

By Representatives Crist, Miller, Littlefield, Ogles,
Byrd, Murman, Bradley and Culp

1 A bill to be entitled
2 An act relating to Hillsborough County;
3 amending chapter 96-519, Laws of Florida,
4 relating to the Civil Service Act; amending and
5 adding definitions; providing guidelines for
6 the adoption of a salary schedule; providing an
7 effective date.
8
9 Be It Enacted by the Legislature of the State of Florida:
10
11 Section 1. Section 5 of chapter 96-519, Laws of
12 Florida, is amended to read:
13 Section 5. Definitions.--As used in this act, the
14 term:
15 (1) "Appointing authority" means any person or agency
16 authorized under this act or other statutory authority to
17 employ personnel to carry out the responsibilities of the
18 agency.
19 (2) "Appointment" means selection by an appointing
20 authority of a certified eligible person to perform assigned
21 duties and responsibilities in a specified position in the
22 classified service.
23 (3) "Benefits plan" means a schedule of employment
24 benefits to include all leave and holidays.
25 (4) "Board" means the Hillsborough County Civil
26 Service Board.
27 (5) "Budget authority" means any agency or authority
28 to which this act applies and which is empowered to develop
29 and adopt its budget without approval of any other agency or
30 authority.
31

1 (6)~~(5)~~ "Certification" means the process of providing
2 the names of those eligible for a class of positions to be
3 considered in filling a vacancy.

4 (7)~~(6)~~ "Civil Service" means that part of the
5 employment system within Hillsborough County to which this act
6 is applicable pursuant to section 4.

7 (8)~~(7)~~ "Classified employee" means an employee whose
8 position is subject to the rights contained in this act and in
9 rules adopted by the board.

10 (9)~~(8)~~ "Class of positions/classifications" means all
11 positions that are sufficiently similar as to kind or subject
12 matter of work, level of difficulty or responsibilities, and
13 qualification requirements of the work to warrant the same
14 treatment as to title, pay range, and other personnel
15 transactions.

16 (10)~~(9)~~ "Classification plan" means a document that
17 formally describes the concepts, rules, and class
18 specifications used in the classification and reclassification
19 of positions in the classified service.

20 (11)~~(10)~~ "Demotion" means moving an employee from a
21 position in one class to a position in another class having a
22 lesser degree of responsibility and lower pay grade.

23 (12)~~(11)~~ "Dismissal" means the discharge of an
24 employee from the service by the appointing authority.

25 (13)~~(12)~~ "Executive manager" means a position so
26 designated by any appointing authority. The identifying
27 characteristics of an executive manager position are:

28 (a) Having primary responsibility for the
29 administration of a department or division that is major in
30 scope in terms of a countywide program except as may be
31 limited by municipal programs or ~~and~~

1 (b) Being entrusted with developmental or confidential
2 information and high level responsibility for:

3 1. Program research, development, implementation, and
4 monitorship;

5 2. Formulation of policies; or

6 3. Day-to-day operations, administration, and
7 departmental or divisional decisionmaking.

8 (14)~~(13)~~ "Exempt employee" may be used interchangeably
9 with an "unclassified employee" and means an employee whose
10 position is subject to any rights provided by the employee's
11 appointing authority and who is enumerated in section 6(2).

12 (15)~~(14)~~ "Initial probationary period" means a period
13 of 6 months of conditional employment in the same position,
14 which may be extended for an additional 6 months during which
15 time an employee may be dismissed without appeal to the board.

16 (16)~~(15)~~ "Leave" means absence of a classified
17 employee from employment authorized by the appointing
18 authority in accordance with rules adopted by the board.

19 (17)~~(16)~~ "Part-time employee" means one who works less
20 than 50 percent of the normal work period.

21 (18)~~(17)~~ "Pay plan" means a document containing one or
22 more salary schedules ~~schedule establishing an appropriate~~
23 ~~salary range for each class of position which includes an~~
24 ~~initial or entrance salary, a maximum salary, and a method of~~
25 ~~progression from initial to maximum.~~

26 (19)~~(18)~~ "Promotion" means moving an employee from a
27 position in one class to a position in another class having a
28 greater degree of responsibility and a higher pay grade.

29 (20)~~(19)~~ "Reduction in force" means dismissal, for
30 reasons including, but not limited to, shortage of funds,
31 abolition of a position, or material changes in job duties or

1 organizational structure in accordance with rules adopted by
2 the board.

