in tonight's workshop; indicated that Human Resources Interim Director Beverly Waldron is not present and expressed condolences on the passing of a member of her family; and welcomed new Board Member William Shulz.

Chair Davis announced that the appeal scheduled in October has been cancelled, and discussion ensued wherein the members agreed to discuss the October agenda at the end of tonight's meeting.

PERSONNEL RULES WORKSHOP

Stating that no votes would be taken tonight, Chair Davis reviewed the process to make changes to the Rules and Policy; whereupon, Mr. Dekle, pointing out that content has been deleted from many of the current Rules, suggested reviewing each proposed new Rule with the current one to see if the changes are significant enough for the Board to take up.

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In response to query by Ms. Vecchioli, Ms. Rowe indicated that the document with yellow highlights titled *Personnel Rule Revisions* was compiled from comments offered by Messrs. Dekle and Loring and the Appointing Authorities, and the highlighted comments will be addressed today; whereupon, she suggested using the cross log showing where the current Rules will appear in the proposed Rules as a reference. Copies of both documents and the 08/04/2015 Revised Edition of the Classification Plan have been filed and made a part of the record.

At the request of Mr. Dekle, Chair Davis agreed that Employees Advisory Council (EAC) representatives Lisa Wombles and Charles Toney would be allowed to participate in the meeting, noting that the plan is to get input from all interested parties before the Board takes any action.

In response to comments by the members, Attorney Sanzeri, with input by Human Resources Administrative Manager Laura Berkowitz, affirmed that the Equal Employment Opportunity statement would be included at the beginning of the new Rules.

Later in the meeting in response to comments by Ms. Vecchioli, Chair Davis indicated that Rules 1, 2, 3, and 8 were being reviewed tonight due to comments and concerns that have been received; and that the other Rules would be reviewed later.

PROPOSED RULES

Rule I (Current Rules) - Definitions

Mr. Dekle observed that the current Rule I – *Definitions*, has been deleted from the current Rules, and expressed concern that the meaning and impact of a Rule could be altered if it is not codified, noting that if the definitions are contained in a Rule, they cannot be changed without action by the Personnel Board. Ms. Vecchioli stated that the definitions have not been eliminated, only moved to the Rule where they are used; whereupon, Attorney Sanzeri clarified that many of the definitions have been eliminated, as some served no purpose, and stated that any definition necessary to the context, interpretation, and application will appear within the Rule itself.

Following discussion and at the request of Chair Davis, Special Project Assistant Carol Barkalow agreed that Human Resources would review the documents and provide assurance to the Board at the next meeting that all pertinent definitions have been provided in the new Rules.

Mr. Dekle suggested adding an Index, and following discussion, Ms. Rowe confirmed with the members that a consensus has been reached that an Index will not be necessary since it will be a searchable PDF Word document and there will be a Table of Contents.

Ms. Vecchioli confirmed that the word “though” would be changed to “through” as suggested on the highlighted Personnel Rule Revisions document.

Rule II (Current Rules) – Recruitment, Selection, and Examinations

(The cross log referenced by Ms. Rowe showing where the current Rules will appear in the new proposed Rules indicates that much of the current Rule II would remain in the new Rule 2 - Filling Positions, and other components would be located in various Policies).

In response to queries by Mr. Dekle regarding the language in the new Rule 2 - Filling Positions, Ms. Berkowitz explained that as all employees do not work the same days and hours, the term “working days” has been changed to “calendar days” to avoid confusion and in the language referring to the extension of a probationary period, the wording has been changed to “consecutive working days.”

In response to query by Mr. Dekle regarding New Hires at the top of Page 3 of the new Rule 2, Ms. Rowe related that while it is rare for an Appointing Authority to remove an employee from probationary status before the end of the one-year period and place them in regular service, it does occur and the option should remain, and no objections were noted.

Mr. Loring explained the concerns he had highlighted on Rule 2, noting that the way the word “transfer” is used in different instances is confusing and the information regarding interns needs to be reviewed. Following discussion, Ms. Rowe recommended that Ms. Waldron look at Rule 2 again as related to the input provided by Mr. Loring.

Rule III (Current Rules) – Eligible Registers, Certifications, Appointment

(The cross log referenced by Ms. Rowe showing where the current Rules will appear in the new Rules indicates that a large portion of the current Rule III will be found in the new Rule 2 - Filling Positions, and the new Rule 3 – Compensation will contain elements concerning pay).

Stating that the Unified Personnel Board should be careful to retain its integrity, authority, and responsibilities, Mr. Dekle expressed concern that some of the changes being considered will make the Board a less effective body. Stating that the language occurs several times in the

document, he cited the wording under Classified Pay Plans on Page 1 of the new Rule 3, "*The Director of Human Resources shall prepare and present the Classified Employee Pay Plan to the Unified Personnel Board for adoption,*" and related that he would like to retain the wording "...to the Personnel Board for approval, as the new language gives the impression that the Personnel Director has authority that legally should rest with the Board.

Ms. Berkowitz stated that the words "adoption" and "approval" are synonymous and it is implied that the Board has the discretion to approve or not approve, and discussion ensued regarding the Board's authority as it relates to the Classified and Exempt Pay Plans.

During discussion regarding the introductory paragraph to the new Rule 3, Attorney Sanzeri stated that it is intended as safe harbor language regarding compensation; and that she would revisit the Department of Labor's current wording and bring back a recommendation at the next meeting, and the members concurred.

Referring to the highlighted document and his recommendation to omit Item B, Starting Pay on Page 1 of Rule 3, Mr. Loring indicated that it is an expensive proposition to hire someone at the minimum of the pay grade, as it is difficult to retain them, and discussion ensued about how the County makes it difficult to hire a Classified employee above the minimum salary grade. In response to query by Chair Davis, Ms. Rowe confirmed that the proposed changes were vetted with the Appointing Authorities and the County Administrator's office, but hiring under or above the minimum could be revisited with all parties.

Referring to Item C on Page 3, Promotional Increase, EAC Chairman Lisa Wombles stated that the EAC is concerned that the Appointing Authorities would have unlimited latitude for giving promotional raises, noting that there is not a standard such as the one in the current Rules; whereupon, noting that the practice is rare and does not typically occur, Ms. Rowe indicated that the wide latitude allows the Appointing Authorities to recognize employees at salary levels they believe they deserve and avoids situations where County employees must first quit in order to be rehired at a competitive rate.

Mr. Dekle indicated that the latitude also presents a downside in that an employee could earn less if the Appointing Authority so desires, and suggested that the language be rewritten to reflect that there must be a pay increase if an employee is promoted. Ms. Daggett questioned whether the promotional raise defeats the intent of a merit increase. Mr. Dates stated that the new Rule would give Classified employees the ability to negotiate a higher salary, which they have not had before, and Chair Davis agreed. Ms. Rowe indicated that the current Rule requires approval from the Appointing Authorities, the Director of Personnel, and the Board; and that the new Rule

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would give the Appointing Authorities the ability to make the decision themselves and would create consistency and efficiency across the Appointing Authorities.

Mr. Loring explained his comments regarding Item D, Reclassification or Reallocation Increase; whereupon, Ms. Rowe indicated that Ms. Waldron will look at the Rule to see if the terms need to be defined and whether changes are needed so that there is a salary increase when a job classification is reallocated, as Mr. Loring had intended when he wrote the original draft of the Rule, and discussion ensued.

During discussion regarding Merit Increases on Page 2 of new Rule 3 and in response to queries by the members, Attorney Sanzeri responded that while the language makes clear to her that the merit pay is annual, Ms. Waldron would review the language regarding rewarding high-performing employees.

Regarding General Increases on Page 2, Mr. Loring indicated that general increases should be calculated on the mid-point market value for the position rather than on the salary of the employee, and Chair Davis confirmed with the members that they agree.

Referring to Item H under Temporary Pay Increases on Page 4 of new Rule 3, Mr. Dekle suggested that Items i and ii be combined. Ms. Berkowitz, with input by Ms. Barkalow and Attorney Sanzeri, explained the difference between the two types of temporary assignments, provided examples, and stated that the items should remain separate as the circumstances are different and the pay increase in i is mandatory and the one in ii is discretionary. Following discussion, Ms. Rowe confirmed with the members that no examples would be put into the Rule, but that Human Resources should be prepared to share verbal examples at the next meeting, if necessary, noting that the example Ms. Berkowitz shared earlier about her assuming the duties of Ms. Waldron in her absence would not be pertinent, as Ms. Berkowitz is an Exempt employee.

In response to query by Mr. Walker and acknowledging that these are the Board's Rules and subject to its interpretation, Attorney Sanzeri discussed the terminology decreeing that the amount of the temporary pay change shall not be "grievable," and discussion ensued. Ms. Daggett and Vecchioli expressed concern that to single out a specific item as not grievable might create an assumption that everything else is grievable; whereupon, Attorney Sanzeri indicated that while the current Rule regarding grievances is very open, Rule 7 of the new Rules defines what is grievable and lists grievable items.

Ms. Vecchioli recommended that the language under Item H indicating that the amount of pay change is not grievable be moved to the new Rule 7.

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In response to query by Chair Davis, Attorney Wallace advised that the proposed Rule 7 suggests that if a grievance is made to the Board about an item that is not on the new grievance list, the Board could not hear that grievance, as it would then be outside the Board's jurisdiction, and discussion ensued. Ms. Vecchioli suggested that it would not be a jurisdiction item, but due process, as the Board is laying out the rules and infractions, noting that the jurisdiction is defined by the Special Act, not by the Personnel Rules, and that the Board would be self-imposing what it would hear; whereupon, Attorney Sanzeri, with input by Attorney Wallace, advised that the Personnel Rules are not just for the benefit of the employee, but also for the benefit of the employer; however, the Board could always decide to amend its rules to add or remove items as provided for in the Special Act.

Mr. Toney stated that the EAC's opinion sometimes differs from the opinions of the County Attorney, and that all grievances concerning Classified employees and pay issues, whether or not written down, should go before the Board, and Chair Davis concurred.

Thereupon, Chair Davis indicated that the consensus of the Board is that the grievance language will be removed from Item H and the issue will be revisited under Rule 7; whereupon, at the request of Mr. Loring, he agreed that eliminating the language here would be revisited.

Mr. Loring related that he has other concerns regarding Item ii under Item H than those discussed above; that the term "significance of the duties and responsibilities" should be better defined," as it leaves it wide open and subject to abuse, including favoritism by the Supervisor; and that it calls for no oversight by the Board and has no controls, unlike the other Rules. Mr. Walker indicated that he feels Item ii provides a useful tool for the Appointing Authorities; whereupon, following discussion, Chair Davis indicated that it is the consensus of the Board that Item ii be kept in Rule 3.

In response to comments by the members regarding Item i, Voluntary and Involuntary under Demotion – Classified Employees, on Page 5 of new Rule 3, Attorney Sanzeri related that disciplinary demotions are rare; that the intent is not clear; that the terms "voluntary" and "involuntary" would be clarified; and that the item would be brought back before the Board.

Later in the meeting and in response to queries by Mr. Dekle on this item relating to the "between four- and ten-percent" pay reduction language and whether it would also relate to Disciplinary Actions, Attorney Sanzeri indicated that the four- and ten-percent language came about as a result of a meeting with the EAC; that a pay reduction is a disciplinary action on the employee's pay rate, requires a pre-disciplinary hearing, and the pay reduction currently is

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limited to a maximum of five percent. Following discussion, Ms. Vecchioli agreed that the wording is inartful and contradictory and needs to be revised; whereupon, Ms. Sanzeri indicated that she is hearing from the members that they would like the item to be brought back before the Board with some guideline language, but retaining the discretionary portion, and no objections were noted.

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At this time, 8:15 P.M., the meeting was recessed and reconvened at 8:24 P.M. with all members in attendance.

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Continuing with Rule 3 and referring to Item D-7, Market Driven Skills Supplement under Supplemental and Incentive Pay, located on Page 9, Mr. Loring, with input by Ms. Rowe, related that this supplement was originally approved by the Unified Personnel Board for the Information Technology profession and was for a very finite list of skills; that it has been incorporated in the new Rules so as to apply to other high-demand areas; and that the latitude being given to the Appointing Authorities and Human Relations is subject to abuse.

Thereupon, Mr. Dekle concurred, and stated that a recurring theme throughout the new Rules is to eliminate the approval of the Unified Personnel Board; and that the Board should review this process as well as similar ones, as it holds the ultimate responsibility and accountability, and discussion ensued with several members expressing concern.

After confirming with Ms. Rowe that the item had originally required the approval of the Board, as the additional pay fell outside the Pay Plan, Ms. Vecchioli recommended that an insertion be made in the language to the effect that the list will be updated every two years and *reviewed and approved* by the Unified Personnel Board; whereupon, Ms. Rowe advised that she will ask Ms. Waldron to revise the language and bring it back to the Board for approval.

Later in the meeting and in response to query by Mr. Shultz regarding Standby Pay, D-1, Page 6 of Rule 3, Ms. Rowe indicated that people in Utilities, 9-1-1, and plant operators are some examples of standby employees; whereupon, Attorney Sanzeri explained the difference between standby and emergency call-out employees, and provided examples of how each are utilized.

Rule XXV– Political Activities (Current Rules)

Referring to new Rule 8 – Political Activities, Ms. Rowe provided background information and explained that the current Rule requires that both Exempt and Classified employees resign to run for office; that the Special Act only requires a Classified employee to resign; and that State and Federal Laws require that an employee running against their boss has to resign. She indicated that the Constitutional Officers have requested that when the Rules are revised, they be allowed to make that decision regarding Exempt personnel, and discussion ensued.

Ms. Wombles suggested that the Unified Personnel Board would not have the authority to decide whether the Exempt personnel can or cannot run and spoke to the need for consistency throughout the County. Mr. Dates expressed concern that the Rule change would treat the Classified and Exempt employees differently and would be unfair. Attorney Wallace reiterated that the Special Act requires a Classified employee to resign; and related that she is unsure whether the Board has the authority to grant the Constitutional Officers the power to decide whether an employee has to resign their position or can run for election, and Chair Davis agreed that the matter needs to be researched carefully.

In response to comment by Mr. Loring regarding the potential for controversy, Ms. Vecchioli related that the Board is being asked to rescind a Rule that they were not authorized to enact; that nothing prohibits the Board from excluding Exempt employees; and that the Board should be silent on the issue so that the disparate treatment of Classifieds and Exempts is not highlighted; whereupon, Chair Davis concurred, and pointed out that the Appointing Authorities did consent to the previous enactment of the Rule requiring both to resign.

Ms. Vecchioli questioned the meaning of “running for office” versus “seeking appointment,” and asked if the verbiage should be changed. Attorney Sanzeri indicated that she would research the term “candidacy” and how the election laws define candidacy, and would bring the item back to the Board.

In response to query by Ms. Vecchioli, Attorney Sanzeri reviewed how violations of prohibited activities are reported and how the violations are dealt with and indicated that the Constitutionals do want Exempt personnel to be included in the prohibited activities. Chair Davis indicated that he recognizes the potential problems and would be comfortable being silent regarding Exempts, as there is no clear authority; whereupon, he suggested moving the reference to political activities out of the entire Rule.

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Following discussion, Chair Davis stated that all references to Exempt personnel would be removed from Rule 8, and no objections were noted.

MISCELLANEOUS

Rule XXIV – Discipline (Current Rules)

In response to query by Mr. Dekle, and referring to new Rule 3, Pay Reduction – Disciplinary, Page 6 of new Rule 6 – Discipline, Attorney Sanzeri, with input by Ms. Rowe and Vecchioli, reviewed the current and new Rules and stated that she would attempt to rewrite the pay reduction section for consistency, and discussion ensued.

Next Meetings

Following discussion, Chair Davis indicated that the Board would adjourn tonight's work session and continue workshopping the Rules at a later date, and no objections were noted; whereupon, Attorney Sanzeri indicated that Rules 1, 2, 3, and 8 were reviewed, and Ms. Rowe verified that Rules 4, 5, 6, and 7 remain to be discussed.

Chair Davis announced that, by consensus, the next Personnel Board meeting would take place October 1, 2015.

ADJOURNMENT

The meeting was adjourned at 9:29 P.M.

Chair

Clearwater, Florida, October 1, 2015

The Unified Personnel Board (UPB) met in regular and work session at 6:32 P.M. on this date in the Clerk's Fourth Floor Conference Room, 315 Court Street, Clearwater, Florida, with the following members present: Ricardo Davis, Chair; Keith C. Dekle, Vice-Chair (late arrival); Andrea S. Daggett; James Dates; William Schulz; Joan M. Vecchioli; and Ron Walker.

Also Present: Beverly Waldron, Interim Director of Human Resources; Peggy Rowe, former Director of Human Relations; Michelle A. Wallace and Carole Sanzeri, Senior Assistant County Attorneys; Lynn M. Abbott, Board Reporter, Deputy Clerk; and other interested individuals. Minutes by Laura M. Todd, Board Reporter, Deputy Clerk, and Helen Groves.

AGENDA

PLEDGE OF ALLEGIANCE

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| EAC | I. EMPLOYEES' ADVISORY COUNCIL REPRESENTATIVE |
| Human Resources | II. NEW BUSINESS |
| | 1. Request Approval of Proposed Changes to the Employees' Advisory Council Bylaws |
| Human Resources | III. INFORMATIONAL ITEMS |
| | 1. Action Taken Under Authority Delegated by the Personnel Board |
| | 2. Appointment of the following Personnel Board Member: Bill Schulz, by the Employees' Advisory Council |
| | 3. Personnel Board Appointments |
| | 4. Other Informational Items |
| Parks & Conservation Resources
Withdrawn | IV. TERMINATION APPEAL |
| | 1. Richard Mason |
| Human Resources | V. PERSONNEL RULES WORKSHOP |
| | 1. Continued from September 15, 2015 |

CALL TO ORDER

Chair Davis called the meeting to order at 6:32 P.M.; whereupon, he led the Pledge of Allegiance to the Flag.

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EMPLOYEES' ADVISORY COUNCIL (EAC) REPRESENTATIVE

EAC Chairman Lisa Wombles welcomed new member Bill Schulz to the UPB; whereupon, Chair Davis clarified that Mr. Schulz is serving an unexpired term which will expire in 2016.

NEW BUSINESS

Request Approval of Proposed Changes to the Employees' Advisory Council Bylaws

In response to query by Chair Davis, Ms. Waldron indicated that she had reviewed the Bylaws; and that the electronic ballots will make the employee voting process easier; whereupon, she requested approval by the Board.

Thereupon, Mr. Dates moved, seconded by Mr. Walker, that the Proposed Changes to the Employees' Advisory Council Bylaws be approved, and upon call for the vote, the motion carried unanimously.

