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An act relating to Hillsborough County;  
amending chapter 96-519, Laws of Florida,  
relating to the Civil Service Act; amending and  
adding definitions; providing guidelines for  
the adoption of a salary schedule; providing an  
effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 5 of chapter 96-519, Laws of  
Florida, is amended to read:

Section 5. Definitions.--As used in this act, the  
term:

(1) "Appointing authority" means any person or agency  
authorized under this act or other statutory authority to  
employ personnel to carry out the responsibilities of the  
agency.

(2) "Appointment" means selection by an appointing  
authority of a certified eligible person to perform assigned  
duties and responsibilities in a specified position in the  
classified service.

(3) "Benefits plan" means a schedule of employment  
benefits to include all leave and holidays.

(4) "Board" means the Hillsborough County Civil  
Service Board.

(5) "Budget authority" means any agency or authority  
to which this act applies and which is empowered to develop  
and adopt its budget without approval of any other agency or  
authority.

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.