3 (21)~~(20)~~ "Reemployment" means appointment of a person
4 who was dismissed due to reduction in force in accordance with
5 rules adopted by the board.

6 (22)~~(21)~~ "Resignation" means an employee's voluntary
7 election to terminate the employee's employment.

8 (23) "Salary schedule" means a document which is
9 adopted by the annual budget process or which is established
10 by a collective bargaining or impasse procedure. Salary
11 schedules must be adopted or established by any budget
12 authority for those employees whose positions it funds and
13 which employees are subject to the terms of this act. A
14 salary schedule must include the salary range and a minimum
15 and a maximum rate of pay and any intermediate points within a
16 salary range.

17 (24)~~(22)~~ "Substitute employee" means an employee who
18 is temporarily employed to fill the position of a permanently
19 employed person who is on approved leave of absence. A
20 substitute employee may not fill any given position for a
21 period exceeding 120 calendar days from the first day of
22 appointment by the appointing authority.

23 (25)~~(23)~~ "Suspension" means the removal of an employee
24 from the service for a temporary period of time.

25 (26)~~(24)~~ "Temporary employee" means an employee whose
26 employment is not intended to exceed 120 calendar days from
27 the first day of appointment by the appointing authority.

28 (27)~~(25)~~ "Tenure" means a status granted after
29 successful completion of an initial probationary period,
30 entitling the employee to all rights and protections provided
31 in this act.

1 ~~(28)~~~~(26)~~ "Transfer" means the change of an employee
2 from one position to another position.

3 Section 2. Paragraph (1) of subsection (3) of section
4 7 of chapter 96-519, Laws of Florida, is amended to read:

5 Section 7. Creation of civil service board; method of
6 conducting business; powers and duties.--

7 (3) The board shall:

8 (1) Establish a procedure for reductions in force and
9 a method for ~~from~~ reemployment.

10 Section 3. Section 13 of chapter 96-519, Laws of
11 Florida, is amended to read:

12 Section 13. Recommendation and adoption of
13 classification and pay plans.--

14 (1) At least once annually, on or before March 31, the
15 board shall recommend any revisions to the classification and
16 pay plan and shall immediately forward them to each appointing
17 authority. The pay plan shall provide, for each class of
18 position in the classification plan, a salary with an initial
19 entrance salary, intermediate points ~~steps~~, a method of
20 recognizing longevity, and a maximum salary. Thereafter, but
21 not later than April 30, the board shall prepare a final
22 recommendation, taking into consideration any responses
23 received from any appointing authority and including as backup
24 material copies of all such responses. If the final
25 recommendation is for a change to the pay plan, the
26 classification plan, or both, the recommendation shall be
27 presented, along with the backup material, to each budget
28 authority ~~the board of county commissioners~~ for the classified
29 employees whose positions it funds. Each budget authority.
30 ~~The board of county commissioners~~ must approve, amend, or
31 reject a salary schedule ~~the amended pay plan~~ for the ~~its~~

1 classified employees it funds by the date of adoption of its
2 annual budget. A budget authority shall not adopt a salary
3 schedule for any employee whose salary is funded by any other
4 budget authority. The board shall adopt the salary schedule
5 adopted by each budget authority and include each in the
6 board's pay plan. The board shall also adopt salary schedules
7 established in accordance with any collective bargaining or
8 impasse resolution procedures of any of the agencies or
9 authorities to which this act applies, and shall also include
10 each salary schedule so established within the board's pay
11 plan.

12 (2) The maximum salary shall be established and used
13 for each class within a salary schedule. The salary schedule
14 shall be used unless the board makes a determination that:

15 (a)1. It is in the best interests of Hillsborough
16 County to approve a salary exceeding the maximum to avoid loss
17 of pay for an employee; and

18 2. Either:

19 a. A pay grade is being reduced by administrative
20 action, including reclassification to a position with a lower
21 pay grade, regrading of a class to a lower pay grade, or
22 demotion through reduction in force to a class with a lower
23 pay grade;

24 b. An employee is voluntarily demoted; or

25 c. An employee's position is incorporated into civil
26 service; or

27 (b) It is necessary to implement a court order,
28 settlement, or contract or to avoid impairing a property
29 interest.

30 Section 4. This act shall take effect upon becoming a
31 law.