Relating that the Affirmative Action Committee is an additional Board that he sits on by virtue of being the Chairman of this Board, Chair Davis stated that he has submitted a list of recommendations for changes to the ordinance that created the Affirmative Action Committee; and that most of the changes are administrative in nature, but two are substantive and have been referred to counsel; whereupon, he indicated that he has recommended that (1) some of the duties associated with the Office of Human Rights be transferred to this Board, as the Director of the Office of Human Rights, Paul Valenti, reports to the Affirmative Action Committee, and many of the decisions he makes directly affect members who sit on that Committee; and (2) that an independent board, similar in make-up to the Unified Personnel Board, be created to replace the current Affirmative Action Committee.

In response to query by Ms. Vecchioli, Chair Davis explained that the Director of the Office of Human Rights has three sets of duties: (1) to conduct investigations for employment or housing discrimination within the county; (2) to investigate complaints within the Unified Personnel System; and (3) to serve as the Affirmative Action Officer for County Government and, as such, is responsible for the Affirmative Action Plan.

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At this time, 6:40 P.M., Mr. Dekle entered the meeting.

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INFORMATIONAL ITEMS

Action Taken Under Authority Delegated by the Personnel Board

Ms. Waldron reviewed the routine actions taken over the last month, noting that there was an extension of a temporary appointment and some title and career ladder changes; whereupon, in response to query by Mr. Dates, she indicated that an extension of a temporary position must be approved by the Director of Human Resources; and that the extension is limited to one year.

Bill Schulz Appointed to the Personnel Board by the Employees' Advisory Council

Personnel Board Appointments

Ms. Waldron related that four Unified Personnel Board member positions are up for appointment and reappointment, noting that the appointing parties have been informed; whereupon, in response to queries by Chair Davis, she stated that those who make the appointments are in the process of selecting the candidates, and action should be taken by the end of the year; whereupon, Chair Davis indicated that his term is also up for reappointment and that the UPB will need to take action between now and the December Board meeting if it wishes him to remain as its representative.

Other Informational Items

Ms. Waldron indicated that Business Technology Services (BTS) is realigning some of its responsibilities; and that the Human Resources Department will be taking over the technical training for Microsoft and Oracle, and two BTS employees will be transferred into the Department; whereupon, in response to queries by the members, she indicated that BTS no longer wishes to be in the training business; and that Human Resources will be receiving the funding for the two positions, as well as the necessary computers and the licenses for the *Oracle User Productivity Kit* and the *You Learn It Portal*, which support online training.

TERMINATION OF APPEAL

Chair Davis noted for the record that the appeal of termination of Richard Mason has been withdrawn.

MISCELLANEOUS DISCUSSION RE APPEALS

In response to query by Chair Davis regarding upcoming appeals of termination, Ms. Waldron indicated that the next three Board meetings will have an appeal of termination; whereupon, discussion ensued regarding the procedure for handling appeals, including holding special meetings if the Special Act so allows and the members agree, or having an earlier starting time for meetings when appeals are scheduled to be heard.

Following discussion, Chair Davis indicated that it appears there is a consensus to schedule the appeals as soon as possible after they are filed; whereupon, Attorney Wallace stated that she will check with the parties involved in the hearings already scheduled to ensure they would have ample time to prepare, and Ms. Waldron related that she will identify a number of dates for the hearings and confirm them with the members.

PERSONNEL RULES WORKSHOP

Chair Davis indicated that Rules 1, 2, 3, and 8 were discussed at the last workshop; and that Rules 4 through 7 would be addressed tonight.

Ms. Waldron related that she did not attend the last meeting, but has been reviewing the notes made by Ms. Rowe and the verbatim prepared by the Board Reporter to ensure all amendments are included; and that she is building an amended and annotated set of Rules to bring before the Board.

Rule 4 – Time Off

Ms. Waldron pointed out that the proposed Rule 4 - Time Off is quite sizable, as parts of three or four other Rules have been moved and incorporated in order to make the finished product more cohesive. She reviewed some changes made at the last workshop, relating that the Appointing Authorities agreed to the EAC requests that (1) funeral leave be permitted for grandparents and grandchildren of spouses, and (2) two floating holidays will be added for employees who have

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completed 25 years of service, which must be treated as scheduled leave and used during the calendar year.

In response to query by Chair Davis, Ms. Waldron confirmed that another change in new Rule 4 - Time Off is that employees must use all of their annual leave before taking leave without pay, except for those cases under the Family and Medical Leave Act (FMLA) or declared emergencies; whereupon, in response to query by Ms. Vecchioli, Attorney Sanzeri discussed the two exceptions, explaining that they will be covered in the FMLA Handbook and Rule 3 in the new Rules, respectively, and discussion ensued.

Rule 5 – Reduction in Force

Ms. Waldron indicated that Rule 5 is unchanged from the current rule.

Rule 6 – Discipline

Ms. Waldron indicated that a committee comprised of classified and exempt employees, supervisors, and managers was given the task of examining the Discipline Rule. She related that the new chart is slightly different from the old one, as some lines have been collapsed and others added, and some infractions have been combined and others added.

In response to query by Ms. Vecchioli, Ms. Waldron confirmed that the language regarding actions *not subject to grievance* has been pulled from various Rules, as the Board directed, and is now found in Rules 6 and 7, and Attorney Sanzeri provided input, noting that in some instances, the language has been tagged but not yet pulled.

In response to the concerns of Mr. Dekle that the changes to Infraction D5, Insubordination, located in the Disciplinary Guidelines Chart, are more punitive to the employees, Ms. Waldron, with input by Ms. Vecchioli, related that the Appointing Authorities asked that they be given latitude in disciplining depending upon the severity of the insubordination; whereupon, Ms. Rowe provided examples, indicating that an employee who refuses to do something they have been directed to do by their superior might be terminated while an employee being rude might only receive verbal or written counseling, and discussion ensued.

Attorney Sanzeri explained that the current Rule Chart and Rules are only guidelines intended to assist a department; that all discipline is appealable to some degree; that a dismissal is appealable to this Board; and that one of the issues the Board faces on every appeal is whether the discipline was appropriate under the circumstances; whereupon, Mr. Shultz remarked that the language in

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the column headings in the Rule Chart has been changed from “first offense” to “first level,” and discussion ensued, with Ms. Rowe providing input.

Chair Davis commented that he is comfortable with the Rule addressing insubordination, as it is almost impossible to write rules that anticipate all scenarios. He related that managers, by definition, have some amount of discretionary authority and judgment; that if they misuse the authority, they should be removed from a managerial position; and that when the Rules are applied inappropriately, an appeal can be made to this Board.

Thereupon, Ms. Vecchioli moved, seconded by Mr. Walker, that the Disciplinary Guideline for infraction D5, Insubordination, be approved. Following discussion, Ms. Vecchioli withdrew her motion, and strongly suggested that the Board provide guidance to the Personnel Department as to the language they would prefer; whereupon, she stated for the record that she, herself, does not expect anything further in defining this particular Rule. While withdrawing his second, Mr. Walker suggested that the Board move the package forward today and wait until Human Resources brings the final document back before deciding whether the Rule governing insubordination opens new opportunities for punitive treatment of employees.

Ms. Dekle stated that the language in Infraction D8 indicating that unauthorized absences constitute voluntary resignation is redundant and should be removed, as it is used in other places, and EAC Representative Charles E. Toney commented upon the inability to grieve “unauthorized leave.” Ms. Waldron indicated that the Rule has not changed; whereupon, Mr. Davis asked that the Human Resources Department review the section.

During discussion about terminated employees who, after winning the appeal of termination, are not compensated for being out of work, Attorney Wallace indicated that the Unified Personnel Board has no budget and cannot grant the employees money, but could recommend that the employee be given back pay; whereupon, Ms. Wombles indicated that she would bring the subject up at the next meeting between the EAC and the Appointing Authorities, and Attorney Sanzeri provided input.

Referring to Infractions D10 and D11 and in response to queries by Mr. Dekle, Ms. Waldron, with input by Ms. Rowe, related that the determination of whether the destruction or misuse of property was intentional or unintentional would drive the decision about the level of discipline to be taken; whereupon, Chair Davis commented that managerial judgment would come into play, noting that the decision is appealable, and discussion ensued.

October 1, 2015

Responding to comments by Mr. Dekle that discipline throughout the new Rules seems to be more severe, Ms. Rowe, with input by Ms. Vecchioli, cited the employee survey, and related that the employees made loud and clear their concern that poor performers should not be tolerated in County government. She indicated that the employee committee wanted to encourage swift action and decided to give managers more latitude; whereupon, she pointed out that employees would have the right to appeal the decision in cases of unscrupulous managers, and discussion ensued.

* * * *

At this time, 8:04 P.M., the meeting was recessed and reconvened at 8:18 P.M. with all members present.

* * * *

Mr. Dekle commented that Infractions D10, D13, and D14 appear to be redundant and suggested they be combined; whereupon, Ms. Vecchioli disagreed, stating that the employee committee took time to go over each guideline, one by one, and the Board should give some deference to their work, and discussion ensued.

Mr. Dekle pointed out that he could not find the definition associated with the asterisk for *moral turpitude*, and Attorney Sanzeri stated that the explanation would be added.

Referring to the Anti-Harassment Policy, Infraction D23, Ms. Vecchioli expressed concern that the first level of discipline for the violation of the anti-harassment policy is a three-day suspension, and asked what constitutes a violation; whereupon, noting that the Office of Human Rights investigates harassment cases, Ms. Waldron indicated that D23 applies to cases in which that Office has made a finding. Following discussion, Chair Davis summarized that Infraction D23 would be tied to a finding by the Office of Human Rights, and D28 would cover those instances when the violation, or inappropriate behavior, does not rise to the level of a formal complaint to the Office of Human Rights, and discussion ensued.

Attorney Sanzeri indicated that one of the reasons the wording was changed from *unlawful* harassment is because the Pinellas County Anti-Harassment Policy prohibits behavior that would rise to the level of unlawful, noting that the County and its Appointing Authorities expect a higher standard of behavior.

October 1, 2015

During discussion and in response to comments by Messrs. Dekle and Toney, Chair Davis asked that Human Resources review Infraction D24 regarding reasonable accommodations for mental or physical disabilities.

Following discussion, Chair Davis noted that the consensus of the Board under Discipline Guideline Infraction D38 is that Human Resources would come back to the Board with more information regarding the meaning and reasoning behind the language *violated the department's or Appointing Authority's stated values*.

During discussion and in response to queries by the members, Attorney Wallace related that appeals of termination require five members for a quorum and non-appeal meetings require four; and that a super-majority of the members will be needed for final adoption of the Rules.

Thereupon, hearing no objection, Chair Davis ended the Workshop and stated that Rule 7 would be revisited at the next meeting.

MISCELLANEOUS INFORMATION ITEMS RECEIVED

The following miscellaneous information items were received for filing:

Minutes of the EAC Representatives meeting of August 19, 2015.

ADJOURNMENT

The meeting was adjourned at 9:09 P.M.

Chair

October 1, 2015



Human Resources Director

Action Taken Under Authority Delegated by the Unified Personnel Board

The Human Resources Director, having been granted delegated authority to act on behalf of the Unified Personnel Board, has taken the following action from September 6, 2015 thru September 26, 2015.

ADDITIONS

<u>SPEC NO.</u>	<u>TITLE</u>	<u>EEO4 CODE</u>	<u>OT CODE</u>	<u>PG</u>
14762	Park Ranger 1	Protective Services	Classified	CL9
14764	Park Ranger 2	Protective Services	Classified	CL11
14766	Park Ranger 3	Protective Services	Classified	CL13
10884	911 Quality Assurance Specialist	Administrative Support	Classified	CL13

TITLE CHANGE

<u>SPEC NO.</u>	<u>PRESENT CLASSIFICATION</u>	<u>RECOMMENDED CLASSIFICATION</u>	<u>PG</u>
15880	Risk Management Analyst	Risk Management Insurance Analyst	CL16

REVISIONS

<u>SPEC NO.</u>	<u>TITLE</u>	<u>PG</u>
16550	Traffic Signal Technician, Ld	CL15
14772	Chief Park Ranger 1	CL15
13622	Field Operations Supervisor	CL16
14774	Chief Park Ranger 2	CL17
16792	Engineering Specialist 1	CL17
16794	Engineering Specialist 2	CL20

EXTENSION OF TEMPORARY EMPLOYMENT

<u>POSITION</u>	<u>CLASSIFICATION</u>	<u>PG</u>	<u>EXTENDED</u>	<u>DEPARTMENT</u>
CCC/T178	Special Project Assistant A	150	6 months	CCC/Crim Ct Reds

October 1, 2015

Human Resources Director
Action Taken Under Authority Delegated by the Unified Personnel Board
Page 2

ESTABLISHING CAREER LADDER

PCR

Park Ranger 1	CL9	Park Ranger 2	CL11
Park Ranger 2	CL11	Park Ranger 3	CL13

UPDATED CAREER LADDER

Engineering & Technician Support (ETS)

Engineering Technician	CL14	Engineering Specialist 1	CL17
Engineering Specialist 1	CL17	Engineering Specialist 2	CL20

Clearwater, Florida, October 19, 2015

The Unified Personnel Board (UPB) met in regular session at 6:30 P.M. on this date in the Clearwater Courthouse, Clerk's Large Conference Room, 315 Court Street, Clearwater, Florida, with the following members present: Ricardo Davis, Chair; Keith C. Dekle, Vice-Chair; James Dates; William Schulz; Joan M. Vecchioli; and Ron Walker.

Not Present: Andrea S. Daggett.

Also Present: Beverly Waldron, Interim Director of Human Resources; Carole Sanzeri and Michelle A. Wallace, Senior Assistant County Attorneys; Michael P. Schmidt, Board Reporter, Deputy Clerk; and other interested individuals. Minutes by Laura M. Todd, Board Reporter, Deputy Clerk, and Helen Groves.

AGENDA

PLEDGE OF ALLEGIANCE

Human Resources

I. PERSONNEL RULES WORKSHOP

1. Proposed Rules
2. Proposed Policies

CALL TO ORDER

Chair Davis called the meeting to order at 6:31 P.M.; whereupon, he led the Pledge of Allegiance to the Flag.

PERSONNEL RULES WORKSHOP

Chair Davis indicated that today's agenda would be a review of Rule 7, Employee Grievances, followed by a review of the Employee Policies and Procedures; and that after the meeting on October 26, revisions will be provided to the members for final comments and recommendations; whereupon, Ms. Waldron stated that only the Policies that are changing are being brought before the Board, and most Policies being reviewed tonight were previously Rules; and that amendments to other Rules that have been previously reviewed will be provided electronically to the Board later in the week. In response to a request by Ms. Vecchioli that the revisions be redlined to show the changes from the last draft, Ms. Waldron related that minor tweaks have not been redlined, but all substantive changes have comments next to them explaining what was done and why.

Mr. Dekle requested that in both the draft and the final version, the Policies be numbered consecutively.

During discussion and in response to query by Mr. Walker regarding the process of replacing the Rules, Ms. Waldron indicated that at a future UPB meeting, the Board would repeal the existing Rules and approve the new Rules and Policies; that the repealed Rules would be removed from the Human Resources website, and the new Rules uploaded, noting that a blast email would be forwarded to employees. Attorney Wallace indicated that when the Rules are changed, they become respective, and not prospective; whereupon, in response to query by Mr. Dates, Ms. Vecchioli explained that this means that if the conduct occurs after the date the Rule has changed, it would fall under the new Rule whether or not one is aware of the change.

Mr. Dekle stated that a Rule requires a super majority vote of the Board and a Policy requires a majority vote, and in response to his query, Ms. Waldron indicated that designating items as Policies if they do not rise to the level of a Rule makes it easier to keep the Rules and Policies manageable.

Rule 7A (3) – Employee Grievances

In response to query by Mr. Dekle, Ms. Waldron, with input by Chair Davis, related that the language is in the current Rules; and that the Rule is an explanatory statement indicating that when a specific Rule or Policy exists, it would take precedence over this Rule, and this Rule would not apply, and provided some examples; whereupon, Ms. Vecchioli asked that the word “already” be changed to “otherwise,” and no objections were noted.

Following discussion, with input by Ms. Waldron and Attorney Sanzeri, Chair Davis indicated that Attorney Sanzeri would continue to massage the language to improve the clarity of the Rule.

Rule 7E – Level of Appeal Available (Table)

Employees’ Advisory Council (EAC) Representative Charles E. Toney indicated that he has concerns regarding the section Discretionary Pay Increase Decisions as it relates to the Position Audit Questionnaire (PAQ) and the inability to grieve or to appeal above the panel of individuals who made the initial determination. Following discussion, Chair Davis opined that, at some point, the UPB has to determine what management should decide and what is appealable to the Board; and that the PAQ process involves a Human Resource Department review, which is

where the expertise and classification resides, and should remain there, and no objections were noted.

Rule 7G – Procedure for Grievance

In response to queries by Mr. Dekle as to what starts the 15-day clock, Attorney Sanzeri indicated that the submission of a written grievance form would start the clock running. Following discussion, Ms. Vecchioli suggested that the following language be added in (4-a): that the grievance must be initiated *as described below* within *15 calendar days*.

Mr. Dekle asked that the Policy clarify that if day 15 falls on a weekend or a holiday, it would fall on the next business day; and that, to be consistent throughout the Rules, Items 4-d-i and 4-d-ii be changed to 15 days; whereupon, Ms. Waldron indicated that the policies are continuing to be developed.

Mr. Dekle requested that the language in 4-c-ii and 4-c-v be changed to established *Personnel Board Policy*, and no objections were noted.

Rule 7C (ii) – Step 2: Informal Grievance Committee

During discussion and in response to queries by Mr. Dekle, Ms. Waldron explained that a timely response would be 15 days; and that if an employee is terminated, there would be no grievance process, noting that appeals of termination would be heard by the UPB; whereupon, Ms. Vecchioli suggested that for consistency purposes, numerical references be made in Arabic.

In response to queries by Mr. Dekle, as to the makeup of the Informal Grievance Committee, Ms. Waldron indicated that the Board has approved the placement of the grievance process language in the Human Resources Policy; and that the language will require modification to match the language in the Rule; whereupon, following discussion, Chair Davis pointed out another instance of the need to change the term Human Resources Policy to the *Personnel Board Policy*.

Rule 7C (d) (i and ii) – Step 3: Unified Personnel Board Appeal of Grievance Hearing

During discussion and in response to comments by Mr. Dekle, Attorney Sanzeri, with input by Chair Davis, confirmed that the Board could change the number of days to file an appeal of the grievance hearing from ten to 15, noting that she preferred to refer to it as 15 calendar days, and no objections were noted; whereupon, Ms. Vecchioli indicated that the change should be reflected in section ii as well.

* * * *

At this time, 7:28 P.M., the meeting was recessed and reconvened at 7:35 P.M., with all members in attendance.

* * * *

Rule 8 – Prohibited Political Activities

Chair Davis commented that while reviewing Rule 8, the Board attempted to avoid areas where it did not have specific authority; that if the Appointing Authorities all had their own rules, there would be no consistency throughout County Government; and that by recommending some unified system policies, the Board is exhibiting leadership, not usurping authority; whereupon, Ms. Waldron indicated that references to Exempt employees have been removed from Rule 8; that Attorney Sanzeri has drafted a Policy that will be presented to the UPB next Monday night; and that the Policy will be presented at the next Appointing Authority meeting.

EMPLOYEE POLICIES AND PROCEDURES

Outside or Non-County Employment

Mr. Dekle commented that a refusal to allow non-County employment should be grievable to the UPB, and Mr. Toney discussed disciplinary actions that could be taken by the Appointing Authorities if an employee does not obtain permission to work outside or in non-county employment. Attorney Sanzeri related that prior approval from the Appointing Authorities and withdrawal of permission are in the current Rules, and Attorney Wallace provided input. Chair Davis opined that the decision of what is ethical, moral, or a conflict regarding non-County employment should not be considered by the UPB, but by management, as it is more familiar with the duties and responsibilities of the various employment positions.

Following discussion, Chair Davis concluded that the majority of the Board members are inclined to leave the Policy as proposed.

Personnel Files

Ms. Waldron indicated that the entire section under Public Records Requests would be stricken. During discussion, she indicated that requiring notification to employees or the appearance of an employee during a viewing of the records would qualify under law as having a “chilling” effect on the person requesting the information. In response to query by Ms. Vecchioli, Attorney Sanzeri advised that a records request is required under the law; and that appropriately redacted information would be removed from the record.

Nepotism

Ms. Waldron indicated that Nepotism language has been added to the Policy.

Resignation from County Service

In response to the concerns of Mr. Toney that Item 2, Unauthorized Absence Considered Voluntary Resignation may be too severe in that it cannot be grieved, Attorney Sanzeri indicated that the word *may* means that if more information is received, the decision can be reversed, and that the current Rule does not allow the decision to be grieved. Following discussion, Attorney Sanzeri agreed to redraft the section to add some “saving” language.

Transfer to Inactive Status

Attorney Sanzeri provided the history of inactive status, and related that it was drafted 15 years ago in an effort to address situations where an employee is either out of work, on light duty, or restricted duty, and unable to perform the essential functions of their job for a significant period of time, and cannot be accommodated with another position for which they are qualified. She explained that this is an effort to accommodate employees in their current position or another vacant position within the county in instances where one has used their entire post-family medical leave.

During discussion and responding to comments by the members, Attorney Sanzeri indicated that the Family and Medical Leave Act was removed from the revised version, and agreed to add the language back in; whereupon, she pointed out that once an employee is on inactive status, they are no longer a County employee.

October 19, 2015

Tampering with Evidence

Following discussion regarding evidence tampering, witness subpoenas, perjury, and supervisor retaliation of employees, Chair Davis indicated that the language would be changed to protect not just the employee bringing the complaint, but potential witnesses.

ADJOURNMENT

The meeting was adjourned at 8:48 P.M.

Chair

Clearwater, Florida, October 26, 2015

The Unified Personnel Board (UPB) met in special session at 6:31 P.M. on this date in the Clerk's Fourth Floor Conference Room, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, with the following members present: Ricardo Davis, Chair; Andrea S. Daggett; James Dates; William Schulz; Joan M. Vecchioli; and Ron Walker.

Not Present: Keith C. Dekle, Vice-Chair.

Also Present: Beverly Waldron, Interim Director of Human Resources; Michelle A. Wallace and Carole Sanzeri, Senior Assistant County Attorneys; Charles Toney, Employees' Advisory Council; Jack Loring, Workforce Development Manager; other interested individuals; and Christopher Bartlett, Board Reporter, Deputy Clerk. Minutes by Mr. Bartlett and Helen Groves.

AGENDA

PLEDGE OF ALLEGIANCE

Human Resources

I. NEW BUSINESS

1. Motion Regarding Grievance Appeal
2. Discussion – Start Time of 2016 UPB Meetings

Human Resources

II. PERSONNEL RULES WORKSHOP

1. Proposed Rules
2. Proposed Policies

CALL TO ORDER

Chair Davis called the meeting to order at 6:31 P.M.; whereupon, he led the Pledge of Allegiance to the Flag.

NEW BUSINESS

Motion Regarding Grievance Appeal

Referring to Appeals Case No. 15-06, *Andrew Belich versus Pinellas County Safety and Emergency Services*, Chair Davis indicated that the Appointing Authority has filed a motion to continue the case beyond the scheduled December 3, 2015 hearing date; and that Mr. Belich opposes the motion; whereupon, Ms. Waldron noted that a key witness for the Appointing Authority is attending to a family matter out of state and would be unavailable for the hearing.

Ms. Vecchioli stated that this is an appeal of a suspension and not a termination; that no prejudice would result from a continuance since the employee is currently working; and that she would be inclined to grant the motion. Discussion ensued, whereupon she moved, seconded by Mr. Schulz and carried unanimously, that the Motion to Continue be granted.

Discussion – Start Time of 2016 UPB Meetings

Chair Davis indicated that due to concerns regarding late meetings, the Board could consider changing the start times of its 2016 meetings, specifically meetings that include appeal hearings; whereupon, Ms. Waldron suggested that meetings with appeals could start at 4:00 P.M. while all other meetings could retain a 6:30 P.M. start time, and discussion ensued.

Ms. Waldron noted that the remaining two meetings in 2015 are scheduled for 4:00 P.M.; that these might help the Board to decide; and that the Board could postpone its decision on changing the start times of 2016 meetings, and Chair Davis concurred.

PERSONNEL RULES WORKSHOP

Proposed Rules

Noting that the Policies have been numbered as requested by the Board, Ms. Waldron indicated that the members have provided feedback on all proposed Rules and Policies; and that the corresponding edits have been completed and are indicated within the agenda packet with only two exceptions:

- UPB Policy No. 11, Grievance Process

Ms. Waldron distributed a draft copy of Policy No. 11, a copy of which has been filed and made a part of the record, and stated that the Policy was written earlier today; and that the current grievance Rule contains procedural details that were removed from the proposed Rule and were used to create this Policy with some minor changes.

- UPB Policy No. 12, Appeals Process

Ms. Waldron stated that Policy No. 12 is still being updated and will be provided to the members within the next week for their review.

Thereupon, Chair Davis proposed that the Board only review the items with revisions and not review the ones that have not been changed, and the members agreed.

Introduction

Ms. Waldron noted that the Board requested that the Rules include an Equal Employment Opportunity (EEO) statement; that the EEO statement applies to all Rules; and that a new introduction page was created to include the EEO statement.

Rule 2. Filling Positions

During review of the written comments noted in Rule 2, Section B, Voluntary Demotions, and in response to query by Ms. Daggett, Ms. Waldron estimated that 15 to 20 voluntary demotions occur each year; that they occur more often for personal accommodations than for work-related issues; and that voluntary demotions are more common than involuntary or disciplinary demotions within the County.

In reference to Section C, Other Types of Positions, Ms. Waldron noted that there are inconsistencies regarding special project and related positions; that some are classified as temporary positions with no leave accrual, and others are classified as regular employees with leave; whereupon, she recommended that they all be treated as regular employees with special exception.

Mr. Dates expressed concern about including these as regular employees, indicating that the positions are not filled competitively; and that there is potential for abuse in circumventing EEO hiring. Ms. Vecchioli noted that these types of positions were intended for short-term hiring flexibility; that they allow for temporary assignments to be completed without over-hiring or having layoffs at the end of a project; and that there is no reason to grant them the full rights of a regular employee.

Following discussion, Chair Davis noted that there is little support from the Board to grant the positions the same rights as regular employees; whereupon, Ms. Waldron stated that the Rule would be adjusted as needed to reflect the temporary status.

Referring to Grant Worker positions, Ms. Waldron stated that these are regular positions paid for by grants; that the positions are terminated when the grant expires; and that grant workers do not serve a probationary period. She indicated that the lack of a probationary period is an oversight,

and recommended that grant workers should serve the same probationary period as regular employees, and the members concurred.

Rule 3. Compensation

During review of the written comments noted in Rule 3 and responding to queries by the members, Ms. Waldron related that general pay increases will be based on the midpoint of each classification; and that merit increases based on salary are included, but do not have a funding source at this time, and discussion ensued.

In response to query by the members, Ms. Waldron, with input by Mr. Loring, indicated that alternative methods for increases using midpoint or salary as the base can be accommodated; and that understanding the needs of the organization is challenging, as the Appointing Authorities have different pay philosophies; whereupon, Chair Davis stated that employees need to have an understanding of how their compensation works; and that the Board can help the Appointing Authorities define the County's overall pay philosophy going forward.

* * * *

At this time, 7:38 P.M., the meeting was recessed and reconvened at 7:46 P.M., with all members in attendance.

* * * *

In reference to Rule 3, Section C, Item 2, Base Pay Decreases, Ms. Waldron indicated that base pay decreases for voluntary demotions do not require the approval of Human Resources to deviate from the recommended decrease of four to ten percent; that increases for promotions do require Human Resources approval to deviate; and that direction is needed from the Board on whether to require approval in both scenarios, and discussion ensued. Chair Davis, with input by Ms. Vecchioli, indicated that the Rule should remain discretionary, as drafted, and no objections were noted.

In reference to Rule 3, Section D, Item 7, Market Driven Skills Supplement, Ms. Waldron indicated that the item was added to the list of tasks and responsibilities that have been delegated to the Director of Human Relations per the Board's direction, but without an official vote; and

that the resolution governing delegation will be modified and presented to the Board when finalizing all the Rules and Policies.

Rule 6. Discipline

During review of the written comments noted in Rule 6, Mr. Toney noted that the Rule allows for a suspension pending judicial review when an employee is accused of specific types of crimes; and suggested that a similar accommodation could be made for general terminations as a way to determine if a termination should be reduced to a suspension; whereupon, Ms. Waldron stated that it is the responsibility of the Appointing Authorities, not the Unified Personnel Board, to grant back pay in that situation.

Ms. Vecchioli indicated that as an Appellant Board, it would be inappropriate for the Board to Rule in any judicial capacity; that some employees accept their termination and would not seek an appeal; and that she would not be in favor of the suggested addition to the Rule. Chair Davis concurred, and stated that the Board should remain within its granted authority and avoid possibly infringing on the discretionary rights of the Appointing Authorities.

Referring to the written notes in Rule 6, Chair Davis related that the Board has previously discussed the term *moral turpitude*; whereupon, Ms. Waldron stated that she sourced the definition from a footnote in the current Rule and moved it directly into the body text of the Rule. Following discussion, Chair Davis concluded that the term is difficult to define and should be removed from the Rule, and the members agreed.

Rule 7. Employee Grievances

The written comments noted in Rule 7 were reviewed by the members, and no changes were noted.

Rule 8. Political Activities

Following review of the written comments noted in Rule 8, Chairman Davis commented that the Rule has been modified to cover Classified employees only; however, if the Appointing Authorities would adopt it for Exempt personnel, it would promote consistency throughout County Government.

Definitions

Ms. Waldron indicated that the list is preliminary; and that the members should continue to provide feedback regarding which terms to include or omit from the final list.

Proposed Policies

UPB Policy No. 8 – Resignation from County Service

During review of the written comments noted in UPB Policy No. 8, Attorney Sanzeri related that wording has been added to protect persons under the Baker Act.

UPB Policy No. 9 – Transfer to Inactive Status

During review of the written comments noted in UPB Policy No. 9, Ms. Waldron stated that the reference to Classified employees has been removed; and that the Policy now includes both Classified and Exempt employees, and no changes were noted.

UPB Policy No. 10 – Discipline Policy

During review of the written comments noted in UPB Policy No. 10, Ms. Waldron related that wording from the current philosophy statement was used to create this Policy. Ms. Daggett suggested that the relevancy of past incidents should be addressed; whereupon, Chair Davis, with input by Attorney Sanzeri, indicated that it would be difficult to set a timeline regarding past incidents; and that the Board would retain discretion to decide which incidents are relevant to each situation, and Mr. Walker concurred.

UPB Policy No. 11 – Grievance Process

Ms. Waldron noted that a draft copy of the Policy is available for the Board to review; and that it will be discussed at the next meeting, along with UPB Policy No. 12 – Appeals Process.

OTHER DISCUSSION

- Responding to queries by the members regarding transitioning to the new Rules, Ms. Waldron stated that the Board would need to first repeal the existing Rules, and then determine an effective date to enact the proposed Rules; whereupon, Chair Davis indicated that the Board would limit discussion at its November 10 meeting to UPB Policy No. 12 and

October 26, 2015

anything else that it needs to see; and that at its December 3 meeting, the Board will make its final decision to repeal the current Rules, enact the new Rules, and establish an effective date of January 1, 2016.

- In response to query by Mr. Toney regarding favoritism and bullying in the workplace, Ms. Waldron, with input by Attorney Sanzeri, indicated that treating everyone fairly is part of the new introduction; that the Office of Human Rights and the Affirmative Action Committee have an anti-harassment Policy that offers some protections; and that there are existing provisions in Rule 24, Discipline, Section J, Item 38, that would apply when the employee is offensive in his conduct or antagonistic toward superiors, fellow employees, or the public; whereupon, Ms. Vecchioli suggested that the word *subordinates* be included in the provision. Mr. Toney stated that specific wording such as *bullying and favoritism in the workplace at any level is not to be tolerated* could be a part of the introduction, and discussion ensued.
- Ms. Waldron related that the Board of County Commissioners will likely adopt a Wage Theft Ordinance in November; and that she will have discussions with the attorneys to identify options for incorporating the ordinance into the Personnel Rules, and discussion ensued.

ADJOURNMENT

Chair Davis related that no further items for discussion remain on the agenda; whereupon, the meeting was adjourned at 9:07 P.M.

Chair

Clearwater, Florida, November 5, 2015

The Unified Personnel Board (UPB) met in regular session at 4:02 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: Ricardo Davis, Chair; Keith C. Dekle, Vice-Chair; James Dates; Bill Schulz; and Ron Walker.

Not Present: Andrea S. Daggett and Joan M. Vecchioli.

Also Present: Beverly Waldron, Interim Director of Human Resources; Michelle A. Wallace, Senior Assistant County Attorney; Christopher Bartlett, Board Reporter, Deputy Clerk; and other interested individuals.

AGENDA

PLEDGE OF ALLEGIANCE

EAC

I. EMPLOYEES' ADVISORY COUNCIL REPRESENTATIVE

Human Resources

II. CONSENT AGENDA

1. Request Approval of the Minutes of the Regular Personnel Board Meeting held September 3, 2015

Human Resources

III. NEW BUSINESS

1. Upcoming Personnel Board Meetings: December 3, 2015; December 8, 2015; January 7, 2016; and February 4, 2016
2. Review Rules and Policies
3. Review Edits of the Personnel Board Appeal Procedures

Human Resources

IV. INFORMATIONAL ITEMS

1. Action Taken Under Authority Delegated by the Personnel Board
2. Personnel Board Appointments for 2016-2017:
 - A. Joan Vecchioli, Constitutional Officers
 - B. Keith Dekle, Employees' Advisory Council
 - C. Board of County Commissioners, Application Process Underway
 - D. Personnel Board Appointee, TBD
3. Other Informational Items.

Communications

V. TERMINATION APPEAL

1. James Devine.

November 5, 2015

CALL TO ORDER

Chair Davis called the meeting to order at 4:02 P.M.; whereupon, he led the Pledge of Allegiance.

EMPLOYEES' ADVISORY COUNCIL REPRESENTATIVE

Employees' Advisory Council (EAC) Chairman Lisa Wombles reported that the EAC election process has been extended one week; that employees who are due certification pay could receive the funds by Christmas; and that all County employees can enjoy free access to County parks on Veteran's Day. She thanked Mr. Dekle for accepting his reappointment as the EAC Representative to the Board, and noted that the interactions of the EAC with the County Administrator, Appointing Authorities, and County Commissioners have been very collaborative.

CONSENT AGENDA – APPROVED

Minutes of regular meeting held September 3, 2015, approved.

Motion	-	Mr. Dates
Second	-	Mr. Walker
Vote	-	5 – 0

NEW BUSINESS

Upcoming Personnel Board Meetings

Ms. Waldron noted that the meeting on December 3 will start at 6:30 P.M.; and that the December 8 meeting has been cancelled and the appeal of termination rescheduled for January 7. Responding to queries by Ms. Waldron, Attorney Wallace stated that the January 7 meeting will start at 6:30 P.M. to accommodate the appellant's schedule; and that all parties involved with the February 4 hearing are agreeable to a 4:00 P.M. starting time; whereupon, Chair Davis confirmed that the February 4 meeting will begin at 4:00 P.M.

Ms. Waldron requested direction as to the starting time for future meetings, and following discussion, Chair Davis indicated that regular meetings will continue to start at 6:30 P.M.; and that meetings with appeal hearings may be moved to start at 4:00 P.M.

Review Rules and Policies

Ms. Waldron reviewed the changes discussed at the last meeting and related that they are now incorporated into the proposed Rules and Policies. Responding to queries by the members, she indicated that the pay rate reduction for disciplinary demotions should indicate a maximum of five percent; that the Market Driven Skills Supplement would continue for as long as the skills remain on the list; and that the need for each skill set is reevaluated every two years.

Ms. Waldron noted that an updated draft of Rule 4, Time Off, was provided to the members; that a modification was made to include two additional exceptions for when an employee does not have to expend annual and other paid leave prior to going on leave without pay; that *one month* was changed to *30 days* at the request of Payroll; and that a paragraph was added to explain regular holiday pay for employees who work longer than 8-hour shifts.

Referring to Rule 6, Discipline, Ms. Waldron indicated that the definition of the term *moral turpitude* was removed per the Board's direction at the previous meeting, and discussion ensued. Mr. Dekle stated that definitions of many terms within the rules should be included for clarity; whereupon, Chair Davis, with input by Mr. Schulz, noted that legal definitions for *moral turpitude* lack clarity and the term is sometimes omitted from law dictionaries; that the members could make an interpretation if the matter comes before the Board; and that most of the members do not feel the need to define the term within the Rules.

Ms. Waldron noted that an amended copy of Rule 7, Employee Grievances, has been sent to each Board member for review; and that it has been edited for clarity. She related that Rule 8, Political Activities, includes a corrected reference; and that proposed UPB Policies Nos. 1 through 11 have not changed since the Board last reviewed them.

Review Edits of the Personnel Board Appeal Procedure

Ms. Waldron presented updates to the appeal procedure and noted that a quorum has been defined as five members; that procedures for handling tie votes have been clarified; and that minor corrections have been made to unify various terms with the new Rules, and discussion ensued.

November 5, 2015

Ms. Waldron indicated that an updated resolution delegating authority to the Human Resources Director to act on behalf of the UPB has been provided for review; and that the updates will bring the resolution in line with the proposed changes to the Rules. Mr. Dekle indicated that delegating authority is not the same as delegating responsibility; and that the Board will retain responsibility to review, change, and modify its rules and procedures, and Ms. Waldron and Chair Davis concurred.

INFORMATIONAL ITEMS

Action Taken Under Authority Delegated by the Personnel Board

The document titled *Action Taken Under Authority Delegated by the Unified Personnel Board* has been attached and made a part of the minutes.

Personnel Board Appointments for 2016/2017

Chair Davis indicated that action must be taken at this meeting or the December meeting to select the Personnel Board Appointee. Mr. Dekle stated that it could be decided in December, and Chair Davis agreed; whereupon, Ms. Waldron added that the selection of Chair and Vice-Chair would be part of the January meeting.

Other Informational Items

A news release titled *Vacancy Announced on the Unified Personnel Board* has been filed and made a part of the record.

* * * *

The meeting was recessed at 4:43 P.M. and reconvened at 4:51 P.M.

* * * *

APPEAL OF TERMINATION OF JAMES DEVINE, FORMERLY OF COMMUNICATIONS
– DENIED

Appeal of Termination filed by James Devine, formerly of the Communications Department, was presented by James Devine, representing himself as the Appellant, and by Tim Closterman, Communications Director, representing the Appointing Authority.

At the Chair's request, the witnesses were sworn by the Deputy Clerk; whereupon, Chair Davis confirmed that no exceptions to the prehearing conference statement have been made.

Following the completion of the testimony and closing statements, Chair Davis reviewed the issues to be resolved by the Board and indicated that the first issue is whether the Appellant did commit the activities for which he was disciplined.

Following discussion, Mr. Walker moved, seconded by Mr. Dates and carried unanimously, that the Appellant engaged in the activities for which he was terminated.

Chair Davis indicated that the second issue is whether the Board finds that cause existed for the disciplinary action in that the Appellant's activities violated Personnel Rule XXIV, Paragraph J, Items Nos. 16 and 38; whereupon, the members considered the resolution of each item separately.

Mr. Walker moved, seconded by Mr. Dekle and carried unanimously, that the Appellant's actions violated Item No. 38.

Following discussion, Mr. Dekle moved, seconded by Mr. Schulz, that the Appellant's actions did not violate Item No. 16. Upon call for the vote, the motion carried 3 to 2, with Mr. Dates and Chair Davis casting the dissenting votes.

Chair Davis indicated that the third and final issue is whether the disciplinary action taken by the Appointing Authority was appropriate. Following discussion, Mr. Dates moved that the disciplinary action was appropriate and, after consulting with Attorney Wallace, Chair Davis seconded the motion. Following further discussion and upon call for the vote, the motion carried unanimously.

A digital recording of the proceeding has been made a part of the record.

November 5, 2015

MISCELLANEOUS INFORMATION ITEMS RECEIVED

The following miscellaneous information items were received for filing:

1. Minutes of the EAC Representatives Meeting of September 16, 2015.
2. Leadership Notes for October 2015.
3. Training Schedule for October, November, and December 2015.

ADJOURNMENT

The meeting was adjourned at 7:55 P.M.

Chair



November 5, 2015

IV.1

Human Resources Director

Action Taken Under Authority Delegated by the Unified Personnel Board

The Human Resources Director, having been granted delegated authority to act on behalf of the Unified Personnel Board, has taken the following action from **October 4, 2015 thru October 31, 2015.**

RE-INSTATED with PAYGRADE CHANGE

SPEC		EEO4	OT	PREVIOUS	PROPOSED
<u>NO.</u>	<u>TITLE</u>	<u>CODE</u>	<u>CODE</u>	<u>PG</u>	<u>PG</u>
17620	Director of Utilities	Officials & Manager	Exempt	E-3	SM1

TITLE CHANGE

SPEC	PRESENT	RECOMMENDED	
<u>NO.</u>	<u>CLASSIFICATION</u>	<u>CLASSIFICATION</u>	<u>PG</u>
10990	Bureau Director, Public Safety Svcs	Bureau Director, Safety & Emergency Svcs	SM2a

TITLE/PAY GRADE CHANGE

SPEC	PRESENT		RECOMMENDED	
<u>NO.</u>	<u>CLASSIFICATION</u>	<u>PG</u>	<u>CLASSIFICATION</u>	<u>PG</u>
11140	County Commissioner Assistant	P4	Executive Aide	P3

REVISIONS

<u>SPEC NO.</u>	<u>TITLE</u>	<u>PG</u>
10910	Emergency Management Coordinator, Senior	CL19
16842	Section Manager 1	SM5a
16844	Section Manager 2	SM4a
16846	Section Manager 3	SM3a

Human Resources Director

Action Taken Under Authority Delegated by the Unified Personnel Board Page 2

DELETION

SPEC NO.
10982

TITLE
Division Director, SES

PG
SM3a

EXTENSION OF TEMPORARY EMPLOYMENT

POSITION
BCC/T1112

CLASSIFICATION
Special Project Assistant "A"

PG
CL55

EXTENDED
6 months

DEPARTMENT
Utilities

ESTABLISHING CAREER LADDERS BDRS

Environmental Specialist CL13
Environmental Specialist 1 CL14

Environmental Specialist 1 CL14
Environmental Specialist 2 CL16

UNIFIED PERSONNEL SYSTEM

Annex Building 4th Floor
400 S. Fort Harrison Ave.
Clearwater, Florida 33756
Phone: (727) 464-3367
FAX: (727) 464-3949
www.pinellascounty.org/hr



Beverly Waldron
Interim Director

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

From: Beverly Waldron, Director of Human Resources (interim)

Date: January 7, 2016

Subject: Proposed Changes to Personnel Rule 7. Employee Grievances

I. Recommendation

It is recommended that the members of the Unified Personnel Board approve the revision to Rule 7. Employee Grievances.

II. Discussion

In December the Unified Personnel Board approved the new Personnel Rules effective January 1, 2016. In the crafting of the new rules the ability to grieve misapplication of the Unified Personnel Board Policies was omitted. This was an oversight discovered in putting together the communications materials for publication of the new rules. This change to Rule 7. Employee Grievances adds the language making misapplication of the Unified Personnel Board Policies as a grievable issue. Like misapplication of the Personnel Rules, misapplication of a Unified Personnel Board Policy is grievable through all steps of the grievance process up to and including the Unified Personnel Board.

Rule 7. Employee Grievances

A. Applicability and Purpose

1. This rule applies to employees in the Classified Service.
2. The purpose of this rule is to establish a process through which an employee may seek redress for covered issues relating to his or her employment and to improve employee-management relations through a fair method of resolving problems.
3. When appeal, complaint, or grievance procedures are otherwise established for a particular issue or subject, those procedures shall apply.

B. Non-Retaliation

Employees shall not be subjected to retaliation for using or participating in the grievance process.

C. Time for Grievance

The Appointing Authority shall allow the aggrieved employee reasonable time to consult with the Human Resources Department and participate in the grievance process. However, the Appointing Authority is not required to provide the grievant unlimited work time to prepare or participate in the process. Time approved by an Appointing Authority during normal duty hours shall not be charged against the employee. Except for time at an informal grievance panel hearing, time spent by a grievant outside of the employee's normal duty hours shall not be counted as hours worked.

D. Guidance

Human Resources staff may advise the employees and Appointing Authorities regarding the grievance and appeal process but shall not act as a representative or advocate for either.

E. Covered issues and Level of Appeal Available

A Classified Service employee may grieve:

1. Discipline (verbal warning, written warning, suspension, demotion, reduction in pay);
2. A misapplication of a Personnel Rule [or Unified Personnel Board Policy](#), as applied to the grievant;
3. A misapplication of an established departmental policy, procedure, or rule if that policy, procedure, or rule was approved by the Unified Personnel Board, as applied to the grievant;
4. Formally documented records of performance as determined under the County's prescribed performance management system;
5. Discretionary pay increase decisions.

Level of Appeal Available

Grievance Issue	Level of Appeal			
	Informal Resolution	Step 1: Department Head	Step 2: Informal Grievance Committee	Step 3: Unified Personnel Board
Discipline: verbal & written warnings	X	X	X	
Discipline: suspensions, demotions, reductions in pay	X	X	X	X
Misapplication of Personnel Rule or Unified Personnel Board Policy	X	X	X	X
Misapplication of department policy, procedure, or rule (if approved by the Unified Personnel Board)	X	X	X	X
Formally documented record of performance	X	X		
Discretionary pay increase decision	X	X		

F. Exceptions

1. Dismissals are not subject to grievance. Dismissals of regular status employees may be appealed directly to the Unified Personnel Board pursuant to Rule 6.
2. Demotions for inability of regular status employees during the first six months after a promotion are not subject to grievance.
3. Layoffs and displacements under Rule 5 are not subject to grievance.

G. Procedure for Grievance

Unless appeal, complaint, or grievance procedures are otherwise established for the particular issue or subject, the following procedure applies.

1. **Filing:** Grievances starting with Step 1 must be filed in writing on the forms provided by the Human Resources Department.
2. **Timing:** All steps in the grievance process must be taken within the time frames specified.
 - a. A grievance must be initiated as described within 15 calendar days from when the employee first becomes aware of the aggrieved situation.

- b. Failure of an employee to timely file a grievance or timely initiate any step in the process will result in rejection of the grievance without further action. Such rejection is final.

3. Process:

If the end date falls on a weekend or County holiday, the due date shall be the next weekday.

a. Informal Resolution

An employee is encouraged to attempt resolution for his or her issue with the immediate supervisor or other appropriate level of management in his or her Department before proceeding to a formal grievance. In cases where the issue is not resolved, an employee may, within 15 calendar days of when the employee first becomes aware of the aggrieved situation, start the process at Step 1.

b. Step 1: Department Head

- i. Grievant submits written grievance on the established Human Resources form to the Department Head.
- ii. The Department Head should consider the grievance and discuss it with the employee and other management, if necessary, to reach a decision. The Department Head's decision must be delivered in writing to the employee on a copy of the grievance form submitted by the employee.
- iii. The Department Head's response must be delivered within seven calendar days from the date the employee submits the form.
- iv. If the employee is dissatisfied with management's response, or does not receive a response within seven calendar days of the date the employee submitted his grievance form to the Department Head, the employee may proceed to Step 2 (unless the subject matter is limited to resolution at Step 1).

c. Step 2: Informal Grievance Committee

- i. Grievant files a written request within 15 calendar days on the established Human Resources Department form to appeal the Department Head's decision to the Director of Human Resources. The request must include a copy of the Department Head's response from Step 1. If no response was received, the Grievant must state so in the written request and must attach the form from Step 1.
- ii. Upon receipt of a proper and timely request to appeal, the Director of Human Resources shall convene an Informal Grievance Committee in accordance with established Unified Personnel Board policy.
- iii. The Informal Grievance Committee hearing shall be scheduled by the Director of Human Resources within 30 calendar days from the date grievant files the request to appeal the Department Head's response. Continuances for good cause shown may be granted by the Director of Human Resources.
- iv. The complete hearing shall be conducted in the Sunshine, in accordance with Florida Statute Chapter 286.
- v. The hearing shall be a fact-finding hearing at which both parties have the opportunity to be heard in person, to be represented by lay person or counsel, and to introduce testimony and evidence. Informal Grievance Committee

hearings shall be conducted in accordance with Unified Personnel Board procedures.

- vi. The result of the hearing shall be announced at the conclusion of the hearing.
- vii. The written decision of the Informal Grievance Committee shall be provided to the parties within 10 calendar days from the conclusion of the hearing.
- viii. An employee dissatisfied with the Informal Grievance Committee decision may proceed to Step 3 (unless the subject matter is limited to resolution at Step 2).

d. Step 3: Unified Personnel Board Appeal of Grievance Hearing

- i. Except as provided herein, either party may appeal the decision of the Informal Grievance Committee to the Unified Personnel Board by filing a written notice of appeal with the Director of Human Resources within 15 calendar days of the date of the written decision of the Informal Grievance Committee.
- ii. Failure to appeal within 15 calendar days shall be deemed voluntary waiver of a party's appeal right.
- iii. Unified Personnel Board appeals from Informal Grievance Committee decisions shall be conducted in accordance with the Unified Personnel Board's appeal procedures.

Personnel Board Appointment

The Board of County Commissioners has appointed Ms. Louise Dolsay to the Unified Personnel Board for 2016 – 2017.

Human Resources Director

Action Taken Under Authority Delegated by the Unified Personnel Board

The Human Resources Director, having been granted delegated authority to act on behalf of the Unified Personnel Board, has taken the following action from **November 22, 2015 thru December 26, 2015.**

Result of Audits

UPWARD RECLASSIFICATION (BUILDING)

<u>POSITION</u>	<u>PRESENT CLASSIFICATION</u>	<u>PG</u>	<u>RECOMMENDED CLASSIFICATION</u>	<u>PG</u>
BCC/C47	Accounting & Finance Tech	CL11	Accountant 1	CL13

LATERAL RECLASSIFICATION (SOLID WASTE)

<u>POSITION</u>	<u>PRESENT CLASSIFICATION</u>	<u>PG</u>	<u>RECOMMENDED CLASSIFICATION</u>
BCC/C3386	Solid Waste Technician	CL14	Environmental Specialist 1

ADDITION

<u>SPEC NO.</u>	<u>TITLE</u>	<u>EEO4 CODE</u>	<u>OT CODE</u>	<u>PG</u>
15072	CRM Administrator	Professionals	Exempt	P2

REVISIONS

<u>SPEC NO.</u>	<u>TITLE</u>	<u>PG</u>
20010	Animal Control Officer 2	CL13
16966	Solid Waste Program Supervisor	CL18
07599	Bureau Director, Communications	SM2a



400 S. Ft. Harrison Ave, 4th Floor
Clearwater, FL 33756-5113
(727) 464-5131
Fax (727) 464-5291

To: Beverly Waldron, Human Resources Director (Interim)

From: David Blasewitz
Division Director, HR Services

Distribution: Members of the UPS Personnel Board

Subject: Information Item
Audit of Short and Long Term Disability Contracts

Date: December 23, 2015

The staff of the Inspector General Division, Clerk of the Circuit Court chooses contracts to audit as part of their annual audit plan. In 2015 the short and long term disability contracts were chosen for audit. The report of the Inspector General accompanies this information item and includes full detail. It is important to note the audit findings on several key points.

1. The contractor, Standard Insurance Company (Standard), is in compliance with contract terms for both short term and long term disability benefits.
2. The audit determined that internal Human Resources (HR) processes that support Standard's provision of services are adequate. The report recommends enhancements that HR can make to employee resources (including the website) that will better enable employees to understand and avail themselves of their disability benefits. It is the auditor's belief that lack of such enhancements can cause processing issues and delay in benefit payments.
3. The invoicing process accurately accounts for payments due to Standard for the benefit coverage and services under the contracts. The audit found only minor issues of accuracy which are immaterial in light of the costs of the contract.

Human Resources staff would like to provide you and the Personnel Board information regarding its response to the concerns noted in this audit, and plans for addressing them. It is important to note that the audit report finds that overall the contracts are being managed accurately and performing as desired. Claims for benefits are processed timely and provide needed financial resources for employees suffering a loss of income due to illness or injury.

The audit report suggests that insufficient information is included on the HR website which hinders employees' ability to understand, apply for and receive timely approval of benefits. Under the contract terms employees are to get their guidance from Standard and not HR during the claims process. Standard answers their questions, informs them of needed information, reviews claim information and makes determinations on benefits payable. The County website is very clear on the instructions to employees in this regard, including frequently asked questions and other important details. It is important that HR not provide information that might compromise the duties required of Standard under the contract. For that reason the County disability webpage content has been developed in collaboration with Standard. Enhancements should be developed collaboratively with Standard to increase employee understanding and improve the claim process.

In its formal response to the audit Human Resources has agreed that two specific recommendations of the audit be addressed.

1. Information should be provided on the website that better explains the processes and roles performed by Standard, the department supervisor, human resources, and the employee. HR agrees that this will help employees better understand that process and eliminate delays due to lack of information or confusion. HR also agrees that it would be beneficial to develop resources on the proper completion of timecards for employees on disability leave. This has been confusing to many employees, and while it does not result in failure to deliver benefits, such a tool would be valuable.
2. A fillable form should be developed for use by payroll personnel in the remittance of fees/premiums to Standard.

HR staff is currently working with Standard on appropriate website and resource enhancements. These should be completed in early January 2016. The recommendation to establish timecard protocols for STD claimants should be part of an overall set of protocols for time card completion. This process will involve the collaboration of payroll and technology staff, and should begin after end of year payroll processes are completed.

If you or board members have additional questions I suggest they be covered at the January Personnel Board meeting.



DIVISION OF INSPECTOR GENERAL

KEN BURKE, CPA

**CLERK OF THE CIRCUIT COURT AND COMPTROLLER
PINELLAS COUNTY, FLORIDA**

AUDIT OF SHORT-TERM DISABILITY AND LONG-TERM DISABILITY CONTRACTS



**An Accredited Office of
Inspectors General**

**Hector Collazo Jr.
Inspector General/Chief Audit Executive**

Audit Team

**Ronald Peters, CIA, CISA, CIGA, CRMA, CBA, CCL – Inspector General Manager
William J. McGuinness, CGMA, CIGA, CLE – Senior Inspector General Auditor**

**November 30, 2015
REPORT NO. 2015-37**



Ken Burke, CPA

CLERK OF THE CIRCUIT COURT AND COMPTROLLER
PINELLAS COUNTY, FLORIDA

Clerk of the County Court and Comptroller
Recorder of Deeds
Clerk and Accountant of the Board of County Commissioners
Custodian of County Funds
County Auditor

Division of Inspector General

510 Bay Avenue
Clearwater, FL 33756
Telephone: (727) 464-8371
Fax: (727) 464-8386
Fraud Hotline: (727) 45FRAUD (453-7283)
Clerk's website: www.mypinellasclerk.org

November 30, 2015

The Honorable Chairman and Members of the Board of County Commissioners

We have conducted an audit of the County's Short-Term Disability (STD) and Long-Term Disability (LTD) Contracts with the Standard Insurance Company (Standard).

Our audit objectives were to:

1. Determine if Standard is in compliance with its contracts with the County to provide STD and LTD administration services.
2. Determine if:
 - The staff of the Human Resources Department (HR Department) performs a monitoring process for Standard's compliance with the contracts' terms.
 - The HR Department's process is adequate to determine if Standard's services were received.
3. Determine if invoices submitted by Standard to the HR Department sufficiently document that:
 - The services were provided.
 - The expenditures are proper and in compliance with the contracts' terms.
 - The invoices and supporting documentation are reviewed and approved timely prior to payment.
4. Determine that the disability services being provided to employees are adequate, including but not limited to:
 - Granting employees STD status and/or LTD status.
 - Verifying the employees' continuing STD and/or LTD status.



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Inspectors General

- Verifying the accuracy of disability payments and/or supplemental disability payments.
- Monitoring compliance with the County's *Return-to-Work* policies.
- Complying with the requirements of the *Health Insurance Portability and Accountability Act of 1996* (HIPAA).

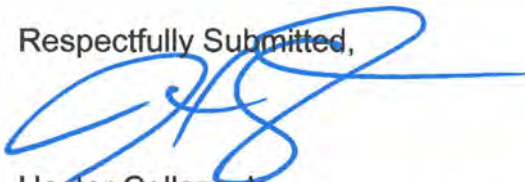
We conclude that:

- Standard is in compliance with the short and long-term service requirements of the contracts.
- The oversight and support for the contract services supplied by the HR Department needs improvement. The HR Department disability website has gaps in the information that employees need to utilize the benefits. These gaps can cause processing issues, and required corrective action by the HR and Payroll Departments.
- The invoice process is proper with minor issues by some Appointing Authorities relating to mathematical errors and the approval process. The testing of the Standard disability files found well-documented processes and timely delivery of the services.

Opportunities for Improvement are presented in this report.

We appreciate the cooperation shown by the staff of the HR Department and the staff of the Appointing Authorities during the course of this review. We commend management for their responses to our recommendations.

Respectfully Submitted,



Hector Collazo Jr.
Inspector General/Chief Audit Executive

Approved:



Ken Burke, CPA*
Clerk of the Circuit Court and Comptroller
Ex-Officio County Auditor
*Regulated by the State of Florida

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INTRODUCTION

Synopsis

The County has outsourced the administration of its Short-Term Disability (STD) and its Long-Term Disability (LTD) contracts to the Standard Insurance Company, Portland, Oregon (Standard). Standard and the County are in compliance with the disability contracts. Additional disability information is needed on the Human Resources Department's (HR Department) website to avoid unneeded processing problems that increase required corrective action from support staff.

Scope and Methodology

We conducted an audit of the County's STD and LTD contracts with Standard. The oversight for the contracts is performed by the HR Department. Our audit covered:

- Standard's compliance with its contracts with the County and related County policies.
- The HR Department's contract oversight processes, including invoice processing.
- Standard's compliance with the eligibility requirements for granting employees STD and LTD, and related matters.
- The procedures used to verify employees' continuing STD and/or LTD status and related matters.
- The adequacy of the HR Department's and Standard's compliance with the *Health Insurance Portability and Accountability Act of 1996* ("HIPAA") requirements.

In order to meet the objectives of the audit, we:

1. Interviewed HR Department's management and staff to understand the processes and procedures used by the HR Department and Standard for:
 - Granting employees STD and LTD status.
 - Verifying the employees' continuing eligibility for STD and LTD status.
 - Complying with the County's "*Return-to-Work*" policies.
 - Complying with HIPAA requirements.
2. Determined the accuracy of disability payments and supplemental disability payments with contract requirements and County policies.
3. Reviewed, on a sample basis, Standard's compliance with the services stated in its contracts with the County and the HR Department's management process to assure Standard's compliance with the deliverables. We also tested, on a sample basis, the invoice process for payments to Standard.

4. Performed such other audit procedures that we considered necessary in the circumstances.

The objectives of the audit were to:

1. Determine if Standard is in compliance with its contracts with the County to provide STD and LTD administration services.
2. Determine if:
 - The staff of the HR Department performs a monitoring process for Standard's compliance with the contracts' terms.
 - The HR Department's process is adequate to determine if Standard's services were received.
3. Determine if invoices submitted by Standard to the HR Department sufficiently document that:
 - The services were provided.
 - The expenditures are proper and in compliance with the contracts' terms.
 - The invoices and supporting documentation are reviewed and approved timely prior to payment.
4. Determine that the disability services being provided to employees are adequate, including but not limited to:
 - Granting employees STD and LTD status.
 - Verifying the employees' continuing STD or LTD status.
 - Verifying the accuracy of disability payments and/or supplemental disability payments.
 - Monitoring compliance with the County's *Return-to-Work* policies.
 - Complying with the requirements of the HIPAA.

Our audit was conducted in accordance with the *International Standards for the Professional Practice of Internal Auditing* and the *Principles and Standards for Offices of Inspector General*, and, accordingly, included such tests of records and other auditing procedures, as we considered necessary in the circumstances. The audit period for testing was from October 1, 2013 to December 31, 2014 and processes through July 2015. However, transactions and processes reviewed were not limited by the audit period.

Overall Conclusion

Standard is in compliance with the STD and LTD service requirements of the contracts.

The oversight and support for the contract services supplied by the HR Department needs improvement. The HR Department disability website has gaps in the information that employees need to utilize the benefits. The gaps can cause processing issues and required corrective action by HR Department and Finance Payroll.

The invoice process is proper with minor issues by an Appointing Authority relating to mathematical errors and the approval process. The testing of the Standard disability files found well-documented processes and timely delivery of the services.

Disability Programs' Charts

Charts Nos. 1 through 5 are an analysis of the County usage of the STD and LTD benefit. The funding is the actual cost paid by the County for the services. The service provider contracts are competitively bid in one package that includes STD servicing, LTD insurance policy that includes servicing, and Family and Medical Leave Act (FMLA) servicing. The new contracts were sent out for bid in 2015. The total cost for Fiscal Year 2014 was: STD \$811,467 and LTD \$663,978.

Chart No. 6 is the result of a limited IG survey sent to employees using the disability benefits in 2014. The employees were 93% satisfied with the disability service.

Chart Nos. 7 and 8 analyze STD services by Standard and the employees' response times for documents needed in the process. The Standard's response time was found to be proper and the response time for employee delivery could be improved.

Summary of Opportunities for Improvement

OFI NO.	OPPORTUNITIES FOR IMPROVEMENT CAPTIONS RECOMMENDATIONS	MANAGEMENT RESPONSES	IMPLEMENTATION STATUS
1	Monthly Invoices For Standard LTD Administrative Services Contained Minor Mathematical Errors And, In A Few Instances, Lacked Approvals.		
	We recommend: A. Management of each department/agency required to pay Standard for its LTD administrative services, identify on the department/agency-prepared invoice the identity of the preparer and approver. In addition, the identity of the person that rechecked the mathematical accuracy should be indicated in the same manner as is presently being done for STD invoices prepared by the HR Department.	Concur	Planned
	B. Copies of all LTD invoices be reviewed by the HR Department management for the above noted required approvals and for accuracy.	Do Not Concur	
	C. Management arrange to have Standard's invoice templates for monthly County-prepared invoices be changed from a manual to a "fill-in" PDF format with "fill in" spaces for the date, covered earnings, corrections, premium amount, and comments. The premium amount should be calculated automatically once the basis is entered.	Concur	Planned
2	The Information Pertaining To The STD Plan Needs To Be Expanded To Adequately Support The County Process.		
	We recommend the HR Department management upgrade and add additional information to the STD website to correct the oversights noted in this Opportunity For Improvement.	Partially Concur	Planned
3	HR Department Has No Written Procedures For Completing STD Time Cards In Oracle Project Unified Solution (OPUS).		
	We recommend the HR Department management develop formal written procedures for the time card process for STD and attach it to the HR Department STD website.	Concur	Planned

Background

The Unified Personnel System (UPS) philosophy is based on the merit system principles. These principles are the public's expectations of a system that is efficient, effective, fair, open to all, and free from political interference.

The UPS is a program of public personnel administration for its eleven Appointing Authorities who comprise the UPS. It has two basic purposes:

1. To provide equal employment opportunities to qualified applicants for public service jobs.
2. To promote efficiency and economy in the public service by hiring and retaining the best qualified persons available for County employment.

Background of the Disability System

The County makes available both STD and LTD income benefits. These disability plans can replace part of an employee's income when unable to work due to illness or injury that is not work related.

The County has contracted with Standard to provide administrative services for the STD and LTD programs. The STD service is in the form of a contract. LTD services are an insurance policy, but may also be referred to in this report as a contract.

A) Short-Term Disability:

- If the claim is approved by Standard, the employee will be paid up to 66 and 2/3 percent of their base pay rate.
- Employees (excluding temporary employees) working at least 20 hours per week are eligible.
- The maximum benefit period is based on years of service.

B) Long-Term Disability:

- LTD can replace up to 60 percent of income lost due to illness or injury when an employee has been disabled for at least six months.
- Employees (excluding temporary employees) working at least 20 hours per week are eligible.

C) Work Related Conditions:

- For conditions that are work related, Pinellas County Risk Management (Risk) is responsible. Employees should immediately report an injury to their supervisor and then call *Company Nurse*®. For more information, visit [Risk's Intranet site](#).

Standard Insurance Company

Standard was founded in 1906. Since that time, it has gained recognition for its customer-centric approach to conducting business, as well as for product quality and financial strength. Today, Standard is a nationally recognized provider of group disability insurance and absent management services. Standard provides insurance to approximately 24,000 groups covering more than six million employees nationwide.

OPPORTUNITIES FOR IMPROVEMENT

Our audit disclosed certain policies, procedures, and practices that could be improved. Our audit was neither designed nor intended to be a detailed study of every relevant system, procedure, or transaction. Accordingly, the Opportunities for Improvement presented in this report may not be all-inclusive of areas where improvement may be needed.

1. Monthly Invoices For Standard LTD Administrative Services Contained Minor Mathematical Errors And, In A Few Instances, Lacked Approvals.

Five County departments/agencies listed below prepare monthly invoices for Standard's LTD administrative services. This practice results in 72 invoices for the year. Although each department/agency uses the same template for providing the covered earnings amount and the invoice amount, the preparation and approval process is not uniform. As a result:

- a) Not all invoices identify the preparer and approver.
- b) Most invoices do not identify a recalculation verification person
- c) Five (7%) contained minor mathematical errors, five (7%) had the wrong covered earnings amount, and 12 (17%) lacked an approval signature.

The impact of the mathematical and earnings-based errors noted above on the \$663,978 paid to Standard in Fiscal Year 2013/14 for LTD services was less than \$200 in underpayments (immaterial). Of the 12 that lacked evidence of approval, there is no assurance that agency management saw the invoices.

The detailed information related to the issues found was supplied to Contract Oversight for corrective action by the following departments/agencies:

- Finance Division
 - Prepares one invoice for the Clerk's departments, and
 - Prepares a second master invoice, which includes all BCC departments, and the following Appointing Authorities:
 - Business Technology Services
 - The County Attorney
 - The County Commissioners
 - The Construction Licensing Board
 - The Office of Human Rights
 - Human Resources
 - The Offices of the Court Adjunct

The following Appointing Authorities prepare their own invoices:

- Planning Council
- Property Appraiser
- Supervisor of Elections
- Tax Collector

The monthly premium for LTD administrative services paid to Standard should be correct and properly approved. (The premium calculation is 0.51% of the monthly earnings of covered employees.)

We recommend:

- A. Management of each department/agency required to pay Standard for its LTD administrative services, identify on the department/agency-prepared invoice the identity of the preparer and approver. In addition, the identity of the person that rechecked the mathematical accuracy should be indicated in the same manner as is presently being done for STD invoices prepared by the HR Department.
- B. Copies of all LTD invoices be reviewed by the HR Department management for the above noted required approvals and for accuracy.
- C. Management arrange to have Standard's invoice templates for monthly County-prepared invoices be changed from a manual to a "fill-in" PDF format with "fill in" spaces for the date, covered earnings, corrections, premium amount, and comments. The premium amount should be calculated automatically once the basis is entered.

Management Responses:

Human Resources agrees with the three recommendations in full or part. HR will work to develop "fill-in" PDF templates for payroll staff use. The amounts used in the reporting are drawn from an Oracle report off of the Advanced Benefits Module database. In constructing these reports, careful attention was given by the BTS and HR technical team to accuracy requirements. It is the opinion of HR that use of a tested report to complete the template is a sufficient control and further review by HR would be redundant. HR will discuss this with the payroll staff, and if necessary, their external audit team.

2. The Information Pertaining To The STD Plan Needs To Be Expanded To Adequately Support The County Process.

The HR Department STD website, as the authoritative internal procedure for this process, does not contain adequate information so the users of the disability website may perform their tasks in a reasonable timeframe. Requirements of the STD process are being affected,

resulting in delays and additional process steps by Standard and the County. (See Disability Programs Chart No. 8 for additional analysis.)

The HR website for "*Short-Long-Term Disability*" lacks information to support the STD process. The information is a general overview, but is not a formal written procedure for the STD process.

STD is a County benefit offered to the employees. The disability plans can replace part of an employee's income when he or she is unable to work due to illness or injury that is not work-related. The process incorporated the interface of the employee applying for the benefit and the corresponding supervisor, with both having limited and/or no exposure to the STD process. The claims are handled by Standard, a County contractor for the services. Additional in-house support is supplied by the HR Department and Finance Payroll.

The STD process for employees and supervisors is a function that is outside the scope of their normal experience and requires adequate formal written procedures that are readily accessible to all parties. There also needs to be a process so that the employee and supervisor are informed of where the location of information and procedures may be found when STD is being used. This additional information would reduce the gaps can reduce processing issues and required corrective action by HR Department and Finance Payroll.

Our review of the HR website found the following areas where additional information is needed for the complete understanding of the STD process to improve the process flow of the service offered:

A. Under "*What steps do I need to take to receive STD benefits?*"

1. Statement: "*Call The Standard Insurance Company toll-free at 1-855-290-9479, Monday - Friday between 7 am and 8 pm (Eastern Time)*"

Information missing:

- a) There is no reference to the importance of notifying Standard when the employee determines they are going to use STD. (Until Standard is notified by the employee, the STD process does not start.)
 - b) Does not tell the employee what information they would have to give Standard (i.e., will annual leave be used and the option for receiving the STD package via e-mail).
2. Statement: "*The Standard will mail you a letter to confirm receipt of your request and an Authorization to Obtain Information for you to sign and return to them by mail or fax to 1-866-751-5174.*"

Information missing:

- a) Does not inform the employee that he or she may request the package to be emailed to his or her work location or home.
 - b) Does not tell the employee that they may have various forms sent by Standard to their personal email (at home, not at work). (In Standard's Intake Questions, it asks the employee, "*Do you want a copy of your Leave Packet emailed to you?*" ...then Standard requests the email address.)
 - c) Does not inform the employee that an email will be sent to their supervisor informing him or her that the employee made an application for STD.
3. Statement: "*Advise your supervisor that you are applying for STD and follow your department's procedures for reporting absences from work.*"

Information lacking:

- a) The employee does not need to inform the supervisor of applying for STD. Standard notifies the supervisor by email the same day it receives the original phone call.
- b) The process for STD is a County process and has nothing to do with departmental procedures. The employee should follow their department process for calling the supervisor for not coming to work. The employee should follow the procedures on the website for the STD process.

B. Under: "*What if I need more information?*"

Statement: "*Contact Employee Benefits by email.*"

Information lacking:

There is no County email address under *Employee Benefits* on the website. There should be an email address set-up with the name "*Employee Benefits*" where the request may be sent.

C. Under "*Frequently Asked Questions*"

Statement: "*What If My Doctor Releases Me To Work Part-Time? This will need department approval.*"

Information inadequate:

This statement is inadequate information for this situation. There is information that Standard will require. The recommendation is not a department process, but a County process. The information should refer to the County processes, not a department procedure.

D. Return-to-Work

Information lacking:

There is no procedure on the website that informs the supervisor that they have to inform the HR Department if the employee is returning to work before Standard's approved return-to-work date. The HR Department in-turn notifies Standard of the change and then the supervisor receives an e-mail from Standard with the updated return-to-work date.

E. Time Card

Information lacking:

There is no link for the employee or the supervisor to a procedure for completing the employee's "Time Card" in OPUS. (The "Time Card" issue is covered in Opportunity For Improvement No. 3.)

We recommend the HR Department management upgrade and add additional information to the STD website to correct the oversights noted in this Opportunity For Improvement.

Management Responses:

Human Resources partially agree with the findings of this opportunity, and the recommendations. HR believes that the information on the website is adequate to support the short term disability process; however, there are opportunities to add additional detail. All suggestions will be considered and those with merit will be incorporated in the resources made available to employees and supervisors.

The report's statement that employees need not notify their supervisor they are applying for STD and follow the department procedure for reporting absences is not correct. Employees must report absences to their department, regardless of whether they contact Standard. HR may slightly revise the language, but not remove the requirement. The report makes a distinction regarding County processes and STD processes. HR agrees they are different, but in this case both apply.

A similar situation exists when employees are released to work part time. Both the STD process and the departmental process both apply. Departments are not required to accept a return to work on a part time or limited duty basis. The language on the website will remain, but HR will consider providing additional information regarding the requirement.

3. HR Department Has No Written Procedures For Completing STD Time Cards In Oracle Project Unified Solution (OPUS).

The procedure for completing the STD "Time Cards" in OPUS should be contained in the HR Department STD website. An example of the type of procedure needed is the recently developed "Leave Without Pay Furlough" procedure.

The HR Department website for STD does not contain procedures or a link to directions related to an employee or supervisor completing the Time Cards for staff intending or approved to use the County's STD benefit.

There are several areas that would confuse users:

1. When he or she reports the two-thirds pay (5.33 hours) he or she will receive for approved Short Term Leave (STL), the code used is FMLA Leave Without Pay (FMLA LWOP). The code has no notation of STL and using LWOP is not apparent since the employee is receiving 5.33 hours of pay. The reason for using LWOP is that the 5.33 hours is not being paid out of the normal salary General Ledger (GL) line, but it is charged to the STD GL line.
2. When he or she reports one-third (2.67 hours) that uses their leave, the code used is FMLA Annual Leave (FMLA AL). Again, there is not any notation of STL.
3. If he or she reports one-third (2.67 hours) without using their leave bank (not getting paid for the 2.67 hours), then he or she reports 8 hours in FMLA LWOP, as noted in No. 1 above, when reporting the 5.33 hours.
4. Prior to the STD being approved by Standard, the time absent must be reported as Leave with Pay or Leave Without Pay and then adjusted when the STL is approved. If the adjustment goes past two pay periods, the adjustments must be done by Finance Payroll.

Without detailed procedures for inputting the Time Cards in OPUS and a clear path to where the procedure may be found, input errors will continue to affect the time usage for Finance Payroll and the HR Department corrective action. In addition, the supervisor/employee has a limited window (two pay periods) to adjust the Time Cards before support functions must perform the adjustment.

Not reporting the time for STL in the employee's Time Cards will result in a rejection by Finance Payroll and an e-mail or phone call to the supervisor to correct the input error.

We recommend the HR Department management develop formal written procedures for the time card process for STD and attach it to the HR Department STD website.

Management Responses:

Human Resources will review this recommendation with the OPUS HR/Payroll/BTS technical team. It is agreed that a procedure would be beneficial, but it should also be considered within the broader context of the overall timecard process.

DISABILITY PROGRAMS STATISTICAL CHARTS

We performed an analysis of the key points of the Standard procedures for processing STD claims. The information was obtained from the paper claims' files sample requested with the documentation supplied by Standard. The information used in the analysis is not available by reports to the HR Department from Standard. The sample was obtained from claims processed in files through 2014 (29 claims). Our analysis gave us reasonable assurance that the information in these *Charts* fairly presents the statistical and financial profile of the disability programs' activity for the Fiscal Years 2013/14 and 2012/13.

The following are the results of the analyses performed:

1. *Number And Distribution Of STD Claims During Fiscal Years 2013/14 And 2012/13.*

Of the 197 employees that were approved by Standard for STD during Fiscal Year 2013/14, 113 had prior STD claims with 17 having over five prior claims. An analysis of multiple claims is presented below:

Number of Short-Term Disability Claims Year Ended September 30, 2014			
Number of Current & Prior Years' Claims	Number of Employees *	Cumulative Claims **	Percent ***
11	2	22	1%
10	1	10	1%
9	2	18	1%
8	2	16	1%
7	2	14	1%
6	8	48	4%
5	7	35	3%
4	11	44	6%
3	23	69	12%
2	55	110	28%
1	84	84	42%
Total	197	470	100%

* Number of employees granted STD during FY14

** Sum of the number of current and prior years' STD claims for employees granted STD during FY14

*** Percent of FY14 Number of Employees (197)

Disability Programs: Charts
Audit of Short-Term Disability and Long-Term Disability Contracts

Of the 180 employees that were approved by Standard for STD during Fiscal Year 2012/13, 115 had prior STD claims with 10 having over five prior claims. An analysis of multiple claims is presented below:

Number of Short-Term Disability Claims Year Ended September 30, 2013			
Number of Current & Prior Years' Claims	Number of Employees *	Cumulative Claims **	Percent ***
10	1	10	1%
9	2	18	1%
8	0	0	0%
7	3	21	2%
6	4	24	2%
5	8	40	4%
4	10	40	5%
3	30	90	17%
2	57	114	32%
1	65	65	36%
Total	180	422	100%

* Number of employees granted STD during FY13

** Sum of the number of current and prior years' STD claims for employees granted STD during FY13

*** Percent of FY13 Number of Employees (180)

2. **A Financial And Statistical Analysis Of STD Claims During Fiscal Years 2013/14 And 2012/13.**

The County lost 5,874 eight-hour workdays during Fiscal Year 2013/14 for sicknesses for which employee's utilized STD. Departmental management had to required other employees to take-up the additional workload for these absent employees. A summary of the impact of employees on STD during the Fiscal Year 2013/14 is presented below.

Short-Term Disability Claims Year Ended September 30, 2014			
Description		Number / Amount	Average per Employee
Number of employees granted STD (for average)		197	
Number of hours for employees on STD		46,988 hrs	239 hrs
Number of eight-hour days for employees on STD		5,874 days	30 days
Amount paid to employees granted STD		\$735,185	\$3,732
Range of Eight-Hour Days			
From	1 day	To	127 days

Disability Programs: Charts
Audit of Short-Term Disability and Long-Term Disability Contracts

The County lost 6,229 eight-hour workdays during Fiscal Year 2012/13 for sicknesses for which employee's utilized STD. Departmental management had to required other employees to take-up the additional workload for these absent `employees. A summary for the impact of employees on STD during the Fiscal Year 2012/13 is presented below.

Short-Term Disability Claims Year Ended September 30, 2013			
Description		Number / Amount	Average per Employee
Number of employees granted STD (for average)		180	
Number of hours for employees on STD		49,833 hrs	277 hrs
Number of eight-hour days for employees on STD		6,229 days	35 days
Amount paid to employees granted STD		\$762,292	\$4,235
Range of Eight-Hour Days			
From	1 day	To	144 days

3. A Financial And Comparison Of STD And LTD Claims During Fiscal Years 2013/14 And 2012/13.

After approval by Standard, the County absorbs (as a component of "Employee Benefits") the cost of the payments made to employees granted STD. However, the costs of employees on LTD are covered by Standard. The LTD employee benefit is paid by the County as a fixed yearly insurance policy premium fee. A summary of the costs of the County's disability programs is presented below:

Disability Administration Cost / Benefit Analysis Premiums Paid vs. County's Costs / (Savings) Year Ended September 30, 2014			
Description	Short-Term	Long-Term #	Total
Premiums Paid **	\$76,282	\$663,978	\$740,260
Paid by County	\$735,185	\$0	\$735,185
County's Costs, Net	\$811,467	\$663,978	\$1,475,445
Coverage (number of employees)	2,903*	2,459	(note)

Note: All permanent status employees working at least 20 hours per week are eligible for and provided short-term disability. For long-term disability, the same minimum threshold is 20 hours per week. However, Classified employees in their first year of employment are not eligible for LTD coverage. Classified employees with at least one year, but less than five years of service are eligible for LTD coverage at their own expense. These Classified employees may take LTD and pay for it personally until their five-year mark.

* Average number of active covered employees during FY14

** Paid to the Standard Insurance Company during FY14

Employees granted long-term disability are paid by the Standard Insurance Company

4. A Financial And Statistical Comparison Of The Cost Of Administrative Services For The STD Program During Fiscal Year 2013/14.

The County's annual cost during Fiscal Year 2013/14 for STD totals \$811,467 (see 3, above), consisting of premiums paid per covered employee and payments to employees on STD.

Standard Insurance Company Short-Term Disability Administrative Services Year Ended September 30, 2014		
Premiums Paid *	Coverage **	Claims Granted
\$76,282	2,903	197
Premiums/Coverage	Amount Paid/Claim ***	Claims Paid #
\$26	\$3,732	\$735,185
Cost of Each Claim ##		
\$3,758		

* Premium amounts to \$26.28 annually (\$2.19 monthly) for each covered employee

** Average number of active covered employees

*** Average amount paid per claim

Amount paid by the County during FY14 for employees granted STD

Average premium paid plus the average amount paid to each employee granted STD in FY14

5. An Analysis Of The Distribution Of The Cost Of Administrative Services For The LTD Program During Fiscal Year 2013/14.

Multiple monthly payments are made to Standard for its administration of the County's LTD program. These combined payments, shown below, by four of the County's Appointing Authorities and other departments, were \$663,978 during Fiscal Year 2013/14. Payments to employees granted LTD are made by Standard for the full term of the disability. Accordingly, the premiums paid to Standard are considered an insurance product.

Standard Insurance Company Long-Term Disability Administrative Services Premiums Paid Year Ended September 30, 2014		
Agency	Amount	Number *
Board of County Commissioners (Department)	\$481,796	2,128
Clerk of the Circuit Court (Department)	\$98,822	
Tax Collector (Appointing Authority)	\$45,970	195
Property Appraiser (Appointing Authority)	\$29,744	106
Supervisor of Elections (Appointing Authority)	\$5,735	23
Planning Council (Appointing Authority)	\$1,911	7
Total	\$663,978	2,459

* Number of covered employees

6. A Summary Of A Limited Survey Sent To Selected Employees Rating Their Satisfaction With The Services Received During Their STD Or LTD.

A random sample of 20 employees (out of 245) that utilized STD and LTD services in 2014 was selected with eight responses received. The results of the employee 14-question satisfaction survey sent to this sample of employees indicated that County/Standard's performance is considered satisfactory. The survey did receive five "Poor" & one "Below Average" ratings for five criteria. A summary of the surveys' responses are presented below:

Satisfaction Survey * Employees on Short-Term and Long-Term Disability Rating Summary					
Ratings :	Poor	Below Average	Average	Above Average	Excellent
Percent	6%	1%	29%	37%	27%
Overall rating:	Between average & above average **				

* Eight replies were received from a sample of 20 employees on STD or LTD

** On a scale of 1 to 5, where 5 is "Excellent," the Overall Rating is 3.79.

We recommend that HR consider implementing an email satisfaction survey for each employee using the two disability services. . This type of survey process is currently being used by the BTS Helpdesk. The disability survey results may be used by HR to comply with the County's Purchasing Procedure requirement to evaluate contractor performance. .

7. An Analysis Of The Number Of Days Between The Approval Of An Employee's STD By Standard And Required Three Actions By Standard Before Approval.

Immediately after the employee calls Standard to request consideration for STD, Standard:

- a) Mails hard copies of all required forms to the employee;
- b) Emails required forms electronically to the employee's personal email address, if requested by the employee;
- c) Emails HR of the employee's intention to apply for STD; and
- d) Emails the employee's direct supervisor of the employee's STD intension.

Approval of all required forms are required by Standard for its approval of the employee's STD.

An analysis of Standard's electronic data files for a sample of employees that are or were on STD during Fiscal Year 2013/14, showing an adequate time lag between certain key events, are presented below.

A. Employee's original call to Standard:

Seventy-six percent of STD claims were approved or denied 30 days or less from the date of the employee's original call to Standard:

Short-Term Disability Date of Approval/Denial by Standard Insurance Company From Date of Employee's Original Phone Call to Standard For Sample Selected Fiscal Year 2013/14		
Approval	%	Cumulative %
12 days & under	27.6%	27.6%
13 to 20 days	20.7%	48.3%
21 to 30 days	27.6%	75.9%
31 to 40 days	10.3%	86.2%
41 to 60 days	6.9%	93.1%
61 to 80 days	3.5%	96.6%
81 to 100 days	0.0%	96.6%
Over 100 days	3.4%	100.0%
Total	100.0%	

B. Standard receipt of the employee's completed form:

Eighty-nine percent of the claims were processed by Standard 12 days or less after Standard received the documentation required from the employee.

Short-Term Disability Date of Approval/Denial by Standard Insurance Company From Date Employee Submitted Forms to Standard For Sample Selected Fiscal Year 2013/14		
Approval	%	Cumulative %
12 days & under	88.5%	88.5%
13 to 20 days	0.0%	88.5%
21 to 30 days	0.0%	88.5%
31 to 40 days	7.7%	96.2%
41 to 60 days	3.8%	100.0%
61 to 80 days	0.0%	100.0%
81 to 100 days	0.0%	100.0%
Over 100 days	0.0%	100.0%
Total	100.0%	

Days with 0% means that the STD Approval/Denial was transmitted to the employee before Standard received his or her formal documents.

C. Standard receipt of healthcare provider's completed form:

Seventy-nine percent of the claims were approved or denied by Standard in 30 days or less from the date that the Healthcare Provider's form was received by Standard. The timing is impacted by responsiveness of the employee, Healthcare Providers, and compliance with STD requirements. The remaining 21 percent were delayed by the request for and submission of additional information for the claim to meet STD requirements (information documented in the claim file).

Short-Term Disability Date of Approval/Denial by Standard Insurance Company From Date Healthcare Provider Submitted Forms to Standard For Sample Selected Fiscal Year 2013/14		
Approval	%	Cumulative %
12 days & under	68.4%	68.4%
13 to 20 days	5.3%	73.7%
21 to 30 days	5.3%	79.0%
31 to 40 days	10.5%	89.5%
41 to 60 days	0.0%	89.5%
61 to 80 days	10.5%	100.0%
81 to 100 days	0.0%	100.0%
Over 100 days	0.0%	100.0%
Total	100.0%	

Days with 0.0% means that the Approval/Denial was transmitted to the employee before Standard received his or her formal healthcare documents directly from his or her healthcare provider.

8. An Analysis Of The Number Of Days Between The Employee's Original Call To Standard And Actions Required By Standard Before Approval.

Time lags for the employee's first absence from their workday:

- A. To His or her phone call to Standard;
- B. To his or her returning accurately completed required forms to Standard; and
- C. To the healthcare provider's accurate completion of the required medical forms

The three deliverables noted above will all positively or negatively affect the timeliness of his or her STD approval.

The following three key dates were identified for the timely approval of STD payments to the employee:

A. The employee's ability to make the original call to Standard promptly after his or her first day of absence from work:

The employee's original call to Standard after his or her first absence was made eighty-nine percent of the time in 30 days or less. In the rest of the sample, eleven percent were 60 days or less. This time lag is an area that needs improvement. See Opportunity For Improvement No. Two for related factors.

Short-Term Disability Date of Employee's Original Call to Standard Insurance Company From Date of Employee's First Absence For Sample Selected Fiscal Year 2013/14		
Call	%	Cumulative %
12 days & under	82.1%	82.1%
13 to 20 days	0.0%	82.1%
21 to 30 days	7.2%	89.3%
31 to 40 days	7.1%	96.4%
41 to 60 days	3.6%	100.0%
61 to 80 days	0.0%	100.0%
81 to 100 days	0.0%	100.0%
Over 100 days	0.0%	100.0%
Total	100.0%	

B. The employee's ability to prepare and return required forms after his or her original call:

The employee is not returning the Information Release form to Standard timely. Only 50 percent of the forms were returned in 30 days or less. Standard will send the package to the employee by e-mail, fax, or by regular mail. There is no reason why the forms are not received by Standard in 12 days or less. See Opportunity For Improvement #2 for related factors.

Short-Term Disability Date Employees Submitted Forms to Standard Insurance Company From Date of Employees' Original Call to Standard For Sample Selected Fiscal Year 2013/14		
Submission	%	Cumulative %
12 days & under	26.9%	26.9%
13 to 20 days	15.4%	42.3%
21 to 30 days	7.7%	50.0%
31 to 40 days	11.5%	61.5%
41 to 60 days	26.9%	88.4%
61 to 80 days	0.0%	88.4%
81 to 100 days	3.8%	92.2%
Over 100 days	7.8%	100.0%
Total	100.0%	

C. The healthcare provider's return of required forms after the employee's original call:

The healthcare provider's form is not being received by Standard in a timely manner. Only 53 percent of the healthcare providers returned the form in 30 days or less. This process time could be improved if the employee took an active role in having the healthcare provider complete the form. See Opportunity For Improvement No. Two for related factors.

Short-Term Disability Date Healthcare Provider Submitted Forms to Standard Insurance Company From Date of Employee's Original Call to Standard For Sample Selected Fiscal Year 2013/14		
Submission	%	Cumulative %
12 days & under	31.6%	31.6%
13 to 20 days	5.2%	36.8%
21 to 30 days	15.8%	52.6%
31 to 40 days	5.3%	57.9%
41 to 60 days	26.3%	84.2%
61 to 80 days	5.3%	89.5%
81 to 100 days	10.5%	100.0%
Over 100 days	0.0%	100.0%
Total	100.0%	



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Write:

Division of Inspector General
510 Bay Avenue
Clearwater, FL 33756

UNIFIED PERSONNEL SYSTEM

Annex Building 4th Floor
400 S. Fort Harrison Ave.
Clearwater, Florida 33756
Phone: (727) 464-3367
FAX: (727) 464-3949
www.pinellascounty.org/hr



Beverly Waldron
Interim Director

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

From: Beverly Waldron, Director of Human Resources (interim)

Date: January 7, 2016

Subject: Information Item: Employee Survey

In early 2013 the Appointing Authorities agreed to conduct a biennial Unified Personnel System employee survey. The first survey was conducted in November 2013 using the National Research Center's National Employee Survey. Use of this national instrument was cost efficient, provided anonymity to our employees, and allowed us to compare our results to national data. We had a 74% participation rate by employees (2,103 out of 2,850). The survey results were presented to the Appointing Authorities, Departments, and the Unified Personnel Board in February 2014.

In November 2015 the survey was conducted again using the National Research Center's National Employee Survey with a few added items. The survey was open from November 9 – 20. This year's response rate, while still a high response rate compared to national norms, dropped to 58% (1,712 out of 2,965). We anticipate having the results to the Appointing Authorities, Departments and the Personnel Board in February.

UNIFIED PERSONNEL SYSTEM

Annex Building 4th Floor
 400 S. Fort Harrison Ave.
 Clearwater, Florida 33756
 Phone: (727) 464-3367
 FAX: (727) 464-3949
www.pinellascounty.org/hr



Beverly Waldron
 Interim Director

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

From: Beverly Waldron, Director of Human Resources (interim)

Date: January 7, 2016

Subject: Information Item: Personnel Rules Communications

With the passing of the new Personnel Rules, Unified Personnel Board Policies, and the new Appeal Procedures at the December 3, 2015, Unified Personnel Board Meeting, the Human Resources Department began a communications campaign to inform employees and supervisors.

We began with an email blast to all employees on December 4th. The blast contained a link to a flyer and to a prepared webpage. The webpage contained links to the new rules, policies, and procedures but also had links to four other documents:

- Announcement Flyer
- Frequently Asked Questions
- What Changed in the Personnel Rules?
- Current Rules versus New Rules: Where Did They Go?

The new rules were also the cover story for the December issue of The Pen (our newsletter).

At the end of the first two weeks (12/20/2015) our web traffic to these pages was as follows:

Item	Hits
Webpage	1,715
Announcement flyer	1,120
What changed?	555
Current versus new rules	239
FAQs	157
All Personnel Rules	215
Rule Intro	92
Rule Definitions	69
Rule 1 Classification Plan	273
Rule 2 Filling Positions	214
Rule 3 Compensation	443
Rule 4 Time Off	471
Rule 5 Reduction in Force	189
Rule 6 Discipline	211
Rule 7 Grievances	127
Rule 8 Political Activities	117
Total	6,207

This volume of traffic shows that our communications efforts have paid off and employees are exploring the new rules, policies, and procedures.

While we have received a few questions around paying on the mid-point for general increases and inquiries about whether or not a particular employee qualifies for the two additional floating holidays, the overwhelming response from employees and supervisors has been very positive.

Our plans are to have additional communications to all employees in January as the new rules go into effect and we will continue to use the AskHR section of The Pen to address questions that may be of interest to all employees.

For your information we have attached copies of the four documents mentioned above.

I would like to recognize and thank Camille Evans, Mary Sault, and Tim Closterman for their outstanding work to make all this happen.

Updated Personnel Rules

Now shorter and easier to understand

The Pinellas County Personnel Rules have been updated and the changes are effective January 1, 2016. Here are some highlights:

- **Fewer rules.** There are 8 rules instead of 28.
- **Some rules converted to policies.** There are now 11 Unified Personnel Board policies regarding items that are administrative or procedural in nature.
- **Easier to find information.** The rules were reorganized so that similar information is grouped together. For example, there used to be four separate rules regarding leave time. Now there is just one: *Rule 4 - Time Off*.
- **Easier to understand.** The text is in plain English instead of “legalese” whenever possible.
- **Two additional floaters for long-time employees.** Employees with 25 or more years of service will get two additional floating holidays the next year (e.g., those with 25+ years by 12/31/15 will get two more floaters in 2016).
- **Midpoint increases.** General pay increases will be calculated on the midpoint of a pay grade range, rather than an employee’s actual salary.
- **Promotional increases.** Higher promotional pay raises are possible with a range of 4 to 10%, or above 10% by the Appointing Authority in consultation with the Human Resources Director.
- **Funeral leave expanded.** Grandparents-in-law were added to the immediate family, the three paid days off no longer need to be consecutive, and the time off doesn’t have to be used to attend a funeral or memorial service, but for any needed purpose.
- **Disciplinary actions revisions.** Oral and Written Reminders are now called Verbal and Written Warnings. Disciplinary guidelines have been combined so there are a total of 38 infractions instead of 49. Employees are required to sign Verbal or Written Warnings to acknowledge receipt.
- **Time periods changed from working days to calendar days.** For example, the time to file a grievance was changed from 10 working days to 15 calendar days to avoid confusion about working on a weekend, holidays, alternate work schedules, etc.

To learn more, visit www.pinellascounty.org/hr/rules.



Personnel Rules Update FAQs

1. Why did the Personnel Rules change?

The goals were to:

- Reorganize the rules so that similar information was placed together and that information was easier to locate.
- Make the rules easier to understand and use plain language instead of “legalese” whenever possible.
- Ensure that the Unified Personnel Board and Human Resources Department’s authority is consistent with the provisions of the Personnel Act.

2. Who changed the rules?

A Rules Committee was formed and met for the first time in May 2012. Many employees from a variety of Appointing Authorities served on the committee and provided assistance including members of the Employees’ Advisory Council (EAC) and the County Attorney’s Office. Drafts were shared with the Appointing Authorities and the EAC. The Unified Personnel Board (UPB) met five times in 2015 to review the proposed changes. The UPB ratified the revised Personnel Rules on December 3, 2015.

3. When do the new Personnel Rules go into effect?

The new Personnel Rules and Unified Personnel Board policies are effective as of January 1, 2016. Actions and transactions occurring during the transition period will be handled as follows:

Item:	Adjudicated under the rules, policies & procedures in effect on:
Grievances	The date the employee first became aware of the aggrieved situation
Termination appeals	Effective date of the termination
All other actions	The effective date of the action

4. What has changed?

There are many revisions. Review the complete rules ([Current Personnel Rules effective through 12/31/15](#) and [New Personnel Rules effective 1/1/16](#)) or see:

- [Updated Personnel Rules Announcement Flyer](#)
- [What Changed in the Personnel Rules?](#)
- [Current Rules versus New Rules: Where Did They Go?](#)

5. Where are the new Personnel Rules?

The rules are posted at www.pinellascounty.org/hr/rules or view below:

- [Rule 1. The Classification Plan](#)
- [Rule 2. Filling Positions](#)
- [Rule 3. Compensation](#)
- [Rule 4. Time Off](#)
- [Rule 5. Reduction in Force](#)
- [Rule 6. Discipline](#)
- [Rule 7. Employee Grievances](#)
- [Rule 8. Political Activities](#)

6. Were more rules added?

No. The rules were reduced from 28 rules to 8.

7. Why were some rules removed?

- Some rules were combined to group similar content within a single rule. For example, there were separate rules for holidays, annual leave, extended illness leave and leave of absence. These were combined into a new *Rule 4: Time Off*.
- The content of some rules was deemed to be more appropriate as policies. For example, *Rule XXII. Resignations* was converted to a policy. For more info, see [Current Rules versus New Rules: Where Did They Go?](#)

8. How do the new rules impact current disciplines, grievances or terminations?

The new rules have no impact on current disciplines, grievances or terminations. The new rules apply to any actions after January 1, 2016.

9. How do the new Personnel Rules impact funeral leave?

Funeral leave has been expanded. The rule no longer specifies that the 3 days leave with pay time must be used “to attend a funeral or memorial service” since the time may be used for any purpose needed. Also, the 3 days no longer need to be consecutive, and grandparents in-law were added as immediate family (new *Rule 4. Time Off*).

10. How do the new Personnel Rules impact leave time?

There are no changes in leave time except that a new provision has been added to reward employees with 25 or more years of service with two additional floating holidays the following calendar year (new *Rule 4. Time Off*). An employee who has 25+ years by 12/31/15 will get two additional floaters in 2016. An employee who reaches the 25 year mark in 2016 will receive the additional floaters in 2017, and so on.

11. How do the new Personnel Rules impact new hires?

Starting pay for new hires may be above the minimum with approval of the Appointing Authority in consultation with the Human Resources Director. Previously, starting pay which exceeded the third quartile of the pay grade range required approval of the Personnel Board (new *Rule 3. Compensation*).

12. How do the new Personnel Rules impact discipline?

Changes include:

- Oral and Written Reminders are renamed Verbal and Written Warnings.
- Disciplinary guidelines have been combined to eliminate redundancies and simplify the process of choosing an appropriate infraction. There are now a total of 38 infractions instead of 49. For example, the new infraction #D28 for offensive conduct combines #25 (profane language), #26 (violating decency) and a portion of #38 (offensive conduct).
- Some of the discipline ranges have been revised.
- Employees are required to sign a Verbal or Written Warning to acknowledge receipt.

13. How did the new Personnel Rules affect employee grievances?

Changes include:

- The time periods were changed from working days to calendar days for grievances and appeals to avoid confusion about how to count holidays, alternate work schedules, working on weekends, etc. For example, the time to

file a grievance was changed from 10 working days to 15 calendar days, and the time to schedule an informal grievance committee meeting was changed from 20 working days to 30 calendar days.

- The rule more clearly delineates what issues may be grieved, and an easy-to-use chart has been added to clarify the level of grievance for each issue.
- The 4-step grievance process has been simplified to 3 steps: (1) department head, (2) Informal Grievance Committee and (3) Unified Personnel Board. Talking with one's supervisor (informal resolution) is still the recommended starting point, but is not included as part of the formal process.

14. How do the new Personnel Rules impact employees who are maxed out?

Employees who are at the top of their pay grade will be able to receive raises in a lump sum (new *Rule 3. Compensation*). This was the practice for the past few years but it has now been codified in a rule.

15. How do the new Personnel Rules impact raises?

- Promotional raises: The new *Rule 3. Compensation* allows for higher raises, with a promotional increase range of 4 to 10% at the discretion of the Appointing Authority, or above 10% in consultation with the Human Resources Director. Previously a promotion of 1 to 2 pay grades netted a 4% pay increase, and a promotion of 3 or more pay grades netted an 8% pay increase (or the new minimum pay rate for that pay grade, whichever is higher).
- General raises: The new *Rule 3. Compensation* allows for general pay increases to be calculated on the midpoint of a pay grade range, rather than an employee's actual salary. The midpoint of a salary range is considered the market value of a position. Raises based on the midpoint increase the amount of a raise for employees paid less than market value. Once an employee's pay exceeds the market value (midpoint), the increases slow down accordingly.

16. How do the new Personnel Rules impact demotions?

Pay reduction due to demotion is now at the discretion of the Appointing Authority so long as the pay does not fall below the minimum or exceed the maximum of the new pay grade (new *Rule 3. Compensation*). Previously, the rules specified that an employee's pay was reduced 2.5% for one pay grade reduction, 5% for two grades and 1% for each additional lower pay grade.

17. How do the new Personnel Rules impact military training or duty?

No changes. The rule regarding Military Training/Duty was simplified to state that leave will be granted in accordance with Florida and Federal law (new *Rule 4. Time Off*).

18. Were the appeals procedures for the Personnel Board changed?

Yes. Updates to the procedures for appealing grievances or terminations to the Personnel Board include:

- Changed working days to calendar days.
- Restructured for better organization and understanding including making the language consistent.
- Added *Section 15. Quorum* which requires at least 5 of the 7 Board members to be present at an appeal hearing.

19. How will the updated Personnel Rules be communicated throughout the organization?

A website has been created at www.pinellascounty.org/hr/rules which includes copies of the new rules, a comparison of the current and new rules, list of changes, and these FAQs. Also, there will information in *The Pen* newsletter, a Two-Minute Tuesday video and a [flyer](#) that may be posted to employee bulletin boards.

20. What about the current/old Personnel Rules? Will they still be accessible?

Yes. After January 1, 2016, the “old” Personnel Rules will still be available on the Human Resources website at www.pinellascounty.org/hr/policies.

21. Who should I contact with questions?

- For questions about applying the rules, check with your supervisor.
- For questions about a particular area such as hiring or discipline, contact staff in the area of Human Resources which handles that function such as employment or employee relations (see contact info at www.pinellascounty.org/hr/contacts.htm).
- Also, you may direct general questions to Human Resources at 464-3367 or AskHR@pinellascounty.org.

22. Will someone from Human Resources be available to discuss rules changes at staff meetings?

Yes. Contact Human Resources at 464-3367 or humanresources@pinellascounty.org to request a speaker.

What Changed in the Personnel Rules?

UPDATE HIGHLIGHTS

The Personnel Rules have been updated, and the changes are effective January 1, 2016. The following details some of the key revisions:

1. **Easier to find information.** The rules have been reorganized so that similar information is grouped together. For example, the new *Rule 4. Time Off* includes holidays, leave time, annual leave, funeral leave, extended illness, etc. Previously there were four separate rules with information about leave time.
2. **Easier to understand.** The text is in plain English instead of “legalese” whenever possible.
3. **Fewer rules.** There are 8 rules instead of 28:
 - Rule 1. The Classification Plan
 - Rule 2. Filling Positions
 - Rule 3. Compensation
 - Rule 4. Time Off
 - Rule 5. Reduction in Force
 - Rule 6. Discipline
 - Rule 7. Employee Grievances
 - Rule 8. Political Activities
4. **Some rules converted to policies.** There are 11 Unified Personnel Board (UPB) Policies regarding items that are administrative or procedural in nature:
 - UPB Policy #1: Employee Identification
 - UPB Policy #2: Selection for Classified Service Positions
 - UPB Policy #3: Employee Performance Management Program
 - UPB Policy #4: Employee Training -Tuition Reimbursement
 - UPB Policy #5: Outside or Non-County Employment
 - UPB Policy #6: Personnel Files
 - UPB Policy #7: Nepotism
 - UPB Policy #8: Resignation from County Service
 - UPB Policy #9: Transfer to Inactive Status
 - UPB Policy #10: Discipline Policy
 - UPB Policy #11: Grievance Process

The UPB Policies have the same compliance and enforcement requirements as the Personnel Rules. The policies must be followed and the wrongful application of a policy is grievable.
5. **Two additional floating holidays for longtime employees.** A new provision has been added to reward employees with 25 or more years of service with two additional floating holidays the following calendar year (new *Rule 4. Time Off*). An employee who has 25+ years by 12/31/15 will get two additional floaters in 2016. An employee who reaches the 25 year mark in 2016 will receive the additional floaters in 2017, and so on.

6. **Funeral leave.** The rule no longer specifies that the three days leave with pay time must be used “to attend a funeral or memorial service” since the time may be used for any needed purpose. Also, the three days no longer need to be consecutive, and grandparents in-law were added as immediate family (new *Rule 4. Time Off*).
7. **General raises based on midpoint.** The new *Rule 3. Compensation* allows for general pay increases to be calculated on the midpoint of a pay grade range, rather than an employee's actual salary. The midpoint of a salary range is considered the market value of a position. Raises based on the midpoint increase the amount of a raise for employees paid less than market value. Once an employee's pay exceeds the market value (midpoint), the increases slow down accordingly.
8. **Promotional raises.** The new *Rule 3* allows for higher raises, with a promotional increase range of 4 to 10% at the discretion of the Appointing Authority, or above 10% with consultation with the Human Resources Director. Previously a promotion of 1 to 2 pay grades netted a 4% pay increase, and a promotion of 3 or more pay grades netted an 8% pay increase (or the minimum pay rate for the new pay grade, whichever is higher).
9. **Demotions.** Pay reduction due to demotion is now at the discretion of the Appointing Authority so long as the pay does not fall below the minimum or exceed the maximum of the new pay grade (new *Rule 3. Compensation*). Previously, the rules specified that an employee's pay was reduced 2.5% for one pay grade reduction, 5% for two grades and an additional 1% for each additional lower pay grade.
10. **Raises for maxed-out employees.** Employees who are at the top of their pay grade will be able to receive raises in a lump sum (new *Rule 3. Compensation*).
11. **New hire pay.** Starting pay may be above the minimum with approval of the Appointing Authority in consultation with the Human Resources Director. Previously, starting pay which exceeded the third quartile of the pay grade range required approval of the Personnel Board (new *Rule 3. Compensation*).
12. **Military training/duty** was simplified to state that leave will be granted in accordance with Florida and Federal law (new *Rule 4. Time Off*).
13. **Probation period for exempt to classified.** Exempt employees who move to a classified position are now required to serve a one-year probationary period (new *Rule 2. Filling Positions*).
14. **Annual leave chart simplified.** The leave chart in the new *Rule 4. Time Off* no longer includes a separate chart for employees hired before 12/25/94 since they now fall within the existing leave chart as employees with 20+ years of service.
15. **Calendar days.** The specified time periods in the rules were changed from working days to calendar days to avoid confusion about how to count holidays, alternate work schedules, working on weekends, etc. For example, the time allowed to file a grievance was changed from 10 working days to 15 calendar days, and the time to schedule an informal grievance committee meeting was changed from 20 working days to 30 calendar days.

16. **Disciplinary actions.** Updates in the new *Rule 6. Discipline* include:
 - Oral and Written Reminders are renamed Verbal and Written Warnings.
 - Disciplinary guidelines have been combined to eliminate redundancies and simplify the process of choosing an appropriate infraction. There are now a total of 38 infractions instead of 49. For example, the new infraction #D28 for offensive conduct combines #25 (profane language), #26 (violating decency) and a portion of #38 (offensive conduct).
 - Some of the discipline ranges have been revised.
 - Employees are required to sign a Verbal or Written Warning to acknowledge receipt.
17. **Employee grievances.** Updates in the new *Rule 7. Employee Grievances* include:
 - The rule more clearly delineates what issues may be grieved, and an easy-to-use chart has been added to clarify the level of grievance for each issue.
 - The 4-step grievance process has been simplified to 3 steps: (1) department head, (2) Informal Grievance Committee and (3) Unified Personnel Board. Talking with one's supervisor (informal resolution) is still the recommended starting point, but is not included as part of the formal process.
18. **Seniority points and veterans' preference.** The new *Rule 2. Filling Positions* no longer includes the awarding of points for seniority. Eligible veterans will continue to be given a preference in each step of the hiring process.
19. **Political office.** Exempt employees were removed from the rule. It now applies to classified employees only. The policies regarding exempt employees' political activity are governed by the Appointing Authority and state law.
20. **Unified Personnel Board Appeal procedures.** The procedures for appealing grievances or terminations to the Personnel Board have been updated to:
 - Changed working days to calendar days.
 - Restructured for better organization and understanding including making the language consistent
 - Add *Section 15. Quorum* which requires at least 5 of the 7 Board members to be present at an appeal hearing.
21. **Definitions.** The current *Rule 1. Definitions* was removed, and terms are now defined within each rule as needed. Also, a supplemental list of definitions was added at the end of the rules.
22. **Worker's compensation.** The current *Rule 17. Worker's Compensation Injuries* was removed since this is covered by state law and Risk Management policies. The provision to allow 10 hours of paid leave per pay period for treatment of injuries is now listed in the new *Rule 4. Time Off*.
23. **Student work.** The current *Rule 26. Student Work Experience Programs* was removed since this is covered by provisions within the job classification system for interns, project assistants, etc.
24. **Disabling illness.** The current *Rule 27. Disabling Illness* was removed since this is covered by federal and state law including the Americans with Disabilities Act (ADA).

Current Rules versus New Rules: Where Did They Go?

The summary below indicates the current Personnel Rule number, and where the information is found in the new Personnel Rules or Unified Personnel Board Policies.

Current Rule until 12/31/15	New Rule or Policy as of 1/1/16
I. Definitions	<ul style="list-style-type: none"> • Terms defined within each rule as needed • Supplemental definitions at the end of the Rules
II. Recruitment, Selection, and Examinations	<ul style="list-style-type: none"> • Rule 2. Filling Positions • Policy 2: Selection for Classified Positions • Policy 7: Nepotism
III. Eligible Registers, Certifications, Appointment	<ul style="list-style-type: none"> • Rule 2. Filling Positions • Rule 3. Compensation • Policy 2: Selection for Classified Positions • Policy 7: Nepotism
IV. The Classification Plan	<ul style="list-style-type: none"> • Rule 1. The Classification Plan
V. The Pay Plan	<ul style="list-style-type: none"> • Rule 3. Compensation
VI. Promotion	<ul style="list-style-type: none"> • Rule 2. Filling Positions • Rule 3. Compensation • Policy 2: Selection for Classified Positions • Policy 7: Nepotism
VII. Demotion	<ul style="list-style-type: none"> • Rule 2. Filling Positions • Rule 3. Compensation
VIII. Transfer	<ul style="list-style-type: none"> • Rule 2. Filling Positions • Rule 3. Compensation
IX. Position Reclassification	<ul style="list-style-type: none"> • Rule 2. Filling Positions • Rule 3. Compensation
X. Pay Grade Change	<ul style="list-style-type: none"> • Rule 3. Compensation
XI. Standard Workweek, Overtime Compensation, and Standby	<ul style="list-style-type: none"> • Rule 3. Compensation
XII. Holidays	<ul style="list-style-type: none"> • Rule 4. Time Off
XIII. Annual Leave	<ul style="list-style-type: none"> • Rule 4. Time Off
XIV. Extended Illness Leave	<ul style="list-style-type: none"> • Rule 4. Time Off

Current Rule	New Rule or Policy as of 1/1/16
XV. County Service Optional Exchange of Leave	<ul style="list-style-type: none"> Repealed in 2011; leave exchange is now offered during annual enrollment for benefits
XVI. Leave of Absence	<ul style="list-style-type: none"> Rule 4. Time Off
XVII. Worker's Compensation Injuries	<ul style="list-style-type: none"> Covered by policies from Risk Management, the Appointing Authorities and state law
XVIII. Employee Training	<ul style="list-style-type: none"> Policy 4: Employee Training - Tuition Reimbursement
XIX. Employee Performance Review Program	<ul style="list-style-type: none"> Policy 3: Employee Performance Management Program
XX. Adjustment of Employee Grievance	<ul style="list-style-type: none"> Rule 7. Employee Grievance Policy 11: Grievance Process
XXI. Outside or Non-County Employment	<ul style="list-style-type: none"> Policy 5: Outside or Non-County Employment
XXII. Resignations	<ul style="list-style-type: none"> Policy 8: Resignation from County Service
XXIII. Layoff, Displacement and Re-Employment	<ul style="list-style-type: none"> Rule 5. Reduction in Force
XXIV. Discipline	<ul style="list-style-type: none"> Rule 6. Discipline
XXV. Political Activities	<ul style="list-style-type: none"> Rule 8. Political Activities
XXVI. Student Work Experience Programs	<ul style="list-style-type: none"> Rule 3. Compensation
XXVII. Disabling Illness	<ul style="list-style-type: none"> Covered by the County's American with Disabilities Act Policy, Family Medical Leave Act, etc.
XXVIII. Transfer to Inactive Service	<ul style="list-style-type: none"> Policy 9: Transfer to Inactive Service

New Personnel Rules

Introduction

Rule 1. The Classification Plan

Rule 2. Filling Positions

Rule 3. Compensation

Rule 4. Time Off

Rule 5. Reduction in Force

Rule 6. Discipline

Rule 7. Employee Grievances

Rule 8. Political Activities

Definitions

Upcoming Personnel Board Meetings

A reminder that the February Unified Personnel Board Meeting is scheduled for Thursday, February 4, 2016, with a start time of 4:00 p.m. The start time was adjusted to 4:00 p.m. because there is an appeal scheduled for that meeting.

The current understanding is that regular meetings will continue to begin at 6:30 p.m. unless the Unified Personnel Board elects to change the meeting to an earlier start time (4:00 p.m.) in those situations when an appeal is to be heard by the Board.

Sec. 94-74. - Same—Powers and duties.

The affirmative action committee shall have the following powers and duties:

- (1) To develop and implement an affirmative action plan for all facets of county government.
- (2) To direct the day-to-day operation and implementation of the affirmative action plan.
- (3) To receive complaints and to be the final authority for review of questions involving any alleged discrimination.
- (4) To conduct investigations concerning employment practices which may have an adverse impact on protected classes.
- (5) To hire an affirmative action officer who shall serve at the pleasure of the committee.
- (6) To recommend to the board of county commissioners a proposed budget for the funding of the county affirmative action office.
- (7) To oversee and to review the actions of the affirmative action office.
- (8) To establish monitoring systems as may be necessary for implementation of the affirmative action plan.

Sec. 94-75. - Contents of plan.

The affirmative action plan shall comply with all federal requirements and shall provide for good faith efforts to:

- (1) Determine the extent to which minorities and women are underutilized in major categories.
- (2) Identify and eliminate the specific causes of such underutilization.
- (3) Identify and eliminate any employment practices which are not clearly related to job performance and which may have an adverse impact on protected classes.
- (4) Rely exclusively upon employment practices which are based upon merit and other valid job related criteria.
- (5) Develop, through special recruitment efforts, substantial applicant pools of qualified women and members of minority groups.
- (6) Develop, through special recruitment efforts, applicant pools in which handicapped persons are represented equitably.
- (7) Project goals and timetables which shall include estimates of the representation of minorities and women likely to result from the operation of the affirmative action plan.

Sec. 94-76. - Affirmative action office.

- (a) There is hereby established the county affirmative action office, which shall be under the direction of the affirmative action committee.
- (b) The affirmative action office shall be headed by the affirmative action officer, who shall be appointed by and answerable directly to the affirmative action committee.
- (c) The affirmative action office shall be responsible for the day-to-day implementation of the affirmative action plan, including preparing reports, making recommendations, and conducting investigations, subject to direction from the affirmative action committee.



Employees' Advisory Council – Representative Meeting Minutes

County Office Annex, Room 429, Clearwater, FL

Wednesday, November 18, 2015, 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 Wombles.

Introductions

Tim Closterman, formally of the Communications Department, has joined Human Resources as a Human Resources Business Partner.

Approval of Minutes

Richard Castle motioned to approve the EAC Representative Minutes for October 21, 2015. The motion was seconded by Peg Poole. The minutes were approved as written.

Comments from Dave Blasewitz, Human Resources Division Director

Personnel Rules will be voted on by the Personnel Board at the meeting on December 3, 2015. The new rules, if approved would go into effect on January 1, 2016. The old rules would end on December 31, 2015. There would be a transition period for some rules with regard to discipline or other rules whereby there is a carryover into the New Year due to the processes involved in decision making. One of the positive additions to the rules is for employees that have 25+ years will be getting 2 more floating holidays each year. This was initiated by the EAC.

The selection process for the new HR Director is moving along, using a headhunting consultant. No date has been establish to complete the search. They are anticipating having a new HR Director in place in spring 2016.

Benefit elections for 2016 closed on November 16, 2015. There was no increase in premium cost for employees. Floating Holidays and Personal Day must be used by December 26, 2015. There are 27 pay periods in 2015. There will not be deductions for the core benefits taken from the last pay in December. Some employees will have deductions taken out if all of the flexible spending account money has not been accumulated, per IRS rules. Don't forget to complete your health screening/assessment by December 31, 2015. [For more info, see [Save \\$500 on Your Premium Charges for Health Insurance](#)]

Beverly Waldron has given her letter of resignation to the Personnel Board effective January 8, 2015. The Personnel Board will decide on the next interim director.

The employee survey was distributed on November 9, 2015 by the National Research Center. The Appointing Authority (AA) may break down the survey results as much as they choose. HR suggested to the AA not to break down the categories too much because employees will not complete the survey.

EAC Elections/Candidates

Electronic ballots will be emailed the 3 groups who qualify for voting on November 30, 2015. The voting period is November 30, 2015 to December 14, 2015. The groups are: BCC Group 2 (Real Estate Management), Supervisor of Elections and Clerk-North.



Employees' Advisory Council



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

APPROVED BY THE EAC

New Business / Open Discussion

There is an Affirmative Action meeting on December 12, 2015. The Wage Theft Ordinance will be under the direction of the Office of Human Rights.

Adjourned

Richard Castle motioned to adjourn meeting, seconded by Mercedes Pearson.

Charles Toney	*Randy Rose	Clare McGrane	*Joshua Chance	Chuck Mangio
*Richard Carvale	*Lisa Wombles	*Steve Yeatman	*Richard Castle	*Mercedes Pearson
*Hazel Lane	*Mike Powell	*Jennifer Gundel	*Linda Cahill	*Peggy Poole

*EAC Representatives in attendance at this meeting.



Employee Advisory Council – Delegate Meeting Minutes

Extension Services, 12520 Ulmerton Road, Largo, FL

Thursday, November 19, 2015, 8:00 a.m. – 10:00 a.m.

Call to Order

The EAC Delegate meeting was called to order at 8:05 a.m. by Chair, Lisa Wombles, followed by the Pledge of Allegiance.

Guest Speaker – Jim Bennett, County Attorney

Jim Bennett, County Attorney, provided some examples of how he and his office protect their clients, the departments under the Board of County Commissioners, as well as our elected officials.

- Day-to-day representation on the host of matters entrusted to our client's care.
- BP Deepwater Horizon oil spill: The County came to a settlement with the defendant. This caused a thin line between what information could be provided to the citizens and what information could not be public records due to the terms of the settlement.
- IC Shark: This is still an open case involving a contractor who built a dock, with a structure and electricity, without the benefit of a building permit.

Words of wisdom from Jim:

- See your attorney early.
- Don't hide any issues.
- Shine the light on the bad news so that it can be addressed.
- Strive for good relationships and rapport with client departments.
- We ask a lot of questions because facts matter and may drive the advice we give.

Question:

Why and when does your office hire outside counsel?

Response:

There are several circumstances when outside counsel must or should be retained:

1. Anytime that there is a conflict of interest. The County Attorney's Office subscribes to a code of professional responsibility which requires that we avoid such conflicts.
2. When it involves a specialty area for which we do not maintain expertise (immigration law).
3. When the matter will demand so much of our resources that it would interfere with our other responsibilities.
4. Politically charged cases where we need to counsel more than represent the Board.

The Personnel Board's attorney is Michelle Wallace, while Carole Sanzeri is attorney for Human Resources. Under such circumstances we have special protections, both digital and procedural, in place to prevent the lawyers or their secretaries or paralegals from seeing each other's work.

Comments from EAC Chair – Lisa Wombles

Election news:

- Mario Ruggia is Representative for BCC I.
- Doris McHugh is Representative for BCC VI.
- Lisa is Representative for BCC VIII.
- Lisa Wright is Representative for Property Appraiser.



Employees' Advisory Council



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

APPROVED BY THE EAC

Election emails will be going out on November 30th, for the remaining areas:

- BCC II
- Clerk North
- Supervisor of Elections

Keith Dekle has agreed to continue to serve as the EAC's appointment to the Personnel Board for another term.

Comments from Interim Director of Human Resources – Beverly Waldron

News on Rules, Policies, and Procedures: Two weeks from today, all will be brought before the Personnel Board. Grievances will follow the Rules, Policies, and Procedures in effect at the time of the employee's first awareness of the issue. Everything else will follow those in place as of the date of the transaction.

Bev is thankful for the tremendous job done by Charles Toney in reviewing the proposed Personnel Rules.

"Long timers" with twenty-five years or more will receive two additional floating holidays.

Bev's last day with Pinellas County will be January 8, 2016, with over thirty-one years of service.

The meeting for the Personnel Board to meet with the elected officials on November 19th has been cancelled. A new time will be rescheduled. The County has contracted with a recruiting firm, Waters, to narrow down the finalists. The current outlook is sometime in April or May to appoint the new HR Director.

Among other issues with having 27 payroll periods this year, the accrual of annual leave is also affected. Employees will still get the same amount of leave accrual by the end of Payroll Period #27. Accrual, like health benefits, is also spread out among the payroll periods.

A question referring to the interruption of service and years of service with Pinellas County; whether the employee retains the years served will depend upon the length of the interruption of service. Most employees laid off in the recession were able to be re-employed and did not lose their tenure.

Upcoming Meetings

The Personnel Board Meeting is December 3, 2015. The EAC Representative Meeting is December 16, 2015 and the EAC Delegate Meeting is January 28, 2016.

Adjourned

Charles Toney	*Randy Rose	*Clare McGrane	*Joshua Chance	Chuck Mangio
*Richard Carvale	*Lisa Wombles	*Steve Yeatman	*Richard Castle	Mercedes Pearson
*Hazel Lane	*Mike Powell	Jennifer Gundel	*Linda Cahill	*Peggy Poole

*EAC Representatives in attendance at this meeting.

SIGN UP: Any employee may request a new issue be emailed each month by [subscribing to Leadership Notes newsletter](#).

Previously known as Management & Supervisory Notes

Exit Interviews: Why Did You Leave?

Employees leave organizations for many reasons, such as accepting another job offer, moving to another area, taking care of personal issues, and retirement. These can be good reasons for leaving. However, when an employee leaves for reasons attributable to the organization, it is a good idea to delve into those issues and look for ways to improve.

Exit interviews conducted with employees when they leave an organization are a cost-effective tool that can be used to gather information about what an organization is doing well, and how an organization can improve.

Information that can be obtained through exit interviews includes:

- Work environment
- Managerial style
- Day-to-day work issues
- Employee morale
- Feedback about benefits

According to *HRinfodesk.com*, "Exit interviews can be used to gather information which can then play a part in preventing future employees from leaving the company, and improving the organization's overall working environment. By keeping track of the outcomes of exit interviews over time, employers can begin to identify trends and patterns as to why people leave the company. Employers can also determine whether turnover is higher in certain positions and departments, whether there are management issues in certain areas, and whether the organization is offering remuneration which is in line with the competition."

Taking the information received through the responses of former employees and reviewing that information is essential for an organization to move forward. It is important for an organization to not

overreact to the response of one individual, but to look for overall patterns and trends. This information should be shared with management, and collective decisions should be made on how to evaluate the information and take action. It has been found that when this information is thoughtfully acted upon, the positive results are immeasurable.

Further, exit interviews also highlight what organizations are doing well, and what is looked favorably upon by employees.

Of course, exit interviews are not the only time that an organization should be gathering this type of information. Regular conversations between supervisors and employees should help to bring issues, both good and bad, to light. These frequent conversations are the backbone of the FACE of Performance program adopted by Pinellas County last year.

The Human Resources Department asks former employees to complete an online exit interview within the month they leave employment. This information is reviewed to identify where former employees believe the County is doing well, and to pinpoint areas in which the County can make improvements.

Valuable information is gleaned from exit interviews, the biannual Employee Survey, FACE of Performance conversations, as well as informal two-way, everyday communication between supervisors and employees. Using all of these resources, Pinellas County supervisors can take steps to reduce employee turnover, improve recruitment and selection practices, promote increased employee morale, and continue to improve the work environment for all employees.

Learning Opportunity

December 2015

Pinellas County
Human Resources
Helping U Succeed
www.pinellascounty.org/hr/training

Quarterly Training Calendar

	Monday	Tuesday	Wednesday	Thursday	Friday
	Nov 30	Dec 1	2	3	4
Nov 30 - Dec 4			8:30am 4:30pm Team Building (Studio B)	8:30am 12:00pm Workplace Diversity: Developing Cultural Competence (Utilities)	
	7	8	9	10	11
Dec 7 - 11					
	14	15	16	17	18
Dec 14 - 18	8:30am 5:00pm Setting Sail - New Employee Orientation Class 1 (Annex 429)		8:30am 12:00pm Sharpening Your Professional Image (Sheriff's Office)		
	21	22	23	24	25
Dec 21 - 25	8:30am 12:00pm Muster Drill - New Employee Orientation Class 2 (Extension)				Christmas Holiday
	28	29	30	31	Jan 1, 16
Dec 28 - Jan 1	8:30am 5:00pm Setting Sail - New Employee Orientation Class 1 (Annex 429)				

Request enrollment for classes in OPUS. Users without OPUS access may register through their training coordinator. Class dates and times are subject to change. Not all classes are open to non-County Consortium members. Contact Training & Development at 464-3796 or email training@pinellascounty.org.

Learning Opportunity

January 2016

Pinellas County
Human Resources
Helping U Succeed
www.pinellascounty.org/hr/training

Quarterly Training Calendar

	Monday	Tuesday	Wednesday	Thursday	Friday
	Dec 28	29	30	31	Jan 1, 16
Dec 28 - Jan 1					New Year's Holiday
	4	5	6	7	8
Jan 4 - 8					
	11	12	13	14	15
Jan 11 - 15	8:30am 5:00pm Setting Sail - New Employee Orientation Day 1 (Annex 429)		8:30am 12:00pm A Kick in the Attitude (Sheriff's room 180A)		
	18	19	20	21	22
Jan 18 - 22		8:30am 12:00pm Muster Drill - New Employee Orientation Class 2 (Extension)		8:30am 12:30pm Records Management 1.0 (Swisher 111) 8:30am 12:00pm Time Management (Studio B)	
	25	26	27	28	29
Jan 25 - 29	8:00am 12:00pm Freestyle Cruising - New Employee Orientation Day 3 (Magnolia Room) 8:30am 5:00pm Setting Sail - New Employee Orientation Day 1 (Annex 429)			9:00am 4:00pm Project Management (Pinellas Park)	

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Learning Opportunity

February 2016

Pinellas County
Human Resources
Helping U Succeed
www.pinellascounty.org/hr/training

Quarterly Training Calendar

	Monday	Tuesday	Wednesday	Thursday	Friday
Feb 1 - 5	Feb 1	2	3	4	5
		8:30am 4:30pm Supervisory & Management Competencies Series (Studio B)			
Feb 8 - 12	8	9	10	11	12
		8:30am 4:30pm Supervisory & Management Competencies Series (Studio B)		8:30am 12:00pm The Changing Environment & Future Trends in Leadership Development (Studio B) 1:00pm 4:30pm Emotional Intelligence (Studio B)	
Feb 15 - 19	15	16	17	18	19
		8:30am 4:30pm Supervisory & Management Competencies Series (Studio B) 8:30am 12:00pm Muster Drill - New Employee Orientation Class 2 (Extension)	8:30am 12:00pm Power of Future Conversations (Studio B)	8:30am 11:00am Records Management 2.0 (Swisher 211)	
Feb 22 - 26	22	23	24	25	26
	8:30am 5:00pm Setting Sail (Annex 429)	8:30am 4:30pm Supervisory & Management Competencies Series (Studio B)			
Feb 29 - Mar 4	29	Mar 1	2	3	4

Request enrollment for classes in OPUS. Users without OPUS access may register through their training coordinator. Class dates and times are subject to change. Not all classes are open to non-County Consortium members. Contact Training & Development at 464-3796 or email training@pinellascounty.org.

THE PINELLAS COUNTY
UNIFIED PERSONNEL SYSTEM BOARD

IN RE:

Appeal of Termination of

Norris Watson,

Appeal No. 15-07

Appellant,

v.

PINELLAS COUNTY UTILITIES

Appellee.

APPOINTING AUTHORITY'S MOTION TO DEEM APPEAL WITHDRAWN

Pursuant to Section 13-2 of the Appeal Procedures adopted by this Board, the Appointing Authority requests Mr. Watson's appeal be deemed to be withdrawn as a result of his failure to appear at the Pre-Hearing Conference scheduled and noticed for Monday, December 7, 2015.

1. Mr. Watson is appealing his termination which is based on a violation of Rule XXIV (J)(8); leaving work station without authorization; (J)(10), intentional falsification of records; (J)(14), unauthorized use of County equipment or property; (J)(16), willful violation of written rules, regulation, policies or statutes; (J)(5), insubordination; (J)(9), absence without authorized leave; and (J)(36), the employee has intentionally falsified a time record or made a false claim for leave, or failed to report absence from duty to supervisors.

2. Attorney Michelle Wallace, on behalf of the Board, provided both Mr. Watson and the Appointing Authority with notice of the pre-hearing conference to be held on December 7, 2015.

3. "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, and the date and time of the meeting when it will be considered by the Board, shall be provided by the moving party via regular U.S. Mail to the appellant at his or her last known address." 13-2, Appeal Procedures.

4. The Appointing Authority defers to Ms. Wallace as to the notice provided to Mr. Watson and requests this Honorable Board do the same.

WHEREFORE, the Appointing Authority respectfully requests this Honorable Board deem Mr. Watson's Appeal withdrawn and allow the termination to stand as issued.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was served upon Norris Watson by regular and certified U.S. Mail at 600 40th Street North, Apt. 313, St. Petersburg, FL 33713 on December 14, 2015.


Alan Bollenbacher
Manager, Utilities Maintenance Section

cc: Michelle Wallace, Esq.

Waldron, Beverly C

From: Wallace, Michelle A
Sent: Tuesday, December 22, 2015 8:42 AM
To: Waldron, Beverly C
Subject: FW: Phone message

Importance: High

See below.

Michelle Wallace, Esq.
Senior Assistant County Attorney
Pinellas County Attorney's Office
315 Court St, 6th Floor
Clearwater, FL 33756
(727)464-3354 (office)
(727)464-4147 (fax)
mwallace@pinellascounty.org

All government correspondence is subject to the public records law.

From: Schwartz, Mary K
Sent: Tuesday, December 22, 2015 8:39 AM
To: Wallace, Michelle A <mwallace@co.pinellas.fl.us>
Subject: Phone message
Importance: High

Norris Watson left a message on the recorder last night. The job he is working at he cannot use the phone, and the only time he can call is after 6:30, or on weekends. He said he can make the January 7th meeting, and would like to know if he should bring an attorney. He asked that someone from our office call and leave a message on his recorder as to whether or not he should seek legal counsel.

(727) 735-3667

~ Mary

Mary K. Schwartz
Senior Office Specialist
Pinellas County Attorney's Office
315 Court Street, 6th Floor
Clearwater, Florida 33756
Phone: (727) 464-3354
Fax: (727) 464-4147
mschwartz@pinellascounty.org

All government correspondence is subject to the public records law.